

CASE No.

302

SOUTHERN DISTRICT

LAS BOLSAS GRANT

JOSE JUSTO MORILLO AND WIFE

CLAIMANT

SD

LAND CASE 302 SD 92 pgs.

MAR 20 1963

ALSO AVAILABLE ON MICROFILM

PLASTER BOARD
55% COTTON FIBER
U.S.A.

TRANSCRIPT

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PAGE 1

OF THE

PROCEEDINGS

IN CASE

NO. 459.

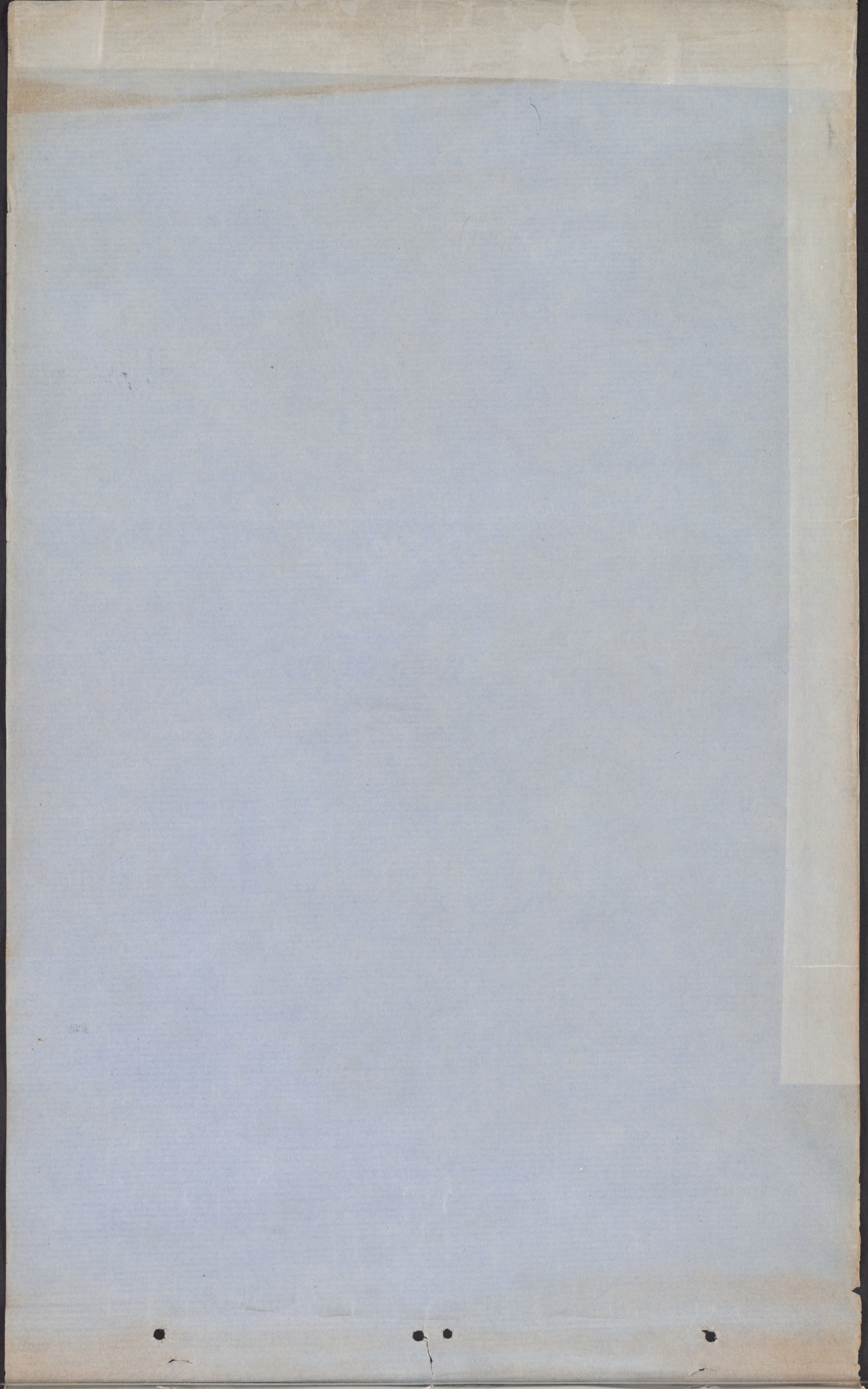
Jose Justo Morillo & Wife CLAIMANT &.

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"San Blas"



459

Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

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

The Petition of José Justo Morillo, and Wife _____ for the Place named "Las Bolsas," _____ was presented, and ordered to be filed and docketed with No. 459 and is as follows, to wit;

(Vide page 3 of this Transcript.)

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

Los Angeles, November 13th 1852.

In Case No. 459, José Justo Morillo et al; for the place named 'Las Bolsas,' the deposition of Abel Stearns, a witness in behalf of the Claimants, taken before Commissioner Hilaura Hall, with circumvent marked H. H. No. 1 and a translation thereof marked _____ annexed thereto, was filed;

(Vide page 7 of this Transcript.)

In the Same Case the deposition of Manuel Dominguez, a witness in behalf of the Claimants, taken before Commissioner Hilaura Hall, was filed;

(Vide page 8 of this Transcript.)

San Francisco Sept. 21st 1853.

In the Same Case the Counsel for the claimant filed the following Stipulation, to wit;

(Vide page 3 of this Transcript.)

San Francisco November 25' 1854,
Case no. 459, on motion of the Counsel for the
Claimants with the consent of the U. S. Law
Agent, was ordered to be placed at the foot
of the 3^d class cases on the Dual Docket,

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San Francisco December 19' 1854
Case no. 459 was submitted under the rule
of March 21' 1854 and taken under advisement
by the Board,

San Francisco December 26' 1854
In the same case the depositions of Catarina
Rey de Nieto and John W. Shore, witnesses
in behalf of the Claimants, taken before
Commissioner G. Thompson Burdell, the
last with document marked Exhibit
A. G. D. B. annexed thereto was filed;
(See pages 9 & 10 of this Transcript)

San Francisco January 12' 1855.
In the same case the Counsel for the
Claimants filed the following Stipulation,
to wit:
(See page 37 of this Transcript)

San Francisco February 13' 1855.
In the same case Commissioner A. Phelps
Felch delivered the Opinion of the Board
rejecting the claim;
(See page 71 of this Transcript)
And the following order was made, to
wit:
(See page 75 of this Transcript)

To the Honorable

The United States
Commissioners for ascertaining and settling
private land claims in California.

Your petitioners, Jaso
Antonio Muro and Maria Cleofas Muro his
wife residents of the County of Los Angeles
State of California respectfully represent,

Petition

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That they claim that the
said Maria Cleofas Muro as his at law
of Jaso Antonio Muro late of the County
aforesaid deceased is owner in fee simple of
the rancho of the "Poblas" subject to the marital
rights of Caterina Ruiz de Muro as therein
hereafter stated said rancho is situated in
the County of Los Angeles containing about
several leagues of land and bounded and de-
scribed as follows to wit

Bounded on the South
by the Sea Coast, on the East by the river Santa
Ana, on the North by the lands occupied and
claimed by Juan Pacifico Antiveras and
the rancho of the "Coyotes" and on the West by
the rancho of the "Alguaciles".

Your petitioners state that
the aforesaid rancho of the "Poblas" is part
and parcel of a tract of land formerly
owned and occupied by Manuel Muro the
Grand father of the said Maria Cleofas
Muro -

That the said Manuel Muro during
his life time was the owner and possessor
of all the lands situated in Los Angeles County
now known as the Ranchos of the "Coyotes"
Santa Gertrudis "Serritas" Alguaciles and
the above described rancho of the "Poblas" -

That he held all the lands
occupying the aforesaid ranchos by grant or

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Comission made to him about the Year 1811
by the Governour Pedro Fages then Governour
of the Californias and approved by the
Viceroy of Spain for Mexico.

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That the said Manuel
Pinto occupied the whole of the aforesaid
lands from about the year 1811 up to the
time of his death which took place about the
Year 1814.

That at the time of his death
he left four children to wit, Juan Jose
Pinto, Antonio Maria Pinto, Manuel Pinto
and Jose Antonio Pinto the father of Juan
petitioner Maria Cleofas Pinto who were his
only heirs -

That all of the aforesaid heirs
continued to occupy the lands constituting
the afore-mentioned Rancho until the death
of the said Jose Antonio Pinto which took
place about the Year 1832.

That at the time of his
death he left a widow by the name of Caterina
Pinto and two children his only heirs, Maria
Cleofas Pinto Juan petitioner and Peter
Pinto.

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That after the death of the said
Jose Antonio Pinto and about the Year
1834 a division was had between all the
aforesaid heirs of Manuel Pinto of the tract
of land constituting the Rancho aforesaid
and that by such division the above describ-
ed ranch of the "Dolses" was allotted to
the heirs of the said Jose Antonio Pinto con-
sisting of his widow the said Caterina Pinto
Juan petitioner Maria Cleofas Pinto and
Peter Pinto aforesaid, the last of whom
died subsequent to said division without

manage and without and without issue.

Consequently there is no other child of the said Jose Antonio Ruiz living but your petitioner Maria Joaquin Ruiz -

That in the 22^o day of May 1834 Jose Figueroa Governor of the Californias executed to the brother of your petitioner last aforesaid Catarino Ruiz a title confirming the right of the said Catarino as son of the said Jose Antonio Ruiz and of his heirs to the aforesaid rancho of the 'Balsas' according to the division heretofore mentioned between the heirs of Manuel Ruiz.

That your petitioner and the said Catarino Ruiz have continued to occupy said ranch all the while since said division up to the present time.

That in the 31st day of July 1841 Juan B. Alameda Governor of the Californias granted to Joaquin Ruiz without the consent of the heirs of the said Jose Antonio Ruiz and as your petitioner alleges without authority of law that part of said rancho of the 'Balsas' called the 'Balsa Chica' containing two leagues taken from the western part of said Rancho of the 'Balsas'. And that the said Joaquin Ruiz has filed his petition No 1115 in the Secretary's Office of your Hon Board claiming confirmation to him in fee simple of that portion of the rancho of the 'Balsas' called 'Balsa Chica' as in said petition is more fully described and set forth.

Therefore your petitioner would ask leave to intervene as against the claim of the said Ruiz -

Your petitioner would further state that on the 10th day of December 1849 the said Catarino Ruiz executed a

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and of conveyed to Ramon Gorba his brothers
 and sisters of all his right in the Rancho of
 the Balsas and that by testing of said and
 of conveyed said Ramon Gorba, his brothers
 and sisters to wit, Domingo Gorba, Soledad
 Gorba de Ubeda wife of Juan Ubeda, Dolores
 Gorba de Aguilar wife of Christoval Aguilar
 and Julian Chavis have presented their peti-
 tion in no 2 in the Secretary's Office of Your
 Honorable Board praying for confirmation
 to them of all the right of the said Catarina
 Ruiz de Gato in and to the said Rancho of the
 Balsas to wit the undivided half thereof which
 she inherited from her child the said Gato, who
 died as aforesaid intestate -

Your petitioners would ask
 leave to intervene as against the said Claim of
 Ramon Gorba et alios as Your petitioners
 claim the entire right of the said Catarina
 Ruiz de Gato after her life time, which
 she inherited as aforesaid.

Your petitioners know
 of no other interfering claim. Said Rancho has not
 been surveyed by the United States Survey or
 General for California. They will rely upon the
 following documentary evidence filed herewith
 to support their claim, and they pray that Your
 Superior wisdom and sense of Justice will confirm
 1st Copy of original grant marked "A"
 2d Copy of grant to Joaquin Ruiz marked B,
 Translations of the same marked 1 & 2.

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Your petitioners will further
 rely upon such other documentary evidence
 and oral testimony as may be thought necessary
 to support their claim, and they pray that
 Your Superior wisdom and sense of Justice
 will confirm to them the foregoing claim.

And as in duty bound &c.
Scotty Grainger
Attys for Petitioners.

Nov 4, 1852.

Filed in Office Nov 6, 1852.
by said Geo Fisher Secy.

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Las Angeles Nov 13th 1852.

Deposition
of
Abel Stearns

On this day before Court Heiland Keat
Clerk Abel Stearns a witness produced in behalf
of the Claimants Case Justo Miranda et al
petition No 459 and was duly sworn his evidence
being in English.

The U.S. Associate Law Agent present.

In answer to enquiries by Counsel for
the Claimant the witness testified as follows;
My name is Abel Stearns. My age
is fifty four years. I reside in Las Angeles and
have lived in California over twenty three years.

A paper is shown me purporting
to be a protest of Maria Chofas Pico da-
ta Decr 29 1844.

The signatures of Juan Sepul-
veda Francisco Occumpo & Jesus Guada-
an said paper I believe to be genuine.

I am acquainted with their
signatures. Said Sepulveda was telling me
at the date of said paper.

It is here to be amended & marked

H. H. Gov.

Abel Stearns.

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Sworn & Subscribed
Before Me,

Hiland Hall Comr

Filed in Office Nov 13, 1852.

(Signed) Geo Fisher Secy

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Las Angeles Nov 13, 1852.

On this day before Comr Hiland Hall
Comr Manuel Dominguez a witness in behalf
of the Claimants Jose Justo Mirillo et al
petition No 459 and was duly sworn his evidence
being interpreted by the Secretary.

Deposition
of
Manuel
Dominguez

The W. S. Associate Law Agent was present.

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

My name is Manuel Dominguez
My age is forty nine years & I reside in the County
of Los Angeles.

I know the ranch called Las
Balsas. It is situated in this County about
two leagues from this place in a South West
direction - I know Maria Cleofa Grito de
Mirillo - She is the wife of Jose Justo Mirillo
She was daughter of Jose Antonio Grito &
Catarina Ruiz, Manuel Grito was the
father of Jose Antonio Grito.

I know the land formerly
occupied by Manuel Grito - I have known
it since 1844.

I have always understood from
old people that the boundaries of the tract of

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the Pintas were the river San Gabriel
and the river Santa Ana. the old main
road leading from this place to Santa Ana
& the sea. and that it embraced all the land
within these boundaries.

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The Rancho Las Bolas
is a part of this tract. I have always understood
that there was a division between the Pintas in
the time of Governor Figueroa in 1834 or 1835
and that the Bolas was allotted to the family
of Jose Antonio Pinto, Jose Antonio Pinto left
but one child to my knowledge who was Maria
Cecilia Pinto before mentioned.

I was at the Bolas in 1846
when Jose Justo Pinto & his family
resided there. They had a house there and a
stock of cattle & horses.

I have always understood
they had lived there from the time of the
division of the land, but I was not there myself
previous to 1846 - The family has lived there
from that time to this.

Manuel Dominguez,
Sworn & Subscribed
Before me
Richard Hunt Comr.

Filed in Office Nov 13. 1852.
Signed Geo Fisher Secy

Deposition
C. Key de Nieto

Office of the Commissioners
G. Thompson Powell at
Los Angeles California -
Before me G. Thompson Powell Commissioners
duly qualified for the taking of Testimony to
be used before the Board of Commissioners

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to ascertain and settle the Private land claims in the State of California personally appeared Catarina Ruiz de Pito a witness in behalf of Justo Morillo and Maria Chofas Pito Morillo claimants for the land named Rancho de las Balsas numbered on the docket of the said Board with No 1159 who upon oath declareth and saith as follows.

Questions asked by Counsel for Claimants.
Question No 1.

What is your name age and place of residence?

Answer -

My name is Catarina Ruiz de Pito. I do not recollect my age and I reside in the County of Los Angeles.

Question No 2.

Do you know the Rancho of Los Balsas.

Answer.

Yes. This is in the County of Los Angeles.

Question No 3.

Answer.

Do you know Maria Chofas Pito

Yes. She is my daughter.

Question No 4.

Who formerly occupied the Rancho de las Balsas before the title was given by the Governor.

Answer.

Juan Jose Pito and his brothers occupied it. The Pitos always occupied it.

Question No 5 -

To whom did the Governor give the title -

Answer.

M

Governor Figueroa gave the title to me.
Question No 6.

For whose use and benefit did you receive the title -

Answer - I received it for my self and my daughter Maria Josef.

Question No 7. What part did your daughter own in the Rancho!

Answer. My daughter had one half of the Rancho, and has always occupied it.

Question No 8. In what manner did your daughter occupy it.

Answer. She had a house there and a quantity of cattle and cultivated some portion of it with corn beans and other vegetables.

Question No 9. How many years did she continue to cultivate it.

Answer. About twenty five years.
Question No 10.

Have you ever made a title to your daughter.

Answer. Yes.

Question No 11. Who was your husband -

Answer. Don Antonio Pita who has been dead about twenty five years.

Question No 12. Is your daughter married.

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Answer. Yes she is married to Jose Justo
Morillo.

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Questions asked by C. E. Thow Acting
Law Agent.
Austin No 1.

Rancho. What sort of a house was in the
Rancho.
Answer.

There was at first a Tacab
and afterwards she built an adobe house on
the Rancho.

Caterina Ruiz y de Mito
mark.

Witness - Abel Stearns

Sworn to and Subscribed
before me this 13th day of
December AD 1854.

G. Thompson Bailiff Com 30

I do hereby certify that C. E. Thow Esq.
was present at the time the above and foregoing
testimony was taken, sitting for, on behalf of
and by the authority of J. M. Keane Esq. W
D. Law Agent.

G. Thompson Bailiff
Com

Filed in office Dec 26, 1854.

W. J. Fisher Secy.

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Office of the Commissions
G. Thompson Board at Los
Angeles California -

Deposition
of
J. W. Shore

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Before me G. Thompson Board Comms
since duly qualified for the taking of Testimony
to be used before the Board of Commissions to
ascertain and settle the private land claims
in the State of California personally appeared
John W. Shore a witness on behalf of Justo
Mendez and Maria Chagas both claimants for
the land named Rancho de las Balsas hundred
acres of the said Board with No 1154 who
upon oath declared and testified as follows.

Questions asked by Comms for claimants.
Question No 1.

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

My name is John W. Shore. I am
twenty four years of age and I reside in the
County of Los Angeles.

Question No 2.

You are here shown Exhibit
marked "H. G. T. B". State what you know
concerning the land.

Answer.

I am recorder of the County of Los
Angeles took the acknowledgment of said land
as per endorsement thereon, on the 14th day of
November 1854.

John W. Shore.
Sworn to and Subscribed
Before me this 14th day of
December 1854.

G. Thompson Board Comms.

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I do hereby certify that C. E. Thoms
Esqr. was present at the time the above and fore-
going testimony was taken sitting for an
exhibit of and by the authority of J. H. McKim
Esqr. U. S. Sub Agent of

C. Thompson Powell
Clerk &c.

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Filed in office Dec 26. 1854.

(Signed)

Geo Fisher Secy

Dello numero: Diez pesos

Habilitado provisionalmente por la ad-
ministracion de la Aduana Maritima
Las Bolsas de Monterey para los años de mil ochocientos
ciento treinta y tres y mil Ochocientos

Copy of Original treinta y Cuatro.

Grant

Ligueroa José Rafael Gonzalez
José Ligueroa General de Brigada
de los Ejercitos nacionales Mexicanos
Comandante general, Inspector y Jefe
superior politico del Terr. de la Alta
California.

Por cuanto Dona Catalina
Ruiz viuda de Don José Antonio Nieto
tiene acreditado su derecho a la testa-
mentaria del finado Manuel Nieto
y tomando en consideracion la antiguedad
y pacifica posesion que tiene del paraje
conocido con el nombre de las Bolsas
colindante con los parajes de los Alami-
tos y los Coyotes rio de Santa Anna
y la Costa practicada previamente
las diligencias y averiguaciones conser-
vantes, segun lo dispuesto por las Leyes
y Replamientos, usando de la facultad
que me son conferidas por decreto
de veinte y siete de Julio del año
proximo pasado a nombre de la eta-
cion Mexicana, he venido en declarar
la propiedad de dicho paraje y de que
se le ponga en posesion pacifica por las
presentes letras con la entera conformi-
dad a lo dispuesto por las Leyes y
sujeta a las condiciones siguientes
1.ª Que se sometera a las que estable-
ciere el Replamento que se ha de formar

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para la distribución de terrenos baldíos y que entre tanto ni la agraciada ni sus herederos podían dividir ni enajenar el terreno de que se ha echo mención imponer senos vinculo pianza, hipoteca ni otro gravamen aunque sea por causa piadosa, ni pasarlo à manos muertas

2º podra cercarlo sin perjudicar las huacicas caminos y servidumbres; lo dijitara libre y esclusivamente de stmanculo al uso ò cultivo que mas le a comode pero dentro de un año à lo mas ò fabrica casa y estera habitada.

3º podra desde luego solicitar del juez respectivo le de posesion juridica en virtud de este Despacho por el qual se demarcaran los linderos en cuyos limites podra à mas de las 100 honeras algunos arboles frutales ò silvestres de alguna utilidad.

4º El terreno de que se hace referencia es de siete sitios de ganado mayor poco mas ò menos segun esplica el diceno que corre en el Expedite; el juez que diere la posesion lo hara medi conforme à Ordenanza para señalar los linderos quedando el sobrante que resulte à la Oñacion para los usos convenientes

5º Si en tal linie à estas condiciones perdiera su derecho y sera renunciado por otro.

En consecuencia mando que sirviendole de titulo el presente y teniendose por firme y valdero se tome Rayos en el libro à que corresponde y se le entregue à la mteredada

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para su resguardo y demas fines.
Dado en Monterey a veinte y dos de Mayo
de mil ochocientos treinta y cuatro.
(firmado) José Guerrero
Agustin, V. Zamorano Sr.

Queda tomada Razon en el Libro de
asientos de Titulos sobre adjudicacion
de terrenos baldios a fojas treinta
y uno num^o 26. que obra en la secretaria
de mi cargo.

Monterey veinte y dos de Mayo de
mil ochocientos treinta y cuatro.
por do Zamorano

Office of the Board of Land
Commissioners for California
Angelo Oct 29th 1852

I certify the foregoing to be a true and
correct copy from the Spanish Original
annexed to Deposition of Abel Stearns
in Case No 2102 and on file in this Of
fice

Geo. Fisher Secy

Filed in Office Nov 6th 1852
Geo. Fisher Secy

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this copied

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Seal of the First Class. Six dollars

Qualified provisionally by the Maritime Custom
House of Monterey for the Years 1833 and 1834.
Figueroa . . . Jose Rafael Gonzalez.

No. 1.

Translation

"A"

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Jose Figueroa General of Brigade, of the
National Mexican Armies, General Inspector
and Superior Political Chief of the Territory
of Upper California.

Whomrs Dona Catarina Ruiz
widow of Don Jose Antonio Pritz has proven
her right in the will of the late Annual Acts
and considering the old and peaceable possession
which she has had of the place known by the name
of the "Pozas" bounded by the places of the
Alamitos and the Coyotes the river of Santa
Lucia and the Sea Coast, the proceedings and
relative communications having been gone through
with as is directed by the laws and regulations
exercising the powers conferred on me by decree
of the 24th of July of the Year last passed, I
have in the name of the Mexican Nation con-
cluded to declare the property of the said Ranch
hers and that she shall be put in peaceable pos-
session by these present letters in entire conformity
with the direction of the laws and subject
to the following conditions.

1st. That she shall be subject to those condi-
tions which the regulation shall establish
that may be formed for the distribution
of unoccupied lands and that meanwhile
prior to the grant to her hereinafter, shall divide
her allotment the land of which mention is
made herein ground that contains mortgage
hypothecation nor other encumbrance even
should it be for private use nor pass it in

in Montevideo.

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2^a. She may Enclave it without prejudice to the crossings, roads and Enclosures. She may farm it fully and Exclusively devoting it to the use or Culture that may best suit her but within one Year at most she shall build a house, and it shall be occupied.

3^a. She shall immediately solicit of the proper Judge that he may give her Judicial possession by virtue of this Dispatch whereby the boundaries may be defined, within the limits of which she shall appear placed in addition to the land marks some fruit or forest trees of some utility.

4th. The land to which reference is had is of some leagues of grazing land a title more or less as the Dispatch which is annexed to the "Expediente" explains - The Judge who shall give the possession shall have it measured annually to determine to designate the boundaries the surplus which results being left to the Nation for convenient purposes.

5th. If she shall violate these Conditions she shall lose her right to the land and it shall be alienable by another.

Wherefore I order that the present Decree herefor a title and being held as firm and valid account thereof be taken in the corresponding Court and it be delivered to the party interested for his protection and further ends.

Given in Montevideo the 22^d of May
1834.

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José Figueroa,
Agustín Zambrano
Secretary.

Account remains taken in the
Book of Entries of Titles upon the adjudica-
tions of Lands at page 31 No 26, which
is kept in the Secretary's Office under my
Charge.

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Montreal 22nd of May 1834.
Zambrano

Office of the Board of Land
Commissioners for California
August Oct 29th 1852.

I certify the foregoing to be a true
and correct copy from the Spanish original
submitted to the disposition of Abel Stearns and
in Case No 1112 and on file in this Office.

(Signed)
George Fisher
Secretary.

Filed in Office Nov. 6, 1852.
(Signed)
Geo Fisher Secy.

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Sello 1.º Deis pesos.
Habilitado provisionalmente por la Adu-
ana Maritima de Monterey para los
Las Bolsas años de 1839 y 1840.
pormeido) Alvarado

B

Copy of Grant
to Joaquin
Ruiz

" Antonio M^o Osio
Valgo para los años de 1841 y 1842
por el Alvarado
Señal) Juan B. Alvarado Gobernador
de las Californias.
de la Constitucional del Departamento

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Por cuanto el Ciudadano
Joaquin Ruiz ha pretendido para su
beneficio personal y el de su familia
el paraje conocido con el nombre de
Bolsa Chica colindante al Oriente
con los Llanos y breñas estas a la
parte de las Lomeias al poniente con
otras Llanos y breñas al Norte con
mas sauces y al Sur con la playa y
practicadas previamente las diligencias
y averiguaciones convenientes segun
lo dispuesto por leyes y Reglamentos, usan-
do de las facultades que me son conferi-
das a nombre de la Etá Civil Mexicana
he venido en concederle el terreno mencionado
a sugetandose a la aprobacion de la
Comision Junta Departamental y a las
condiciones siguientes.

1.º podra cercarlo sin perjudicar las tra-
vecias, caminos y servicios; lo dispu-
tara libre y voluntariamente de otorgandole
al uso o cultivo que mas le acomode
pero dentro de un año fabricara casa
y estara habitada.

2ª Cuando se le confirme la propiedad solicitada del piez respectivo que le da posesion jurídica en virtud de este Despacho por el cual se demarcaran los linderos en cuyos limites ponchan à mas de las mofoneras algunos arboles o putales o silvestres de alguna utilidad.

3ª El terreno de que se hace mencion es de dos sitios de ganado mayor segun explica el diccionario que corre en el Expediente. El juez que diere la posesion lo hara medir conforme à Ordenanza quedando el sobrante que resulte à la Estacion para los usos conrtes.

4ª Si continuiere à estas condiciones perdiera su derecho al terreno y sera denunciabile por otro.

En consecuencia mando que teniendose por firme y Valido este titulo se tome Razon de el en el libro à que corresponde y se entregue al interesado para su resguardo y demas fines Dado en Monterrey à Veinteyuno de Julio de mil Ocho cientos cuarenta y uno firmado / Juan B. Alvarado

// Manr. Jimeno Orio

Queda tomada Razon de este Despacho en el Libro sobre adjudicacion de terrenos baldios à f.º 6.

prido / Jimeno

Anglo a y 1.º 20

1841. Comense

Razon

Argiello

en la prefectura del segundo Distrito.

El Excmo Señor Gobernador ha dispuesto se tome Razon de esta consecucion Jimeno

25-

Queda tomada, Razon de Este titulo
a p. 4. p. del libro respectivo llevado
en la prefectura del segundo Distrito del
Departam^{to} de California segun se
previene

Angeles Agosto 20 de 1841
por D. Narciso Botello
Monterey May. 5 de 1844.

Desele posesion lo que le oviere sin
necesitar nueva cuando recabiga
la Aprobacion de la C. Junta Depar
tamental en consideracion a la larga
ocupacion del suplicante en su propi
edad.

firmado J Micheltreña

Office of the Board of Land
Commissioners for California.

Angeles Oct^r 29th 1852

I Certify the foregoing to be a true
and correct copy from the Spanish
Original in case No 2405. and on
file in this Office

Geo. Fisher Secy

Claim Office Nov. 6th 1852

Geo. Fisher Secy

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This copies

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17159

Sal of the First Class. Six dollars.

Quilfid provisionally for the Maritime Custom House at Monterey for the Years 1834 & 18110.

Alvarado Antonio Maria Cisio

It was for the Years 1811 and 1812. Alvarado.

Translation

Pf

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

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PAGE 25

Wheras the Citizen Jaquin Ruiz has solicited for his personal benefit and that of his family the place known by the name of "Pasa Chica" (little pocket) bounded on the East by the bushes and marshes situated next to the hills, on the west by the Marshes, (the Tilams of Cingua) on the North by some Cedar Trees, and on the South by the Sea Coast, the proceedings and Citations Examinations having previously been had as is directed by the laws and regulations concerning the lands conferred upon me I have in the name of the Mexican nation concluded to grant him the aforesaid land subject to the approval of the Most Excellent Departmental Assembly and to the following Conditions -

1st. He may enclose it without prejudice to the crossings roads and easements he may farm it freely and exclusively devoting it to the use or culture which may most suit his ^{own} best within one Year he shall build a house, and it shall be inhabited -

2d. - When the property is conferred to him he shall ask of the proper Judge that Judicial

possession be given him by virtue of this
dispatch, whomever the Canadians shall be
designated within the limits of which he shall
place in addition to the land marks some fruit
or forest trees of same utility -

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PAGE 26

3^a. The land of which mention is made is of
two leagues of grazing land as the Major
explains which appears in the "Espediente" The
Judge who shall give the possession shall have
it measured conformably to be retained, the over-
plus that results remaining to the Nation for
Government use.

Art. If he shall violate these conditions he
shall lose his right to the land and it shall be
announced by another.

Wherefore I order that this Title
be had as firm and valid. Account thereof
be taken in the corresponding book and it be
delivered to the party interested for his protection
and further ends.

Given in Mexico, the 31st of
July 1841.

Juan P. Alvarez.
Manuel Gimino
Secretary.

Account of this dispatch remains taken in
the Book of Entries upon the adjudication
of unoccupied lands at page 6.
(Gimino)

Argo. Aug 21, 1841.
An account be taken -
Arguello.

29

19 1154

His Excellency the Governor has
ordered that account of this grant be taken
in the Prefecture of the Second District.
Quinn

Account of this title remains taken at least 4th
the other side of the respective Book kept in
the Prefecture of the Second District of the
Department of the California as is provided.
August August 26th 1851
Marsis Botello

302 SD
PAGE 27

Montroy March 5th 1851
Give him the possession
which shall serve him without the necessity
of a new one when the approval of the
Departmental Assembly is obtained in consequence
of the long occupation of the petitioned on
his property.
Michellon

(Certificate)

Office of the Board of Land
Commissioners for California
August Oct 29th 1852

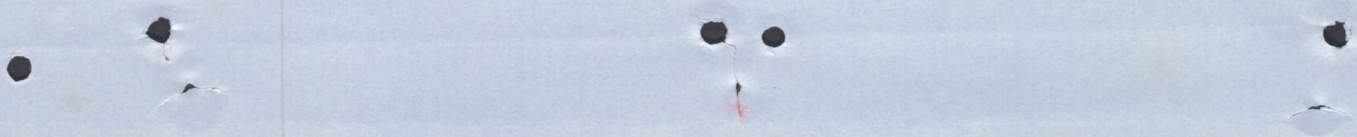
I Certify the foregoing to be a true and
correct copy of the original original in Case
No 1105 and on file in this Office.
(Signed)
Geo Fisher
Secy

Filed in office June 6. 1852.
(Signed)
Geo Fisher Secy

30.

14

DATE _____
PAGE _____
NO. _____



31

Don Alcalde Segundo.
 Maria Cleofas Nieto natural de este
 Estado para licencia de mi Esposo
 José Justo morillo ante V. en la mejor forma
 y Salvas las protestas que à mi derecho
 Doce: H. H. H. convenga me presento y digo que he
 1. annexed visto por una Escritura autorizada por
 to Depo: of V. habeo donado ò mas propriamente di
 Abel Steans Chovendido la señora mi madre Dona
 Catalina Ruiz, Viuda de mi difunto
 padre Don José onto Nieto el derecho
 que dice tener al terreno de las bolas
 y como esta enagenacion no fuere de coa
 libre y legitima pues resulta en perjuicio
 de tercero por ser yo la unica heredera
 al terreno de las bolas mediante al
 Quien de su adquisicion no puedo me
 nos que hacerlo saber à V. para su Gobierno
 al mismo tiempo que protestar no reconozca
 yo legal ni valde la Enagenacion
 que la nominada señora mi madre
 ha hecho sin mi consentimiento P. atendiendo
 ser yo la unica dueña y que por con-
 siguiente hasi valer mis derechos vien
 me y cada vez que me sea necesaria
 Apesar mio, señor Alcalde hago esta
 Exposicion considerando al Respecto
 que debo à la señora mi madre mas
 cuando ella no ve por mis intereses y
 antes por el contrario podrian hundirse
 en la Nada que hacer yo, dependiendo
 naturalmente y hacer que se rehayan
 de los pasos omisos que se dan en
 mi clano à fin de que las cosas se
 encaminem con regularidad y cuya
 marcha haga llegar à alcanzar las
 buenas usas de la justicia. En tal

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 PAGE 28

302 SD
PAGE 29

Carta. a. V. suplico que a merito
de lo que digo dicho se sirva tener me
por presentada oportunamente copian-
do que de en parte haciendome jus-
ticia considere el hecho falta de fuer-
za y Valor para que pudiere obrar
sus efectos, sirviendose decretarme lo
y devolverme el Original.

Aug. Dto. 29. de 1849.

Juro lo necesario y

no se Escribi.

en fecho Diciembre 29. de 1849.

por presentado y admitido en cuanto
ha lugar: devuelvase le a la parte
como lo solicita y hágasele saber
que como ya no es tiempo de que este
Juzgado conoca en ninguna clase de
asuntos por estar feneciendo el termi-
no de su periodo, puede repetir su in-
stancia con los Juicios que funcionen
el año entrante. Asi yo fern Sepul-
veda Alcalde 2º de esta misma
Ciudad lo decreté y firmé con los de
mi asistencia de que doy fe.

Juan Sepulveda

Assº

Jesús Jurado # fernº de Campo

Assº

Filed in Office Nov 13th 1852

Jos. Fisher Secy

33

Señor Jefe Alcalde

I Maria Leopoldina

Document about of this state with the permission
1418 No 1 of my husband Jose Justo Morrell appeared
annexed to before your Honor in the best form of Law
the Diputación and ensuring the declarations of my right
of all claims and represent

That I have seen that by
an instrument authorized by your Honor
my mother Doña Catalina Ruiz vea
of my deceased father Don Jose Antonio
Ruiz has donated or more properly said
sold the right which she says she has to
the tract of lands of Las Balsas and as this
allegation would not be but a simple and
legitimate transaction because it results
to the injury of a third person

302 SD
PAGE 30

Having the
right to the land of Las Balsas through the
origin of its acquisition I can do no less
than inform your Honor for your Government
at the same time to protest that I do not
recognize the alienation which my mother
aforesaid has made without my consent
either legal or valid

Considering that I
am the sole owner and therefore shall
assert my rights at all times and when
ever it may be necessary for me to do
so

In view of the respect which I owe to my
mother Señor Alcalde I am sorry to make
this exposition but she does not consider
my interests and rather with the caution might
lead us to nothing, what can I
do of course against them and cause
them to be retained from the careless
measures which determine later to my
injury to the end that affairs be con-
trolled with order and the progress of which
finally attain to the upright administration

34

of Justice Mampue I certify upon
having in view of the foregoing to be pleased
to consider my petition as properly made
advising that in rendering me jus-
tice you will consider the act void of
force and value and without effect I
may give to grant my petition and
return me the original
angels December 29th 1839

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PAGE 31

Issued the
necessary &c

I do not know how to write
angels December 29th 1839

Having been
presented and admitted according to law
let it be returned to the party as the
petitioner and let him be informed that
as this Judge cannot at present take
cognizance of any kind of suits the term
of his period being about to expire he
can review his petition before the judges
who may officiate the ensuing year

Thus
I Juan Sepulveda Jefe Alcaide of the
city of San Francisco and Seguros with
unassisting witnesses whom I certify

Seguros

Juan Sepulveda

witnesses

(Seguros)

(Seguros)

Juan Sepulveda Francisco Campesino
a true and correct translation of an
document in case number 409 Jose
Gustavo Novillo et al vs The United States

Witness and official signature
this 13th November 1852

San Pedro

Secretary

Filed in Office November 13th 1852

San Pedro

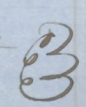
Secretary

35

2/15/54

This Instrument made the fourteenth day of November in the year one thousand eight hundred and fifty four between Catarina Ruiz of the first part and Maria Cleophas Nieto de Miranda of the second part witnesseth that the said party of the first part in consideration of the sum of one dollar to her duly paid before the aforesaid Maria Cleophas Nieto de Miranda sold and quit claimed and by this presents does bargain sell and quit claim to the said party of the second part her heirs and assigns forever all her right title interest claim and demand both at law and in Equity as well in possession as in Expectancy of in and to a certain piece or parcel of land situate and being in the County of Los Angeles and State of California and known and described as follows to wit, being the equal undivided half of the Rancho called Las Bolsas which said Rancho was granted to Catarina Ruiz by Don Jose Figueroa Governor of California by grant of date May twenty second one thousand eight hundred and thirty four said Rancho being bounded by the Rancho of Los Manitos and Cayote and by the River Santa Ana and the Sea said Rancho of Las Bolsas containing seven leagues of land more or less with all and singular the Limitations and the Appurtenances thereto belonging.

In Witness whereof the said party of the first part has hereunto set her hand and seal the day and Year first above written -

Maria Catarina Ruiz & de Nieto 
 Cruz.

Sealed and delivered in presence of Francis Indus

Exhibit
 H. B.
 G. F. B.
 Arrived to
 A. P. of
 L. M. Stone

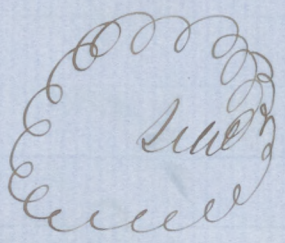
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 PAGE 32

State of California
County of Los Angeles 3/31.

302 SD
PAGE 33

On this fourteenth day of November in the Year of our Lord one thousand eight hundred and fifty four personally appeared before me John H Shine Notary of the County of Los Angeles Maria Castaneda Ruiz de Arce known to me to be the person described in and who executed the foregoing Instrument who acknowledged to me that she executed the same freely and voluntarily and for the uses and purposes therein mentioned

In witness whereof I have hereunto set my hand and affixed my official seal the day and year first above written -



John H Shine
Notary of the County
of Los Angeles.

Filed in Office Dec 26. 1854
Clyde L. Fisher Secy

37

33
1159.

José Justo Morillo
& wife }
The United States }
vs }
Ranch of }
Las Balsas. }
No 454.

Agreement

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This hereby agreed between
the Associate Law Agent for the United
States and the Attorneys for Plaintiffs that
the depositions of José Justo Morillo and
Felipe Salamanca taken in Case No 1154
claim of Abel Stams to Ranch of the
Manitas shall be used as evidence
in the above entitled Cause.

Robert Crunkton
Scott & Grayson,
Las Angeles,
Nov 24th 1852.

Filed in Office Sep. 21. 1853.
(Signed) Geo Fisher Secy.

Stipulation

Before the Board of Land
Commissioners for settling Private
Land Claims in California.

José Justo Morillo }
& wife }
The United States }
vs }
Claim No 1154 for
1/2 Ranch of Las
Balsas in Las
Angeles Co.

This hereby stipulated and agreed
between J. H. Mc Kind Law Agent on the part
of the United States & J. H. Scott atty for the

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Claimants in this cause that the follow-
ing documents & depositions find in Case
No 1113 of Ramon Torba et al for the
aforesaid Rancho shall be read & used in evidence
in this cause the same as if they had been
taken & filed herein to wit,

Expenditure of Petition & grant
marked 'A' Translation of same marked
'B' Act of Judicial possession & Translation
thereof, Deposition of Juan Manso & docu-
ment there to same. Deposition of Felipe
Talamantes. Do - Jose Antonio Corral
do, Nicholas Alanis, do of Jose Desiderio
Garron, do Jose Sepulveda, do Abel
Strains & documents annexed, do J. J. Warner
do Jhos Sanchez, and also original grant
of Co + Figueroa to Catalina Ruiz -

J. H. McKim
U. S. Law Agent

J. R. Scott
Atty for Claimant,

Filed in Office Jan 12, 1855.

(Signed) Geo Fisher
Secy.

39

No 4114.

Deposition
of
Jose Antonio
Carrillo -
made by
deputation
part of this
Case

Las Angeles Nov 8. 1852

On this day before Comm. H Hall came
Jose Antonio Carrillo a witness in behalf
of the claimant Abel Stearns petitioner No
4114 and was duly sworn his Evidence
being interpreted by the Secretary.

The U. S. Associate Law Agent was
present -

In answer to Enquiries by Counsel
for the claimant the witness testified as follows.

My name is Jose Antonio Carrillo
My age is fifty seven years & I reside in the
Las Angeles.

I am native of California -

I am acquainted with the hand
writing & signatures of Manuel Dominguez
Ignacio Coronel Juanisco & Alexander
Alvarado, Jose Perez, Manuel Arzaga Vicente
Moraga Ignacio del Valle & Felipe Balmiquella.

A paper is now shown me pur-
porting to be an instrument of conveyance from
Juan Jose Pich to Jose Figueroa dated
June 30 1834, & to which is attached an
instrument of conveyance from the Creator
of said Figueroa to Abel Stearns dated
July 12. 1842. Said paper is hereto annexed
& marked H. H. 101.

The Signatures of the said
Dominguez Coronel Alexander Alvarado
Perez, Arzaga, Moraga & del Valle appear-
ing on said paper I believed to be genuine
Jose Perez existing as Alcalde at the
date of the first Instrument in 1834 & said
Dominguez as Justice of the Peace at the date
of the second in 1842, & they were authorized
to sanction and certify such instruments -

On other paper is also shown

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Requiere

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PAGE 37

One purporting to be a testimonial of Judicial possession dated in September 1842.

It is hereto attached & marked H.C. No. 2. The signatures of said Dominguez Coronel & Balansula appearing on said paper I believe to be genuine.

Said Dominguez was Justice of the Peace & Judge of the first Instance and authorized to give such possession.

I was acquainted with the children of Manuel Nieto - They were Juan Jose, Jose Antonio, Antonio Maria & Manuella.

I know the track of land occupied by said children. When I was quite a young man about forty five years ago I was at the house of Juan Jose and at his request I wrote a letter for him to the Priest of the Mission of San Gabriel notifying him to take away some sheep from the said Juan Jose Nietos land.

At that time he showed me a title paper by which the land had been granted by Governor Pedro Fages by order of the Viceroy of Mexico as the title paper stated.

The boundaries of the land in said title paper were the River San Gabriel the river Santa Ana the main road leading from San Diego along the hills to San Gabriel and the Sea Coast.

The land has since been divided between the heirs of said Manuel Nieto - The rancho Alamos is a part of the land included within the boundaries before mentioned -

An answer to Requiere by the Associate Law Agent. The witness says he was from

H1

twelve to fourteen years of age when he wrote the letter.

Was the order from the Secy to the Governor which was mentioned in the title paper, a special order to grant land to State or a general order to make grants?

Answer,

I do not know.

Do you recollect whether this title made any mention of the Commandant General of the Interior provinces.

Answer,

It did not mention him.

Jose Antonio Cervillo,
Sworn & Subscribed
By me

Heiland Head Comm.
Filed in Office Nov. 5, 1852.

(Signed) Geo Fisher Secy

Las Angeles Nov 11, 1852.

On this day before me Heiland Head Comm. Felipe Salamanca a witness an Agent of the Claimant Abel Strains Station No 1114 and was duly sworn his Circumstances being interpreted by the Secretary.

The U.S. Law Associate Agent present.

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

My name is Felipe Salamanca, My age is about eighty five years and I reside

No 1114.
Deposition
of
Felipe Sala-
mantas -
made by
deputation
part of this
Case

in the County of Los Angeles - I have lived in the District of Los Angeles for fifty or sixty years.

I know Manuel Pito upwards of fifty years ago I was in his employ. He lived in the rancho of the Pitos -

I lived with him about two years. I cannot tell how many years it was before his death.

I know the boundaries of the rancho. They were the river Santa Ana the river San Gabriel the old main road of the Sea Coast - I cannot tell how long Manuel Pito occupied the land before his death -

He was occupying the land when I first came here. He had a house on the land in which he lived with his family.

He had great numbers of Cattle and horses - fifteen or twenty thousand or more. He had corn and cultivated the land.

I was about twenty five or twenty six years old when I lived with said Pito. I cannot tell how long ago he died -

Pito was a Soldier and was an old man when he retired from the service of Spain the land was given him by the King - tho I never saw any papers not being able to read.

I heard Pito & his children say they had papers that came from the King - they or from some where -

Manuel Pito occupied the whole land included within the boundaries before mentioned with Cattle and horses.

Questioned by the Associate Law Agent

43

Who did the Soldiers receive their pay from?

Answer. From the King. When they retired as invalids they received it by order of the King -

How old was Manned Pitt when he died?

Answer. I cannot tell - He was a very old

Man. Sirpo ^{his} x Talumant's Mark.

Seven & Subs'entid
Bijme kw

Wland Head Comr.

Filed in office Jan 11. 1852.

(signed) Geo Fisher. Secy. 3

302 SD
PAGE 40

HH

1871
Jan 1st
to
Feb 1st
to
Mar 1st
to
Apr 1st
to
May 1st
to
Jun 1st
to
Jul 1st
to
Aug 1st
to
Sep 1st
to
Oct 1st
to
Nov 1st
to
Dec 1st
to

1872
Jan 1st
to
Feb 1st
to
Mar 1st
to
Apr 1st
to
May 1st
to
Jun 1st
to
Jul 1st
to
Aug 1st
to
Sep 1st
to
Oct 1st
to
Nov 1st
to
Dec 1st
to

1873
Jan 1st
to
Feb 1st
to
Mar 1st
to
Apr 1st
to
May 1st
to
Jun 1st
to
Jul 1st
to
Aug 1st
to
Sep 1st
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Oct 1st
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Nov 1st
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Dec 1st
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1874
Jan 1st
to
Feb 1st
to
Mar 1st
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Apr 1st
to
May 1st
to
Jun 1st
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Jul 1st
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Aug 1st
to
Sep 1st
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Oct 1st
to
Nov 1st
to
Dec 1st
to

1875
Jan 1st
to
Feb 1st
to
Mar 1st
to
Apr 1st
to
May 1st
to
Jun 1st
to
Jul 1st
to
Aug 1st
to
Sep 1st
to
Oct 1st
to
Nov 1st
to
Dec 1st
to

1876
Jan 1st
to
Feb 1st
to
Mar 1st
to
Apr 1st
to
May 1st
to
Jun 1st
to
Jul 1st
to
Aug 1st
to
Sep 1st
to
Oct 1st
to
Nov 1st
to
Dec 1st
to

45

3459
Las Angeles Oct 28, 1852.

On this day before Commissioners Wiland
Keall came Nicolas Alaris a witness in behalf
of the Claimants Ramon Torka et al petition No
402 and was duly sworn his evidence being in-
terpreted by the Secretary.

Deposition
of
Nicolas Alaris
taken in No
402 and
by stipulation
made part of
this case.

The U S Associate Law Agent was present.

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

My name is Nicolas Alaris, my
age is Sixty nine years & I reside in Los Angeles
I am a native of California & have lived in this
place ever since the year 1801.

I know Manuel Pito from
my boyhood. He died in 1844. I first knew
him as a Soldier in the year 1795 he went
and lived on his rancho. It was called Santa
Gertrudis.

It is situated about four leagues
and three quarters from the Mission of San
Gabriel. I know the boundaries from other
persons. They are on one side the main road
on the other side the Sea Coast, on another the
river San Gabriel & on the fourth side is the
river Santa Ana. I have understood them to
have been the boundaries as I can recol-
lect.

When I was Mayor some of the Mis-
sion of San Gabriel in 1813, 1814 & 1815 these
boundaries were recognized and also before
that time. Manuel Pito when he died
had more stock than any one else in California
& the Missions obtained their stock from him.

At the death of Pito he left four
children, three sons Juan Jose, Jose Antonio
and Antonio Maria, & one daughter named

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PAGE 41

46

Mamula. They remained with the Widow living on the place and occupied it with stock

In 1812 an inventory of his Cattle that were gathered in a corral was taken amounting to five thousand. There were other wild ones of which I cannot make an estimate

They had been selling large numbers at different times and I cannot tell how many were left.

They had neglected branding their Cattle for eight years in consequence of a dispute between Nieto & Juan José Dominguez about some Cattle that they had placed on the Rancho.

The Nietos also had large numbers of horses so numerous that they were obliged to kill the wild ones.

The Rancho Las Balsas constituted a part of the Rancho of Manuel Nieto. I understood when I was a boy that the title papers of the land were sent to Mexico & Spain and were approved by the Vice King of Mexico. I never saw any papers.

The places called Coyotes & Santa Gertrudis were a part of Nietos Rancho.

his
Nicolás & Alanís
María.

Sworn & Subscribed
Before me

Alfonso Hall Comr.

Filed in Office Oct 25th 1852

(Signed) / Geo Fisher Secy

302 SD
PAGE 42

65

H 7

39
2159

Los Angeles Oct 25, 1852.

On this day before Court Hiland Hall came Abel Stearns a witness in behalf of the Claimants Ramon Torba et al petition No 1112 and was duly sworn his Evidence being given in English.

No 1112
Deposition
of
Abel Stearns
made by
Stipulation
part of this
Case

The W. S. Associate Law Agent was present -

In answer to questions by Counsel for the Claimants the witness testified as follows

My name is Abel Stearns. My age is fifty four Years & I reside in the City of Los Angeles. I have lived in California ever twenty three years.

I am acquainted with the hand writing and signatures of Jose Figueroa and Augustin Zamorano.

A paper is now shown me purporting to be a grant to Catarina Ruiz of a tract of land called Las Bolsas dated 22 May 1834.

I believe the signatures of the said Figueroa & Zamorano to said grant to be their genuine signatures.

Said paper is hereto annexed & marked N N No 1.

I am also acquainted with the hand writing and signatures of Rafael Guizado Manuel Arzaga & Policarpo Lual.

A paper is now shown me purporting to be proceedings of Judicial possession of the tract called Bolsas in the month of March 1835 -

The Signatures of the said Guizado Arzaga & Policarpo Lual appearing on said paper I believe to be genuine.

Guizado was at that time acting as Alcalde by virtue of his Office of Regidor -

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Said paper is hereto annexed & marked A.H. No 2.
I was present at the giving of
Judicial possession. Caterina Ruiz with her
children was living on the land, at the time
& had been in possession previously.

302 SD
PAGE 44

She and her family had
been in possession ever since & to the present time.

She had two children and
named Maria Eugenia Pato de Mirillo, the
name of the other was Pato, who has died with-
out children since Judicial possession was
given - I think about the year 1836 or 1837. I
have always understood that Pato had the ap-
probation of the Viceroy of Mexico to his original
grant or title -

Attest
John Starns,

Subscribed & sworn
before me

Herold Hall Commr.

Filed in office Oct 28, 1853

(By me) Geo Fisher Secy.

Las Angeles Nov. 8, 1852.

On this day before me came
Jose Sepulveda a witness in behalf of the
claimants Ramon Cortes & Co and was duly
sworn his evidence being interpreted by the
Secretary,

Chas. H. B.
Deposition of
Jose Sepulveda
made by
Stipulation
a part of this
case

The U.S. Special Law Agent was present -

In answer to enquiries by Counsel for the Claim
ant the witness testified as follows.

My name is Jose Sepulveda

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471159

My age is forty eight years and I reside in the City of Los Angeles.

I know Jose Antonio Pico the name of his wife is Catalina Ruiz. She is dead & she is living. She left two children by said Catalina they were daughters. The name of one was Maria Eulogia & the other Pita -

Jose Sepulveda
Sworn Subscribed

Defendant

Richard Hall Comr.

Filed in Office Nov. 11 1852.

Cyria C. Fisher Secy.

Los Angeles Nov. 10th 1852.

On this day before me Richard Hall Comr. Jose Desiderio Yarrá a witness in behalf of the Claimants Ramon Torba & his petition No 4112 and was duly sworn his evidence being interpreted by the Secy.

The U.S. Associate Law Agent was present.

In answer to enquiries by Counsel for the Claimants the witness testified as follows.

My name is Jose Desiderio Yarrá, my age is sixty nine years & I reside in Los Angeles.

I know Jose Antonio Pico & Catalina Ruiz his wife, when Pico died his wife Catalina had no property separate from his -

Desiderio Yarrá

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No 4112
Deposition
of Jose
Desiderio
Yarrá
made by
Stipulation
part of this
Case.

Sworn & Subscribed

Before me,

Atland Hall Comr.
 Held in Office No 10, 1852

(Signed)

Geo Fisher Secy.

302 SD

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Las Angeles Nov. 1852

No 1102
 Deposition
 of
 Jose Anto
 Canillo
 made by
 Stipulation
 part of
 this case.

On this day before Commissioner H. Hall
 came Jose Antonio Canillo a witness in
 behalf of the Claimants Abel Stearns petition
 No 1104 and was duly sworn his Evidence
 being interpreted by the Secretary.

The U. S. Associate Law Agent was present.

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

My name is Jose Antonio Canillo my age is fifty seven years and I reside
 in Las Angeles, San Francisco of California.

I am acquainted with the
 hand writing and signatures of Manuel Dominguez
 Ignacio Coronel Francisco Alvarado
 Jose Perez Manuel Arzaga Vicente Puraza
 Ignacio del Valle & Felipe Valenzuela

A paper is now shown me pur-
 porting to be an instrument of conveyance
 from Juan Jose Pinto to Jose Figueroa dated
 June 30th 1834 & to which is attached an
 instrument of conveyance from the Executor
 of said Figueroa to Abel Stearns dated July
 12, 1842. Said paper is hereto annexed and
 marked H. H. No 1.

The Signatures of the said

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Dominguez Coronel Alvarado, Perez Arzaga
Munago & all being appearing on said
paper I believe to be genuine.

Jose Perez was acting as
Alvarado at the date of the first instrument in
1834 & said Dominguez as Justice of the
Peace at the date of the second in 1842 & they
were authorized to sanction and certify such
instruments.

Another paper is also shown
purporting to be a testimonial of Judicial
possession dated in September 1842.

It is hereto attached & marked
No. 2. The signatures of said Dominguez
Coronel & Valenzuela appearing on said paper
I believe to be genuine. Said Dominguez was
Justice of the Peace & Judge of the First Instance
and authorized to give such possession.

I was acquainted with the
children of Manuel Pardo. They were Juan
Jose, Jose Antonio, Antonio Maria & Manuel.

I know the track of land seen =
said by said children, when I was quite a
young man, about forty five years ago, I was at
the house of Juan Jose & at his request I wrote
a letter for him to the Priest of the Mission
of San Gabriel notifying him to take away
some sheep from the said Juan Jose Pardo's
land. At that time he showed me a title
paper by which the land had been granted
by Governor Juan Paez, by order of the Viceroy
of Mexico as the title paper stated.

The boundaries of the land
in said title paper were the River San Gabriel
the River Santa Ana the main Road leading
from San Diego along the hills to San Gabriel
and the Sea Coast.

The land has since been divided

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Continued the heirs of said Manuel Pico the Rancho Alunitas is a part of the land included within the boundaries before mentioned.

In answer to enquiries by the Associate Law Agent, the witness says he was from twelve to fourteen years of age when he wrote the letter.

Was the order from the Viceroy to the Governor which was mentioned in the title paper a special order to grant land to Pico or a general order to make grants.

Answer. I do not know.

Do you recollect whether this title made any mention of the Comandante General of the internal provinces?

Answer.

It did not mention him -

Sworn Subscribed
 before me
 José Anto Carrillo,
 Notary Public

I hereby certify the foregoing to be a true and correct copy of the original on file in this Office in Case No 2114,
 San Francisco Dec 11, 1852.

Geo Fisher

Secy.

Filed in Office Dec 24, 1852.

Cyril

Geo Fisher Secy.

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Las Angeles Nov. 11. 1852.

Ex 1112
Deposition
of
Julio
Talamantis
& made by
Stipulation
part of this
Case

On this day before Court Hiland Nudo
Came Julio Talamantis a witness in behalf
of the Claimant Abel Adams testifies he
was and was duly sworn his evidence being
interpreted by the Secretary.

The W. S. Associate Law Agent was present.

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

My name is Julio Talamantis. My
age is about Eighty five years & I reside in
the County of Los Angeles. I have lived in the
district of Los Angeles for fifty or sixty years

I know Manuel Nudo upwards
of fifty years ago. I was in his employ.

He lived in the Rancho
of the Pinos I lived with him about two
years I cannot tell how many years it was
before his death. I know the boundaries of the
Rancho. They were the river Santa Ana the
river San Gabriel the old main road & the
Sea coast -

I cannot tell how long Manuel
Nudo occupied the land before his death.
When I first saw him was occupying the land
when I first came here.

He had a house on the land
in which he lived with his family. He had
great numbers of cattle and horses fifteen or
twenty thousand or more. He had corn
and cultivated land. I was about twenty five
or twenty six years old when I lived with
said Nudo. I cannot tell how long ago
he died.

Nudo was a Soldier and was an
old man when he retired from the service

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and I believe the land was given him
by the King, tho I never saw any papers, not
being able to read.

I heard Mateo and his
children say they had papers that came from
the King or from some other. Manuel
Mateo occupied the whole land included both
in the boundaries before mentioned, with
cattle and horses.

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Justified by the Associate Law Agent.

Who did the Soldiers receive their pay from
Answer.

From the King when they retired
as invalids they received it by order of the
King.

How old was Manuel Mateo when he
died?

Answer.

I cannot tell. He was a very
old man -

(signed) Filipo ^{his} & Filamentas
Mark.

Sworn & Subscribed
Before me

Michael Hall Comr.

Office of the U.S. Land Comr.
San Francisco July 21, 1853.

I certify that the foregoing is a true copy
of the original as filed in this Office in Case
No 4114.

Geo Fisher Secy.

Filed in Office July 21, 1853,

(sgd)

Geo Fisher Secy.

San Francisco April 12th 1853
At this day before me Juan Henry & Thimter
Came Juan Muro a witness on the part of
the Claimants Ramon Torca & al Petition
No 402 and was duly sworn his Evidence
being interpreted by the Secretary.

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Questions by Claimants Counsel.
Question 1.

What is your name age and
residence?

Ans. My name is Juan Muro. I am 40
years old and a resident of Las Angeles County
Question 2.

Do you know who are the Brothers
& Sisters of Ramon Torca?

Ans. I know that Soledad Torca wife
of Juan Abila Dolores wife of Cristobal
Aguiar & Susanna his wife of Ramon
Azuma are his sisters - That José Antonio
Priego & Domingo are his brothers.

They are so reported & I believe
there are no others.

Quest 3.

Are you acquainted with the signa-
ture of Juan Sepulveda. A J Comd of Juan
M Pedilla if you look at the document here -
with number & marked Exhibit No 1. & say
if their names therein written are their genu-
ine signatures?

Ans.

I know their signatures & believe them
on the document to be genuine & true -

Quest 4.

What office did Juan Sepulveda
fill in Las Angeles in 1849.

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Ans.

He was acting as Alcalde.

Juan Manso,
U.S. Law Agent Present.

Sworn to & Subscribed before
me this 12th of April 1853.

Henry J. Thorton Comr &c.

Filed in Office April 12, 1853.

Sydney J. Fisher Secy.

Office of the Board of U.S.
Commissioners &c. &c.

This day before Comr. Alphus Tuck
Comr. Tomas A. Sanchez, a witness in behalf
of Claimants Ramon Yorba & Esteban
who after being duly sworn deposed as follows.

Questions by Mr Brent attorney for the
Claimants.

1 Question.

What are your name and place
of residence?

Answer.

My name is Tomas A. Sanchez, my
age twenty eight years and I reside at Las
Angeles in California.

2 Question -

Do you know Madalina Yorba
and Ramon Yorba; if you what relationship
exists between them? -

Answer.

I know them, they are brothers and

No 1102.
Deposition of
Tomas Sanchez
made by
Stipulation
part of this
Case -

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1154

Destus and Chedrao of Jose Antonio Loba,
Tomas a Sanchez.

Mr. Gumbo Associate

Law Agent was present at the
taking of this Deposition but
propounded no questions to the witness -

The testimony was given in the
Spanish language. Mr. Fisher Secretary of
the Commission acting as Interpreter.

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Subscribed and Sworn to

Before me at San Francisco
this tenth day of October 1853.

Stephen Titch
Commissioner

Filed in Office Oct 11. 1853.

(Signed) Geo Fisher Secy.

Office of the Board of
Commissioners &c &c.

This day before Calvin Thompson Campbell
Clerk of the Board a witness in behalf of Roman
Loba et al vs 1112 who after being duly sworn
deposed as follows -

What is your name, age and place of residence?

My name is J J Warner. I am
forty five years of age and I reside in San
Diego -

Are you acquainted with the tract of land
called Las Pallas if so, state what and by
whom was it acquired.

I know said tract and it was ac-

No 1112
Deposition
of
J J Warner
made by
Stipulation
a part of
this case.

occupied by the Indian Catawba River, both
for Cultivation and grazing. There was a
house and Cornub in it. The first time I
saw it, which to the west of Gay's collection
was in the Spring of 1835.

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I know that Jose Antonio
Torres for a number of years both cultivated
and grazed the tract as well as prior
to 1840 -

The house which I saw in
1835 was an old house.

J. J. Warner,
Associate Law Agent present.

Sworn to & Subscribed before me
this 14th day of October 1853.

Thompson Campbell
Clerk

Filed in Office Oct 19, 1853.

(Signed) Geo Fisher Secy.

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Not copied

Seal Third. Two Reals.

For the Years of 1826, & 1827.

To the Superior Political Chief.

No 1102

B

Translation
of
St

Made by
Stipulation
back of this
Case.

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San Diego 27 July
1833.

Having seen the present Petition and the peaceful possession and uninterrupted possession being publicly known by which Manuel Pich & his heirs have enjoyed the fruits of the lands as marked out in this (Alcorno) map and having seen the Expedient to which appears the Concession of the land made by Governor Don Don Pedro Fajó to the aforesaid Pich with consent of the Elder in relation to the matter which was proper to be considered - In full conformity with the laws and regulations upon the Subject and in performance of the conditions which they point out,

They are hereby than twenty nine years (time) declared to be

Citizen Luciano Grijalva Native of State of Sonora and now a Resident in this Territory with sufficient authority on the part of Citizen Juan Jose Pich whose right and interest I represent before Your Honor with proper respect and through the most suitable medium. I present myself and say that in the year 1814 was granted in right of ownership to Don Manuel Pich by Governor Don Pedro Fajó the possession of the land that is shown in the map (Alcorno) that which with due respect I herewith present.

That having (Manjintorn) seen whom is the Chief my Constituent (Fodindante) they continued in peaceful possession (time) occupying the said land as legal owner that in this State (Manjintorn) for more than twenty nine years (time) had remained to the

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owns in full (part) to
Juan Jose Ruiz of
the tracts called Las
Coyotes, Alumbros &
Sabo Verde. To
Dona Mariana
Ruiz of Las Cimitas.
To Dona Josefa Coto
widow of Don An-
tonio Maria Ruiz of
Santa Cruz de La
Dona Catarina Ruiz
the widow of Don
Jose Antonio Ruiz
the Bossas.

Let the correspon-
ding titles be issued
to them in order
that the Judicial
possession may be
given to those who
petition.

Let the same
be made known
to the parties and
Clerks that the
title cannot be
issued until I am
in the Capital - Let
a Certified provis-
ional copy of this
decree be issued
in order that it may
serve in the mean-
time as a safe
guard to the parties
interested - Donec,

presentative uncontracted
in the enjoyment of their
rights that the titles which
legitimize the ownership of the
land having been irregular
he presented himself at
various times to the Superior
Political Chief in order that
by virtue of the existing
circumstances in the Archives
a new title might be issued
but in vain he repeated his
attempts until now by Your
Honors goodness he is
pleased to expect it relying
upon the testimony of the only
probability that is contained
in the Archives but that is
sufficient to establish the
legitimacy by which he had
possessed the aforesaid
land as is marked out in
the Expediente which I
respectfully herewith accom-
pany upon 5 written pages
in order that recognizing it
as sufficiently legal You
may be pleased in Your
Exercise of Justice to act as
I now beseech -

In issue the
corresponding title and to
order that Judicial posses-
sion may be given as I
desire also that all the
lands may enjoy the favor
conceded by their Father

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Don Jose Figueroa
Superior Political
Chief of this Territory
thus did Command
me and sign to
which I certify.

Jose Figueroa

Augustin V
Gamoran
Secretary.

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Plasuch Don Honor if
you consider it convenient
to give the titles separately
to each one, the several
parts to correspond as re-
mains marked out in the
Resurvey map itself in those
terms.

The tract of Santa
Catalina for Dona Josefa
Coto and her children as
widow of the deceased An-
tonio Maria Pito, the
tract of Las Bases for
Dona Catalina Ruiz
and her children, as they will
are of the deceased Jose
Antonio Pito, the tract of
Las Simotas for Don
Manuel Pito, and the
remainder which compre-
hends the tracts of Las
Coyas, Alcantas, Palo
Alto etc for my Caustit-
ment (prodadantes) Don
Juan Jose Pito, who as
the head of the family, has
determined to effect this

division for the benefit of his (may in turn) ^{and}
to avoid all motives of dispute
wishes that possession may be given to each
one of the portion which annually correspond
to them in this design.

I humbly beseech of
Your Honor that you may be pleased to
grant my petition, by which I shall receive
favor and Justice, Desiring that I am not

Acting in malice but through necessity etc.
San Diego 26 of July 1853.
Luciano Bujalwa.

Montevideo Dec 21. 1853.

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Let the Command be
attended in the foregoing decree be complied with,
Let the titles be properly issued in order that by
them the Judicial possession may be given in
view of the ancient and delayed concession
and possession that they have of them the facts
Senior Don Jose Niquera Genl of Brigade
and Genl Commanding Superior Political
of the Territory thus did Command decree and
Sign which I certify
Jose Figueroa -
Augustin Zambrano
Secy.

Jose Figueroa Genl of Brigade of the National
Mexican Army, Commanding General Superior
and Superior Political Chief of the Territory of
Upper California -

Inasmuch as Dona Catarina
Ruiz widow of Don Antonio Ruiz has accord-
ed her right to the Estate of the deceased
Manuel Ruiz and in consideration of the
ancient and peaceful possession which she has
of the tract known by the name of Las Bolas
bounded by the tracts of Las Alamos and
Las Cuyotas the river of Santa Ana and the
Coast, the necessary steps and formalities
having been previously fulfilled in accordance
to the requirements of the laws and regulations in
force by virtue of the faculties which are conferred
upon me by the decree of the 24th of July of the
year's last passed and in the name of the

Mexican Nation I hereby declare to her the ownership of the said tract and of which she may be put in peaceful possession by these present letters with entire conformity to what is required by the laws and Subject to the following Conditions.

1st - That she shall Subject herself to what shall be Established by the regulation which may be made for the distribution of vacant lands and that in the meantime she grantee nor her heirs shall be able to divide or alienate the land of which mention is made nor to impose any entail bond mortgage or any other Encumbrance although it may for a private purpose, nor to pass it to mortmain -

2^d - She may Enclose it without prejudice to the Crossings, Walls and Surroundings - She shall enjoy it freely and exclusively, destining it to the use or Culture that may best suit her, but within any year at most she shall build a house and it shall be inhabited -

3^d - She shall immediately solicit of the respective Judge that he may give her Judicial possession in virtue of this order by whom its boundaries shall be marked out upon whose limits she shall place besides the land marks some fruit trees or well and of some utility.

4th - The land of which reference is made is of four square leagues (Ligas de ganado Mayor) according as is shown in the map (Asen) which accompanies this Expediente The Judge who shall give the possession

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shall cause it to be measured agreeably to
ordnance so as to point out the quantity
the surplus to remain to the nation for its em-
broideries.

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5th. If she shall Contravene these Conditions
she shall lose her right to the land and it
shall be alienably by another.

In consequence of Command
that the present serving her as a title be
considered firm and valid and note be
taken of it in the Corresponding book and it
be delivered to her for her security and further
ends.

Given in Writing this 22^o of May
1834.

José Figueroa.
Augustin O'Gorman.
Secretary.

Filed in Office Oct. 21. 1852.

Byrd
Geo Fisher
Secy. 3

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Copied from here

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La Constitucional Tribunal of Las
Ayudas.

(Correcto)

No 112
Translation
of
Judicial
Possession
made by
Stipulation
part of this
Case.

As the urgent attentions required
in this Office do not afford time that I
may personally appear to give the corresponding
possession to Doña Catalina Ruiz of the land
that is declared in her favor I have thought
proper to name you, so that in connection
with the Surveyor Don Abel Strains you may
go to the aforesaid land called "Las Bolsas"
and may put her in possession in due form
of agreement to the title confirmed in her by the
Senior Political Chief and which I herewith
accompany.

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God and Liberty
Ayudas March 1st 1835
Domingo Ramiro

Ayudas March 14th 1835

The present notice is duly
received and in obedience to the Commission
therein confirmed on me by the Constitutional
Alcalde in order that I may go to give posses-
sion to Doña Catalina Ruiz of the tract belong-
ing to her known by the name of "Las Bolsas"
and having agreed with Don Abel Strains that
he would measure the said land in entire
conformity to the map which is annexed to the
Expediente upon the matter previously comply-
ing with that required by the Senior Political
Chief. I did go with the witnesses of my as-
sistance to the said tract and did proceed to
make good the corresponding possession, to the
strict conformity to the dispatch that the
Senior Political Chief issued to her.

Citizen Rafael Girado Mayor is-
treat of the Illustrious Ayuntamiento and

Commissions Judge thus did direct Comunal
and sign with the assisting witnesses according
to law, which I Certify

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Asistencia Rafael Guindo
Policarpio Luit Manuel Arzaga

At the Rancho of Las Bolsas on
the 15th day of the month of March and there
said Eight hundred and thirty five the Judge
that Subscritas having made citation of the
Neighbors they were all present except Dr. Roben
to Sando who made known that his occupa-
tion would not permit him to appear
and stating to them the object of my com-
mission which was to proceed to the execution
of the measurement and possession of the Rancho
of Las Bolsas the property of Dona Catalina
Ruiz which is bounded by the Alameda
Las Capatas the river of Sta Ana and the
Coast and I told them they might produce
any documents which would prove them to
have a right to those lands of which I was
going to give possession agreeably to her title
to Dona Catalina Ruiz and not having
produced any by which they could prove said
right I ordered the same to be duly noted
and with the witnesses of my assistance signed
according to law, which I Certify.

Asistencia Rafael Guindo
Manuel Arzaga Policarpio Luit

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On the same day I selected two offi-
cial land bearers and two measurers in order
to begin with the measurement who having
accepted this appointment promised to

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discharge faithfully their duty, they not
signing because not knowing how, I signed it
with those of my assistance according to law
which I certify -

Rafael Curado,
Asista -
Policarpio Lab Manuel Arzaga.

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At the aforesaid Rancho Sunday
Month and Year At the aforesaid Commissioned
Judge for the purpose of verifying the measurement
and possession to Doña Catalina Ruiz, caused
to be measured a cord containing one hundred
and thirty varas which was obtained and
measured by Don Abel Stearns the Surveyor
and divided into certain widths and pointed
at the ends by the previous observation and
Calculation of the said Surveyor. the cord was
stretched by his direction towards the north
thirty dynas to the East of a large hill, where
a cross was placed as a land mark, the cord
passing through some various spots of ground
dividing the point of the "Cuinga" where there
are two willow trees (Sauces) of the same size
and standing alone and there was measured
and counted nine thousand four hundred and
fifty varas that terminated at same point
near trees on a sand hill where a post of Alder
(Sauco) was placed as a land mark then taking
a direction to the East they measured and counted
five thousand five hundred varas that terminated
at a large Alder tree (Sauco) with green shoots
which Alder tree is the land mark and boundary
of Las Coyotas and the lands occupied by the
heirs of the deceased Patricio Antunes
from thence taking a direction East two
dynas to the South they measured and counted
four thousand one hundred and sixty varas.

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that terminated at the Old bed of the river of Sta Ana and placed as a land mark in Electric Column, breaking off a branch so to be distinguished, then turning the direction and going towards the South by the Old bed of the river aforesaid they measured and counted fourteen thousand two hundred and fifty varas that terminated upon the margin of the "Playa" (Sea Shore) where a land mark was ordered to be placed and in order to conclude this measurement they measured and counted along the length of the margin of the said Playa nineteen thousand and six hundred and thirty varas that terminated at the point where said measurement commenced by which the measurement was concluded of these tracts to the satisfaction of the interested party which I herewith duly note, that I authorized and sign with those of my assistance according to law which I certify.

Rafael Guinardo,
Asistencia

Asistencia -
Policarpio Lutz Manuel Arzaga,
Ayudas March 26. 1835 -

The present proceedings being concluded of the measurement and possession given to Doña Catalina Ruiz to her satisfaction let them be transmitted to the Alcalde in order that he may deposit them among the archives giving a copy of the same to the interested party.

Rafael Guinardo Magistrate of the Illustrious Ayuntamiento and the Judge appointed for this possession thus did determine order and sign with the witnesses of my assistance according to law.

Rafael Guinardo,

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Asistance Policiario Real Manuel Arzaga. Asistance -

Proto - All the same state.

The before mentioned proceed- ings were transmitted to the Senior Alcaldes as expressed in the anterior act in proof of which I signed with a rubric.

At two copies from the original to which I refer and which I authorize and sign with those of my assistance upon this common paper for want of the corresponding seal -

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Rafael Guando -
Asistance Manuel Arzaga. Asistance - Policiario Real.

Filed in office Oct 28, 1852.

(Signed) Geo Fisher
Secy.

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1891 30
1892 20

Opinion of
Board by
Com. Felch

Jose Justo Morillo Valz
vs
The United States

For the place called
Las Bolsas in Los
Angeles County Containing
Seven Square Leagues of Land

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The land claimed in this case is a part of the "Niño tract" (so called) in Los Angeles County, which has long been occupied by the Niño family. Manuel Niño first occupied the land. At his death he left four sons, one of whom Jose Antonio is alleged to have died about the year 1833 leaving a widow Catalina Reiz and two daughters. In 1833 an application was made to Governor Figueroa, and he by decree of July 27 of that year conceded the premises to the two surviving sons and the widows of his two other sons then deceased, giving to each a separate portion according to a division delineated on a map which was presented with their application. In this concession the portion called Las Bolsas was assigned to said Catalina Reiz, and the grant of the same was issued to her under date of May 22d 1834. Manuel Cleofas Niño who with her husband Jose Justo Morillo is the petitioner in this case is the daughter of said Jose Antonio Niño and Catalina Reiz, and then only surviving issue of that marriage. She claims that the title to the said land was in her father in his lifetime, and that she as his sole heir is the present owner of the premises, as his sole surviving heir, subject only to temporary marital rights existing in her mother. In the petition to the Commission it is alleged that her mother Catalina Reiz in December 1849 conveyed all her rights in the Rancho

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San Blas to Rafael Yorlbe and his brothers and sisters, whose claim was presented for confirmation by this Commission in this Case No. 402.

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In order to determine the claim set up in this petition, it must be determined that the legal ownership of the land in question was in Jose Antonio Nieto at the day of his death and consequently was conveyed to his heirs at Law and that the Decree granted of the same to Doña Juana Reyes was with full authority and force.

In Case No. 423 the whole subject of the rights of the parties depending in these proceedings and documents involved in this Case were considered and was held that the proof was not sufficient to establish a title in the land in the Nieto family of such a character as to withdraw it from the power of the Government to make the grants which were issued on the 22d day of May 1834. That those grants were the foundation of title in the several grantees named therein and that took the property under the same with the ordinary authority of enjoyment and disposition thereof. And the case of Doña Ramon Yorlbe (Case 402) was held that Doña Juana Reyes under the grant made to her became the owner of San Blas and her deed to Doña Juana Conroy to the grantees therein designated, all the interest which she retained in the premises at its date. and on this point a decree of Confirmation to her grantee was entered.

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The same principle is necessary of the Case now before us, Doña Juana Reyes became the owner of the land under the grant by Figueroa to her, and

by the conveyance of all her interest therein to Forbes the latter became the owner of the premises in 1849

A decree from the Honorable Judge to Sr. Maria de los Angeles Nieto de Mucillo of an executed deed of Las Bolsas executed on the fourth day of November last is given in evidence, but as the grantor had parted with her entire property in the premises long before that, nothing could pass by this conveyance

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The petitioners having failed to show any title on themselves or either of them they cannot be entitled to a decree of Confirmation.

It is very probable that ^{there} may be equitable rights between the claimants to the several portions of Land referred to in the class of cases of which this is one, which may be reached and adjudicated in the judicial tribunals of the country, but which cannot properly be the foundation of a decree by this Court. The grants made by the King have seemed to us to be the true source of the titles here to the "Nieto tract" by the several members of that family and an eye decoration of the Cases are in accordance therewith, to many all questions of trusts or other equitable rights between the several members of the family and persons, claiming under them for determination by the Courts having jurisdiction Cognizance thereof. An adverse decree will be entered in the Case in Rey de la

Taken in Office Feb. 13. 1855

Geo. Fisher Secy

Recorded in Record of Decisions Vol 2 page 580c

Geo. Fisher Secy

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of 5
Decree

Jose Justo Morello 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 not valid, and it is therefore decreed that their application for a confirmation thereof be denied.

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

Commissioners

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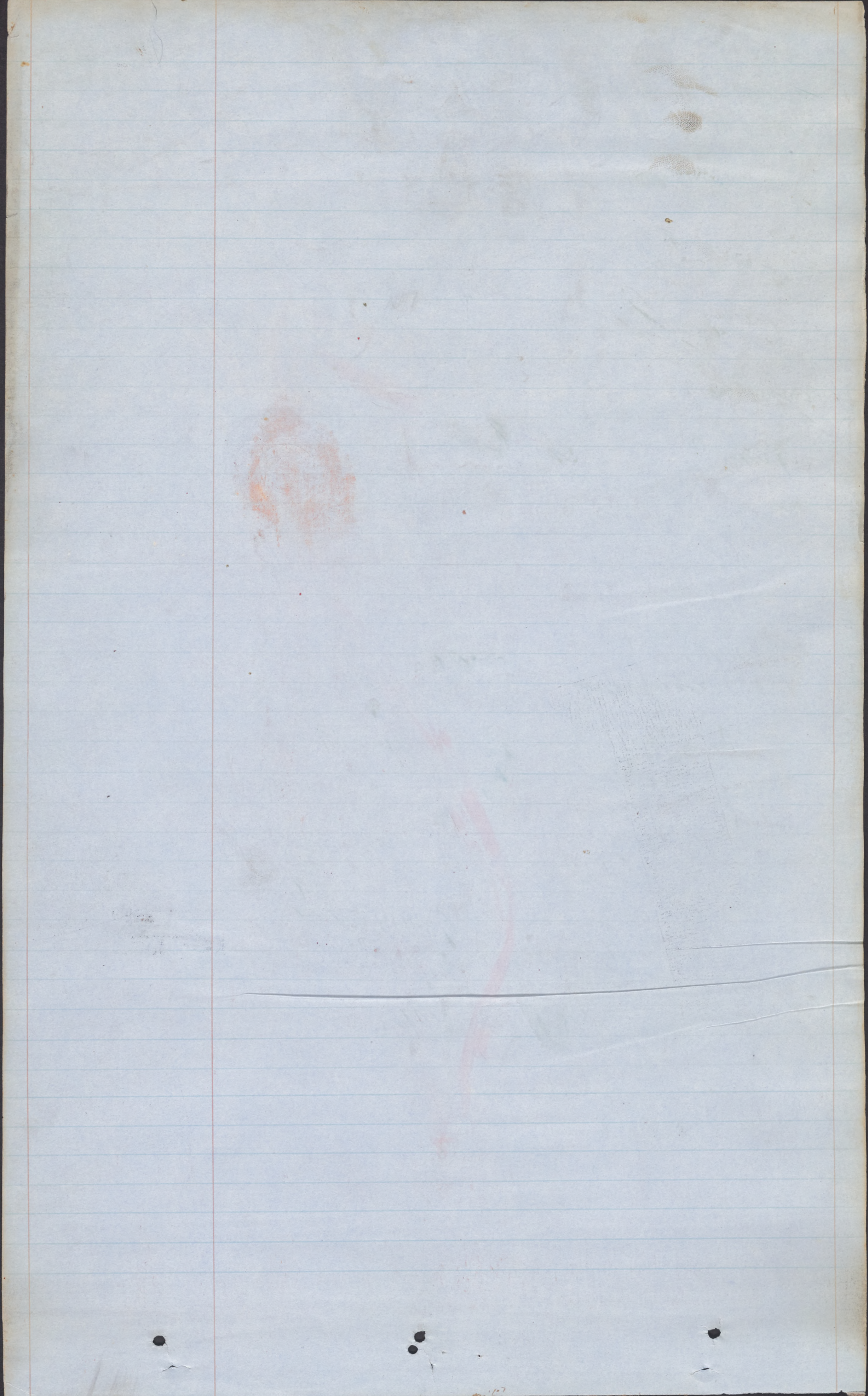
Filed in Office Feb. 13. 1855

Geo. Fisher Secy

Recorded in Record of Decisions Vol 2d
page 580c

Geo. Fisher Secy

And it appearing to the satisfaction of the Board that the Land hereby adjudicated is situated in the Southern District of California. It is hereby ordered that two transcripts of the proceedings and decision in the case and the papers and evidence upon which the same are founded be made 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.

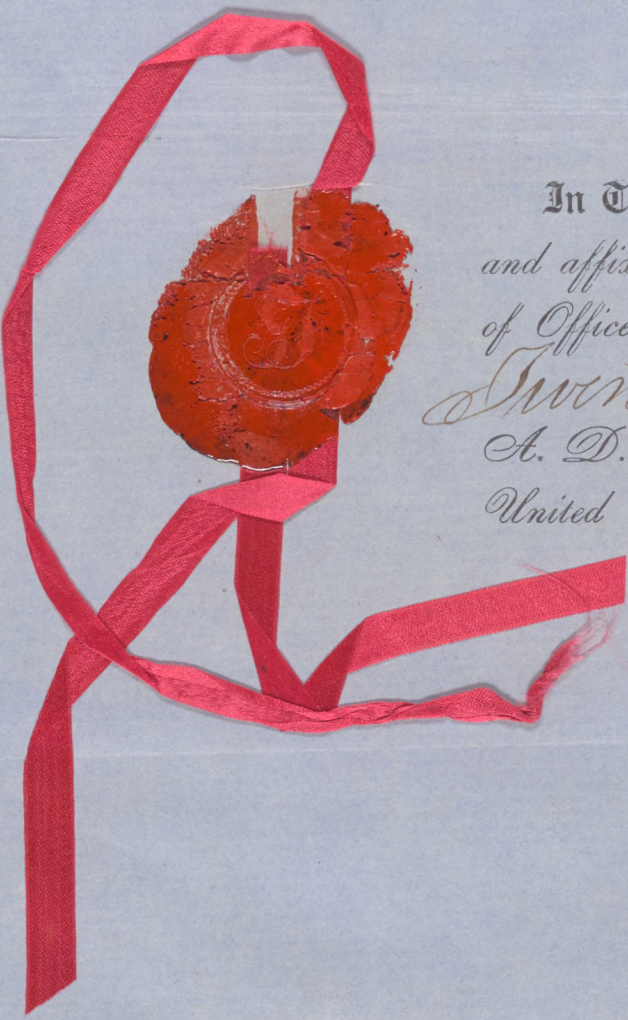


Office of the Board of Commissioners,

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 five* pages, numbered from
1 to *75*, 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. *459* on the Docket of the said Board,
wherein *José Justo Merillo, et al,* are
the Claimant against the United States, for the place known by
the name of "*Las Balsas*"



In Testimony Whereof, I hereunto set my hand
and affix my private Seal (not having a Seal
of Office) at San Francisco, California, this
Twenty first day of *August*
A. D. *1858*, and of the Independence of the
United States of America the *seventy-eighth*.

Geo. Fisher
Geo. Fisher

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U. S. DISTRICT COURT,

San Francisco District of California.

No. *302*

THE UNITED STATES,

vs.

Jose Justo Morillo, et al.
vs.
Gas Bolsas

TRANSCRIPT OF THE RECORD

FROM THE

BOARD OF U. S. LAND COMMISSIONERS,

Case No. *459*

Filed, *Oct 14* 1855

C. J. Davis
Clerk.

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

Jose Justo Morvillo &
Maria Cleofa Nieto, his wife,
Appellants

Case N^o 302

v.
The United States
Appellees.

Transcript N^o 459
"Las Bolsas".

Appeal from the ^{decision of} Board of Commissioners to ascertain and settle the private land claims in the State of California, taken on the 4th day of October, 1853, by the said Board having filed with the Clerk of the above Court, a certified Transcript of their proceedings and decision, and of the papers and evidence upon which the same are founded, in said cause, being N^o 459 upon the Docket of said Board -

Notice is hereby given that Jose Justo Morvillo and Maria Cleofa Nieto, his wife, Appellants in the above entitled Cause and Claimants before the aforesaid Board, in a claim for all the tract of Land called "Las Bolsas", not subject to the marital rights of Catarina Ruiz, situate in the Southern District of California, filed before said Board on the 5th day of November 1852, will prosecute the appeal herein from the final decision of said Board entered on the 13th day of February, 1853 - against said Claimants and Appellants.

Attorney for Appellants.

Case No 302.
U.S. Dist. Court, South-
District of California

José Justo Morillo et al
Appellants
vs
The United States
Appellees.

Notice of Appeal

Filed Oct 28th 1855.

J. E. Farley
clerk.

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In United States District Court for Southern District
of California

José Justo Novillo &
María Cleofa Nieto, his wife
Appellants

vs

The United States, Appellees.

Case No. 302

Transcript No. 459

"Las Bolsas"

On motion of Jonathan R. Scott,
Attorney for Appellants, it is by the Court,
Ordered,

that either party may take
further testimony in the above entitled cause.

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

José Justo Morvillo +
M^{ra} Cleofa Nieto his wife
Appellants

Case No 302

by
The United States.

Appellees

"Las Bolsas"

Transcript 459

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PAGE

To/

The Hon. Isaac S. R. Ogier, Judge.

The Petition of the above named
Appellants, by J. R. Scott their attorney res-
pectfully represents,

That on the 5th day of November, 1852, they
filed before the United States Land Commis-
sioners, to ascertain & settle private land
claims in California, while sitting as a
Board, their Petition, claiming the lands
called "Las Bolsas", situate in the County of
Los Angeles and in the Southern District of
California, ^{together with documentary evidence & testimony of witnesses} to which Petition reference is here-
by had for a description of said lands and
title of claimants.

That thereafter, to wit on the 13th day of
February 1855, the said Board, by their fi-
nal decree, rejected the claim of the Appel-
lants to said lands.

That thereafter, to wit, on the 4th day of
October 1855, an appeal was taken, from said
decree to the District Court of the United
States for the Southern District of California
by the said Commissioners having caused to

be filed in the office of the Clerk of said District Court, a certified Transcript of their Proceedings and Decision in this Cause and of the papers and evidence upon which said decision was founded, being marked No. 459, Docket No. 302; all of which Transcripts Appellants pray leave to refer to and make part of this Petition

That thereafter, on the 23^d day of October 1855, the appellants filed in the office of the Clerk aforesaid, a Notice of their intention to prosecute said appeal

Wherefore they pray that this Hon^{ble} Court will review the decision of said Board of Commissioners and reverse the same; and that the claim of the Appellants may be confirmed and their title to said lands decreed to be valid, and for general or further relief agreeable to Equity and for costs, & as in duty etc.

J R Scott

Attorney for Appellants

Cause 302

U. S. Dist. Court,

Jose Justo Novillo et al
App^{ts} to

vs

The United States.

App^{ees}

Petition for Review

Filed 13th February
1857

William A. B.

J. W. Cookman

Dep

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Scott.

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

THE PRESIDENT OF THE UNITED STATES,

TO

J. Ora W. S. Atty

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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 *13th* day of *February* 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

Iow Justo Marillo et al
praying said Court to review the decision of
the U. S. Board of Land Commissioners of the 13th
February 1855 respecting their claim to the land
called
Las Bolsas in the County of
Los Angeles

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 *13th* day of *February*, in the year of our Lord, one thousand eight hundred and fifty *seven*, at Los Angeles aforesaid.

John
J. Coleman
Dep

Clerk.

No 302

Marshals Court

Copying books - 60

Leaving same 3. -

Petition 3. -

\$ 6. 60

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

James L. Marcellus et al
app'ts

The United States
app'rs

Given 13th February 1857

Edwards Hunt
J. M. Coleman

SUMMONS.

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I served this Summons, along with the proper copy of the Petition, upon *J. P. U.S. Atty*
by delivering to him personally a true copy of same

at Los Angeles

the 13th day of February, A. D. 1857, in the Southern District of California, on

Sworn to and subscribed before me, this

13th February 1857

Edwards Hunt
Clerk.
J. M. Coleman
sep

Edwards Hunt
U.S. Marshal.
per Geo Goodman
Deputy

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

José Justo Morillo &
M^{ra} Cleofa Nieto his wife

Appellants

vs

The United States,

Appellees.

Case No 302

Las Bolsas

Transcript 459.

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The answer of Pacificus Ord, At-
torney of the United States, for the Southern
District of California, for and in behalf
of the United States, to the Petition of José
Justo Morillo and M^{ra} Cleofa Nieto his wife,
for a Review of the Decision of the United
States Board of Land Commissioners for
California; says;

That he denies all and singular, each and
every allegation in said Petition contained

And further this Respondent denies ge-
nerally the validity of the alleged title to the
tract of land called "Las Bolsas", and claim-
ed in said Petition;

And the said Respondent prays that
this Hon^{ble} Court will affirm the decision of
the said Commissioners in said case, and
decree the said alleged title to be invalid, and
for general relief.

F. Ord,
Att^{ny} Dist^{ct}.

Case No 302.
U. States District Court
South^h Dist. of California

José Justo Novillo et al
Appellants

By
The United States
Appellees.

Answer.

Filed this 13th February 1857
Clerk of the Court
J. M. Coleman
sep

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P. Ord. U. S. Dist. atty.

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

Jose Justo Morillo et al } Case No 302.

Appellants. }

Transcript 459.

The United States }
Appellees } "Las Bolsas."

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	Page	
1	3 c 7	Petition to Commission
2	7.8	Deposition of Abel Stearns
3	8.9	do " Manuel Dominguez
4	9 c 12	do " Catarina Ruiz de Nieto
5	13.14	do " John W. Shore.
6	15 c 17	Certified Copy of Title, Figueroa to Widow Catarina Ruiz, 7 lgs. May 22/34 with note of Record.
7	19 c 21	Translation of above.
8	23.24.25	Certified Copy of Title, Gov. Alvarado to Joa- quin Ruiz, of "Bolsa Chica", 2 lgs, July 2/41 with notes of Record; and order to give judi- cial possession thereof, without its being necessary to give it anew after approval of Assembly, by Gov. Micheltoarena May 3/44.
9	27 c 29	Translation of Title etc.
10	31.32.	"H.H. No 1." Protest of Maria Cleofa Nieto against Gift or Sale by her mother, Catarina before Juan Sepulveda 2 nd Alcalde Dec 29/49
11	33.34	Translation of above.
12	35.36	Deed, Cu ^a Catarina Ruiz de Nieto to Cu ^a Cleofa Nieto de Morillo of 1/2 Las Bolsas, Nov. 14/54.
13	37	Stipulation to use Depositions of Jose Ant ^o Carrillo & Felipe Salamanca, taken in "Alamitos" Case No 404.

	Page	
¹⁴ 302	37.38 SD 82	Agreement to use certain Depositions & documents filed in Case No 402.
PAGE		
15	39c41	Deposition of José Ant ^o Carrillo in #404
16	41c43	do " Felipe Salameantes in #404
17	45.46	Deposition of Nicolas Alanis
18	47.48	do " Abel Stearns
19	48.49	do " José Sepulveda
20	49.50	do " José D. Ybarra
21	50c52	do " José Ant ^o Carrillo
22	53.54	do " Felipe Salameantes
23	55.56	do " Juan Mearso
24	56.57	do " Tomas A Jauchery
25	57.58.	do " J. P. Warner
26	59c62	Translation of Petition of Luciano Grijalva on behalf of Victor, and Figueroa's marginal decree in their favor.
27	62	Translation of Order to issue Titles
28	62c64	do " Title to Catarina Ruiz
29	65c69	do " Aud. pop ^a " "
30	71c73	Opinion
31	75	Decree of Rejection, Feb. 13/55.
32	75	Order to file Transcripts.

Filed in Case No 402 -

Case No. 302
U. States Dist. Court - South
Dist. of California.

José Justo Morillo et al
Appellants
vs
The United States
Appellees.

Index of Transcript
459.

Filed this 17th Feb'y,
1854
Cesar A. M.
of St. Columbian
Dep.

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

José Justo Porrillo et al } Case No 302

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Appellants }

v

"Las Bolsas"

The United States

Appellees } Transcript 459.

This cause coming on to be heard on
appeal from the final decision of the
United States Board of Land Commis-
sioners to ascertain and settle the private land
claims in the State of California, under
an Act of Congress approved March 3^d 1851
on a Transcript of the Proceedings and De-
cision of said Board, and of the Papers and
Evidence upon which said Decision was
founded, and it appearing to the Court
that said Transcript and the notice of
Appeal have been duly filed according
to law, and Counsel for the respective par-
ties having been heard,

It is ordered, adjudged and decreed,
That the Decision of said Board of Com-
missioners be, and the same hereby is, in
all things reversed.

And it is further adjudged and decreed,
that the claim of the Appellants, José Justo
Porrillo and Maria Leona Nieto, his wife
is good and valid in right of the said
wife, and the same is hereby confirmed
to her as follows.

The lands of which Confirmation is
hereby made are one undivided half of

The tract called "Las Bolsas", situate in the County of Los Angeles, said tract of "Las Bolsas" being a part of the lands originally granted to Manuel Nieto by Governor Pedro Fages in or about the year 1784, and which said grant was recognized and confirmed by the Mexican Government by the Decree of date July 27. 1833 made by Governor José Figueroa on the Petition of Luciano Grijalva made on behalf of the heirs of said Manuel Nieto, and by the Grant of date May 22. 1834 issued by said Governor Figueroa, to Catalina Ruiz, widow of José Antonio Nieto a son of said Manuel Nieto.

Reference for the boundaries of said tract of "Las Bolsas" being had to the said Petition of Luciano Grijalva and to the map accompanying the same, contained in the expediente filed in this case, to wit, on the South, the sea, on the West, the lands called "Los Alamos", on the North the lands called "Los Coyotes" and the tract solicited by D.^o Patricio Outwegas and on the East by the river of Santa Ana as the same ran at the date of said Petition.

Thus done & signed in open Court
this 17th February 1857.

James H. Ogden
U. S. Dis. Judge
John S. Dis of Cal

Case 302

Jose & Morillo wife
Appel^{ts}

vs

The U. States

App ees

Decree

Filed this 17th February
1857

Witness at
J. M. Coleman
clerk

Recorded in page 146

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UNITED STATES OF AMERICA, ss.

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THE PRESIDENT OF THE UNITED STATES OF AMERICA,

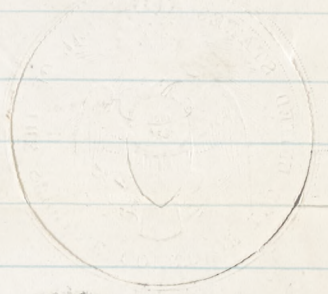


To the Honorable the Judges of the District Court
of the United States for the Southern District
of California

GREETING:

Whereas, lately, in the District Court of the United States for the Southern
District of California, before you,
in a cause between José Justo Morrillo + Maria Cleofa Nieto
his wife, appellants and The United States appellees
(No 302 for "Las Bolsas") wherein the decree was
rendered in favor of the said appellants.

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1882
MAY 17

as by the inspection of the transcript of the record _____
_____ of the said *District*
Court, which was brought into the Supreme Court of the United States by virtue of an appeal

agreeably to the act of Congress, _____
_____ in such case made and provided, fully and at large appears

And whereas, in the present term of *December*, in the year of our Lord one thousand eight hundred and *sixty-three*, the said cause came on to be heard before the said Supreme Court, on the said transcript of the record, and ~~was argued by counsel.~~ On consideration whereof, it is now here ordered adjudged and decreed by this Court that this cause be, and the same is hereby dismissed
29 Feb'y.

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You, therefore, are hereby commanded that such further proceedings be had in said cause, _____

as according to right and justice, and the laws of the United States, ought to be had, the said appeal notwithstanding:

Witness, the Honorable Roger B. Taney, Chief Justice of said Supreme Court, the first Monday of December, in the year of our Lord one thousand eight hundred and sixty-three

COSTS OF—
Clerk . . . \$ _____
Attorney . . . \$ _____
\$ _____

Taxed by Geo. Middleton

Clerk of the Supreme Court of the United States.

No. 137. December Term, 1863.

MANDATE
SUPREME COURT UNITED STATES.

U. States

vs.

Worrell et al

Shall be open Court on
Proton of vacate Washburn
Esq. Attorney for appellee
this 5th day of January.
1863

Geo. C. Otter Clerk

Geo. C. Otter

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

The United States,	}	L. C. 459
Appellants		"Las Bolsas"
vs	}	
José Luis Morillo et. ux.		D. C. 302.
Appellees		

Now at this time comes J. Hartman Attorney of the
Appellees and presents the mandate of the Supreme
Court of the United States, and moves the Court that
the same be filed and for a final order in accor-
dance therewith.

Now it is therefore ordered that
the mandate of the Supreme Court be filed, and
the appeal heretofore said and allowed in this
cause, from the decree of the District Court of the
United States for the Southern District of California
to the Supreme Court, be and the same is hereby ac-
cused; and it is further ordered that the claimants
and appellees be allowed to proceed, under the decree
of confirmation heretofore entered by said District
Court, as under a final decree.

January 4. A. D. 1870.

John Hoffmiller
Dist Judge

302.

Eastern District

The United States

vs

Jose Antonio Durillo, et al.

Final order

Filed January 5th 1870

C. B. Cotter Clerk

By J. D. Spinnwood
J. D. S.

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