

CASE No.

297

SOUTHERN DISTRICT

EL RINCON GRANT

BERNARDO YORBA

CLAIMANT

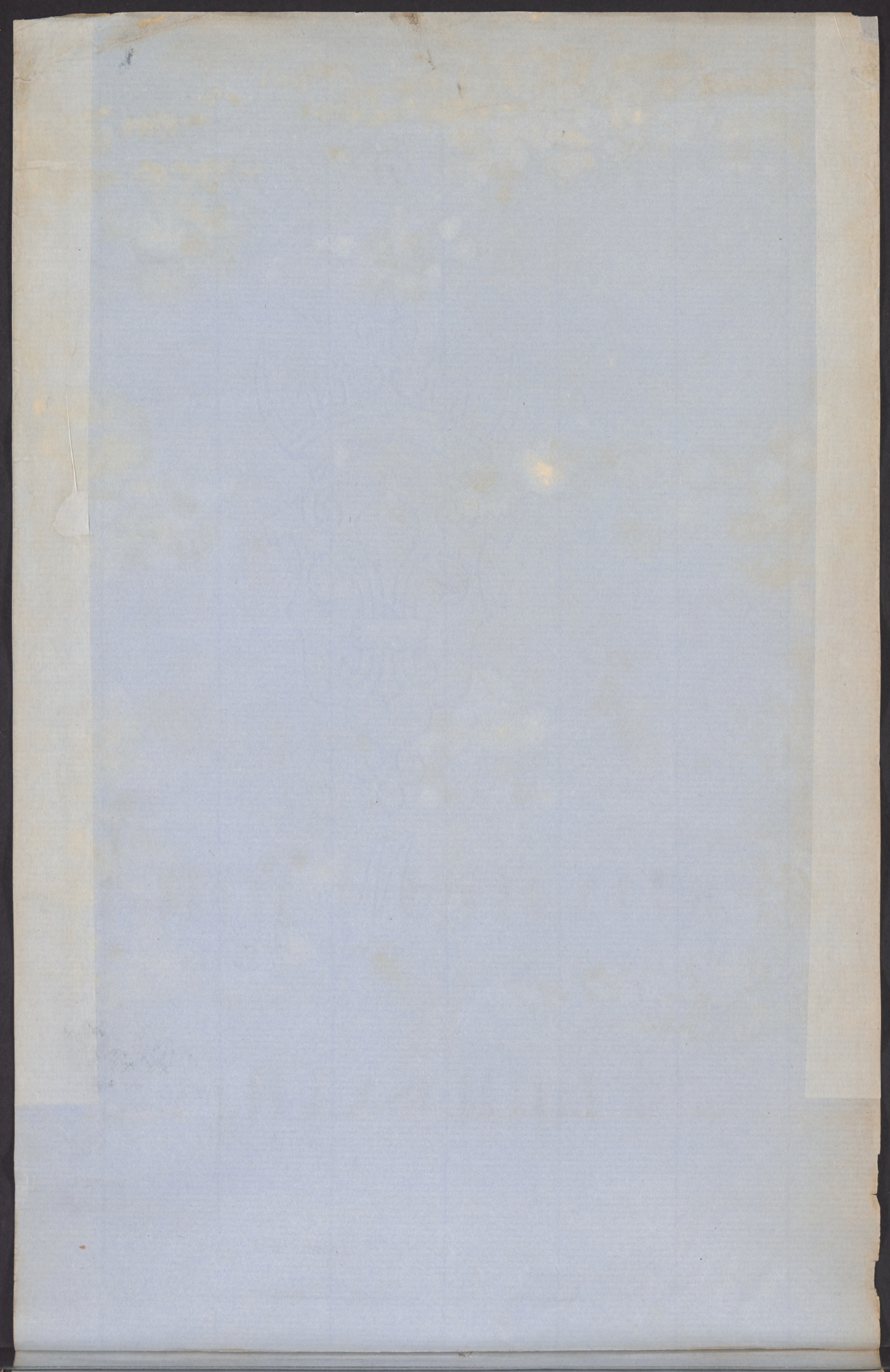
LAND CASE 297 SD 86 pgs.

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U.S.A.

384

1842



TRANSCRIPT

297 SD
PAGE 1

OF THE

PROCEEDINGS

IN CASE

NO. 384.

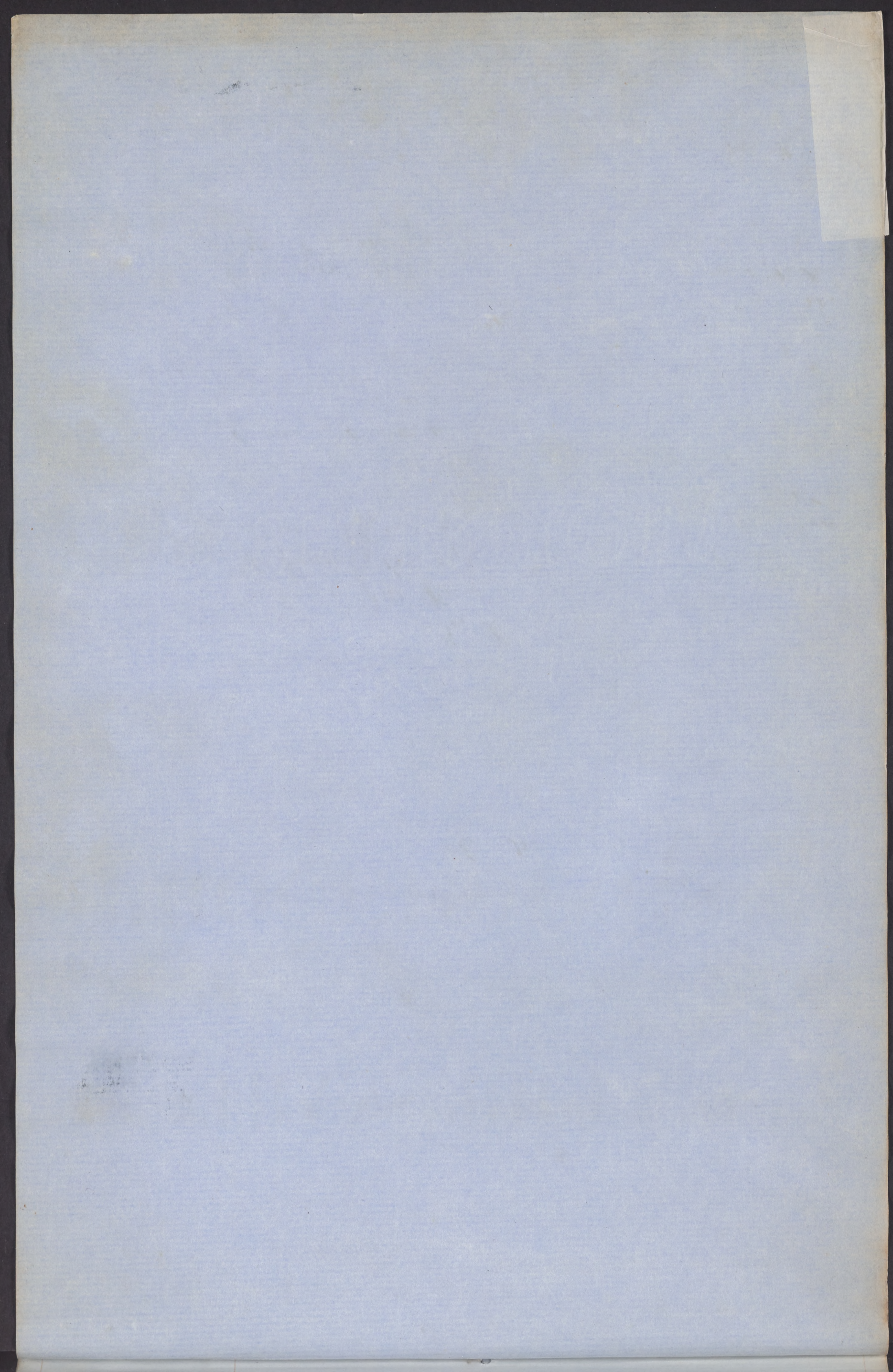
Bernardo Yorba CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"El Rincon."



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

The Petition of Bernardo Gorba _____
for the Place named
"El Rincon," _____
was presented, and ordered to be filed and docketed with No. 384 and is as follows, to wit;

(Vide page 5 of this Transcript.)

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

Los Angeles October 15th 1852.
In Case no. 384 Bernardo Gorba for the place named "El Rincon," the deposition of Agustine Olvera, a witness in behalf of the claimant, taken before Commissioner Melina Hall, with documents marked H. A. & B. and the translations thereof marked a & b, annexed thereto, was filed;

(Vide page 6 of this Transcript.)

Los Angeles October 18th 1852.
In the same case the deposition of Antonio F. Corneil, a witness in behalf of the claimant, taken before Commissioner Melina Hall, was filed;

(Vide page 8 of this Transcript.)

Los Angeles October 19th 1852.
In the same case the deposition of Abel Stearns, a witness in behalf of the claimant, taken before Commissioner

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Milana Hall was filed,
(Vide page 11 of this Transcript.)

Los Angeles October 21st 1852.
In the same case the deposition of David W.
Alexander, a witness in behalf of the claimant,
taken before Commissioner Milana Hall, was filed.
(Vide page 12 of this Transcript.)

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San Francisco September 26th 1853.
Case no. 384 was submitted on briefs and taken
under advisement by the Board.

San Francisco March 21st 1854.
In the same case the counsel for the claimant filed
the following Motion and Affidavit, to wit:
(Vide page 67 of this Transcript.)

San Francisco April 4th 1854.
In the same case Commissioner Alpheus Felch delivered
the decision of the Board upon the Motion of the
counsel for the claimant filed heretofore, to wit, on
the 21st ult., asking leave to introduce further testimony,
granting the Motion:

Whereupon, it is Ordered that the case
be reinstated on the Trial Docket and placed at the
foot of the calendar of the 1st class.

San Francisco July 10th 1854.
In the same case the depositions of Bernardos Yerba,
David W. Alexander and Juan Bandini, witnesses
in behalf of the claimant, taken before Commissioner
G. S. Burdell, with documents marked "Exhibits
A+B, G. S. B." annexed to the deposition of Juan Bandini,
were filed:

(Vide pages 13, 15 & 21 of this Transcript.)

San Francisco July 18th 1854.
Case no. 384 was submitted on briefs and taken under
advisement by the Board.

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San Francisco July 18th 1854:

In the same case the counsel for the claimant filed the following Affidavit of the claimant, to wit:
(Vide page 69 of this Transcript.)

San Francisco February 13th 1855.

In the same case Commissioner R. Aug. Thompson delivered the opinion of the Board confirming the claim:

(Vide page 71 of this Transcript.)

And the following order was made, to wit:

(Vide page 70 of this Transcript.)

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H

To the Hon Commissioners for
ascertaining and settling private land
claims in California.

Bernardo Cortes repre-
sents that on the 8th of April 1839 Juan B
Alvarado then Governor of California under au-
thority conferred upon him by the laws then
in force granted to Juan Bandino a tract
of land called the Rincon containing one league
more or less situated on the Santa Ana River
and within the limits of the present County of
Los Angeles. And on the 30th of May 1840 the
said grant was duly approved by the Depart-
ment Junta.

On the 6th of October 1840 Judicial
possession of the land was formally delivered to
the grantee and the boundaries of the land
marked out.

On the 11th of January 1841 the
said Bandino conveyed a portion of the land
to the petitioner and on the 14th of April 1843 he
conveyed the remainder to Daniel A Alvarado
who sold and conveyed all his interest on
the 25th of February 1844 to Isaac Williams
under whom the petitioner now holds by deed
dated Sept 25, 1844.

He knows of no other claims
to any part of this land.

He files herewith a document
marked "Exhibit A" containing the act of
judicial possession and the several conveyances
under which he claims with a translation
thereof marked "H".

In support of his claim he relies
upon the papers now filed the original title
which will be produced and such further
evidence as he may offer.

And he prays that his title

Petitioner

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as confirmed.

A J Crittenden

Atto for Claimant.

Filed in Office Oct 9. 1852

Coynd 1

Geo Fisher Secy.

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Office of the U. S. Land
Commission -

Los Angeles Oct 15. 1852.

On this 15th day of October 1852 before
me Heiland Head and of the Commission
for ascertaining and settling Land Claims
in California personally appeared Augustin Al-
vares a witness produced on the part of
Bernardo Morcia, Claimant of the Rancho
de Rincon which Claim is No 384 on the
docket of said Commission who being
duly sworn testified as follows.

The Special Law Agent having been notified
and attending -
Question First -

What is your name and age
and where do you reside?

Answer.

My name is Augustin Alvares. I
am thirty two years of age and reside in Los
Angeles.

Question Second.

Are you acquainted with the
signatures of Juan B. Landers, Juan Paulino
David R. Alvarado, Antonio J. Coronet and
Isaac Williams?

Answer -

Yes.

Question Third -

Deposition
of
Augustin
Alvares.

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Question Third.

Examine the document on file in this case marked "Exhibit C" and say whether or not the signatures of those persons appearing therein are genuine.

Answer.

The signatures of Juan B Saundry on page 14th of said document which I have examined of Juan Bandini and David D Alexander, on page 5 of Antonio J Coronado, on page 16 of David D Alexander on page 16 and 17, and of Julian Williams on page 18 are all genuine.

The signature of Juan B Saundry to the act of Judicial possession on page 14, was made in my presence and I signed the instrument as an assisting witness.

The signature of Julian Williams also on page 18 was made in my presence or acknowledged before me and I signed this document too as an assisting witness.

Question Fourth.

What office did Juan B Saundry hold if any in the month of October 1811.

Answer.

During the whole year 1811 he was a *Juz. de Paz* of Los Angeles.

Question Fifth.

Are you acquainted with the signature of Jose del C Lugo? If so examine said document, Exhibit A and say whether or not his signature on the 18th page is genuine?

Answer.

I am acquainted with the signature of Jose del C Lugo. The signature referred to is genuine. It was made in my presence.

or acknowledged before me.
Justin Smith.

What office if any did he hold
on the 25th of September 1851?
Answer.

He was first Alcalde of Los Angeles
Justin Smith.

Examine the document marked
Exhibit "B" which is shown and which
is filed as part of this deposition and say
whether or not the signatures thereto are genuine?
Answer.

I have examined the paper referred
to. The signatures are genuine. Juan Bandini
and Antonio J. Coronel signed in my presence
or acknowledged before me that they had signed
it and I signed this paper myself as an
Assisting Attorney.

Augustine Quere,
Sworn & Subscribed
Before me

Wendell Heath
Comm.

Filed in Office Oct 15, 1852.

(Signed) Geo Fisher Secy

Office of the U. S. Land
Commissioner.

On the 15th day of October 1852. before
me Wendell Heath one of the Commissioners
for ascertaining and settling private land
claims in California personally appeared
Antonio J. Coronel, a witness produced on
behalf of Bernardo Toral, claimant of "El
Rincon" in the case which is No 384 on the

Deposition
of
Antonio J. Coronel

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docket of said Commission who having
been duly sworn testified as follows, the
Associate Law Agent of the United States
was notified and attended,
Question First,

What is your name and age
and where do you reside? If in California
how long have you resided here.
Answer.

My name is Antonio Coronel
I am thirty three years of age, I reside in Los
Angeles California and have resided in California
about 18 or 19 years.

Question Second.

Examine the document in
file in this case marked "Exhibit A" and
which is shown you and say whether or not
the signature on page 16, purporting to be
yours is genuine? If yes was the original
and of which that preceding your certificate
on page 16 is a copy created by Juan
Bautista and signed by the witnesses in your
presence? Did you hold any office in Los
Angeles on the 15th of April 1843? If yes what
office?

Answer.

I have examined the document
referred to, it is my genuine signature
which appears on page 16. The original and
was executed and signed by the parties,
Juan Bautista and the witnesses in my
presence, at the time mentioned the 15th of
April 1843 I was Just Alcalde of Los
Angeles.

Question Third -

Do you know where the Rancho
called 'El Americano' is - If yes have you been
there often? What improvements are in it?

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whom were they made? Is this place occu-
pied when was it first occupied? How
and by whom?

Answer.

I know the Rancho El Amén
It is situated in this County on the River
San Bernardino - I have been often at the
place - There is an adobe dwelling house and
some land enclosed & under cultivation, the
improvements were made by Juan Bandini
about the year 1839 or 1840.

From that time to the
present the house has been occupied as a
dwelling, the land has been cultivated & stock
kept there. The occupation has been by Band-
ini & those claiming under & from him.

The document marked A
before referred to is a receipt to the deposition
of Augustin Alvarado.

A. J. Corbett,
Sworn & Subscribed

Before me

Heiland Heath }
Comm. }

Filed in Office Oct 18, 1852.

(Signed) Geo Fisher Secy

Office of the U. S Land
Commission.

Los Angeles

Deposition
of
Abel Stams.

On the 19th day of October 1852 before
me Heiland Heath one of the Commissioners
for ascertaining and settling private land
claims in California personally appeared
Abel Stams a witness produced on behalf

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of Bernarda Yorlew Claimant of "El Rincon"
in the Case which is No 321 on the docket of
said Commissioners, who having taken duly
sworn testified as follows.

The Associate Law Agent of the
United States being present.
Question First.

What is your name and age
where do you reside? If in California, how
long have you resided here?

Answer.

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

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

I am acquainted with
the Rancho called "El Rincon" It is situa-
ted on the Santa Ana river in the County of
Los Angeles. It was occupied by Juan
Bardini from the year 1839 to the time he
sold it in 1843. He had built a large
adobe house on it & some out buildings &
cornals. He cultivated quite an extensive
piece of ground raising wheat corn &
other things -

He had cattle & horses on it.
The Cultivation was from the year 1840 until
the sale of the land - I think the house was
commenced soon after the land was conceded
to him & finished say in 1841 or 1842
Bardini, I think had a temporary house there
by the Spring of 1841 & some rooms were
prepared for his family in the large house
and lived in before the residue of the house
was completed. I think he went onto the

the place with his family in the latter part of 1841 or early in 1842 & he had servants occupying the place earlier I have passed the place several times since. Ran-
dini sold it & has always seen it occupied
The houses & improvements here mentioned were
on the tract called "El Rincon"

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Alfred Starob.
Sworn & Subscribed
Before me
Heiland Heall Comr.
Filed in Office Oct 14. 1852
(Signed) Geo Fisher Secy

Office of the U S Land
Commission -
Los Angeles Oct 21st 1852.

Deposition
of
David W Alexander

On this day before Heiland Heall one of
the Commissioners for ascertaining and settling
private land claims in California came
David W Alexander a witness produced in
behalf of the Claimant. Bernardo Cortes whose
petition is No 354 on the docket of the Board
and was duly sworn his evidence being
given in English.

The U S Associate Law Agent was
notified and attended.

In answer to questions by
Counsel for the Claimant the deponent tes-
tified as follows.

My name is David W Alexander my
age is forty years & I reside in Los Angeles.
A paper is now shown me being
document attached to the deposition
of Augustin Alana filed in this case - My

of mine signatures appear on pages five
return & Return of said paper.

David W Alexander.

sworn & Subscribed
Before me

William Hall Comr.

Filed in Office Oct 21, 1852

Clyde, the Justice Secy.

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Office of the Commissioner
G. Simpson Panel at
Los Angeles, California -

Deposition
of
Bernardo Gorba

Before me G Simpson Panel Commis-
sioner duly qualified for the taking of
depositions to be used before the Board of
Commissioners to ascertain and settle the
Private Land Claims in the State of
California. personally appeared Bernardo
Gorba a witness in behalf of himself claimant
for the land named "El Rincon" numbered
on the rolls of the said Board with No 384
who upon oath declared and said as follows.

Questions asked by Counsel for Claimant,
Question No 1.

What is your name age and
place of residence?
Answer.

My name is Bernardo Gorba I am
fifty three years of age and I reside in the
County of Los Angeles.

Question No 2.

Are you the claimant of the
Rancho called El Rincon and if so state
what you know of the existence of an original

grant for the same and whether you have made diligent search for it and whether or not you have been able to find it.

Answer.

Yes I am the Claimant. I do not know of the existence of any grant. I asked for it at the time of purchase through my attorney and Williams told me that he had delivered all the papers that he had received.

I have made search for it since that time. I applied to Juan Ponce for the title who told me that he had delivered the title to David W. Alexander whom he sold him the Rancho. I applied to Alexander for the title who told me that he did not recollect such the papers that he had delivered to Williams but there was a paper with the Government Seal upon it.

Bernardo Cortia.

Subscribed and sworn to before me this 24th day of June 1854.

G. Thompson Barrill
Com.

I hereby certify that C. C. Horn Esq. was present at the time that the above and foregoing testimony was taken acting for, on behalf of and by the authority of J. H. McKinnon Esq. Law Agent.

Las Cruces June 24th 1854.

G. Thompson Barrill
Com.

Filed in Office July 10. 1854.

(Signed) Geo Fisher Secy

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Office of the Commissioners
G. Simpson Board at
Los Angeles, California -

Deputation
of
Juan Bernardino

Before the G. Simpson Board Commissioners duly qualified for the taking of Testimony to be used before the Board of Commissioners to ascertain and settle the Private Land Claims in the State of California personally appeared Juan Bernardino a witness in behalf of Bernardo Yorba Claimant for the land named "El Rincon" numbered on the docket of the Land Board with No 384, who upon oath declared and said as follows.

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Questions asked by Counsel for Claimant.
Question No. 1.

What is your name age and place of residence?

Answer.

My name is Juan Bernardino. I am fifty four years of age and I live in the County of Los Angeles, San Diego.

Question No. 2.

State fully and particularly what you know of any thing about the original grant of the land claimed in this case by Bernardo Yorba together with its date signatures and contents with a description of the land granted therein -

Answer -

Yes I know because the place belonged to me that there was an original title given by the Government of California Juan Bartista Alvarado then being Governor also the existence of the approbation by said title by the Santa Fe Department. I,

Know of the Existence of the paper because I had
 them in my possession. The grant to the best of
 my knowledge was dated in the year 1839. I do
 not recollect the month. The title was signed by
 the Governor Juan B Alvarado to the best of my
 recollection it had the signature of the Secretary
 Manuel Amaro. I know that it contained the
 concession made by the Government to my solic-
 itude for a grant of one Sitio of Guadalupe Major
 or one league of land in the place known by the
 name of the Rincon.

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I do not recollect of any other
 description in the grant except that it was an
 extension of a Rancho belonging to one called
 Anapa mentioning its boundaries.

It is bounded on the North
 side by the lands of the Rancho of Chin on the
 East it is bounded by Anapa. I wishing to
 change the name of the whole of the Rancho
 called it San Juan del Rio. On the South it
 is bounded by the Rincon of Santa Ana on the
 West by the Rancho of San Antonio the property
 of Ricardo Urbea. There is a ditch on the
 West side of the Rancho which belongs to the
 Rancho of the Rincon, and the limits run
 amongst the hills still further west than the
 ditch. I do not know anything more of
 what has become of the grant than that I de-
 livered it to David N Alvarado -

(Question and Answer objected to by C &
 Thow on the ground of being leading and
 secondary.)

Question No 3.

Did you or not receive Judicial
 possession of the lands so granted to you and if
 so by whom, and at what time.

Answer. I received Judicial possession of the land mentioned and granted to me from Juan Baptista Landry who was then Alcalde of this Pueblo. I do not recollect the month but it was in the year 1810 a short time subsequently to my having received the original title together with the approbation of the Departmental Assembly. To the best of my recollection it was in the year 1810, my residence was made a long time previous but to the best of my recollection I did not receive the original title together with the approbation of the Assembly Departmental until in the year 1811.

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Question No 4.

Are you acquainted with the signatures of Juan B Alvarado and Manuel Jimeno. And if so were the signatures to the title papers you speak of their genuine signatures or not. And did you or not ever receive more than one grant for said tract of land?

(Question objected to by C. C. Thow Attorney Law agent)

Answer. Yes I am acquainted with the signatures mentioned above. I have no doubt but that the signatures were genuine.

I have received but one grant from the Government and one from the Assembly being the approval of said grant from the Government. The Exhibit which I now present and marked A. G. J. B. is one of them and the signatures thereto affixed of Juan B Alvarado and Manuel Jimeno are their genuine signatures. I received this document this day from David W Alexander--

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Justin No 5 -

Please you or not recently searched among your papers for the original title to said tract of land - and if so, at whose request and state whether or not you found such title -

Answer -

I had no doubt that I had delivered the papers to Mr Alexander when I sold him the lands but notwithstanding at the request of Bernard Yorko, did I recently did recently examine my papers and found no such document.

Justin No 6.

State fully and explicitly what you know if any thing about the building of a house upon the said tract of land and if the same was ever occupied, state by whom and in what manner and at what time -

Answer.

I know that there was a house built upon these lands which I commenced in the year 1820 to the best of my recollection it was in the month of April.

I previously having the lands occupied in cultivation, which occupation was previous to my having received the original title in consequence of a special permission which I received from the Governor I now present the permission marked Exhibit B. G. J. B and my signature and the signature of the Governor Alexander affixed to said Exhibit are both genuine, and my cattle and horses were in the habit of pasturing in these lands previous to their belonging to me and continued to do so afterwards. They

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pastured on these lands in consequence of
their adjoining the land of Inrupe which
belonged to me as soon as I got special per-
mission from the Governor I proceeded to
cultivate the land and raised crops on them
which consisted of wheat, barley, beans,
pumpkins &c.

I lived in the house which I
built about three years. In the year 1810
I was owner of about two thousand head
of cattle and about two hundred and fifty
head of horses and mares which animals
pastured on the lands of Inrupe and the
Pincón -

Questions asked by C. C. Thom Attorney
Law Agent -
Question No. 1.

Answer -
Name of the persons who
were present at the time you received Judicial
possession of the Rancho of the Pincón.

Answer -
I remember that the Alcalde
Juan Bautista Leuano was present but do
not recollect of others except those who
carried the rope at the time they measured
the land whose names I do not recollect.
Question No. 2.

Answer -
Did you ever reside with
your family on the Rancho of the Pincón & Des
for what length of time -

Answer -
Yes, I lived on the Rancho with
my family for the space of three years - I
went there about the year 1810 or 1811 and
resided there until the year 1813.

The house that I built
there was of adobe walls the roof was of

Came and examined with pitch.

Question No 3.

How many Cattle had you on the Rancho of the Rincon at that time - Answer.

I cannot state how many Cattle I had on the Rancho as they were running together with other Cattle at Durango but I had Cattle on the Rancho the whole time.

Examination in Chief resumed by Counsel for Plaintiff,
Question No 4.

Do you know if the house which you say you built now exists upon the Rancho and who is now in occupation of said Rancho.

Answer.

I know that the house still exists and is inhabited and the Rancho is occupied by Bernardo Yorba by purchase.

Cross Questions resumed by C. E. Thom
Attng. Law Agent.

Question No 5.

When did you visit the Rancho of the Rincon last -

Answer.

I passed by there in January of last year and saw the house. I did not see that it was inhabited. I passed at such a distance that I could see the house but not the people.

Juan Peralta -
Sworn to and Subscribed
before me this 24th day of June 1854.
G. Thompson Burritt.

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I hereby Certify that C. C. Thom Esqr
was present at the time that the above and
foregoing testimony was taken acting for, in
behalf of and by the authority of J. W.
McKee Esq. & Law Agent.

Los Angeles June 24th 1851.

G. Thompson Burrill
Cmr.

Filed in Office July 10, 1851.

(Signed) Geo Fisher Secy

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Office of the Commissioner
G. Thompson Burrill at
Los Angeles California -

Before me G. Thompson Burrill Com-
missioner duly qualified for the taking of
testimony to be used before the Board
of Commissioners to ascertain and settle the
private land claims in the State of California
personally appeared David W Alexander a
fit man in behalf of Bernardo Gorba Claim-
ant for the land named Rancho Rincon
Munido on the docket of the said Board
with No 354 who upon oath declared and
swore as follows.

Deposition
of
David W
Alexander

Questions asked by C. C. Thom Counsel
for Claimant -
Question No 1.

What is your name age and
place of residence?

Answer - My name is David W Alexander
I am fifty years old and I reside in the
County of Los Angeles -

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Question No 2.

Do you know the lands claimed in this case by Bernardo Dorca and were you ever the owner of the same and to whom did you sell said lands.

Answer.

I know the lands well claimed in this case and was formerly owner of the same and resided on them for nearly one year in 1843 & 1844. in the same house built by Paudino and sold them to Isaac Williams -

Question No 3.

State particularly all you know in regard to the original title to said lands.

Answer -

I received a number of documents relating to that land from Juan Paudino when he sold to me which I looked upon and considered a good title from him to me -

I recollect that one of the papers was a manantia due from him to me I also recollect that one of said papers had the government seal do not recollect if any other of the papers had or not, they were all in the Spanish language and were read to me, but I do not recollect the contents of any of the others sufficiently well to testify.

When I sold to Williams I passed to him as I thought all the papers which I had received of Paudino but afterwards some considerable time in regutating my old papers I found those which Juan Paudino filed yesterday and marked A. & B. & C. & D. and attached to the deposition of Juan Paudino

in this case and formed the determination of handing them to Isaac Williams as belonging to him which however from oversight I did not do notwithstanding I had then under the impression that I had done so and have assumed the application of Bernard Torke on several occasions for said original title papers that I had delivered them all to Williams

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The reflection recurring to my mind only yesterday at the hand of an Old West T. M. that a possibility existed that such papers still might remain in my possession I immediately proceeded to examine an old trunk containing quantities of old papers belonging to me and to my father and found the two documents above described which I immediately handed to Juan Bandini on my meeting with him in presence of this Commission I cannot swear positively whether these are all of the papers I received from Bandini or not, but to the best of my knowledge and belief they are from the fact that amongst my old papers I have not been able to find any others All the papers which I received from Bandini remained in my possession up to the time I sold the Ranch of the Mission to Williams subsequently to which sale I delivered to Williams documents which I then considered were all I had pertaining to the title to said Ranch but found on yesterday that this impression was erroneous from the fact of finding these two papers which I have before stated still in my possession, and which two papers I positively affirm have not been out of my possession at any time since I received them from

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from Pandemic up to yesterday.

David W. Altvater.

Sworn to & Subscribed
before me this 20th day of
June AD 1851.

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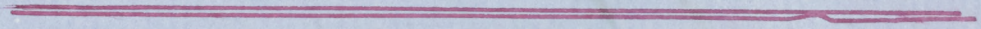
G. Thompson Barrill,
Cmn &c

I hereby certify that C. C. Thorne Esqr
was present at the time that the above
and foregoing testimony was taken acting
for an Athary of, and by the authority of J
H. McKim Esqr U. S. Law Agent -
Los Angeles June 20th 1851.

G. Thompson Barrill
Cmn.

Filed in Office July 10, 1851.

(signed) Geo Fisher Secy.



Testimonio de posesion del aumento

Doc. A. annexed de un Sitio al Rancho de Torijua dado en favor de

to the deposition
of Augustus Chora
taken before
Richard Hall.

D^{no} Juan Bernolini.

Año de 1840.

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En la Ciudad de los Angeles del Departamento de California a los once dias del mes de Octubre de mil ochocientos cuarenta ante a la solicitud del Ciudadano Juan Baudini aspi de que se le de la correspondiente posesion en el aumento de unalguan mas de terreno al que actualmente posee nombrado Josephu cuyo aumento quier saber la raya del rio le fue concedido por el Superior Gobierno en fha. Ocho de Abril de mil ochocientos treinta y nueve y aprobado por la Junta Departamental en titulo de fha. Treinta de Mayo ultimo del presente año. Puse por mi el Juez con los testigos de asistencia el espresado terreno y presentase a clar la posesion involucada previa citacion de colindantes y comparendose al espresado titulo o despacho que le ha sido conferido. Juan B. Leandry Juez 2º de Paz de esta y su jurisdiccion asilo de hecho firmo y firmo con los testigos de asistencia Segun dro. Doy fe.

Juan B. Leandry. = aspa. Ignacio Palomares. aspa.
Bernardo Yerba. = En el mismo dia, mes y año yo el propio Juez hice citacion de colindantes y manifestarles el objeto a que me dirigia al punto de Jacapa pues iba a remedir y poner en posesion del aumento de una legua a dicho terreno del porage conocido el Nueveon al Sur. Dº Juan Baudini y no habiendo manifestado excepcion ninguna que suspudiesen sus facultades le otije que procedia a ellas lo que puse por diligencia q. autorise y firmo con los testigos de asistencia Segun dro. = Juan B. Leandry. = aspa. Ignacio Palomares. aspa. Bernardo Yerba. = En el rancho

de Jacapa a las seis dias del mes de Octubre de mil ochocientos cuarenta yo el presente Juez para la practica de estas diligencias nombre a los oficiales condeles que por no saber firmar se omiten sus nombres a quienes les hice saber su nombramiento el que aceptaron bajo de juramento que otorgaron, ofreciendo desempeñar fielmente su encargo. Lo que autorise y firmo con los aspi mi asistencia Segun dro. = Juan B. Leandry. aspa. Ignacio Palomares. = ana. Bernardo Yerba.

En el mismo dia, mes y año estando en el anterior rancho del rancho de Josephu a la falda de una loma cerca de un monte de Juncos

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que sita antes de su frontera y a bastante distancia de la casa donde habitan a efecto de verificar las medidas y posesion con el presente a D^{no} Juan Bautista de la legua mas de tierra nombrada el Nueveon previas todas las requisitas de ley y estando ante mi los testigos de asistencia y los Oficiales competentes hice medir un corral que contiene noventa varas y asi lo a sus extremos mas sanos de suadera previa observacion y calculo por mi disposicion se tiro el corral desde el monte cito al rumbo Oeste y se midieron y contaron cinco mil varas las que recuataron a la punta de una loma alta que se maneo por su frontera a cuyo punto se halla D^{no} Bernabé Gorba por ser cabecera. De alli tirando la cuerda al rumbo Norte tirando todo un camino real que los observé se midieron y contaron cinco mil varas las que recuataron en la lumbre de una loma y esta a linea recta con la esperada loma donde se puso la primera medida en cuyo lugar se enterró un palo provisionalmente para que supliera de su frontera inter la formaba una y con esto se contaron las medidas del cito mas a satisfacion del interesado al mismo que le ordené pusiera las correspondientes su fronteras en las puntas respectivas y en señal de posesion de lo que quedo entendido que autorizo y firmé con los testigos de asistencia segun D^{no}. Doyse. = Juan B. Sembray. = aso. Ignacio Palomares. = aso. Bernabé Gorba. Angeles Octubre 9 de 1820. = Desele testimonio a la parte de las presentes diligencias que se demiran de titulo de posesion por su su gobierno y seguridad. Juan Bautista Sembray juez 3^o de paz de esta Ciudad y su jurisdiccion, asi lo decreté, recibí y firmé por antes los testigos de mi asistencia segun derecho. Doyse. = Juan B. Sembray. = aso. Ignacio Palomares. = aso. Bernabé Gorba. = Nota. En la fha. se hizo el testimonio previendo en el decreto precedente al Sr. Dn. Juan Barrios y para constancia lo rubrique = rubrica. = Convenida con las diligencias originales a que me remito y existen en el libro respectivo llevando este uno y constantes de se foras una hasta cincuenta y cuatro frente, las cuales citars

fielmente la cautela, conegidos y confrontados en estas dos fojas de papel comun por no haber del sellado correspondiente que autorizo y firmo con los testigos de mi asistencia segun dno. Doy fe.

En testimonio de verdad.

Juan B. Secundi. ana. Agustin Olvera.
aso. Jy. Coronel.

Pasado por venta segun la escritura que otorgue el dno. de la Ciudad de los Angeles en diez y ocho de abril de mil ochocientos cuarenta y tres a don.

David Alvarado, quien lo posea el terreno q. espusan las titulas y pacifica la otra escritura como legitimo dueño a virtud de la compra que de el me hizo a cuyo efecto lo firmo a veinte de abril de mil ochocientos cuarenta y tres.

Juan B. Secundi.

Pasado por venta a D. Julian Williams quien lo posea como legitimo dueño. a cuyo fin y efecto lo firmo a las 25 dias de Febrero de mil ochocientos cuarenta y cuatro.

David de Alvarado.

Testimonio a favor de Don David Alvarado.

Año de 1843.

Nº 2. En la Ciudad de los Angeles a diez y ocho de abril de mil ochocientos cuarenta y tres ante mi el Juy 2º de Paz en ejercicio del de primera instancia a reunido por receptorio a falta de escribano publico comparecio Don Juan Secundi vecino de esta Municipalidad y dijo: que por si y a nombre de sus hijos, herederos, sucesores y de quien de ellos hubiere título, voz y causa en cualquiera manera, venole y da en venta real y enagenacion perpetua por fin de heredad pori siempre jamas a don David Alvarado vecindado en la jurisdiccion de esta Ciudad y a los suyos, el terreno conocido con el nombre del Nivon, en el Rancho de San Juan del rio situado ha' orillas del rio de Sta. Ana de esta

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municipalidad y cuyo terreno le pertenece en posesion y propiedad y se compone de un sitio de ganado mayor. Limita por el Norte con el rancho Encolado con el nombre del Chino por el Sur con el otro Rio al Oriente con la principal San Juan del Rio y al Occidente con la Sargia Lindero del Rancho de Don Bernando Gorda que le fue vendido en un momento por el Gobierno del Departamento y aprobado por la Xma Junta en veinte de Mayo de mil ochocientos Cuarenta, por cuyos titulos y la posesion juridica que de ello tiene le corresponde en propiedad: el cual declara un terreno vendido, enajenado en escritura y que esta libre de tributo, Capellanias, Vinculos, puseponato, finca y de otro gravamen, especial gavel tucito y espeso. y como tal se lo vende, con todas las servidumbres, Salidas puestas abreviadoras, muestres Regas y derechos agrarios, fabrica, Centro especial extension, usos, Costumbres, regalios, servidumbres y demas cosas anexas que tiene y le pertenecen segun Dño; por tres mil pesos que tiene entregados y pasaran a su poder, real y efectivamente de cuya entrega y recibo se da por satisfecho el espeso Don Juan Barrios que confiere haberlos recibido como pagado de ellos con voluntad que por tanto renuncia la expresion que pudiera oponer por un Costar de presentes la ley sobre titulos como parte lince: formaliza a 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 verdadero valor del terreno y sus fincas son los tres mil pesos que se han dado por ello, y si mas vale el precio en precio o alguna suma hace a favor del Comprador de sus herederos y sucesores: gracia y donacion pura perfecta y irrevocable con sanidad con donacion y demas firmezas legales, y renuncia a las leyes que tratan de Contratos de venta, aunque y otros en que hay lecion en mas o menos de la cantidad del justo precio, y las cuatro cosas que propina para perder su rescision o Suplemento a su justo valor los que en por pasados como si efectivamente los tuviesen. Y desde hoy en adelante porra siempre se desapoderara resiste quita y aparta a sus herederos y sucesores del

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y aparta a sus herederos y sucesores del dominio
 o propiedad posesiva, título, voz, recinto y otro cual
 quiera derecho que le compete al mencionado terreno: lo
 solo renuncia y traspasa con las acciones reales y
 personales, mixtas y directas y efectivas en el comprador
 y en quien la suya represente, para que lo posea, goce
 cambie, enajene, use y disfrute, y disponga o ceda
 a su elección, como de cosa suya adquirida con
 legítimo y justo título, le confiere poder irrevocable
 con libre, franca y general administración y aus-
 tituye prevenidor acto en su propia causa para
 que de su autoridad o judicialmente entre y se des-
 apodere del mencionado sitio y de él tome y pida
 la real tenencia y posesión que por derecho le compete:
 Y se obliga a que dicho terreno será cierto, seguro,
 y efectivo del comprador, y nadie les inquietará o
 su vena pleito sobre su propiedad, posesión, goce
 y disfrute, ni disponga, ni contra ella aparezca
 gravamen alguno, y que si lo inquietaren o movieren
 o aparecieren luego que el otorgante y sus herederos
 y sucesores sean requeridos conforme a otro pliego
 a su defensa y lo seguirán a sus expensas en todas
 instancias y tribunales hasta efectuarlos y dejar
 al comprador y a los suyos con su libre uso,
 quietud y pacífica posesión y no pudiendo conseguirlo
 le darán otro igual en valor de fábrica, renta
 y comodidad y en su defecto le restituirán la cantidad
 que ha desembolsado, las mejoras útiles, precisas y
 voluntarias que a la sazón tenga, el mayor que
 adquiriera y todas las costas, gastos o menas labos
 que se le siguieren por todo lo cual se les ha de
 poder ejecutar solo en virtud de esta escritura
 del que lo posea o de quien le represente en quien
 oprimiere su importe y se retenga de otra prueba:
 Y a la observancia de todo lo referido, obliga su
 persona y bienes habidos: renuncia las leyes de
 su favor y obsequio con la general del derecho
 en forma y con plena amplia poder a los señores
 jueces que de este negocio deban conocer conforme
 a derecho. para que lo competan y apertien a su
 cumplimiento, como por sentencia definitiva
 de juez competente pasada en autoridad
 de cosa juzgada y executiva y que por
 tal lo vea y lo firmen con miyo y los de mi casa.

Siendo testigos instrumentales Don Narciso Botello y Don Luis Torolan de esta vecindad. = Antonio Coronel. Juan Brunelini = asu. Rafael Chuhoya. = asu. José Vicente Guerrero. = instrum^{to}. Narciso Botello. = asu. Luis Torolan.

Convenida con su original que se halla en el libro de instrumentos publicos de este año del que comparendo y enmijio p^ul y legalmente en estas sus fojas de papel comun por falta de sellarlo p^ul. ut supra. En testimonio de verdad.

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Ant^o F. Coronel.

asu. José S. Coronel. asu. Juan Dominguez. Pasado por venta a D^o Julian Millianus a quien nombro por tenedor como legitimo dueño que es del terreno fabrican y demas cosas y propiedades perteneciente a otro rancho a cuyo efecto lo firmo en el rancho de Santa Ana de China a los veinte y cinco dias de febrero de mil ochocientos y cuarenta y cuatro.

David de Atyauro.

En el rancho de Santa Ana del China a los veinte y cinco dias del mes de febrero de mil ochocientos cuarenta y cuatro Yo David Atyauro ascendido en la Municipalidad de los Angeles digo que por y en consideracion de la cantidad de tres mil pesos recibidos a mi entera satisfacion he vendido y pasado a D. Julian Millianus y los suyos todo el derecho propiedad y roy que tengo o puedo tener en el rancho llamado el Nicon, en los mismos terminos y condiciones que me lo vendio D. Juan Brunelini segun conste por un documento otorgado por el en la Ciudad de los Angeles a los diez y ocho dias de abril de mil ochocientos cuarenta y tres. cuyo documento he pasado a favor de D. Felipe Millianus en esta misma fecha y renuncio todo derecho que puedo tener en otro rancho y mejoras a favor del expresado D. Julian Millianus y para su debido cumplimiento firmo este con otros testigos.

Testigos. Prodelmich Chatchun. David de Atyauro Juan A. Warner

José del lavanal sues Juey 1^o y de 1^o Yostanui de esta Ciudad y su Junio Abian.

Artifico que los documentos que anteceden son los de las escrituras que en esta misma p^ul se han otorgado pasando a D. Julian Millianus

y Don Bernabé Yerba el paraje sustrado
 el Miscon y este a aquel las crónicas sustradas
 la Brá y Tancal: e igualmente certifié que la
 firma y aparece en esta certificación es y ha sido
 es la misma que usa y acostumbra D. Julián Millán
 Por lo expuesto para las seguridades de mi y otros
 de los mencionados Millán y Yerba extendí el
 presente en esta Ciudad de los Angeles a los veinte
 y cinco días del mes de Set^e de mil ochocientos
 cuarenta y nueve y lo autorizó con testigos de
 asistencia de que doy fe.

José del C. Lugo.

Filed in office Oct 15th 1859.

Geo. Fisher. Secy.

Doc. III
 annexed to
 the deposition
 of Augustin
 Olvera &c.

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In the City of Los Angeles in the Department of California on the 5th of October 1848 at the request of the City in Juan Pan-
 amio for the proper possession of the augmentation
 him of a league of land to that which he now
 possesses called Torupa which augmentation
 lying in the plain of the river was granted to
 him by the Supreme Government on the 8th
 of April 1839 and approved by the Depart-
 mental Junta on the 30th of May last, let
 assisting witnesses go with me to the said
 land and let proceedings be taken to give the
 said possession, after citation to the adjoining
 neighbors in conformity to the said title or
 decree which has been granted him.

I, Juan B. Landry 2^d Justice
 of the Peace of this City and its Jurisdiction
 thus done order and sign with assisting
 witnesses according to law. to which I certify.

Juan B. Landry

assa - Ygnacio Salvarez
 assa - Fernando Torca.

The same day, month and year I the
 proper Judge caused the adjoining owners
 to be cited explaining to them the purpose
 for which I was going to measure the said
 Torupa, that I was going to measure it
 and put Don Juan Beludino in possession
 of an addition of a league of land of that
 known as Al Rucor and thus having shown
 no reason why the measurement should be
 suspended I told them that I should
 proceed -

Done Officially, which I authorize and
 sign with assisting witnesses according to law.

Juan B. Landry,

assa - Ygnacio Salvarez.

Asa. Bernardo Gorba.

On the Rancho of Torupa the 10th of October 1844. I the Judge who was present for the presentation of these proceedings named two Chambranas (not knowing how to write their names are omitted) and made known to them their appointment which they accepted taking an Oath faithfully to discharge their duties which I authorize and sign with my assisting witnesses according to law.

Juan P. Landrum

Asa - Juan Palomares

Asa - Bernardo Gorba.

The same day Month and year being upon the former boundary of the Rancho of Torupa at the crown of a hill near a willow thicket which formerly served as a land mark and at same distance from the house which is occupied for the purpose of making the measurements and defining possession to Don Juan Pundino of the additional league of land called the Pincos at the requirements of the law having been complied with and the assg witnesses and Chambranas being before me I caused a cord to be measured containing ninety varas and staked of wood to be fastened to its extremities, after observation and calculation by my direction the line was run from the thicket west 5000 varas to the point of a small and high hill which was taken as a boundary mark. At this point appeared to Bernardo Gorba an adjoining owner thence north following a highway which was observed 5000 varas to the top of a hill which is in a right line with the said

Small hill where the first Measurement termin-
ated at which place a post was planted in the
ground to supply the place of a Monument for
the time and with this the Measurement of
the additional league was concluded to the
Satisfaction of the party who was ordered to
set Monuments at the proper points in sign
of possession which I authorized and sign
with assisting witnesses according to law as I
Certify -

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Juan B Landry
Asa Ignacio Salazar
Asa Bernardo Corba.

Angelos Oct 9, 1840.

Delivered to the party a copy
of these proceedings which shall serve as a
title of possession for his protection and
Security -

I Juan Bautista Landry 2^a
Judge of the Peace of this City and its Juris-
diction thus decreed ordered and signed before
my assisting witnesses according to law,
As I Certify -

Juan B Landry,
Asa. Ignacio Salazar
Asa. Bernardo Corba.

Note. On the same day the copy required
by the preceding decree was delivered to the
said Sr Juan Landry - In proof of
which this is Certified
Certificate.

Compared with the original proceedings to
which I refer and which are to be found
in the proper book of this year, recorded
from page 1 to 59, and from which this

is faithfully copied, corrected and compared
on these two sheets of common paper there
being none of the proper seal, as I authorized
and sign with assisting witnesses according
to law so which I certify -

In testimony of the truth,

Juan P. Sanabria.

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Asstg
Agustin Alamo

Asstg
Ygnacio Coronel.

Transferred by sale according to the
writing executed April 18th 1813 by the
Judge of the City of Los Angeles to Don David
Alexander who possesses the land described
in the title and the said writing as legitimate
owner in virtue of the purchase which he
has made from me, wherefore I sign this the
20th of April 1813.

Juan Pando -

Transferred by sale to Isaac Williams
who shall possess it as legitimate owner,
wherefore I sign this the 25th of July 1814,
David de Alfandero.

In the City of Los Angeles on the 18th
of April 1813 before me the 2^d Justice of the
Peace exercising the powers of Judge of 1st
instance acting in the absence of any
Notary Public appeared Don Juan Pando
resident of this Municipality who said that
for himself and in the name of his children
his and successors and of any of them who
may in any manner have any right title or title
est he sells and grants by way of real sale
and perpetual alienation by way of inheritance
forever to Don David Alexander residing

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within the Jurisdiction of this City and to those who claim under him the land known as the "Rincón in the Rancho of San Juan del Río"

Situated on the banks of the river San Juan in this Municipality which land belongs to him in possession and property and is comprised of one league de ganada Mayor bounded on the North by the Rancho del Chino on the South by said river on the East by the main Rancho of San Juan del Río and on the West by the ditch which is the boundary of the Rancho of Don

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Bernardo Gorbea that this land was granted to him as an augmentation by the Govt of the Dept and approved by the Dept^{al} Junta on the 20th of May 1840 by which title and the Judicial possession which he has it belongs to him in property. he declares that he has

nothing sold, conveyed nor pledged it and that it is free from any tribute foundation tax entail trust or other charge whether

real perpetual temporary special general tacit or express and as such he sells it with all its easements pastures mountains plains grazing lands Springs Cullanas Extmt, uses Customs privileges servitudes and other things annexed which it has and which belong to it according to law for three thousand

actually allowed and paid to him with the delivery and receipt of which to him the said Bandini declares himself satisfied confessing that he has voluntarily received it as paid and that therefore he renounces any exception which

he might take under law 9 title 1 part 5 he made a receipt of payment in favor of the purchaser in the Shoyist and best effectual form which may conduce to his security and also declares that the three thousand dollars paid to him is the just price and true

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value of the said land and its appurtenances
 and that if it is worth more of the excess
 more or less he makes in favor of the purchaser
 his heirs and successors a grant and donation
 pure perfect and irrevocable as by a public
 instrument and in the most legal form and he
 renounces the laws which treat of contracts
 of sale. And others in which there is
 lesion of more or less than half of the just
 price and the four years allowed to ask
 a rescision or recover the deficiency which
 time is considered passed as if it had in fact
 expired and from this day hereforward
 forever he divests renounces and takes away
 from his heirs and successors the dominion
 property possession title claim demand and
 all other right which belongs to him in said
 land and cities renounces and transfers it
 with its actions real personal or mixed di-
 rect and oblique to the purchaser and to
 whomever may represent him in order that
 he may possess enjoy exchange sell use employ
 and dispose of it at his will as of his own
 property acquired legitimately and by a just
 title he confers upon him power irrevocable
 with full and general administration
 and constitutes him actor in his own cause
 in order that by his own authority or judicially
 he may enter and possess himself of said land
 and may take and retain the real occupation
 and possession which legally belong to him
 and he binds himself that the said land
 shall remain secure and effectually the
 purchaser that no one shall commence any
 suit against him concerning its property pos-
 session enjoyment or disposition and that no
 encumbrance shall appear against it and that

if it should so happen as soon as he his heirs or Successors. May be required in Conformity to Law they will undertake the defence and will maintain it at their own expense in all forms and tribunals until they succeed and have the purchaser or those who claim under him in its free use and quiet and peaceful possession and if they do not succeed in doing so that they will give him other land Equal in Value as to improvements and rent and Equally Convenient or in default thereof that they will repay him the amount he has disbursed the value of the improvements whether necessary or voluntary at the highest rate and all costs expenses and damages he may have sustained all which shall be executed solely in virtue of this writing by the possessor or who ever represents him to whom is referred its meaning and other proofs dispensed with and for the performance of all the foregoing he binds himself and the property which he has renounced the laws in his favor and formally all the laws which might furnish him a defence and Confus upon the Judges who may legally take Cognizance of this subject. ample power to compel and oblige him to its fulfillment as if by a definitive sentence of a competent Judge it had acquired the authority of a thing adjudged by consent and for such he receives it and signed it with me and my assisting witnesses Don Narciso Botello and Luis Jordan of this vicinity being instrumental witnesses -

Antonio Coronel	Juan Raudino
asq	asq
Narciso Carabajal	José Vicente Guerrero
Instrumento	Instrumento
Narciso Botello	Luis Jordan

Compared with its original which is in the
book of a public instrument of this Court
with which this was examined and corrected
faithfully and exactly on two six sheets of
Common paper for want of Seal.

Date as above.

In testimony of the truth.

Ante J. Coronado.

Asses

Juan S. Coronado

Asses

Juan Dominguez.

Transferred by Sale to Isaac Williams
whom I declare to be the possessor as legitimate
owner of the land buildings and other things and
articles of property belonging to said ranch.

In proof of which I sign this
at the Rancho of Santa Ana del Chino the 23rd
of February 1841.

David A. Alejandro.

At the Rancho of Santa Ana del
Chino on the 23rd of February 1841, I David
Alejandro a resident of the Municipality of
Los Angeles say that for and in consideration
of the sum of three thousand dollars the receipt
of which is acknowledged, I have sold
and conveyed to Isaac Williams and his
heirs all the right title and interest which
I have or may have in or to the Rancho
called El Rincon upon the same terms and
conditions as it was sold to me by Don Juan
Baudino as shown by a document created
by him at the City of Los Angeles on the
18th of April 1843 which document I have
transferred to Isaac Williams this day and
I renounce all right which I may have in
said Rancho and its improvements in favor

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of the said Isaac Williams, and for its
proper fulfillment I sign this with two
witnesses -

David A. Alfandro,

Justices -

Frederick Patchell }
Juan I. Warrus. }

J. Jose del Capitan Lugo, 1st Alcalde and
Judge of the 1st Instance of this City and
its Jurisdiction -

Certify that the preceding
documents are the writings executed this day
by Isaac Williams and Dr. Bernardo Gorla
in exchanging the place called the Rincon
for the Canudas called La Brea y Sangre
and I further certify that the signature
which appears to this Certificate and Cause
is the one which Isaac Williams is
accustomed to use;

Wherefore for the security of
both the said Williams and Gorla I execute
this at the City of Los Angeles the 25th of Sept
1849 and authorize it with assenting witnesses
to which I certify.

Jose del Capitan Lugo
Isaac Williams,

Assg. Assg.
Juan Guada Agustin Olvera,

Filed in Office Oct 15, 1852

Signed!

Geo Fisher Secy

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[Faint pinkish scribbles]

[Faint blueish scribbles]

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*Doc. B. annexed
to the Deposition
of Augustin H-
vera*

En la Ciudad de los Angeles a los once dias del mes de Enero de mil ochocientos Cuarenta y uno yo Juan Bautini, bo por la presente en aquella Via forma que mas lugar haya en derecho por mi y a nombre de mis herederos sucesores o de quien de ellos tubiere titulo voz o causa en cualesquiera manera este y tras pasa como si fuere en venta real y enagenacion perpetua por juro de heredad por siempre jamas al tenor. Don Bernando Gorba un pedazo de terreno en el parage del Nicon con de mi propiedad, el cual contiene la extension desde los limites del rancho del chino sobre la sauja de agua que corre Norte Sur de dicho rancho hasta su incorporacion con el rio, todo por la parte del Oeste se ha espasada sauja hacia la pertenencia del propietario de Don Bernando Gorba, en cuyo terreno he tenido y derecho por justo titulo de propiedad y legal posesion. En tal virtud declaro que el mencionado Don Bernando Gorba es desde ahora para adelante el unico y legitimo dueño del dicho pedazo de terreno en el parage del Nicon que esta dentro o contiguo al rancho de su propiedad y que por consiguiente podra disponer de el a su arbitrio como de cosa suya adquirida como legitimo y justo titulo sin que he molestado ni interumpido en el que disfrute y aprovechamiento por persona alguna, pues ni esta gravado ni se halla sujeto a ninguna cosa. Esi mismo declaro que por este acto previa consentimiento preso de mi familia, no ha sucedido lesion en violencia pues de mi libre y espontanea voluntad haya del mundo mas solemnemente este tras pasa sin que por falta de ningun requisito que aqui no se espese y soy por mis entes dije de obrar sus efectos y unque hecho esta judicialmente y eno y lo cumplere con tanta fuerza como si fuere un instrumento publico. Yo la observancia de la referida obliga mi persona i bienes presentes y futuros y con ellos me someto al fuero y jurisdiccion de las autoridades para que al cumplimiento me compelan y apremien por todo vigor de derecho y via efectiva como si fuere presentada su autoridad de esta Juzgada Causante

H.H.

y fui mas de curso; Remuneri los leyes de tu favor
y especialmente las que hablan de esta
clase de asunto con la general del derecho
en forma en cuyo testimonio asi lo otorgo y
firmo por ante los testigos en este papel comun
por falta del sello correspondiente.

Juan Galvan. Testigo.

Testigo. Augustin Obispo. Testigo. A. Coronel.

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Filed in office Oct. 15th 1852.

Gen. Fisher.
Secy.

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Doc B
Annexed to
deposition of
Agustin
Alonso

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In the City of Los Angeles on
the 11th of January 1811. I Juan
Pandinio by these presents in the presence and
form which may be most effectual in law
for myself and in the name of my heirs
and Successors and of those of them who may
have any right title or interest grant and con-
vey in full sale and perpetual alienation
by way of inheritance for ever to Don Bernardo
Gorbea a piece of land in the place belonging to
me called the Rincon extending from the
boundaries of the Rancho del Chino along the
ditch for the water which runs from the
North to the South from said Rancho to its
Junction with the river being all that portion
west of the said ditch towards the property of
the said Don Gorbea to which land I have had
and have right by just title of property and
possession. Wherefore I declare that the said
Bernardo Gorbea is henceforward the only
and legitimate owner of said piece of land in
the Rincon which is annexed to or adjoining
the Rancho belonging to him and conse-
quently that he shall have power to dispose of
it at his will as of his own property acquired
by legitimate and just title without being
disturbed or interrupted in its enjoyment dis-
position or improvement by any person since
it is neither Encumbered nor in any way
affected. Also I declare that this act is passed
with the previous express consent of my family
that there is neither influence upon nor duress
since it is of my free and spontaneous will that
I make this conveyance in the most solemn
manner so as not to fail of effect for want
of any requisite not here expressed but
which is to be considered as inserted and

although it is made Extra Judicially I wish
it to be and considered of the same force and
as if it were a public instrument.

And for the assurance of
the foregoing I bind myself and the property
which I have submitting myself with it
to the law and Jurisdiction of the authorities
in order that they may oblige and compel
me to fulfil this by all the rigor of the law
and by final process as if by a sentence hav-
ing the authority of a Judgment by consent
and without recourse.

I renounce the laws in
my favor and defend especially those which
pertain of this class of subjects with the law
in general.

In testimony whereof I wrote
and sign this before two witnesses both of Com-
mon paper for want of parchment.

Justizo
Agustin Olvera

Don Paudino -
Justizo -
A. J. Corneil.

Filed in Office Oct. 15th 1852.

(signed)
Geo Fisher Secy.

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1839.

Expediente.

Expediente promovido por Don Juan Guzmán
en pretension de un aumento de un ar terreno
que se le ha consetido.

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203.

Sto Barbara. En 21 de 1839.

Excmo. Sor.

Vuelva esta instancia a la parte que representa para ante V. E. con el debido res que incluyendo el oficio con- pto hase prescote que respectivamente se ofija alif. habiendolo obtenido la pres- orme del Ayuntamiento de sesion del parage d. Jorupa la libertad de los dueños quien a virtud del titulo expreso sera si la propiedad parte al p. V. E. en este punto a terreno que se menciona perten veinte y ocho de sept^{bre} eie o no a la propiedad por del año p^{ro} y guardado aticular de algun individuo. fuera de la comprension de las limites del expresado Alvarado. de las limites del expresado

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parage en toda su estension las tierras de labor q. aseguren su fomento. Espero se sirva V. E. concederle la estension de un sitio mas sobre el cuanjen del Rio y a continuacion de los linderos marcados

Monterrey Mayo. 12 de 1839. pues en ella promete Informe al Sor. Directo del la estabilidad y fomento Seguindo ofitito sobre el la expresada estension q. Concedido en esta instancia. Solicito es asia a la parte Alvarado. del Oeste y cuyo terreno

desocupado es absolutamente util para las siembras en raron de que sea aguas en dependen del Rio y no tienen el empuje de unirse con las grandes arroyos que sus aguas del gobierno ha- biesen en el mismo Rio y de la cual resultan perjuicios inevitables en las tierras de labor que se riegan con las mismas aguas: por lo que en obs- equio de la agricultura cuyo fomento hase la peligrosidad del pais. Ol. V. E.

Suplico encarecidamente a esta a la estension que Solicito, de un sitio sobre la parte del Oeste desole los linderos actuales del parage q. ofuso a cuyo fin protesto lo necesario y ruego se sirva V. E. admitir este en papel comun p^{ro} no haber sellado en el lugar.

Sto Barbara. 21. de Mayo. de 1839.
Juan Gaudini.

Aug^o Febro. 14 de 1839.
Dado cuenta al Yltre Ayuntamiento de esta Ciudad en sesion de Aug, con este oficio acordó pasará a suia comision aspecial compuesta de los Regidores ce. Francisco Maria Alvarado y Jose Sepulveda, para que informe p^{ro}vi situación

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de Colindante Francisco Tapia. pte
Narciso Botello. Srto.

Here follows a copy in Spanish

3 de Sep

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La comision a pesimal nombrada p^{va}. para informar a seren del presente Expediente promovido por el C. Juan Manuel dice: que habiendo pros-
cedido a hacer la correspondiente averiguacion del parage que solicito conosciendo por el nombre de Bolsa con situacion de colindantes en encuentra que se le puede conceder por hallarse baldio pues no existen en el ningunos bienes de campo ni otros clase de bienes aunque se ha reconocido p^{ra} de la Merion de San Gabriel la que hace mucho tiempo la tiene aborrendada como tambien en consideracion de que el solicitante es Ciudad^o Mexicano por nacimiento y tiene suficientes bienes para labrar el que se requiere a cualesquiera otro que fuese necesario.

Atyelas febrero. 25 de 1839.

Juan Maria Alvarado. Jose Sepulveda.

Aty^{ta}. Febr. 25 de 1839.

Da cuenta al Y. Ayuntamiento de esta Ciudad en sesion de hoy con el informe que antecede fue aprobado p^{ra} unanimidad de Cortes, acordando se remita al Sr. Gobernador del Departamento para su conocimiento.

Francisco Tapia.

Narciso Botello. Srto.

Sr. Sr.

Cumpliendo con lo que V. E. se sirva acordar en Superior decreto de 12 de Mayo p^{ro} en el presente de un p^{ro} via de informe, previos los que he recibido de practicas previas que es de acuerdo a la solicitud hecha p^{ra} Sr. Juan Manuel.

Aty^{ta}. Ab^{il}. 18 de 1839.

L. Casne de Pena.

Monterrey. 28 de Abril de 1839.

Vista la peticion con que dio principio este Expediente el informe del Ayuntamiento de las

y el Sr. Prefecto del 3^o Distrito, con todo lo demas que se tuvo presente y ver convisos de conformidad con las leyes y reglamentos de la materia de dar a Don Juan Barolini sueno en propiedad de la estension de un sitio mas vale la regla del m^o y a continuacion del terreno que se le ha concedido epifone se demuestran en el plan que se acompaña. Subese el correspondiente despacho tenese sobre en el libro respectivo y dirigase este expediente a la E. Junta Departamental. El Sr. Don Juan B. Alvarado, Gobernador del Departamento de las Californias asi lo mandó, decretó y firmó de que doy fe.

Alvarado.

Monterrey, 22 de Mayo de 1840.

La sola cuenta a la E. Junta Departamental acordó en sesion de este dia que pase a la Comision de agricultura.

José F. Fernandez, Sec.

En 26 del mismo lo devolvió la Comision con el dictamen que acompaña.

Fernandez.

Monterrey, 11 de Junio de 1840.

En vista de la aprobacion otorgada en veinte y seis del p^o p^o por la E. Junta Departamental librase testimonio de ella a la parte de D. Juan Barolini en consideracion del aumento de terreno que obtuvo en 28 de Abril de 1839. El Sr. Don Juan B. Alvarado Gobernador Constitucional del Departamento de las Californias asi lo provino y firmó de que doy fe.

Alvarado.

E. S.

La Comision encargada de dictaminar sobre la ampliacion de tierra que el Sr. Don Juan Barolini solicita desde el año de 1839, vista solicitad y los tramites corridos y a cues la consepion echa por el Sr. Sr. Gobernador Sr. Juan Bautista Alvarado fecha 28 de Abril de 1839 la Comision pone a la deliberacion de V. E. los articulos siguientes. Articulo 1^o Se aprueba la ampliacion de tierra solicitada por el Sr. Don Juan Barolini y conculida por el Sr. Sr. Gobernador Sr. Juan Bautista Alvarado. Art. 2^o El presente expediente volvase al Gobierno Departamental para los

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los fines convenientes. Monterrey. Mayo. 23 de
1840. José Rafael Gonzales. L. Arguillo.

Monterrey. 26. de Mayo de 1840.

En Sesion de este dia aprobó la S. Junta Departamental
los dos articulos de que consta en el acta anterior
Manuel Jimeno. José F. Fernandez.
Presidente. Seco.

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

I Samuel D King Surveyor Genl
of the United States for the State of California and
as such now having in my office and under
my custody a portion of the archives of the former
Spanish and Mexican Territory or Department
of Upper California under and by virtue of the
Second Section of the Act of Congress approved
on the 3 day of March 1853 providing for the
Survey of the public lands in California and
for other purposes do hereby certify that the
eight preceding and hereunto attached pages of
tracing paper numbered from 1 to 8 inclusive
and each of which is verified by my initials (S. D. K.)
exhibit true and accurate copies of a document on
file and forming part of the said archives in
this Office.

In testimony whereof I have
hereunto signed my name Officially and affixed
my private seal in lieu of the seal of Office
which has not been received at the City of San
Francisco Cal. the 7th day of July. 1853.

Samuel D King.
Surveyor Genl. Cal.

Filed in office. Sept. 26. 1853.

Geo. Fisher. Secy.

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1834.

Expediente instituted at the instance
of Don Juan Pando on application for
an additional tract of land to that already
granted to him -

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Amstano

of
Expediente.

Q O S.

mm

Most Excellent Sir -

Citizen Juan Pando
appearing before Your Excellency with proper re-
spect, represents that having obtained possession
of the place called Arripa by virtue of the
title issued to him by Your Excellency at this place
on the 25th of September of last year and the
titleable land on which he relies for his sup-
port being in its whole extent beyond the
limits of said place he hopes that Your Excellency
will be pleased to grant him the extent of
one league (sitio) more upon the margin of
the river and in continuation of the boundaries
marked. Since it is on this he relies for his
Establishment and support.

The said Extension which
he solicits is towards the west side the land
is fertile and is entirely useful for planta-
tion in consequence of its irrigation not being
dependent upon the river nor it is subject
to the risk of being made useless by the
sudden impetuous overflows which the winter
rains cause in said river and from which
results inevitable injury to these lands which
are irrigated from their waters -

Wherefore I particularly be-
suech Your Excellency to grant me the Extension
I solicit of one league towards the west side

from the present boundaries of the place I occupy for which purpose I make the necessary protestation and pray that Your Excy will receive this on common paper there being no signed paper in the place.

Sto Barbara Jan'y 21. 1834

Juan Bordinó -

on the Margin.

Sto Barbara Jan'y 21. 1834.

Let this application be returned to the party that he may attach to it the corresponding Map and let it be referred to the Ayuntamiento of the City of Los Angeles to report whether the land mentioned is or is not the private property of any individual -
Alvarado.

on Margin,

Ponterias March 12. 1834.

Let the Prefect of the Second District report upon the contents of this application -
Alvarado.

Angels July 11. 1834.

Account of this Expediente having been given to the Ayuntamiento of this City in session of this day the same ordered it to be referred to a Special Committee to be composed of the Regidores Francisco de Alvarado and José Sepulveda in order that they should report first citing the adjoining owners.

Gobernador D. Juan José
Francisco Botello Secy
of Ayuntamiento -

Map of the Estancia solicited by the City of San Bernardino of the possession which he has -

Here follows the map designating the adjoining land "lands which belong to me" - And the line on that side "Boundary towards the west side."

The Special Commission appointed by Your Honorable Board to report upon this Es-
pediente instituted by Citizen Juan Baudino
says that having proceeded to make the proper
Examination of the place which he solicits known
by the name of Balsas after a citation of the ad-
joining owners they find that it may be gran-
ted to them him it being vacant and there is
no stock upon it or other kind of property and
though it has been recognized as land of the
Mission of San Gabriel yet it is a long time
since it was abandoned by the Mission as
also in consideration that the applicant is a
Mexican Citizen by birth and has sufficient
means for its cultivation all which is referred
to whatever other person if that may be necessary
Angelus July 29. 1834.

José Sepulveda
Francisco Macalcarado.

Angelus July 29. 1834.
The foregoing report having been submitted
to the Ayuntamiento of this City in Session
to day was unanimously approved and
ordered to be presented to His Excelency the
Governor of the Department for his information.
Silencio Tapia
Pres.

Francisco Botello Secy.

Most Excellent Sir -

In pursuance of what
Your Excellency has been pleased to order

By Superior decree of the 12th of March
last I think proper to say by way of report
in view of what I have learned from
reliable individuals that the application
made by Don Juan Bandino should be granted,
Ayo April 18, 1834.
L. Casmo & Peña.

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Montreux 28th of April 1834.
I have read of the petition with which this
Expediente begins, the report of the Ayunta-
miento of Los Angeles and that of the Prefect
of the 2^a District and other papers which
have been offered for consideration & more proper
to have been considered in conformity with the
laws and regulations upon the subject. I declare
Don Juan Bandino owner in property of the
Extension of one (sitio) league more upon
the plain of the river (La Vega del Rio) and
in continuation of the land which has been
granted to him as is shown in the accompanying
map - Let the proper title (Carpacho) be
issued and registered in the proper book and
let this Expediente be remitted to the Depart-
mento Santa.

Don Juan B Alvarado Gobernador
Gobernador of the Department of the Californias,
thus ordered, decreed and signed, to which
I certify.

Alvarado.

Montreux 22^a of May 1840.
Account having been given
of this Expediente to the Excmo Departamento
Santa. The same ordered it in Session
of this day to be referred to the Committee
of Agriculture -

Jose B Fernandez Secy.

On the 26th of the said Month the Commission returned it with the accompanying advice,
Fernandez.

Montreal 11th of June 1834.

In view of the approval given on the 26th of last Month by the Ex^{te} Departmental Junta. Let a copy of it be given to Dr Juan Baudino as a concession of the addition of land which he obtained on the 28th of April 1834.

Dr Juan B Alvarado Constituted Governor of the Department of the Californias thus decreed and signed as Certify -
Alvarado.

The Commission charged to deliberate concerning the augmentation of land which Dr Juan Baudino solicited since the year 1832 having seen the petition and other proceedings which were had and also the concession made by his Ex^{te} the Governor Dr Juan Bantista Alvarado dated the 28th of April 1834 presents for the determination of Your Honorable Board the following articles -

Article 1st.

That the addition of land solicited by Dr Juan Baudino shall be granted by His Ex^{te} the Governor Dr Juan Bantista Alvarado be approved.

Article 2nd -

That this Expediente be returned to the Departmental Government for appropriate

purposes.

Montreal May 23^d 1811.

Jose Rafael Gonzales.

S. Arguilla.

Montreal 26th of May 1811.

In Session of this day the Exec. Departmental Junta approved the two articles which appear in the foregoing advice

Manuel Jimeno Secy.

Jose J. Fernandez Secy.

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I George Fisher Secretary to the U. S. Land Commission to ascertain & do hereby certify that the foregoing is a true and correct translation of a Spanish document in Case No 384 now on file in this Office.

Office of the Secretary of said Commission San Francisco Calfo. this 1st day of February in the year of our Lord 1854.

Geo Fisher Secy.

Filed in office Jan 23, 1854.

(Signed) Geo Fisher Secy.

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Sello tercero dos Reales.

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

Autorizado.

Antonio Maria Osio.

(Seal) Juan B. Alvarado Gob.^{er} Constitucional del Departamento de las Californias.

La Junta Juntas Departamental en sesion del dia 26 de Mayo del presente año, aprobó la concesion que este Gobierno hizo con fecha 8 de abril de 1839. de la estension de un sitio mas, sobre la Vega del Rio a Don Juan Baurdini en los terminos siguientes. - art. 1.^o Se aprueba la ocupacion de terreno solicitada por el Sr Don Juan Baurdini y convalidada por el Sr. Gobernador Dn Juan B. Alvarado.

Y para resguardar el interes de la ciudad el presente en Monterrey a treinta y cinco de Mayo de mil ochocientos cuarenta.

Juan B. Alvarado.

Mano Yimera.

Srio del Despacho.

Field Office. July 20. 1852.

Geo. Fisher.

Secy.

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Exhibit. A. G. B.
annexed to the
deposition of
Juan Baurdini.

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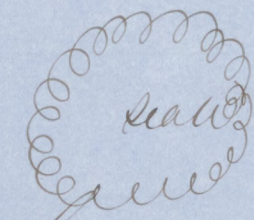
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Stamp Third, Two Reals.

Provisionally authorized by the Maritime
Custom House of the Port of Monterey
in the Department of the California for the
Years Eighteen Hundred and forty Eight
Hundred and forty one.

Alvarado. Antonio Ma Asio.

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Juan B Alvarado Constitutional
Governor of the Department of the California.

The Most Excellent Depart-
ment Junta in its session of the 26th of
May of the current Year approved the grant
which was made by the government on the
8th of April 1839 for an Extension of one
Square league more (sitio) on the margin
of the River to Don Juan Bandino as follows

Art 1st - The Extension of land Solicited by
Don Juan Bandino and granted by the Govern-
ment Don Juan B Alvarado is approved.

And for the Security of the
interested parties the present document is issued
at Monterey on the thirtieth day of May Eight-
teen Hundred and forty.

(Signed) Juan B Alvarado.

(Signed) Manuel Jimeno
Secy of Dispatch

I George Fisher Secretary to the Board
of W. S Land Commissioners to State private
land claims in the State of California do
hereby certify that the foregoing is a true and

and correct translation of a document
filed in Case No 384, on the docket of said
Board Bernardos Borba Claimant for the
place called La Pineda said document
being marked Exhibit A. G. B. annexed
to the deposition of Juan Bandino.

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In witness whereof I
have hereunto signed my name at office in
San Francisco this 10th day of July 1854.

(Signed)
Geo Fisher Secy.

Filed in office July 10. 1854.

(Signed)
Geo Fisher Secy

1854

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Sta Barbara. En:º 22 de 1839. Exmo. Sr. Gob.º
Puede el interesado en esta El Ciudadano Juan Baudini
representacion ocupar el terreno ante V.E. con el debido respeto
que pretende, sujetarse a lo que espone: q. a virtud de tener
al resultado de la rúbrica de presentarlo una instancia
que indica tener pendiente. en solicitud de la estension

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*Atento. del parage q. ello menciona
y considerando la demora q. justamente debe esperarse
- entre sus Arriendos espera que V.E. tenga a bien per-
- mitirle el uso del pedido sitio, p^a preparar en el los
- labores a cuyo fin lo destinamos razon de e ser el tiempo
- permitido de pronto para verificar las por lo que. Al. V.E. Sr. Gov.
- of Julius Baudini: e igualmente Suplica tenga a bien acceder a la presente
- June 24. 1851. peticion: esperando se sirva V.E. admitir este en
- papel comun p^a falta del necesario.*

*Exhibe B. G. 213.
Julius Baudini
June 24. 1851*

*Sta Barbara. y Enero 22 de 1839.
Juan Baudini.*

Filed in office. July. 10. 1851.

Gov. Fisher. Secy.

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1875
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Most Excellent Governor,

The Citizen Juan Pando de
Your Excellency with due respect expresses,

That whereas he has presented
a petition asking for the extension of the place
which is mentioned in said petition and causing =
ering the delay which it will naturally undergo
upon the action thereof. Your petitioner hopes that
Your Excellency will permit him to have the
use of the tract solicited (Petition) in order that
I may prepare the land to make my fields
as now is the proper time to do it.

Therefore he earnestly entreats
Your Excellency to accede to this his petition
hoping you may dispense him the use of
Common paper for the want of the paper one.
Sto Barbara January 22^o 1834.

(Signed)

Juan Pando

Here should follow
marginal decess

I George Fisher Secretary of the
Board of W. & Land Commissioners to state
private land claims in the State of California
do hereby certify that the foregoing is a
true and correct translation of a document
filed in Case No 384 on the docket of said
Board Bernardo Torles Claimant for the
place called "El Rincon" said document
being marked "Exhibit B. h. I. B." annexed to
Deposition of Juan Pando

In Testimony whereof I have
hereunto signed my name at Office in San
Francisco this 19th day of July 1854.

Geo Fisher Secy.

Filed in Office July 20. 1854

(Signed) Geo Fisher Secy.

Translation
of
Exhibit
"B. h. I. B."
Annexed to
depo of
Juan Pando

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[Faint, illegible handwriting covering the right side of the page]

[Faint, illegible handwriting in the lower left margin]

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Bernardo Yorba Claimant
vs
The United States

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Applicant

At J Crittenden being duly sworn deposes and says that he is the Attorney in this Case, that the land claimed is situated in the County of Los Angeles and the Claimant resides in the said County, that the case was prepared and all the testimony taken at Los Angeles while the Board was in session there, that at that time the original grantee Juan Bandino, as deponent was informed and believed was without the limits of this State and his testimony could not be taken, that the original title could not be found though diligent search was made for it that afterwards and before the claim was submitted no evidence was given of the existence of the original title other than the evidence herein after stated, nor of its loss because of the difficulty and great inconvenience of procuring the attendance of the said Bandino at San Francisco as a witness, and because in the opinion of deponent it was not necessary inasmuch as this paper appears in the Espediente, a traced copy of which from the Office of the Surveyor General is filed by the Claimant and is referred to as having been exhibited to him and his possession of the land was given to the grantee in conformity to the title, that deponent is informed and believes that the said Bandino is now in the County of San Diego, that his attendance at Los Angeles as a witness can be procured and that the Claimant will be able to prove by him the existence and contents of the original title and its delivery to him and will be able to account satisfactorily for its non-production by the testimony of the said Bandino

and of the other persons through whom the claim
but claims his title -

A. P. Crittenden.

Subscribed & sworn to
before me March 20 1854.

R. Aug Thompson.

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Bernardo Yorba Claimant

The United States

Motion.

The Claimant moves
the Board for leave to introduce Evidence to
prove the Existence, Contents and loss of the
original title a copy of which appears in the
true & copy of the Expediente on file in this
Case and that such Evidence be admitted as of
this day on this which this Claim was submitted.

A. P. Crittenden

Atty for Claimant

Notice.

The Law Agent of the U.S. will please take
Notice that the foregoing Motion will be
made before the U.S. Board of Land Com^{rs}
on Tuesday March 21st inst at the Meeting of
the Board or as soon thereafter as it can be
heard and that upon the hearing the Claimant
will rely upon the papers on file in the Case
and upon the accompanying Affidavit -
March 20. /54.

A. P. Crittenden

Atty for Claimant.

Dr J. H. McKune Esq
Law Agent.

Service of the foregoing Motion acknowledged
March 20. 1854.

Filed in Office March 21. 1854.

(sfd) Geo Fisher Secy.

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U. S. Land Commission
State of California.

Bernardo Yorba
vs
United States
No 384,
El. Return -

Affidavit

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Bernardo Yorba being duly sworn
deposes and says that he is the Claimant in
the above entitled Cause.

Affiant further states that he
has not in his possession the original grant
of Governor Juan B Alvarado to Juan
Pandino of the land claimed nor has he any
knowledge or information where the same lie.

Affiant further states that he
has used all energy & diligence to obtain
said original or such information as might
make him acquainted with its whereabouts
that amongst other things he has made fre-
quent & urgent enquiries from Juan Pando-
no David W Alexander & Isaac Salas
Williams & that they and each of them have
informed affiant that neither they nor
either of them have or has the said origi-
al in their possession or control or any infor-
mation as to its whereabouts.

Affiant further states that
he has used this diligence in good faith
and by every means of interest honestly to
search for & faithfully to produce said origi-
nal before the said Land Commission &
that up to the present time he has been
unable so to do that the said grant is not
in his possession & control in any matter
whatsoever.

Wherefore affiant says that accor-
ding to his best information & belief he believes

that said original grant is lost.

Applicant further states that the said Juan Bandini at times has informed him that he the said Bandini delivered the original grant to D W Alexander his grantee & that the said Alexander says he has no recollection upon the subject except that amongst the papers and documents transferred there was a document with official seals, which document Applicant believes must have been the Judicial possession filed in this cause.

Applicant further says that at the time of the sale of Williams to him the original grant was demanded of the said Williams who stated then that the documents which have already been filed in this cause were the only documents delivered to him by the said Alexander his grantee.
Bernardo Yorda,

State of California }
County of Los Angeles }

Sworn to & Subscribed
On this 20 June 1854 before me John W
Shinn County Clerk of Los Angeles County
Court -

Erred

Witness my hand & the seal
of said Court affixed at
my Office in said County
on the day & year above
written -

John W Shinn
Clerk of Los Angeles County.

Filed in Office July 18. 1854.

(Coja)

Geo Fisher Secy

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Opinion of
Board by Comr.
Thompson

Bernardo Yorba }
vs } Eel Rincon
The United States }

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This is a claim for one square league of land situated in the County of Los Angeles and purports to be granted on a grant made by Governor Juan B. Alvarado on the 8th of April 1839 to Juan Bandini from whom the present petitioner claims to derive his title by proper legal conveyances. The original grant is not produced but full proof of its due execution is made and that the claimant after diligent search and inquiry has been unable to find it, or to ascertain its present existence.

The proofs on this point are sufficient to establish the loss of the instrument and to lay the foundation for the introduction of secondary evidence of its contents.

These so far as they are material to a proper understanding of the terms of the grant are fully proved by the deposition of Juan Bandini the original grantee and by the documentary evidence filed in the case.

The claimant has also filed the following documentary evidence in relation to the original title, First a traced copy of the Especiente from the Archives in the custody of the United States Surveyor General containing the proceedings of the Departmental authorities upon the original application for the grant, a map or division of the premises granted, the original decree of Concepcion signed by the Governor dated April 28th 1839, the proceedings of the Departmental Assembly in approval of the same dated May 26. 1840 and the Order of the Governor directing a certified

Copy of such approval to be delivered to the grantee, dated June 11th 1840.

Second. An original petition from Juan Buncini to the Govern. praying for a temporary right of occupation of the premises petitioned for, until the final action of the Government on his application for a legal title, and a marginal decree of the Govern. granting the same dated the January 2^d. 1839.

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Third. The original certificate of the approval of the grant by the Departmental Assembly dated May 30th 1840.

Fourth. The original record of the judicial possession of the premises executed by Juan B. Landry 2^d Justice of the peace for the Jurisdiction of Los Angeles dated Oct. 9th 1840.

The documents are all properly authenticated and proved and if not sufficient to invest the grantee with the legal ^{title} ~~title~~ would certainly create a strong Equity; taken in connection with the oral testimony, they establish the validity of the original title beyond a reasonable doubt.

The Conditions of Occupation and Cultivation appear to have been fully complied with, and the Land is described in the decree of Concession and Act of Judicial possession with sufficient certainty to segregate it from the public domain.

The present Claimant claims his title to the premises. First, by a deed from the Original grantee to him conveying all that portion of the Land lying West of a ditch running through the Rancho from North to South, and between the same ditch and the lances of the same

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Claimant.

2d. A deed from the said grantee to David Alexander conveying to the latter all his remaining interest in the premises.

3d. A deed from said Alexander conveying the same to Isaac Williams.

4th. A Contract executed before Jose del Carmel Sego 1st Alcalde and Judge of the 1st Instance of the City of Los Angeles and its jurisdiction by which Williams transfers all his interest in the premises to the present Claimant in exchange for the Rancho called La Brea y Secual.

Those conveyances are all properly proved and authenticated and are sufficient to invest the Claimant with the rights of the Original grantee in the premises.

The Claimant's right to a Confirmation is fully sustained by the testimony and a decree to that Effect will be entered.

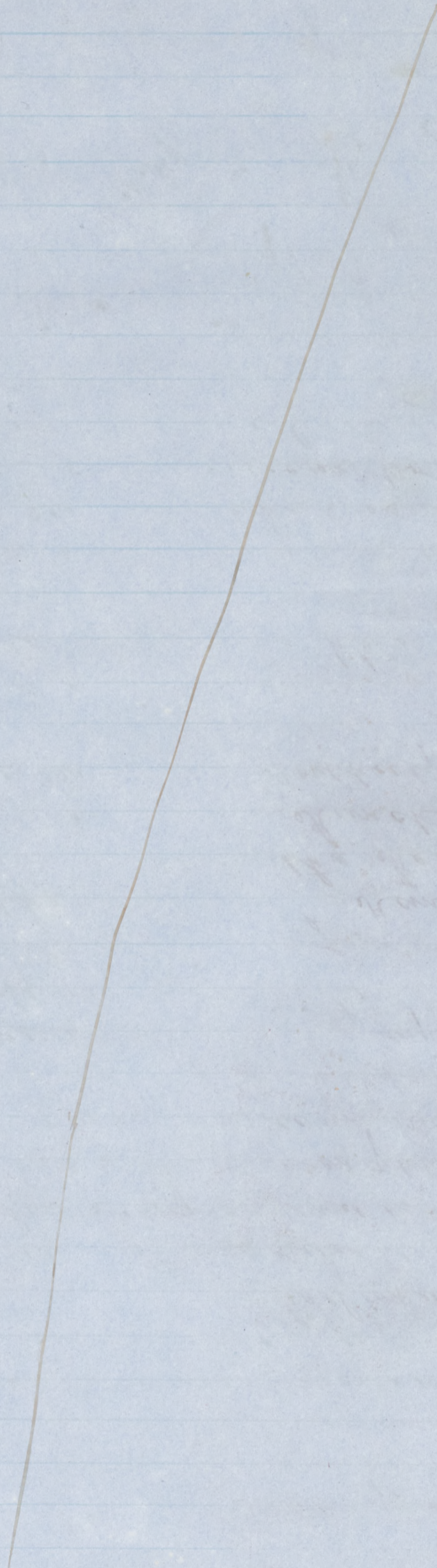
Filed in Office Feb. 13. 1855
Geo. Fisher Secy

Recorded in Record of Deeds
Vol. 2 page 531
Geo. Fisher Secy

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Decree

Bernardo Yorba
vs
The United States

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

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The land of which confirmation is made is situated in the County of Los Angeles and is known by the name of "El Rincon" being the same which was granted to Juan Buncame by Governor Alvarado on the 28th of April 1833 and now held and occupied by the present claimant, and is bounded as follows:

On the East by the Rancho of Sempron, On the South by the Rio de Santa Ana, On the West by the Rancho of San Antonio and extending Northward from the river one league, containing one square league of land. For a more particular description reference to be had to the original decree of confirmation, and map contained in the expediente a true copy of which is filed in the case and to the original act of judicial possession also among the papers in the case

Alpheus Felch
R. Aug. Thompson
S. B. Farnell

Commissioners

Filed in Office Feb. 13. 1855
Geo. Fisher Secy

Recorded in Record of Decisions
Vol. 2 page 533
Geo. Fisher Secy

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And it appearing to the satisfaction of
the Board that the Land hereby conveyed
Cater is situated in the Southern District
of California. It is hereby ordered that
two transcripts of the proceedings and of
the case in this case, and of the papers
and evidence upon which the same are
founded, be made out and duly certified
by the Secretary. One of which transcripts
shall be filed with the Clerk of the
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
foregoing *Seventy six* pages, numbered from
1 to *76*, 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. *384* on the Docket of the said Board,
wherein *Bernarda Yuba* is

the Claimant against the United States, for the place known by
the name of "*El Rincon*."

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

Geo. Fisher
Geo. Fisher



297
U. S. DISTRICT COURT,
Southern District of California.

No. 294.

THE UNITED STATES,

297
Bernardo Yomba,
"El Rincon"

TRANSCRIPT OF THE RECORD

FROM THE
BOARD OF U. S. LAND COMMISSIONERS,

In Case No. *304.*

Filed, *Oct 4th* 185*5*,

J. C. Farr,
Clk.

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41384

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Office of the Attorney General of the United States,

Washington, 10. October, 1855.

384. "El Rincon" —

Bernardo Yorba, 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 27th 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 297.

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

The United States, applt

vs

Bernardo Yorba. app'ee.

Appeal notice.

Filed Nov 20th 1855.

J. E. San
C. H.

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

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



Bernardo Yorba, appellee

vs

The United States, appellant.

Docket No. 297.

Transcript No. 384.

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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 9th day of October A. D. 1852, Bernardo Yorba

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 El Rincon

in the County of San Bernardino 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 13th day of February A. D. 1853, the said Commissioners confirmed, by final decision, the said claim of said petitioner. That thereafter, to wit: on or about the 4th

day of October A. D. 1853, 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. 384; reference to which it is prayed may be had and made part of this petition.

That on or about the 27th day of August A. D. 1853, 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 ^{about} the 20th 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 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. O. M.

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

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N^o 297.

Filed this 5th January
A.D. 1854
C. S. Clark
& M. Coleman
Scrib

United States of America, } SS.
SOUTHERN DISTRICT OF CALIFORNIA.

THE PRESIDENT OF THE UNITED STATES,

TO

Bernard Gotha

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GREETING:

TAKE NOTICE, That a Petition, a copy of which is herewith served upon you, has been filed against you, and each of you, in the District Court of the United States, in and for the Southern District of California, on the *5th* 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. Dist U.S. Atty, praying
said Court to review the decision of
the U.S. Land Commissioners of the
13th February 1855. confirming your
claim to the Land called
"El Rincon"*

and that you, and each of 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 that judgment by default will be taken against you, and each of you, and the prayer of the said petitioner will be granted, with costs.

In witness whereof, I have hereunto set my hand, and affixed the Seal of the said Court, this _____ day of _____, in the year of our Lord, one thousand eight hundred and fifty- _____, at Los Angeles aforesaid.

Clerk.

W. H. Coffman
Dep



No 297

Marshals Cost
Copying books - 60
Serving same 3
Petition 3
\$ 6.60

UNITED STATES OF AMERICA,
SOUTHERN DISTRICT OF CALIFORNIA,
U. S. DISTRICT COURT.

Demando Yoona

vs.
adly

The United States

Return return this 21st of
January 1857. Returns call
of Attorneys

SUMMONS

January 20th 1857

Edward Hunter

U.S.M.

Wm L Goodman
Deputy

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I served this Summons, along with the proper copy of the Petition, upon *A. Oloera*
Atty for Appellee by delivering to him personally a true copy
of the same
at *Los Angeles*, in the Southern District of California, on
the *21st* day of *January*, A. D. 1857.

Sworn to and subscribed before me, this
21st January 1857

Edwils Clerk.
J. H. Coleman
clerk

Edward Hunter
U.S. Marshal.

Wm L Goodman
Deputy

In the District Court of the United States
for the Southern District of California
Hernando Yorra Judge

Hernando Yorra

appellee

No. 297

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The United States

appellants

Transcript No. 384

The answer of the appellee to the Petition of Review filed in this case by the United States - avers that the title under which he claims the tract of land called "El Rucow" is valid, and he prays that the decision of the U. S. Board of Land Commissioners be affirmed, and his title decreed valid, and general relief.

Agustín Yorra
Att'y for claimant

No. 297

United States Dist Court
for Southern Dist of Calif^{ca}

Bernardo Yorva
appellee
ad

The United States
appellants

Answer of claimants

Filed this 21st January
1857
C. S. S. C. C.
J. W. Coleman
clerk

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

Bernardo Gorba
Appellee

San Bernardino
No. 297.

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ads
The United States
Appellant

"El Rincon"

This cause coming on to be heard on
appeal from the final decision of the Board
of United States Land Commissioners "to
ascertain and settle the private land claims
in the State of California" under an act of
Congress approved March 3^d, 1851. Upon the
Transcript of the proceedings, papers and evi-
dence had and taken before the said
Board; And it appearing that the said
Transcript and a notice of the intention
of the appellants to prosecute the said
appeal have been duly filed with the
Clerk of this court; And counsel for the
respective parties having been heard - It is
ordered, adjudged and decreed by the court
that the decision of the ^{said} Commissioners be
affirmed, and that the title of the said
appellee, Bernardo Gorba to the lands claimed
in this case be ^{heretofore} decreed to be good and valid.
The lands of which confirmation is hereby
made are situated in the county of San
Bernardino, and known by the name of
"El Rincon," and are the same now occupied
by Bernardo Gorba, and are bounded and
described as follows, to wit: being in addition

to the Rancho called "Junipera", on the west; and bounded on the east by the Rancho of "Junipera", on the south by the Rio de Santa Ana, on the west by the Rancho of San Antonio, and extending northward from the said River one league; and containing one square league of land, confirmation being hereby made of one square league of land and no more. And for a more particular description of said tract of land reference is hereby made to the original concession to Juan Bandini, ^{made} on the 28th day of April AD 1839, by Juan B Alvarado then Governor of California, and the map and records of Juridical Possession, ^{and the evidence} on file in this case.

James H. Quinn
Wm. H. Pitt
John H. King Cal

No 297.

Wid Dist Court
South Dist California

Bernardo Gotha

appellee

vs

The United States

appellants

Decree

Filed Feb 11th 1857

James
D.H.

Recorded in page 171

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California Land Claim.
Attorney General's Office
26 Jan'y 1857.

Sir: In the case of the claim of
Bernardo Yoba, confirmed to the
claimant by the Commissioner, Case
no. three hundred and eighty-four,
(384), appeal will not be pro-
secuted by the United States.

I am,

Respectfully,

Clayton

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

No. 297.

Filed 4 March 1858
to Sims. lkk.
for W. W. Stetson.
W. W. Stetson.