

CASE No.

280

SOUTHERN DISTRICT

SAN VICENTE GRANT

BLAS A. ESCAMILLA

CLAIMANT

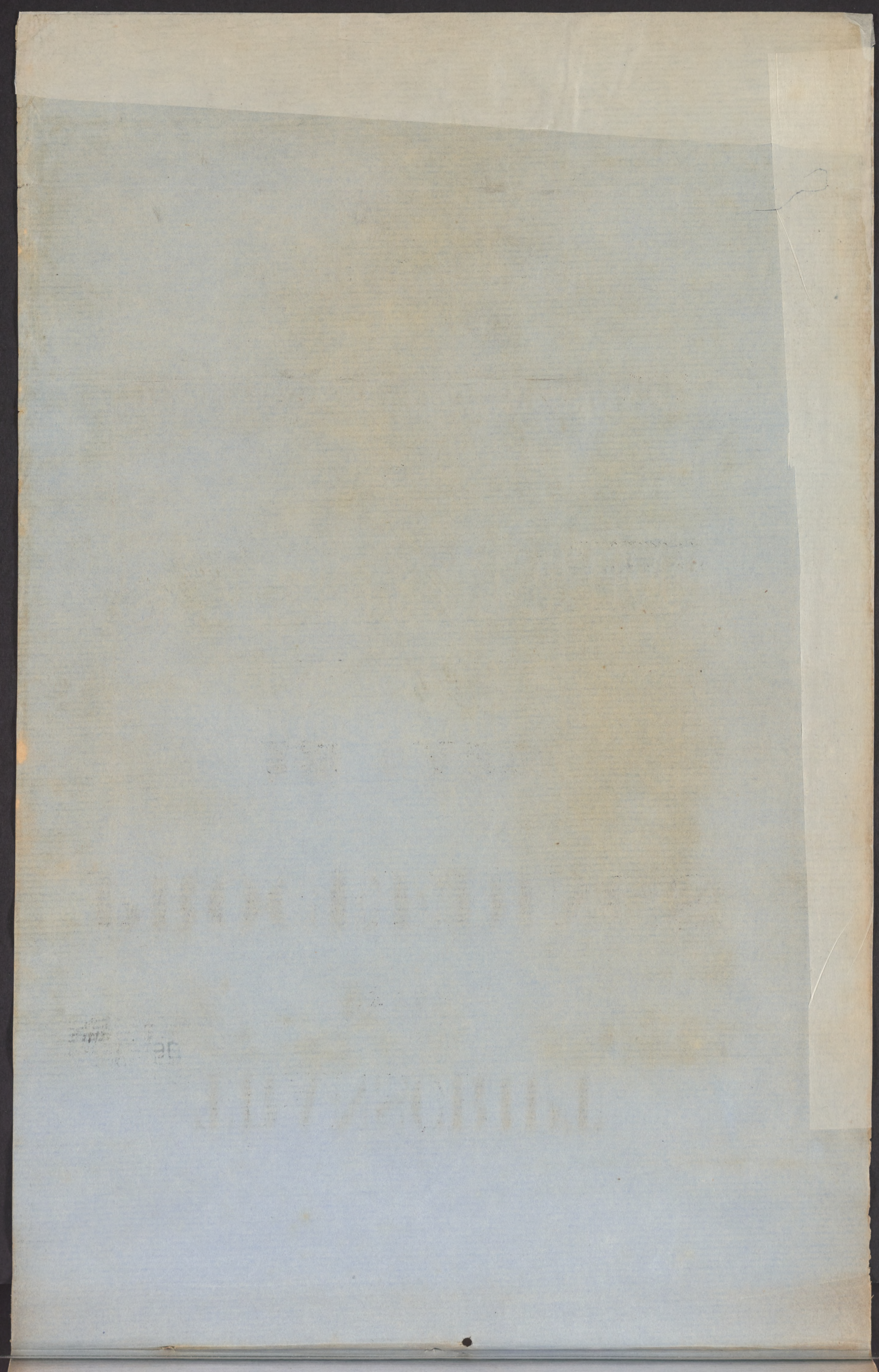
MAR 19 1963

LAND CASE 280 SD 37 pgs.

NEW
52% COTTON FIBER
BROKER BOND
CORPORATION

608

Dup



TRANSCRIPT

280 SD
PAGE 1

OF THE

PROCEEDINGS

IN CASE

NO. 608.

Blas A. Escamilla

CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"San Vicente"

THE UNITED STATES OF AMERICA

NEW YORK

BY WASHINGTON

AND SONS

Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

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Be it Remembered, that on this nineteenth day of February, Anno Domini One Thousand Eight Hundred and Fifty-Three, 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 Blas A. Escamilla
for the Place named
"San Vicente,"
was presented, and ordered to be filed and docketed with No. 608 and is as follows, to wit;

(Vide page 3 of this Transcript.)

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

San Francisco Aug. 31' 1854.
In Case no. 608, Blas A. Escamilla for the place named "San Vicente," the depositions of Manuel Rodriguez, Manuel Castro, and Cornelia Perez, witnesses in behalf of the claimant, taken before Commissioner Peter Sott, were filed.

(Vide pages 3, 5, 7 of this Transcript.)

San Francisco December 5' 1854.
Case no. 608 was ordered to be placed at the foot of the 3^d class cases on the Trial Docket.

San Francisco December 19' 1854.
Case no. 608 was submitted on briefs and taken under advisement by the Board.

San Francisco January 23' 1855.
In the same case Commissioner P. Aug. Thompson

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delivered the Opinion of the Board confirming
the claim:

(Vide page 15 of this Transcript)

And the following order was made, to wit:

(Vide page 19 of this Transcript.)

~~~~~

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PAGE 3



3  
Before the Commission on private land claims  
in California -

Blas A. Escamilla gives notice that  
he claims a tract of land in said State, sit-  
uated on the coast of the Bay of Santa Cruz  
and known by the name of San Vicente.  
Said land was granted to the claimant by  
D<sup>n</sup> Pio Pico, Governor of the Department  
of the Californias, on the 16<sup>th</sup> of June 1846.  
The original grant and translation of the  
same are herewith as a part of this peti-  
tion -

By his Attorneys  
Jones, Crockett & Baker.

Filed in Office Feby 19<sup>th</sup> 1853.

Geo: Fisher.  
Secy.

608

C.  
United States of America.  $\frac{1}{2}$   
State of California.  $\frac{3}{4}$  S. S.

Deposition  
of Cornelio  
Perez.

San Francisco, August 31<sup>st</sup> 1854.  
This day came before Peter Sitt, Com-  
missioner for taking testimony to be used  
before the Board of U. S. Land Commis-  
sion, in said State, Cornelio Perez, a witness  
on behalf of the claimant, Blas A. Escamilla  
in case No 608, on the docket of  
said Board, and said witness being sworn  
testified in Spanish, which was interpreted  
by the Interpreter to said Board, as fol-  
lows -

The U. S. Associate Law Agent is present.

Questions by Mr Packard who ap-  
pear for the attorney for claimant -

1<sup>st</sup> Question.



4  
What is your name, age and residence?

Answer.

My name is Cornelio Perez, my age 43 years, and I reside in the County of Santa Cruz, where I was born and have always lived.

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2<sup>d</sup> Question.

Do you know the Rancho of San Vicente, if you, describe it?

Answer.

I know the Rancho. It is in Santa Cruz County - The boundaries are from the Arroyo San Vicente to the Arroyo del Molino and from the to the mountain -

3<sup>d</sup> Question.

Is the mountain a conspicuous mountain? Is it a single mountain or range of mountains?

Answer.

It is a large mountain or range of mountains, well known and conspicuous. The mountain is about 3 leagues from the sea and the Arroyos are about 1 league apart.

4<sup>th</sup> Question.

State what you know of the occupation of said Rancho in the years 1845-1846 and 1847?

Answer.

I saw Blas Escamillo take some horses on to the place in 1845, in 1846 he built ~~and~~ a house and corral there & planted a small portion of the land and lived there - I was there and saw these things - and he continued there with his cattle and stock and cultivation in 1847.

Cornelio F. Perez.

mark

Subscribed and sworn to  
before me, August 31<sup>st</sup>  
1854 -



Peter Sott  
Commr. Se.

Filed in Office Aug 31 1854.  
Gen: Fisher.  
Sey.

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608

Deposition of  
Mammul Rod-  
riguez -

United States of America  
State of California. 3 S. S.

San Francisco August 31 1854.

This day came before Peter Sott, Com-  
missioner for taking testimony to be used be-  
fore the Board of U. S. Land Commission in  
said State, Mammul Rodriguez, a witness on  
behalf of the claimant - Peter, A. Escamilla,  
in case No 608 on the docket of said Board,  
said witness being sworn deposed in Spanish,  
which is interpreted by the Interpreter to  
said Board, as follows -

The U. S. Associate Land Agent present.

Questions by Mr Packard who appears  
for the Attorney for claimant.

1<sup>st</sup> Question.

What is your name, age and  
residence?

Answer.

My name is Mammul Rodriguez, my  
age 36 years, I reside at the Mission of San-  
ta Cruz, in Santa Cruz County, California.

2<sup>d</sup> Question.

Do you know the Rancho of San  
Vicente, if you describe it?

Answer.

I know the Rancho named. It is  
in the County of Santa Cruz. It is bounded  
on the South by the Arroyo of San Vicente,  
on the North by the Arroyo del Molinillo,



6  
on the East by the mountain (sierra) and on  
the West by the Pacific Ocean —

3<sup>d</sup> Question.

State what you know of the occu-  
pation of said Rancho in 1845, 1846 and  
1847?

Answer.

In 1845 I saw houses belonging to  
Don Blas Escamillo; in 1846 I saw a  
house and corral and some plantings there  
and also some cattle on the place, said Blas  
Escamillo lived there at that time, and he  
still continued there in 1847.

Was Examined by U. S. Associate Law  
Agent —

1<sup>st</sup> Question.

How do you know these boundaries?

Answer.

I passed through the Rancho nearly  
every week, and the owner of the rancho &  
the neighbors have frequently to me these  
were its boundaries.

2<sup>d</sup> Question.

Are the boundaries so constructed  
as to include all the land?

Answer.

They are —

3<sup>d</sup> Question.

What is the shape of the Rancho  
and how much land is embraced within it,  
and what is its average length and breadth?

Answer.

It is in an oblong shape, quadran-  
gular. It is about 3 leagues long from  
East to West, and about one league across  
from North to South — I believe it con-  
tains about 3 square leagues of land —

4<sup>th</sup> Question.



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Is the mountain boundary on the East, a single mountain or range of mountains, and what is its name?

Answer.

It is a continuous range of mountain between the 2 ranges, and I know of no name for it except, "Sierra"

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PAGE 8

5<sup>th</sup> Question.

What was the cultivation on the place, and how do you know Escarrillo lived on the place?

Answer.

There was barley, potatoes and beans planted, some 5 or 6 acres. The land was hilly, and but little of it fit for cultivation. I know he lived there by having seen him there as I passed through the Rancho in going to my own.

Mart. Rodriguez.

Subscribed and sworn to before me, August - 31<sup>st</sup> 1854.

Peter Sitt.

Comm<sup>r</sup>. &c

Filed in Office Aug 31 1854.

Geo: Fisher.

Secy

608

Deposition  
of Manuel  
Castro

United States of America  
State of California - 3  
3 S. S.

San Francisco, August 31 1854.

This day came before Peter Sitt, Commissioner for taking testimony to be used before the Board of U. S. Land Commissioners in said state, Manuel Castro, a witness on behalf of the claimant - Blas, A. Escarrillo, in case No 608, on the docket of said Board,



8  
and said witness being sworn on oath deposed  
in Spanish which is interpreted by the In-  
terpreter to said Board as follows -

The U. S. Associate San Agent is present.

Questions by Mr Packard who appears for  
Attorneys of claimant -

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1<sup>st</sup> Question.

What is your name, age and  
residence?

Answer.

My name is Manuel Castro, my age  
- years, my residence Monterey, California.

2<sup>d</sup> Question.

What civil office did you hold  
in June 1846?

Answer.

I was Prefect of the District of  
Monterey.

3<sup>d</sup> Question.

Look at the document now shown  
you, marked Exhibit 1. annexed to depo-  
of Manuel Castro in case 608, P.S. and  
state whether your name therein written,  
is your genuine signature, made at the time  
of the date thereof?

Answer.

This is my own signature made  
at the time of the date of the paper, This  
is the plan presented by Blas Escamilla  
when he ~~applied~~ applied for the grant of  
the Rancho of San Vicente -

4<sup>th</sup> Question.

Are you acquainted with the  
hand writing of Pio Pico and Jose Matias  
Moreno, if yes, state your means of knowledge,



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and look at the document now shown you  
marked "A. Exhibit-2. to depo. of Manuel  
Castro P.S." and filed in this case, and  
state whether their signatures therein are  
genuine?

Answer.

I know the hand writing of both  
of them, I have seen them write, and  
their signatures to this document are  
genuine.

Manl. Castro.

Subscribed and sworn to  
before me on this 31<sup>st</sup> day  
of August A.D. 1854.

Peter Sett.

Comm<sup>r</sup> &c

Filed in Office Aug 31 1854.

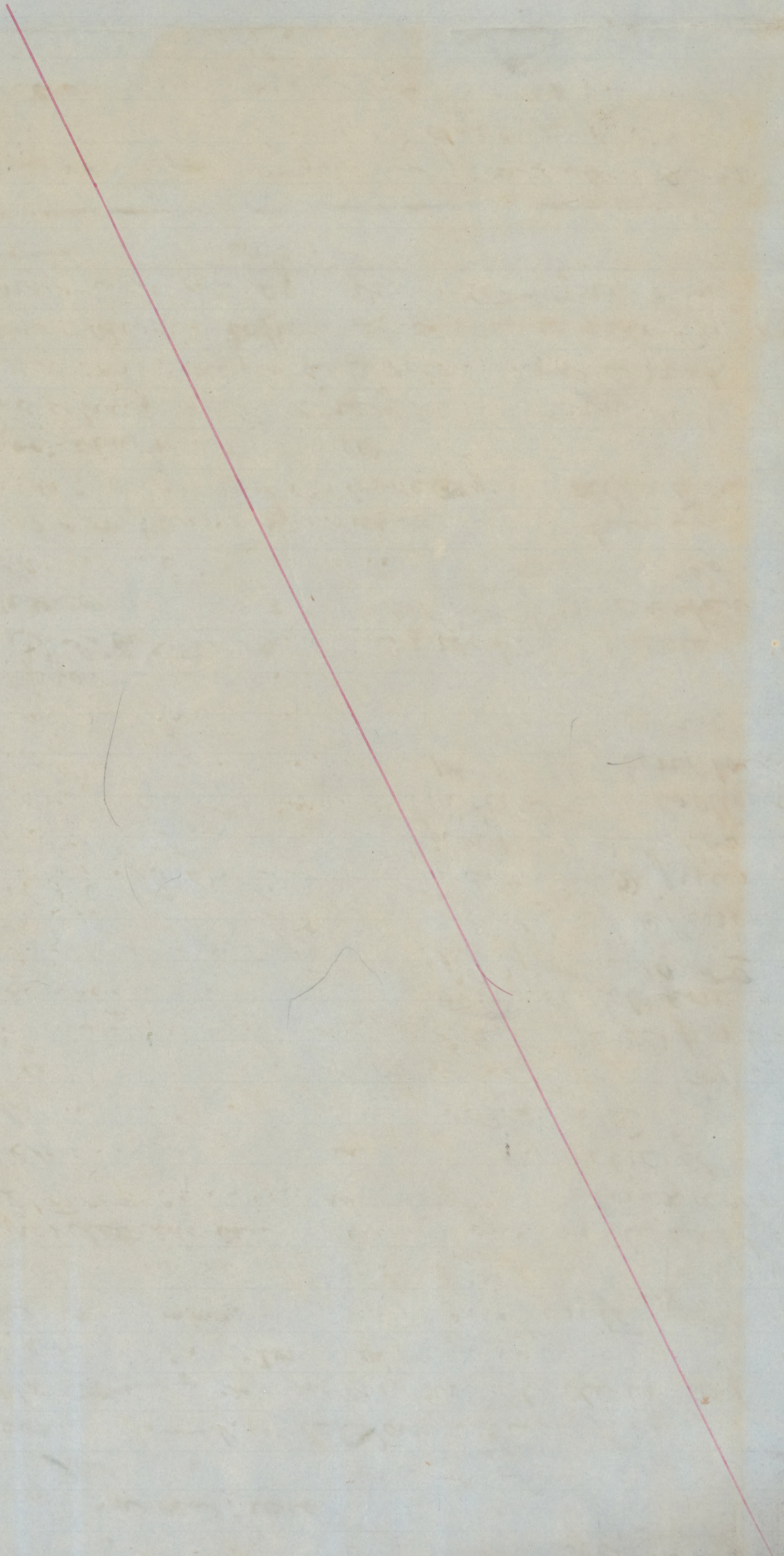
Geo: Fisher.

Deey

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11  
A  
Propio Gobernador Constitucional del  
Departamento de California

Exhibt 2 to  
Depo. of Man.  
Castro. P. L.  
Orign. Quanto

Por cuanto D<sup>no</sup> Blas A. Escamilla ha pretendido para su beneficio personal el Rancho ò paraje conocido con el nombre de San Vicente en la Costa de Santa Cruz, en virtud de las informes que se han tomado y demas averiguaciones que han sido convenientes y que resulten en favor del interesado he venido por decreto de este dia en uso de las facultades con que me hallo autorizado por el supremo Gobierno à nombre de la nacion mexicana en conceder à D<sup>no</sup> Blas A. Escamilla el terreno de San Vicente declarandole la propiedad de el por las presentes letras de conformidad con la ley de 18 de Agosto de 1824. y Art. 5<sup>o</sup> del Reglamento Supremo de 21 de Agosto de 1828. y bajo las condiciones siguientes

- 1<sup>a</sup> Nochà cercarlo sin perjudicar los caminos, travecias y servidumbres, lo disputara lize y escluse. Destinandolo al uso y cultivo que mas le convenga à su aprovechamiento.

2<sup>a</sup> Solicitara del juez respectivo que le de la posesion por medio en virtud de este despacho por el cual se le demarcaran los lindes con las mojoneras de estilo donde poncha algunos arboles frutales ò de conocida utilidad.

3<sup>a</sup> El juez que diese la posesion lo hara medi con arreglo à Ordenanza à vista de plans ò diseno topografico ha dependo constar el numero de leguas ò sitios que contenga el referido paraje.

En consecuencia mando que el prest. titulo se tenga por firme y valde deo se tome razon de el en el libro à que corresponde y se le entregue al interesado para su uso quando y demas fines.

Dado en la Ciudad de los Angeles en papel comun por falta de sellado à los diez

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108-



diás del mes de Junio de mil ochocientos  
cuarenta y seis.

Proveído  
Jose Matias Moreno. Int. Interino

Queda tomada razon de este Superior  
despacho en el libro respectivo.

Moreno

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Filed in Office Febry 19<sup>th</sup> 1853

Geo. Fisher Secy



Pro Pico, Constitutional Governor of the Department of the Californias -

13. Translation of Grant

280 SD PAGE 13

Government of the Department of the Californias -

Whereas, Don Blas A. Escamilla has solicited for his personal benefit - the ranch or place known by the name of San Vicente, situate on the shore of Santa Cruz; in virtue of the judicial inquiries which have been made and other investigations which have been effected, relative to the same, all of which are favorable to the party interested; I have by decree of this day, and in virtue of the authority in me vested, by the Supreme Government, and in the name of the Mexican Nation, granted to Don Blas A. Escamilla, the land of San Vicente, declaring the ownership thereof to be in him, by these presents, in conformity with the law of the 18<sup>th</sup> of August of 1824 and Article 15<sup>th</sup> of the superior regulation of the 21<sup>st</sup> of November 1828, and under the following conditions -

- 1<sup>st</sup>. He shall have authority, to fence the same without detriment to the roads, crossings and rights of way; he shall enjoy the same fully and exclusively, reserving it for such use and cultivation as may best conduce to its improvement -
- 2<sup>nd</sup>. He shall solicit from the competent judge that the judicial possession thereof be given to him, in virtue of this decree, by whom the boundaries shall be marked out with the customary monuments, and wherein he shall plant some fruit and other trees of known utility -
- 3<sup>rd</sup>. The judge who shall give possession thereof shall cause it to be measured as provided by law, carefully observing the plan or topographical sketch and setting



Fourth the number of leagues or farms which said place may contain.

Wherefore, I command that this present title be held binding and valid, that it be recorded in the book relating to the same, and that it be delivered up to the party interested for his security and other ends.

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Given at the city of Los Angeles upon ordinary paper, there being none stamped, on this sixteenth day of the month of June in the year one thousand eight hundred and forty six. P. P. P. —

José Matias Moreno.

Secretary ad interim

A record of this superior decree has been made in the corresponding book thereof —

Moreno —

Filed in Office Feby 19 '1853.

Geo: Fisher.  
Secretary





Blas A. Escamilla vs  
The United States. For the place called  
San Vicente in  
the County of Santa  
Cruz, containing a-  
bout 309 leagues of  
land —

Opinion

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This claim is founded on a grant made by Governor Pio Pico on the 16<sup>th</sup> of June 1846, the original of which is filed in the case and its genuineness and authenticity established by the testimony. — The land is granted by the name of San Vicente situated on the sea shore of Santa Cruz: — This is the only description contained in the grant, except that the 3<sup>d</sup> condition directs the judge in giving the judicial possession to be governed by the map or topographical sketch, setting forth the number of leagues or sitios it may contain. — The expediente from the archives is produced, but a map is filed with the grant on which is found the memorandum of which the following is a translation: — Presented for Don Blas A. Escamilla, Pres<sup>o</sup> of Monterey June 3<sup>o</sup> 1846, signed Manuel Castro. — Manuel Castro when deposition has been taken and filed in the case swears that in the year 1846 he was prefect of the district of Monterey and made the memorandum or note on said map at the time it bears date, and that said map is the plan which was presented by Blas Escamilla when he applied for the grant of the Rancho of San Vicente. — This evidence identifies the map as the one referred to in the grant and is sufficient to admit it in evidence as part of the description of the land granted. Taking the natural objects there delineated and the testimony of the witnesses filed in the case there would seem to



be no difficulty in locating the land and fixing its boundaries -

It is also shown by the proof that the grantee had cattle on the place in the year 1845, and that in 1846, he built a house on it in which he lived and cultivated some portion of it -

The evidence is considered sufficient to establish the validity of the claim and a decree will be entered accordingly -

Filed in Office Jan 23 1855.

Geo: Fisher,  
Secy

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No 608.  
Decree of  
Confirmation. Blas A. Escamella.

The United States.

In this case on hearing the proofs and allegations it is adjudged by the Commission that the claim of the petitioner is valid, and it is therefore decreed that the same be confirmed. The land of which confirmation is made is situated in the County of Santa Cruz, and is known by the name of San Vicente, being the same which was granted to the claimant by Governor Pio Pico on the 16<sup>th</sup> of June 1846; and is bounded as follows: - on the South by the Arroyo de San Vicente, on the North by the Arroyo de Molero, on the West by the ocean, and on the East by the Sierra, containing about three square leagues.

For a more particular description reference to be had to the original grant and map filed



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among the papers in the case.

Alphus Felch.

R. Aug. Thompson.

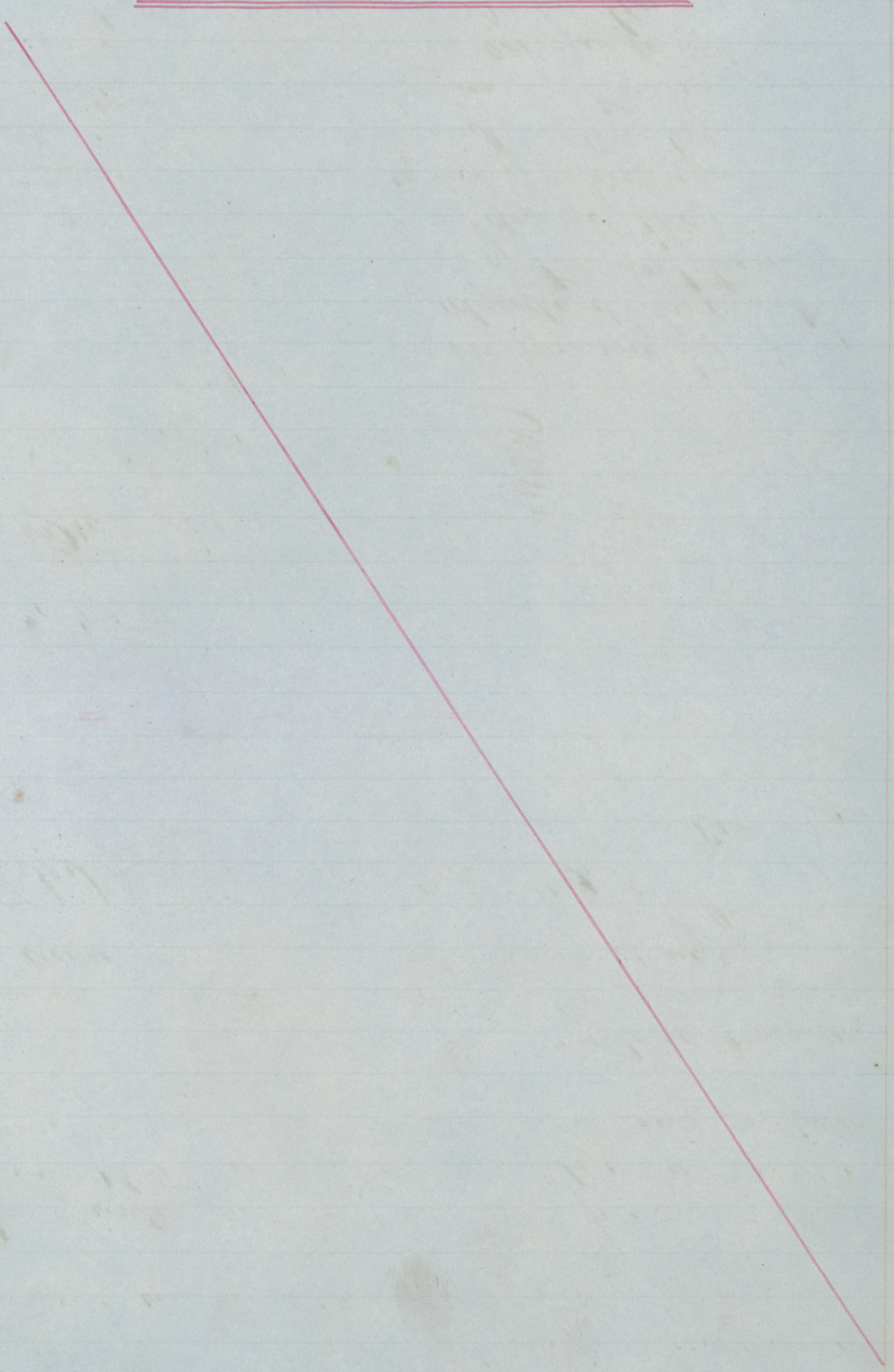
Commissioners

Filed in Office Jan 23 '1855.

Geo: Parker.

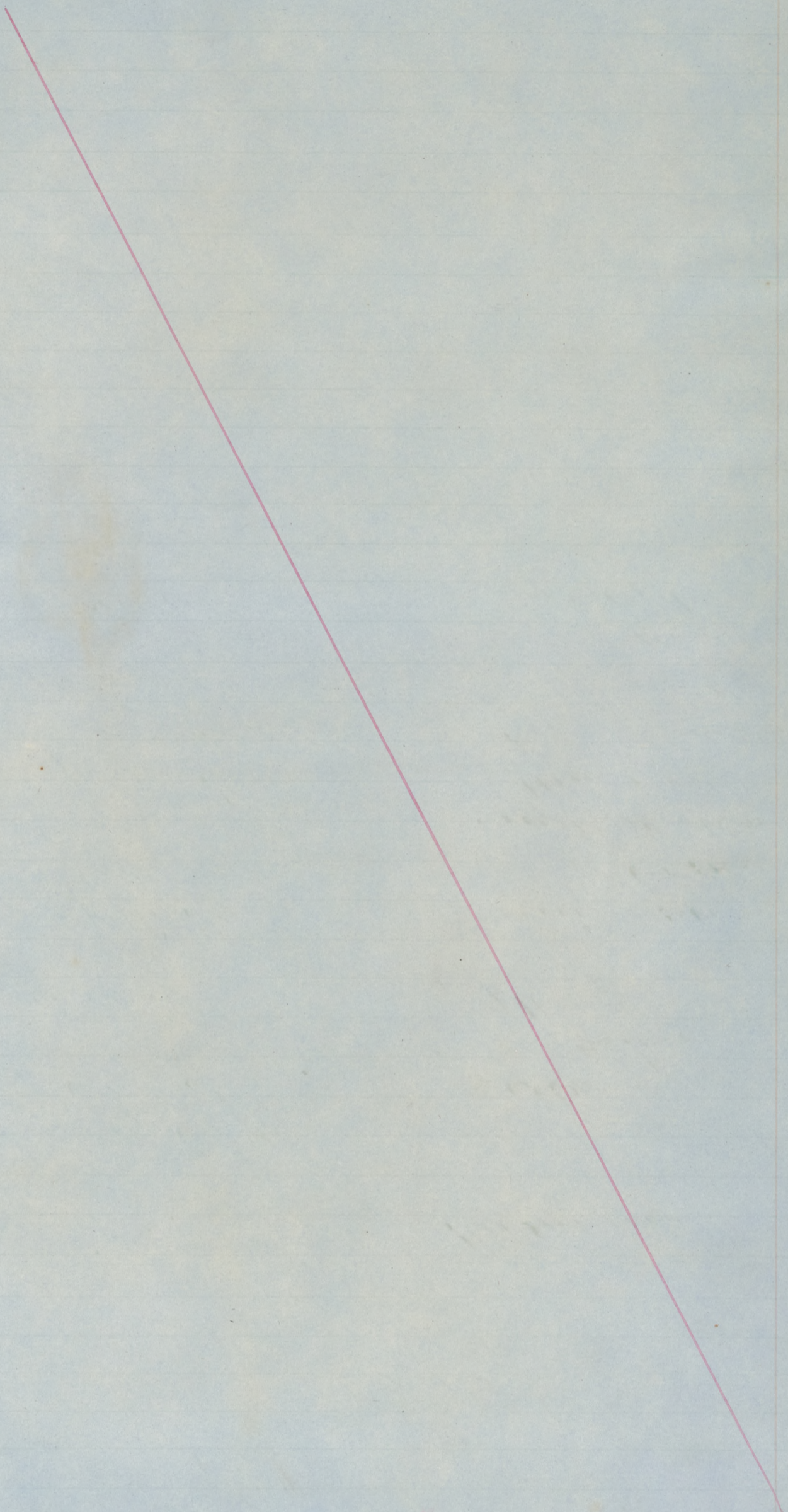
Secy.

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3711

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and it appearing to the satisfaction  
of the Board that the land hereby asser-  
tained is situated in the Southern  
District of California it is hereby

ordered  
that two transcripts of the Proceed-  
ings and of the decision in this case  
and of the Papers and exhibits upon  
which the same are founded be made  
out and duly certified by the Secretary  
one of which transcripts shall be  
filed with the Clerk of the U.S. District  
Court for the Southern District of  
California and the other be trans-  
mitted to the Attorney General of the  
United States



*[Faint, illegible handwriting]*



*[Faint, illegible handwriting]*

*[Faint, illegible handwriting]*



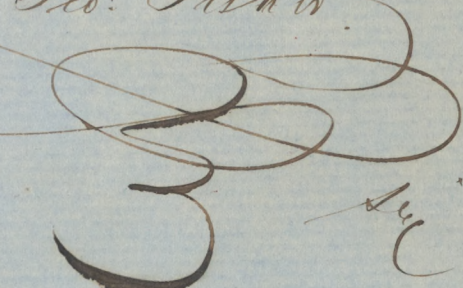
Office of the Board of Commissioners,

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

I, *George Fisher* — Secretary to  
Board of Commissioners to ascertain and settle the Private  
Land Claims in the State of California, do hereby certify the  
foregoing *Nineteen* — pages, numbered from  
1 to *19*, both inclusive, to contain a true, correct and full Tran-  
script of the Record of the Proceedings and of the Decision of the  
said Board, of the Documentary Evidence and of the Testimony  
of the Witnesses, upon which the same is founded, on file in this  
Office, in Case No. *608*, on the Docket of the said Board,

in  
*Blas A. Escamilla* is —  
the Claimant against the United States, for the place known by  
the name of "*San Vicente*" —

In Testimony Whereof, I hereto set my hand  
and affix my private Seal (not having a Seal  
of Office) at San Francisco, California, this  
*Twenty first* — day of *July*  
A. D. *1855*, and of the Independence of the  
United States of America the ~~seventy~~ *eighty*th.

*Geo. Fisher*  






U. S. DISTRICT COURT,

*Southern* District of California.

No. 280.

280

THE UNITED STATES,

280

vs.

*Blas A. Escosquilla*

*San Vicente*

280

TRANSCRIPT OF THE RECORD

FROM THE

BOARD OF U. S. LAND COMMISSIONERS,

In Case No. *608*.

Filed, *August 18*, 1855

*C. E. Carr*

*clerk*

280

*8/18/55*



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Office of the Attorney General of the United States,

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Washington, 10. October, 1855.

608. / "San Vicente" —

Blas. A. Esquivilla, Claimant.

You will please take notice that in the above case, decided by the Commissioners to ascertain and settle private land claims in the State of California in favor of the claimant, and a transcript of the proceedings in which was received in this office on the 14<sup>th</sup> day of August, 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. 280.

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

The United States Appr

vs.

Blas A. Escamilla.

Appeal Notice.

Filed Nov 20<sup>th</sup> 1885

J. H. Lang  
Clerk

608 280 SD

S. PAGE 21



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

The President of the United States,

TO

*Blas A Escamilla*

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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 *5<sup>th</sup>* 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. W. U.S. Atty pray*  
*Said Court to review the decision of the*  
*United States Land Commissioners of the*  
*23<sup>d</sup> day of January 1855. confirming your*  
*claim to the Land called*  
*San Vicente*

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 *5<sup>th</sup>* day of *January* A. D. 1857.



*C. Smith*  
*J. M. Coleman*  
*sup*

CLERK.



Marshals book

Copying Summons - 60  
Serving same 3.  
Petition 3.  
\$ 6.00

No. 280

UNITED STATES OF AMERICA,

Southern District of California,

U. S. District Court.

*Blas A Escamilla*  
*vs*  
*The United States*

SUMMONS.

Received January 5th 1857

*Edward Hunter*

U. S. MARSHAL.

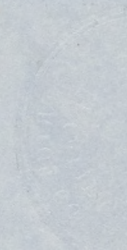
*W. M. Goodman*  
280 SD Depty

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I served this Summons, together with a certified copy of the Petition, upon *A Packard*  
*Atty for Appellee* by his *skarologin* service  
*of same*

at *Los Angeles* in the Southern District of California, on  
the *5th* day of *January* A. D. 1857.

Sworn to and subscribed before me, *his*  
*5th January 1857*  
*W. M. Goodman*  
*J. M. Johnson*  
CLERK.



*Edward Hunter*  
U. S. MARSHAL.  
*W. M. Goodman*  
Depty





Blas A. Escamilla, Appellee  
vs  
The United States, Appellant.

Docket No. 280.

Transcript No. 608.

**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 19<sup>th</sup> day of February — A. D. 1853, Blas A Escamilla

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 San Vicente in the County of ~~San Bernardino~~ <sup>San Luis</sup> 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 23<sup>rd</sup> day of ~~August~~ <sup>January</sup>, A. D. 1855, the said Commissioners confirmed, by final decision, the said claim of said petitioner. That thereafter, to wit: on or about the 1<sup>st</sup> day of August — 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. 608; reference to which it is prayed may be had and made part of this petition. That on or about the 14<sup>th</sup> day of August 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: <sup>or about</sup> on the 20<sup>th</sup> day of November A. D. 1855, the said Attorney-General of the United States filed, or caused to be filed, in behalf of the United States, a notice with the Clerk of said District Court of the United States, that the appeal in said cause from the said decision of the said Commissioners, in the District Court of the United States for the Southern District of California, would be prosecuted by the United States. Your petitioner further represents, that the land claimed, as aforesaid, is situate in the Southern District of California, and within the jurisdiction of this Honorable Court. Your petitioner further represents and insists, that the said claim is invalid; and the said decision of said Commissioners is erroneous, and ought to be reviewed, reversed and set aside, for many errors and imperfections of law and evidence, apparent in said certified transcript of the proceedings and decisions of said Commissioners in said cause, filed and appealed from as aforesaid. And your petitioner denies all and singular, each and every allegation in the said petition of said claimant, presented as aforesaid to said Commissioners. And your petitioner further denies that the said claimant has any valid right or title to said land claimed as aforesaid, or any part thereof.

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And no sufficient proof having been made of the allegations in said petition to said Commissioners, or in support of the said claim, no decision confirming the same should have been made by said Commissioners; but the



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

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

J. M.

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

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N. 280.

Given this 5th January 1837  
Clerk  
J. Merlman  
D.P.



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

280 SD  
PAGE 28  
United States appellants  
vs  
Blas A Escamilla appellee } No 280

Blas A Escamilla the appellee in the above  
entitled cause appears by his attorney  
and for answer to the petition of the United  
States says that his title to the tract  
of Land called "San Vicente" and described  
in his petition to the Board of Land  
Commissioners is good and valid and that  
the Land claimed is within the Southern  
District of California and within the  
jurisdiction of this Court.

Wherefore he prays that this Hon-  
orable Court will affirm the decree  
of the Board of Commissioners and  
decree his title to be valid

A. Packard Attorney  
for Claimant



No 280

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United States

no

Blas A Escamilla

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Answer of Appelle

Filed this 7th January

(J. D. 1856) Co. Sins etc

J. McColman  
Scrip

280 SD

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

280 SD Blas A Escamilla appellee } Case No 280  
PAGE 30 as the United States appellant } Transcript 608

In pursuance of notice received from the  
Attorney General of the United States, as appears by letter  
hereto annexed that it is not the intention of the United States  
to prosecute further the appeal in this cause,

And it having been stipulated between the parties  
that an order of this Court may be entered dismissi-  
-ng the appeal ~~in this cause now pending in this~~  
~~Court from the decision of the Board of Land Comm~~  
~~mission to ascertain and settle private land~~  
~~claims in the State of California, rendered and~~  
~~filed January 23 1855, and allowing the~~  
Claimant to proceed under said decision ~~as~~  
~~under a final decree.~~

It is ordered ~~order heretofore granted~~  
That the appeal ~~now pending~~ ~~in this Court~~ ~~in this case~~ be and hereby ~~is~~  
\* ~~dismissed~~ and that the Claimant have leave  
to proceed under said decision ~~of said Comm~~  
-ission as under a final decree.

Isaac K. O'Neil  
U.S. District Judge



No. 280

U.S. Dist Court

Order of Court  
vacating appeal

Filed this 17th January  
1858  
at New York  
of J. H. Calhoun  
Clerk

280 SD

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California Land Claims  
Attorney General's Office  
3 Febrj 1857.

Sir: In the case of the claims of T. Blas  
A. Escamilla, confirmed to the claim-  
ant by the Commissioner, Case no.  
six hundred and eight, (608), ap-  
peal will not be prosecuted by the  
United States.

I am,  
Respectfully,  
Ours,

Pacific M. Ely  
U. S. Attorney.  
Los Angeles.



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

Blas A Escamilla appellant } case  
280 SD } No  
PAGE 33 } 280  
the United States appellant }  
Transcript No. 608

Notice having been received from  
the Attorney General of the United States  
that it is not the intention of the United  
States to prosecute further the appeal in this  
cause as appears by the letter hereto annexed;

It is hereby stipulated, that an order  
of this Court may be made dismissing  
the appeal now pending in this Court in  
this case and allowing the claimant to  
proceed under the decision of this Court  
of Land Commissioners heretofore <sup>made</sup> filed  
herein on the ~~23<sup>rd</sup> August 1855~~ <sup>27<sup>th</sup> Feb 1857</sup> as under  
~~a final decree~~ as a final decree

P. O. N.  
C. S. W.

A. Packard  
attly for appellee



N<sup>o</sup> 280

U. S. Dist Court

Letter of etty Seal  
& Stipulations of parties

Filed this 7th January 1858  
by  
J. M. Coleman

*(Signature)*

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

280 SD

PAGE

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The United States appellant } case No 280  
vs }  
Blas A Escamilla appellee } Transcript  
No 108

This cause coming on for hearing before  
the United States district Court for the South-  
-ern District of California at a regular term  
of said Court on appeal from the decisions  
of the Board of Commissioners to ascertain  
and settle private land claims in the State  
of California under an act of Congress approved  
March 3<sup>d</sup> 1851. Upon the transcripts of proceed-  
-ings decision and papers and evidence on which  
said decision was founded, and it appearing  
that said Transcript has been duly filed acco-  
-rding to law, and counsel for the respective  
parties having been heard; It is ordered  
adjudged and decreed that the decision of  
the said commissioners be affirmed, and  
that the claim of the said Blas A Escamilla  
is a good and valid one, and the same is  
hereby confirmed to him,

The land of which confirmation is hereby  
made, is situate in the county of Santa Cruz  
and is known by the name of "San Vicente"  
and is bounded ~~on the~~ Northerly by the "Sierra"  
Easterly by the "Arroyo de San Vicente" southerly  
by the ocean and westerly by the "Arroyo  
del Molino", being the same, which was



granted to the said Blas A Escamilla by Governor Pio Pico on the 10 day of June 1846 as appears by the grant contained in the Transcript, and for a more particular description reference is hereby made to said grant and the accompanying map. The quantity of land of which confirmation is hereby made to said Blas A Escamilla is to the extent of the boundaries above named as delineated on the map contained in the Transcript, provided the same does not exceed the quantity of eleven square leagues but if a less quantity than eleven square leagues be contained within said boundaries then confirmation is made for such less quantity

James W. Ogden  
U.S. District Judge



San Vicente

No 280

Blas A Escamilla  
appellee  
vs

the United States  
appellant

Secrecy

Filed this 1st March 1858  
at San Antonio  
J. M. Coleman  
Clerk

Revised on Page 254

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