

CASE No.

324

SOUTHERN DISTRICT

ONE HUNDRED VARAS SQUARE

AT SAN PEDRO GRANT

TEMPLE AND ALEXANDER
CLAIMANT

LAND CASE 324 SD pgs. 48

MAR 21 1963

Continued
Plover Bond
25% Cotton Fiber
U.S.A.

TRANSCRIPT

324 SD
PAGE 1

OF THE

PROCEEDINGS

IN CASE

NO. 688.

Temple & Alexander

CLAIMANT &

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

" one hundred varas square at San Pedro. "

1870

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Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

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

The Petition of *Temple & Alexander*,
for the Place named
One hundred varas square at San Pedro,
was presented, and ordered to be filed and docketed with No. 688, and is as follows, to wit;

(Vide page 3 of this Transcript.)

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

San Francisco June 10' 1854,
In case no. 688, *Temple & Alexander* for One hundred varas square of land in the Port of San Pedro, the deposition of *Manuel Requena*, a witness in behalf of the Claimants, taken before Commissioner *G. Thompson Burrill*, with Exhibits marked A. B. & C. annexed thereto, was filed;

(Vide page 5 of this Transcript.)

In the same case the deposition of *Abel Stearns* a witness in behalf of the Claimants, taken before Commissioner *G. Thompson Burrill*, with Exhibit C marked G. T. B. and translation thereof, annexed thereto, was filed;

(Vide page 11 of this Transcript.)

San Francisco June 26' 1854,
In the same case the deposition of *Jose Loret Sepulveda*, a witness in behalf of the Claimants,

taken before Commissioner G. J. Burrell, was filed;
(Vide page 13 of this Transcript.)

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San Francisco January 2 1855.  
Case no. 688 was ordered to be placed at the foot  
of the 4<sup>th</sup> class cases on the Trial docket.

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San Francisco January 16 1855.
Case no. 688 was submitted under the Rule of
March 21 1854.

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San Francisco May 22 1855.  
In the same case Commissioner S. B. Farwell  
delivered the Opinion of the Board rejecting the  
claim.

(Vide page 33 of this Transcript.)

And the following order was made, to wit:  
(Vide page 35 of this Transcript.)

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S.

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To the Honorable Board of Land Commissioners
for ascertaining and settling private Land claims
in the State of California.

Your petitioners Don
Juan Temple and David M. Alexander residents
of Los Angeles California respectfully represent
to your Honorable Board that they are the
beneficiaries and present claimants of a certain piece
or tract of Land of (100) One hundred Varas Square
in superficies situated in the Port of San Pedro
Los Angeles County California.

That they claim
the same by virtue of a Concession made to Jose
Antonio Sanchez and Abel Stearns, on the 11th day
of March A.D. 1834 and Decree of the 10th of the
Same Month by Governor Don Jose Figueroa and
an uninterupted possession and Occupancy and
possession by them and those claiming under them
ever since.

Your petitioners file herewith a
true and correct copy of the same by the Surveyor General
of the Expediente and will proceed to make
further proof of Title.

And your petitioners pray
that your Honorable Board may take into
consideration their claim to the said 100 Varas
Square declare it to be valid and confirm to
them their right and title to the said tract.

Henry Hancock Atty
for Claimants

Filed in Office March 2^o 1833

Geo. Fisher Secy

Recorded in Vol 2 of Petitions on pages
77. 78

Geo. Fisher Secy

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Petition.

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Office of the Commissioner G. Thompson Burrell
at Los Angeles California—

Deposition

of
Manuel Reguera

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Before me G. Thompson Burrell Commissioner duly qualified for the taking of Testimony, to be used before the Board of Commissioners to ascertain and settle the Private Land Claims in California Personally appeared Manuel Reguera a witness in behalf of Lewis M. Alexander and John Temple Claimants for One hundred Acres Square in the Port of San Pedro in the County of Los Angeles Numbered on the Index of the Land Board with No. 688 and upon oath declared and sworn as follows—

Questions by Counsel for Claimants

Question No. 1. What is your name age and place of residence?

Answer. Manuel Reguera, I am fifty two years of age and reside in the City of Los Angeles

Question No. 2. How long have you lived in Los Angeles?

Answer. I have lived in Los Angeles about Twenty Years

Question No. 3. Have you ever held any Office in Los Angeles—

Answer. I have been member of the Assembly Judge of the Just Instance Alcalde

Question No. 4. Was the Port of San Pedro formerly within the jurisdiction of the City of Los Angeles?

Answer. It was

Question No. 5. What have you ever known of the possessions of Don Abel Stearns in the Port of San Diego?

Answer. When I arrived in San Pedro in the year Eighteen hundred and thirty four there was an old adobe house there in a dilapidated state and adjoining the end of said house facing the north another house was in progress of building

and was nearly roofed in and also had a board floor which I was informed belonged to Don Abel Stearns, and that the old house formerly belonged to the Mission of San Gabriel. When I returned again in the latter part of the year 1836 or commencement of the year 1837 another house adjoining the old house had been built on the South side of the old house forming L as per Exhibit E.

Question 6th. In the year 1834 and 1835 were there any other buildings in San Pedro.

Answer. There were no other houses there at that time.

Question No. 7. Do you know how much land Don Abel Stearns owned in San Pedro.

Answer - I do not.

Question No. 8. Since the year 1836 do you know of any other buildings having been erected in San Pedro.

Answer. I do. A house was built there by James Johnson on the same ground where a house had been commenced by Vicente Moraga. I think this took place about the year 1838 or 1839: this house was about 80 or a 100 varas from that of Don Abel Stearns.

Question No. 9. How long did Don Abel Stearns occupy the house in San Pedro?

Answer. Don Abel Stearns occupied the house up to the time that he sold it after which it was occupied by different persons, but I do not recollect the exact time when the house was sold.

Question 10. Do you know if Don Manuel Alexander ever occupied these houses in San Pedro?

Answer. I do, and I also know that the house is occupied at the present time by George Alexander and Thomas Banning.

Question 11. Do you know anything of the boundaries of the land owned by Don Abel Stearns.

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in San Pedro, or what distance the house is
from the beach or shore?

Answer. I do not know anything of the boundaries
The house is situated about 400 feet from
the sea shore or less.

Question No. 12. Has a 10th Alley Stearns any other
improvements in San Pedro?

Answer. I know of a Convey joining the house
and running back 30 or 40 feet

Question No. 13. Are you acquainted with the
signatures of Jose Figueroa, Jose
Antonio Canales, Vicente Moraga, Abel
Stearns and Vicente de la Cruz?

The above question objected to by C. E. Thom
acting Law Agent, except to the signature of Jose
Figueroa

Answer. I know all the signatures except those
of Vicente de la Cruz which I do not well
recollect.

Question No. 14. You are here shown documents
herewith filed marked G & B Exhibit
Exhibit A & B in this case and asked
of the signatures of Jose Figueroa
appearing on documents marked G & B
Exhibit A in this case together with
the signatures of the aforementioned
Canales, Stearns and Moraga appe-
aring upon said documents before
and say whether their respective signa-
tures appearing on these documents
are their genuine signatures? All this
question objected to by C. E. Thom acting
Law Agent except that part relating
to Jose Figueroa —

Answer. I know them all to be genuine

Questions asked by C. E. Thom acting Law Agent

Question No. 1. How far have you resided from the Port
of San Pedro since you arrived in the country in
the year 1834

Answer. I have resided in the city of Los Angeles
which is about 25 miles distant from
San Pedro

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Question No. 2. How many times did your vessel visit the Port of San Pedro in the year 1834

Answer - About twenty times.

Question No. 3. Did you see Don Abel Stearns frequently in San Pedro and if so what was his occupation?

Answer. I did. He was occupied in delivering hides and receiving prices for them

Question No. 4. Did Don Abel Stearns erect the house in San Pedro or any part of it, if so state the time when and your means of knowledge?

Answer He did. I saw Don Abel Stearns there in person directing the works, also other persons employed by him. I do not recollect exactly the time when I saw Don Abel Stearns in San Pedro directing the building, but it was about the years 1836 or 1837.

Question No. 5. How do you know that the house built in San Pedro previous to the year 1836 was built by and belonged to Don Abel Stearns?

Answer. Every person I asked to see me so also Don Abel Stearns told me so.

Question No. 6. State the dimensions of the old house, the house built previous to 1836 facing the North and also the house built since 1836.

Answer. I do not know the dimensions of any of the houses.

Question 7. Did Don Abel Stearns ever occupy the house in person situated in San Pedro

Answer. I do not know

Question 8. Did any person ever occupy the house of Don Abel Stearns in San Pedro before he sold it.

Answer. Yes. Vicente Moraga and family & John Festa occupied the house, but I do not know by whose authority.

Question. No. 9. Did you see the persons whose signatures are annexed to the documents referred to in the Examination in Chief sign their names there?

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Answer. I did not, but I have seen them Sign other Documents -

Question No. 10. How often and when have you seen them Sign any paper or Document?

Answer. I have seen Dr. Jose Figueroa Sign twice in my own house in the year 1835. Abel Stearns Sign in the City of Mexico a great many times in the year 1836 and Vicente Moraga two or three times in the City of Mexico in the year 1836 and Jose Antonio Carrillo in his own house and also in the City of Mexico or Mexico house in the year 1844.

Question No. 11. Is Dr. Jose Figueroa dead if so when and where did he die?

Answer. He is dead. He died in Monterey in the year 1835.

Examination in Chief resume by counsel for the Defendants -

Question No. 1. you are here shown a sketch marked G. T. B. Exhibited to you and filed in this case and asked if the house thereon represented, has the relative position to the Bay of San Pedro in the manner it appears to have by the same, of the designations made in Red Ink are correct?

Answer. The house has the relative position to the bay shown by the map and the designations made in Red Ink are correct.

Question No. 2. When did Moraga first occupy the house in San Pedro and also when did Foster?

Answer. I am not positive when Moraga first occupied the house but I think it was in the year 1837 and that Foster afterwards occupied the house in the year 1838 or 1839 of which I am not certain.

Question 3. Who was occupying the house in person in San Pedro from the year 1834 in July up to the time that Moraga occupied it?

Answer. I believe that a man by the name of Miguel Pico occupied the house

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in person, as I saw him there often, and upon enquiry of him who was the owner of the house he told me that Dr. Alex Stearns was the owner
Question No. 4. Who had charge of the affairs in San Pedro and attending to the building of the house in 1834 and up to the time that Moregas took possession?

Answer. Dr. Marques Pico

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Questions resumed by Lt. E. Thom Acting Land Agent.

Question No. 1. Do you know the points of the Compas?

Answer. I do not.

Question No. 2. How do you know the relative position of the Bay and houses as set down on Exh. 1 marked G, H, I, & J?

Answer. I know it from what I have seen of San Pedro and what I see on the paper?

Question No. 3. Was any of the house erected in 1834, built by Dr Alex Stearns or under his direction?

Answer. It is my conviction that he did, as very lately I said so, but I did not see Dr Alex Stearns there at that time directing the work.

Manuel Requena

Sworn to and subscribed before me on the City of Los Angeles this 31st March 1854

G. Simpson Bunch Com

I certify that Lt. E. Thom (acting Land Agent) was present at the time the above and foregoing testimony was taken acting for on behalf of and authority of J. St. McKean Esq Land Agent

Los Angeles March 31. 1834

G. Simpson Bunch Com

Filed in Office April 10.

Geo. Fisher Secy

Recorded in Cor. B Vol 4 p 301

Geo. Fisher Secy

Deposition of
Alex Stearns

Office of the Commissioner
G. Thompson Bunce }
Los Angeles by California

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Before me G. Thompson Bunce Commissioner
duly qualified for the taking of testimony to be
used before the Board of Commissioners to
ascertain and settle Private Land Claims
in the State of California, personally appeared
Alex Stearns a witness in behalf of Laurence
Alexander and John Temple claimants for the
100 Acres Square in the Port of San Pedro
County of Los Angeles numbered on the
Docket No. 688 of the said Board who upon
oath declared and said as follows

Questions by Counsel for claimants

Question No. 1. What is your name
age and place of residence?

Answer. My name is Alex
Stearns I am fifty six years of age and I reside
in the City of Los Angeles and I have resided
in California since the year 1839.

Question No. 2. State if you together
with Mr Laurence were the grantees of the 100
Acres Square in the Port of San Pedro now
occupied by Alexander and Baumy, if so state
what you know or believe to the location
and boundaries of the same

Answer. We were the grantees
and Laurence conveyed his part to me I erected
a house on the lot for Commercial purposes
in the year 1834. The lot granted contained 100
Acres, which was measured off and stakes
placed at the corners by myself and the
deceased Miguel Pico, the lot was measured
by a Board and laid out in a square form.
The lot was measured in 1834. I do not
recollect any other persons being present during
the measurement except my own servants.
The house was located near the western line
than the eastern, leaving a vacant space all
around the house and is located about

3 or 400 feet from the Beach or Landing at that time. The house was occupied by myself and persons employed by me until I sold to Alexander and John Temple as a store house and trading house with connection with my house in this place. Since I sold it I believe it has been occupied always by Alexander and John Temple and other persons holding under them.

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Question No 3. You are now shown Exhibit B purporting to be a deed of Conveyance from yourself to Alexander and Temple of the 100 Acre 100 Acre Square on the Port of San Pedro, and asked if your signature thereon appearing, together with your signature appended to receipts annexed to obligations which accompany that Conveyance, and asked if they are your genuine signatures and if they were placed upon the said documents at the dates they purport thereon to have been

Answer. My signatures on the receipts are genuine, and were placed there at the time they purport to be. Exhibit B is a true copy of the Original Transferrance by me to Alexander and Temple and I believe to be a true copy and certified by the deceased Alcalde Vicente Sanchez and in the presence of his assistants Lorenzo Leonel and Felipe Castells whose signatures appearing thereon I know to be their genuine signatures and to the best of my belief the Original of Exhibit B was lost in the Archon in the year 1846 during the war

Questions asked by the Hon Acting Law Agent

Question No. 1 what sort of a house was built by you on the 100 Acre Lot in the year 1834 - State particularly as to dimensions -

Answer. The house was built with adobe and covered with pine boards. The house built at that time contained four rooms, there was an addition about the year 1837 of three rooms.

rooms, there was an addition about the year 1837 of three rooms-

Question No. 3. Was the above mentioned 100 Vara Lot laid out by compass or not, have you estimated the quantity?

Answer. I do not recollect if a Compass was used in laying out the Lot the quantity was estimated by measurement

Abel Stearns

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Sworn to and Subscribed before me in the City of Los Angeles this first day of April 1854

G. Thompson Bailiff sworn

Filed in Office April 10. 1854

Geo. Fisher Secy

Recorded in Ev B Vol 4 p 305

Geo. Fisher Secy

Office of the Commissioners G. Thompson Bailiff at Los Angeles, California:

Deposition of Jose L Sepulveda

Before me G. Thompson Bailiff Commissioner duly qualified for the taking of Testimony, to be used before the Board of Commissioners to ascertain and settle Private Land Claims in the State of California, Personally appeared Jose Loreto Sepulveda a witness in behalf of John Temple and Daniel M. Alexander Claimants for the land named One hundred Varas Square on the Port of San Pedro numbered on the Docket of said Board with N^o 688 who upon oath declared and said as follows

Questions asked by Counsel for Claimants
Question No. 1. What is your name age and place of residence

Answer My name is Jose Loreto Sepulveda I am thirty seven years of age and I live in the County of Los Angeles

Question No. 2. Are you one of the owners of the Rancho of the Dulce Verdes, if so, have you ever had the One hundred Vara parcel named in the Port of San Pedro measured

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off. if so, what buildings are there within the tract -

Answer I am one of the Owners of said Rancho and have had the Three hundred Venas measured by W. Hanson, Deputy Surveyor of this County, there are various buildings within the tract, occupied at present by Alexander and Banning

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Dee Stein. No 3. Have you ever known anything of one hundred Venas separate within the limits of that Rancho owned by John Temple and David M. Alexander claimants in this case?

Answer. I know that the claimants have a house and lot there but I do not know the quantity of land occupied by them I know that the house owned by them is within the limits of the Three hundred Venas surveyed by the Deputy Surveyor as aforesaid

Josee San Sepulcro

Subscribed and sworn to before me this 20th day of June A.D. 1854

G. Thompson Bailiff Com.

I hereby certify that Sr. Ex. Thom Esq was present at the time the above and foregoing testimony was taken acting for and behalf of and by the authority of J. N. McKenne Esq Sr. & Lucas Aguirre Los Angeles June 20. 1854

G. Thompson Bailiff Com.

Filed in office June 26th 1854

Geo. Fisher Secy

Recorded in Ev B Vol 4 p 691

Geo. Fisher Secy

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Sello 3º de los Angeles.

15-

Sello 3^o dos Reales.

Habilitado provisionalmente por la receptoría del Pueblo de los Angeles para los años de 1834 y 1835. Figueroa. Osio.

Los Angeles Marzo 16 de 1834. Como lo pide estiendo la licencia que solicitan p^o q. puedan fabricar casa y los demas edificios que les combenga en el lugar que les acomode en el puerto de San Pedro señalando les para ello una area de cien varas en cuadro.

Senor Comand^{te} Gral de la Alta California. José Antonio Carrillo y Abel Stearnes ambos vecinos de este pueblo con la circunstancia que el primero es natural de este territorio y el segundo naturalizado en la Republica Mexicana ante V. S. en la mayor forma y nro. derecho combenga, nos presentamos solicitando y conveiniendo a la proteccion y ventaja de nro. g^o de comercio nos permitamos construir una casa en la ensenada de San Pedro y no habiendo un Capitan de Puerto de quien solicitar el correspondiente despacho para verificar los nros. deseos a V. S. con el mismo objeto como Comand^{te} Gral de este territorio suplicamosle se digna extender nos el indicado permiso en los terminos que considere propios a nuestra seguridad señalando nos por ello cien varas de terreno de terreno. Por tanto A. V. S. asi lo pedimos que quodernos reconvidos. Juramos no ser de malicia y lo necesitamos etc etc. Pueblo de los Angeles Sole Marzo de 1834.

Figueroa. y nro. derecho combenga, nos presentamos solicitando y conveiniendo a la proteccion y ventaja de nro. g^o de comercio nos permitamos construir una casa en la ensenada de San Pedro y no habiendo un Capitan de Puerto de quien solicitar el correspondiente despacho para verificar los nros. deseos a V. S. con el mismo objeto como Comand^{te} Gral de este territorio suplicamosle se digna extender nos el indicado permiso en los terminos que considere propios a nuestra seguridad señalando nos por ello cien varas de terreno de terreno. Por tanto A. V. S. asi lo pedimos que quodernos reconvidos. Juramos no ser de malicia y lo necesitamos etc etc. Pueblo de los Angeles Sole Marzo de 1834.

José Ant^o Carrillo.

Abel Stearnes.

José Figueroa G^o de brigada de los Ejercitos Nacionales de los Estados Unidos Mexicanos y Comand^{te} Gral e Inspector y Gefe Sup^r Político del territorio de la Alta California.

Concedo permiso a Don José Antonio Carrillo y D. Abel Stearnes para que puedan fabricar casa y demas edificios que les combengan en el lugar que les acomode en el puerto de San Pedro señalando les para el efecto una area de cien varas en cuadro de terreno. Y para que no se les ponga ningun embarazo les doy el presente en el pueblo de los Angeles a 11 de Marzo de 1834. José Ant^o Carrillo.

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Proced Expediente

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Abel Stearnes.

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

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I Samuel D King, Surveyor General of the United States for the State of California and as such now having in my office and under my custody a portion of the archives of the former Spanish and Mexican Territory or Department of Upper California do hereby certify that the three preceding and hereunto annexed pages of tracing paper numbered from one to three inclusive exhibit true and accurate copies of a certain document on file and forming part of the said archives in this office.

In testimony whereof I have hereunto signed my name officially and affixed my private Seal (not having a seal of office) at the City of San Francisco Cal. this 26th day of January 1853.

Samuel D King.
Surveyor General. Cal.

Filed in office. March. 2^d 1853.

Geo. Fisher. Secy.

Tello 3^a Two Reals

Provisionally provided by the Treasurers Office
of the Pueblo of Los Angeles for the years

Translation
Deposition

1834 & 1835

Figueras

Oseo

Expediente

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Dona Comandante General of Alta California
Jose Antonio Carrasco, and Abel Stearns both
residents of this city, with the circumstance
that the first is a native of this Territory and
the second a naturalized citizen of the Republic
of Mexico: before your Excellency in due form & to
other Rights agreed we present ourselves soliciting
that in view of the protection and other advantages
you which may be given to Commerce that we
may be permitted to build a house in the Port of
of San Pedro, and that not being a Captain in the
Port, of whom to solicit the Corresponding permission
for verifying it we direct ourselves to your Excellency
with the same object, as Comandante General
of the Territory, we beseech you that you deign
to attend to us the in such terms as
may think proper for our security. Designating
for 100 Varas Square of Land in such terms
as you may think proper for our security. Beseech
for this 100 Varas Square of Land as such -
Thus those who ask will remain grateful
swearing that we do not proceed from malice
but of necessity &c.

Pueblo of Los Angeles
8th of March 1834

Jose Antonio Carrasco
Abel Stearns

Jose Figueras General of the Regent of the Nation
al Forces of the United States of Mexico's
Commanding General Inspector and Superior
Political Chief of the Territory of Upper California

I concede permission to Don Antonio Carrasco
and Don Abel Stearns for that they may make
a house and such other edifices as they may find
convenient in the place which seats them in the
Port of San Pedro designating for this effect on area

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of 100 acres square of land, and that no Embleas
assessme shall be put on them except the present
(Assessment) is given in the Pueblo of Los Angeles
On the 11 of March A.D. 1834

(Marginal Decree on the Petition)
Angles March 10th 1834

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The license solicited is intended as
asked to build a house and such other edifices as
may be convenient in the place that accommodates them
in the Port of San Pedro designating for that purpose
an area of 100 Acres square
of square

Filed in office March 2^o 1853

Geo. Fisher Secy

Subscribed and sworn to before me at San Pedro, California, this 11th day of March, 1853.

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Sello Cuarto de Oficio.

Rehabilitado provisionalmente por la Notarria Municipal del puerto de Monterey para los años de mil ochocientos treinta y cuatro y mil ochocientos treinta y cinco y mil ochocientos treinta y seis.

Figueroa.

Rafael Gouzales.

José Figueroa General de Brigada de las Fuerzas Nacionales de los Estados Unidos Mexicanos, Comandante General e Inspector y Jefe Superior Político del territorio de la Alta California.

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Substit A G.O.B.
annexed to the Deposition of Manuel Nequeuon.

Comandancia General de la Alta California }
Concedo permiso a Don José Antonio Carrillo y Don Abel Stearnes para que puedan fabricar casa y ademas edificios que les convengan en el lugar que les aconviene en el puerto de San Pedro señalandoles para el efecto una area de cien varas de cuadro de terreno. Y para que no se les ponga ningun embarazo les doy en el pueblo de los Angeles a once de Marzo de mil ochocientos treinta y cuatro.

José Figueroa.

Translated Copy of the original grant.

José Figueroa, Brigadier General of the national arms of the United Mexican States, Commanding General, Inspector and Superior Political Chief of the Territory of Upper California.

I Concede permission to D. José Antonio Carrillo and D. Abel Stearnes for that they may fabricate a house and other edifices that may seem to them convenient in the place that suits them in the port of San Pedro, marking out to them for that object an area of a hundred varas square of land; and to the end that no obstacle be placed in their way, I give them the present in the pueblo of Los Angeles on the seventh day of March. A.D. 1854.

José Figueroa.

Sello Cuarto de Oficio.

Rehabilitado provisionalmente por la Notarria Municipal del puerto de Monterey para los años de mil

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Veinte y cuatro y mil ochocientos treinta y cinco.
Piqueros. Rafael Gourolles.

Filed in office. April 11. 1856.

Gen. Fisher. Secy.

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Exhibit A. G. L. B.
Annexed to Dep of
Mar. Figueroa

Translated Copy of the Original Grant

Jose Figueroa Biquera General of the National
Arms of the United Mexican States Commanding
General Inspector and Superior Political Chief of the
Territory of Upper California

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I concede permission to Don Jose Antonio Carrillo and
Ablee Stearns, for that they may fabricate a
house and other edifices that may seem to them
convenient in the place that suits them in the
Port of San Pedro; Marking out to them for that
purpose an area of One hundred Varas Square
of Land, and to the End that no Obstacle be placed
in their way. I give them the present in the Pueblo
of Los Angeles, on the Eleventh day of March A. D. 1834

Jose Figueroa

Filed in Office April 10. 1854

Geo. Fisher Secy

House Lot of David W Alexander to Juan Temple

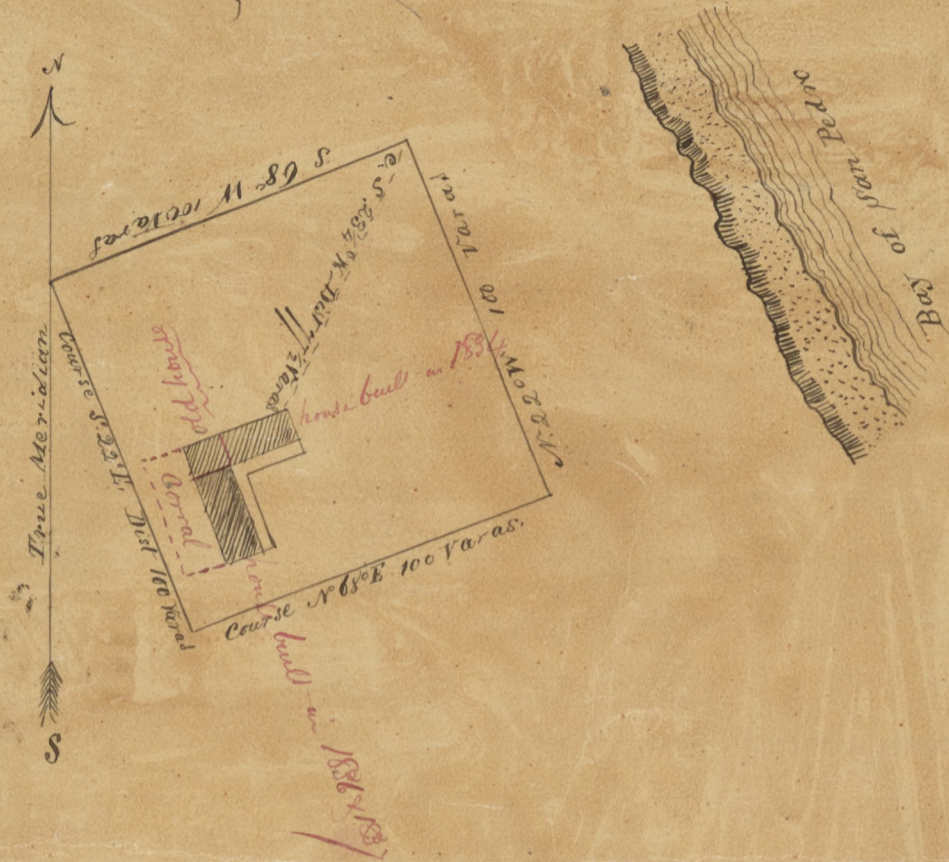
Situated in San Pedro, County of Los Angeles, California

containing 100 Varas square,

Surveyed by G Hansen Deputy County Surveyor of the County of Los Angeles

February the 20th 1854, Var 13'15" E; Scale 50 Varas to the Inch.

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(Endorsed)

No 688

Exhibit B

E J B

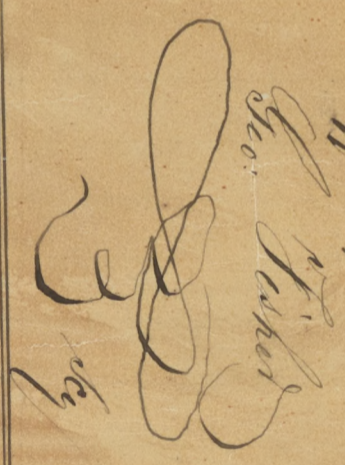
Juan Temple & Alexander

the said Juan Temple & Alexander

of the County of Los Angeles California

Map

Filed in office April 10 1854

Geo. Fisher


House Lot, 100 veras sq. San Pedro.

Survey

Feb. 20, 1854

Geo. Hansen, sur.

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p. 22

Lot, San Pedro.

Temple & Alexander, Chrt.

Los Angeles Co.

1364 R.

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Inhibit B. G. Fr B
 annexed to the depos-
 -itions of Requena.

Conste por el presente documento que en virtud de
 contrato celebrado extrajudicialmente entre el que se sus-
 -cribe y D. Abel Stearnes hemos en que el permiso
 que el Comandante General me concedió con fecha 11 de
 Marzo del presente año para que ubicáramos en
 fabrica un terreno de la encerrada de San Pedro
 con el premio de cien varas en cuadro en el lugar que
 nos acordó de claro en la mayor forma legal
 que otorga el día de hoy la gracia indicada es apli-
 -cable únicamente al espesado Señor Stearnes para
 que según nuestro convenio quien podra sin ausencia
 -cia proceder con la propiedad que a un me corresponde.
 Como igual de esta gracia en fe de lo cual
 firmamos el presente documento en el papel común
 por falta de sellado ante dos testigos que son los
 Ciudadanos Vicente Moraga, y Vicente de la Osa
 en el Pueblo de los Angeles de la Alta California
 a los siete días del mes de Abril de mil ochocientos
 treinta y cuatro.

José Ant^o Carrillo.
 Vicente Moraga. Abel Stearnes. Vicente de la Osa.

A translated copy of José Antonio Carrillo, Comynance
 to Abel Stearnes of the property of San Pedro.

It appears by the present document
 that by virtue of contract celebrated extrajudicially
 between him who subscribes and Dⁿ Abel Stearnes we
 have agreed that the permission which the Commanding
 General conceded to us with date 11th March of the
 present year that we might at a fixed certain place
 build on the land in the bay of San Pedro with the
 permission of hundred varas square at a point thus
 fixed us. I declare in the best legal form that from
 this day the indicated grace is only applicable to
 the said Stearnes, according to our agreement who
 will be able without consent to proceed with the
 property, that would correspond to me as equal in
 this concession, in witness whereof we have signed
 the present document on common paper for want
 of seal paper before the witnesses who are the citizens
 Vicente Moraga, Vicente de la Osa in the pueblo of
 Los Angeles of the Upper California on the seventh
 day of April A.D. 1834.

24

José Antonio Carrillo.

Abel Stearnes.

Vicente Moraga.

Vicente de la Osa.

Filed in office. April 10. 1851.

Geo. Fisher, Secy.

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Exhibits B, G, I
B annexed to
Deposition of
Manl. Requena

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A translated copy of Jose Antonio Carrizosa
to Abel Stearns of the property of San Pedro

Let it appear by the present Document that by
virtue of Contract celebrated Extra judicially
between him who Sulescribes and Dr Abel Stearns
we have agreed that the permission which the
Commanding General conceded to us with date
11th of March of the present year, that we might
at a fixed certain place beared on the Land in
the bay of San Pedro with the premises of one
hundred Varas square at a point that I declare
I declare in the best legal form, that from this
day the indicated place is only applicable to
the said Stearns, according to our Agreement,
who will be able without any Consent to proceed
with the property that would correspond to me
as equal in this Concept, in witness whereof
we have signed the present Document on
Common paper for want of Seal paper before
two witnesses who are the Citizens Vicente
Morago and Vicente de la Osa in the Pueblo
of Los Angeles of the Upper California on the
seventh day of April A.D. 1834

José Antonio Carrizosa
Abel Stearns

As witness
Vicente Morago
Vicente de la Osa

Filed in Office April 10, 1834

Geo. Fisher Secy

Sello primero ocho pesos.

Habilitado provisionalmente por la Aduana Marít^a
del puerto de Monterrey en el Departamento de las Calif^{as}
para los años de mil ochocientos Cuarenta y cuatro
y mil ochocientos Cuarenta y cinco.

Micheltorena.

Pablo de la Guerra.

Exhibit C. F. & B.

Annexed to deposition
of Abel Stearnes.324 SD
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En la Ciudad de los nuestros Señores de los Angeles
a los veinte y ocho dias del mes de Junio de mil
ochocientos Cuarenta y cinco ante mi el Notario 1^o
y Juez de primera instancia que actuo por receptoria
a falta de escribano publico, comparecio Abel Stearnes
Resino de esta municipalidad y otorgo que por si y en
nombre de sus herederos, sucesores y de quien de ellos
hubiere titulo voz y causa en cualquiera manera
que vende y da en venta real y enagenacion perpetua
a los S. S. Don David de Alejandro, Don Juan Temple
ambos Vecinos del mismo lugar y los suyos la Cosa y
Valor de su propiedad situada cerca de la orilla
de la playa o embarcadero del puerto de San Pedro
en la Comprenion de esta misma municipalidad cuyo
Solar de cien varas en cuadro y la casa situada
en el mismo se componen de un almacén grande
y siete piezas mas incluso la cocina y una pieza
Chica para dispensar y un horno con del o patio
panes de Cajon el cual declara y asegura no
tenerlo recibido enagenado ni empeñado y que
esta libre de fincas y de otro gravamen real, perp-
-etuo temporal y especial general tacito y expreso
y como tal se lo vende con sus puertas, sus vent-
-anas y techo en el establo en que actualmente
estora y según Derecho por dos mil pesos en Cueros
de res y Dehos, los cueros del precio de dos pesos
cada uno y el Deho a doce reales cada arroba entre
-quora en San Pedro la mitad (un mil pesos) en
el presente año y la otra mitad en el año entrante
de 1846 y por cuyo pago tiene recibido de dichos
Señores, Don David de Alejandro y Don Juan
Temple quienes estora presentes y se obligaron a
su cumplimiento y cumplido que sea se dé por
satisfecho el espresado Abel Stearnes y desde hoy
en adelante para siempre se desapoderá desde
quita y aparta a sus herederos y sucesores del
dominio o propiedad posesion titulo veyunto.

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y otro. cualquier otro derecho que le compete a la enunc-
 iada casa y solar. lo cede, renuncia traspasa con
 las acciones reales y personales, utiles mixtas y obvias
 y ejecutivas de las compradores en que en las suyas
 representa y para que lo posea, goce, cambie y enajene
 use y disponga de ellas a su eleccion como de cosa suya
 adquirida con legitimo y justo titulo. Ya la firmeru
 y revalidacion de todo lo referido, obliga el otorgante
 sus personas y bienes hubidos y por haber y con ellos
 se somete al fuero y jurisdiccion de los Señores Jueces
 y Justicias que de este negocio pueblan y devan conocer
 conforme al derecho para que lo competan y apren-
 -an por toda via ejecutiva, como si fuere en sent-
 -encia definitiva de Juez competente pasado en
 autoridad de cosa juzgada consentida y apelada
 renuncio su fuero Domicilio, veuind las leyes de
 de favor y desfavor con la general del derecho en
 forma, en cuyo testimonio asi lo otorgo y firmo
 con ungo y los de mi asistencia: agregando que
 como el pago es de tiempo y non al contado los
 compradores Don Leovigildo de Alcaudro, Don
 Juan Temple otorgan su obligacion por separado
 para el cumplimiento del dicho pago en terminos
 que espresa la presente escritura y firmando equ-
 -almente dichos Señores Alcaudro y Temple con
 ungo y los de mi asistencia segun dro. fueron los
 instrumentales los S. Gerardo Aguilar. y Juan Apudun
 presentes Vicente Sanchez. = Abel Stearnes. =
 David Alcaudro = Jg. Coronel. Juan Don. =
 Convenida con su original a que me remito del que
 se da en conegio y confronto en estas dos fojas de
 papel sellado. Doyse. fecha ut supra.
 Vte Sanchez. Jg Coronel. Felipe Castedo.

Filed in office. April 10. 1851.

Gen. Fisher. Secy.

6.29

En la Ciudad de los Angeles a los veinte y ocho dias
del mes de Junio de mil ochocientos cuarenta y
cinco nosotros los que subscriamos vecinos de esta
municipalidad por la presente y en aquella via y
forma que unos haga lugar en otro. Siento y saberes
del que en este caso nos corresponde, entregamos que
somos deudores al Sr. Don Abel Stearnes con suma
de esta vecindad de la cantidad de un mil pesos (1000)
la mitad del que en este caso nos del valor en
que hemos comprado la casa de otro Stearnes, situado
en el punto de San Pedro: la misma que adquirimos
dentro el año entrante de 1846 en cueros de res
y chos, las cueros a dos pesos cada uno y el sebo
a doce reales cada arriba todo entregado a su orden
en el punto de San Pedro. A la seguridad de lo
expuesto obligamos en unan Comuna nuestras personas
bienes habidos y por haber y con ellos nos sometemos
al fuero y jurisdiccion de los Sres. Jueces que a
nuestra cosa deben conocer para que si en cumplimiento
nos compularen como si fuese por sentencia ejecutoriada
parada en autoridad de cosa juzgada y sin recurso
alguno por la via ejecutiva o de la manera que se estimare
convenientemente en suya virtud y para seguridad
del expresado Sr. Stearnes este recibimos la presente
en dicha Ciudad, dia, mes y año que firmamos en
el presente papel Comuna por no haber del sellado
correspondiente.

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will.

aug. Feb 9 de 1849.

J. Temple.

Recibo de los cueros que valen \$ 100 en parte pago de esta obligacion.

\$ 200 cueros.

Abel Stearnes.

Angels. Ab. 29 de 1847.

Recibi el resto de esta obligacion trescientos cueros. (300).

Abel Stearnes.

En la Ciudad de los Angeles a los veinte y ocho dias
del mes de Junio de mil ochocientos cuarenta
y cinco nosotros los que subscriamos vecinos de
esta municipalidad por la presente y en aquella via
y forma que unos haga lugar en otro. Siento y saberes
del que en este caso nos corresponde, entregamos
que somos deudores a Sr. Abel Stearnes con
suma de esta vecindad de la cantidad de

un mil pesos, lo mita del que valor en que hemos comprado la casa de Dho. Stearnes, situado en el puerto de San Pedro la misma que cubriremos dentro del presente año en cueros o sebos con cueros a dos pesos cada uno y el sebo a doce reales cada uno, entregado a su orden en el puerto de San Pedro y la seguridad de lo expuesto obligamos nuestras personas bienes muebles y por haber y con ellos nos someteremos al fuero y jurisdicción de los Sres. Jueces que de nuestra causa deben conocer por que si su cumplimiento nos compelan como si fuere por sentencia ejecutoriada pasada en autoridad de cosa juzgada y sin recurso alguno por la vía de - entera o de la manera que se estimare conveniente en cuya virtud y para seguridad del expresado Sr. Stearnes, testificamos la presente en dicha ciudad, día, mes y año q. firmamos en el presente papel común por no haber del sellado correspondiente.

David de Alejandro. J. Temple.
Angel de Alencastre. Año 1845.

Recibo el importe de esta obligación.

Abel Stearnes.

31 Translation
annexed to Dep
of Abel Stearns

Translation of a Deed of Conveyance from D
Abel Stearns to David M Alexander and John
Temple of the property of San Pedro.

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In the City of San Pedro of the Angeles on
the 28th day of June A.D. 1845 before me the
1st Alcalde and Judge of 1st Instance who
performs this judicial Act a receipt for want
of the Notary Public, appeared Abel Stearns
resident of this Municipality and said that
for himself and in the name of his heirs successors
and who of them might have title voice and
Consent in whatever manner, that he sells and gives
in real sale and perpetual alienation to Messrs
David M Alexander and John Temple both
residents of the same place and their representatives
the house and lot that belong to him situated
near the Edge of the Shore or Landing of the
Part of San Pedro in the Comprehension of the
same Municipality, which lot of one hundred
varas square and the house situated on the
same, it is composed of one large Star House
and seven Apartments besides including the
kitchen and a small Apartment for a garden, and
one back Corral or Court yard surrounded
by mixed brick made in a box, the which, he
declares and affirms, he has not sold alienated
nor pledged, that it is free from encumbrance and
of other Government Obligations, perpetual, temporal
special, general, tacit and express and as such
he sells it, with its doors, windows and roof
in the State in which it is actually found
according to right for two thousand dollars
in hides and Cattle and Tallow, the hides of
the price of two dollars each and the Tallow
at one dollar and fifty Cents for each twenty
five pounds weight in San Pedro the half
(one thousand dollars) to be paid in the present
year, and the other half in the coming year of
1846, and for which payment he has received
from Messrs David M Alexander and John Temple
who are present and obligate themselves to it,
fulfillment and completed that it be, the said
Abel Stearns acknowledges himself satisfied and

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from this day hence forever forever himself
 assists, he leaves from and separates, from his heirs
 and successors, the Dominion & property, possession
 title voice, because and any other right whatever
 that is due to the above mentioned house and
 Loc. He does renounces and appears to with
 the Actoms Real and personal respect more
 and Execution in the purchase or on them
 who represent his heirs, to the End that they
 possess enjoy Exchange, alienate use and dispose
 of it at their Election, as if a thing of their own
 Acquaintance with legitimate and just title
 and to furnish and validity of all references
 to, under Obeiges his persons property present
 and future, and with them he subjects himself
 to the Statute Law and Jurisdiction of their
 honors the Judges and Justices who of this
 business can and ought to know according
 to Law, for that they compel and urge him
 through every Executive Channel as if might be
 a definitive Sentence of a competent Judge, passed
 in Authority of thing accepted, consented to and
 not appealed from, renouncing his privilege
 of appeal and Recourse, the Fees there are in his
 favor and defence, and the general Law of
 rights in form. In witness whereof thus he con-
 sents and signs with me and those of assistance
 adding that as the payment is on time and
 not in hand, the purchasers have's letters
 and John Temple give their separate Obeige
 tions for the fulfillment of said payment - in
 the terms that are expressed in the present writing
 and the said Alexander and Temple because
 signing with me and those of assistance
 according to Law.

Filed in office
 April 10. 1854
 Geo. Fisher
 Secy

The instrumentals were signed
 Basilio Aguilar and Juan Aguilera present
 residents - which I certify - Vicente Sanchez
 Abel Stearns - David Alexander, Assistance Agnaceo
 Coronel - Assistance Juan
 This agrees with its Original to which I refer
 from which this was taken, corrected and
 compared on these two leaves of sealed paper which
 I certify dates above written. Vicente Sanchez Assis-
 tance Agnaceo Coronel left Felipe Castedo

Opinion of
Board by
Com. Finance

Temple & Alexander vs
The United States
For one hundred
varas square in
San Pedro in Los
Angeles Co.

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The petitioners in this case claim title from one Jose Antonio Lemuel and Abel Stearns, and have offered in evidence in support of their claim a true copy of their Especiente, dated the 8th day of March 1834 - also a Marginal Concepcion made by Governor Figueroa dated the 10th of the same month, also a chain of title from the said Lemuel and Stearns to the present claimants all of which documents seem to be well authenticated.

It will be seen on inspection of the Especiente that the said Lemuel and Stearns asked nothing by their Especiente more than the privilege of building a house for trading purposes on a piece of ground in the place, of one hundred varas square, with no pretensions whatever of asking the title of the land, but merely the privilege of erecting the house with the privilege of the occupancy of the one hundred varas, and the Concepcion was according to the petition as was as follows.

" Los Angeles March 10th. 1834.
The license solicited is Entitled as asked, to build a house and such edifices as may be convenient in the place that accommodates them in the Port of San Pedro designating for

that suppose an area of 100 Varas square
(Signed) Figueroa

The petitioners now ask a Confirmation
of a right to the land. It seems by
the proof that the parties are in the
free enjoyment of all they have asked
of the Mexican Government, and all
that was conceded by the Governor
which is a license to occupy the
premises for the time being - We do
not think this Board has any power
to change the rights of the parties
in the least, either by extending time
to the petitioners for occupying, or by
confirming any rights in them to the
soil, leaving the petitioners in the
enjoyment of their possession and to
the legal results thereof

Respect

Filed in Office May 22nd 1855
Geo. Fisher Secy

Recorded in Record of decisions
Vol. 3 page 34
Geo. Fisher
Secy

35
Decree

Temple & Alexander
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 petitioners is not valid and it
is therefore decreed that their applica-
tion for a Confirmation thereof is
denied.

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Racey Thompson
J. B. Furvell

Commission

Filed in Office May 22. 1855
Geo. Fisher Secy

And it appearing to the satisfaction
of the Board that the Land hereby
disputed is situated in the South
ern District of California It is ordered
that two transcripts of the proceedings
and decision in this case and of the
papers and evidence upon which the
same are founded be made and
and duly certified by the Secretary
One of which transcripts shall be
filed with the Clerk of the District
Court of the United States for the
Southern District of California and
the other be transmitted to the
General General of the United States



1765

688

Office of the Board of Commissioners,

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

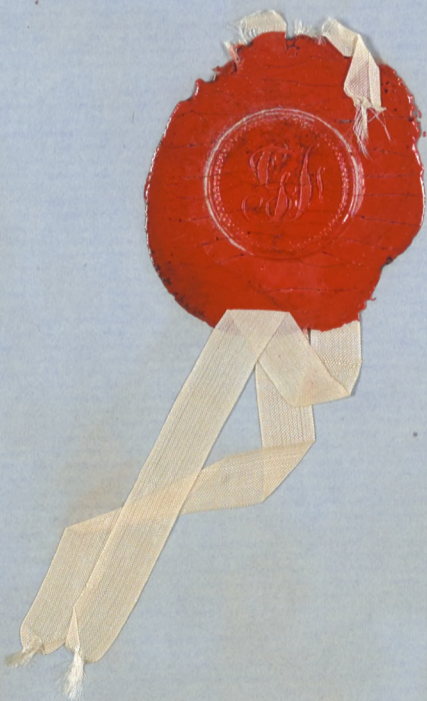
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I, *George Fisher* Secretary to the Board of Commissioners to ascertain and settle the Private Land Claims in the State of California, do hereby certify the foregoing *Thirty five* pages, numbered from 1 to *35*, both inclusive, to contain a true, correct and full Transcript 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. *U & S*, on the Docket of the said Board, wherein

Temple & Alexander are the Claimant against the United States, for the place known by the name of "one hundred varas square at *San Pedro*"

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 seventh* day of *October* A. D. 1855, and of the Independence of the United States of America the *seventy-eighth*.



G. Fisher
G. Fisher

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

No. 324.

THE UNITED STATES,

324

Temple K. Alexander
100 Varas at San Pedro

TRANSCRIPT OF THE RECORD
FROM THE
BOARD OF U. S. LAND COMMISSIONERS,

In Case No. *688*

Filed, *Nov 24.* 1855

G. E. Fair
CLK.

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

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Juan Temple and
David W. Alexander }
Appellants } Case No.
vs } Lot at San Pedro.
The United States }
Appellees. } Transcript.

Take notice that the appeal taken on the 23rd day of October 1855, in the above cause, from the final decision of the United States Board of Land Commissioners to ascertain and settle the private land claims in the State of California, by the said Commission having on that day filed a certified transcript of their proceedings and decision and of the documents and evidence upon which said decision was founded, in the office of the Clerk of the United States District Court for the Southern District of California, will be prosecuted by the above-named Appellants in the Court aforesaid.

For himself and
Juan Temple,
David W. Alexander

Case No ~~#~~ 324²
In U. S. Dist Court South
Dist of California

Docket No. 324.

Juan Temple &
David W. Alexander
Appellants

vs

The United States
Appellee.

Notice of Appeal

Filed this 23^d day of A-
pril, ad 1856.

C. E. Lan
ck

By Morgan De Fey
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United States District Court
Southern District of California

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Temple & Alexander
Appellants.

vs
The United States
Appellee

No 924 Dist Court
10001 at San Pedro

No 688 Land Commission

J. R. Scott Esq
atty for appellants,
Sir

You will take
notice that on the 7th Inst a
motion was filed in said Court on
behalf of the appellee to dismiss the
the above entitled cause for want
of prosecution - and that by
order of the Court the same will
be heard on Thursday 20th January 1859

J. R. Fletcher
atty for appellee

W. S. Atty's office
Dec 15th 1858

I served the within notice on S. R. Scott
by giving him personally a copy of the same
on Dec. 17th 1858 in the City of Los Angeles

James C. Penning
U.S. Marshal for the
Southⁿ Dist of California

W. L. Stearns - Comr
Southern Dist California

Temple & Hermandine
No 324
of
apostles

The United States
appears

Produce of Mexico & America

Dec 16, 1858

J. Sims, J. M.

for W. C. Stearns
in paper

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

John Temple and

David W. Alexander

Appellants

Case No 324

100 or 2 square at San
Pedro, Los Angeles Co.

The United States

appellees.

Transcript. 688

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To/

The Hon. Isaac S. K. Ogier, Judge of
the District Court of the United States
for the Southern District of California.

The Petition of the above named Appellants John Temple and David W. Alexander, respectfully represents that they claim as owners a tract of land, one hundred square square, situate at San Pedro in Los Angeles County, near and at the old landing at that place, that said land are situate in the Southern District of California, and within the jurisdiction of Your Hon. Court, and are so claimed by your Petitioners under and by virtue of a title thereto, issued to their predecessors by Jose Figueroa Political Chief of the Territory of Upper California of date March 11. 1834 and of uninterrupted and peaceable occupation under the same since said date.

That on the 2nd day of March 1853

your Petitioners filed before the United States Board of Land Commissioners to ascertain and settle the private land claims in the State of California, while sitting as a Board, their Petition praying for a confirmation to them of their said claims, and offered and filed in support thereof documentary and parole evidence; to which Petition and proofs the Appellants respectfully refer for further description of said lands;

That thereafter, on the 22nd day of May 1855 the said Board rendered its final decision, adjudging the said claim of the Appellants to be invalid and rejecting the same.

That thereafter on the 24th day of November 1855 - an appeal was taken from the said final decision of said Board to Your Honorable Court, by the said Board causing to be filed in the office of the Clerk of said Court, a certified Transcript of their Proceedings and Decision in said case the same being numbered 588 on the Docket of said Board, and also of the papers and evidence on which said decision was founded; to the whole of which Transcript, Appellants hereby refer, and pray to make the same a part of this Petition;

That thereafter on April 23, 1856 and within six months after the filing of said Transcript, the Appellants filed in said Clerk's office a notice of their intention to prosecute said appeal.

Wherefore these appellants, averring that their claim to said lands is good and valid, and that the decision of said Board rejecting the same is erroneous and ought to be set aside; respectfully pray that Your Hon. Court, will review the proceedings and decision of said Board in this case, and that said decision may be, by the Judgment of this Court, in all things reversed and the said claim of the appellants decreed to be valid and confirmed to them and for costs and such other and further or general relief as shall be agreeable to equity and good conscience or the nature of their case may require.

And as in duty etc.

Pott & Gluder
Attys for Appellants.

Case No. 324

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

John Temple et al
Appellants

vs

The United States
Appellees.

Petition for Review

Filed Jan 20. 1859
to S. Dist. Ct.
to W. M. Watson.
P. P.

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Scott & Landon

I hereby certify that I served the within Petition
on J. R. Gitchell ^{U.S. Atty} by giving him personally
a copy of the same on Jan. 24, 1859 in the
City of Los Angeles

James C. Pennie
U.S. Marshal

United States District Court
Southern Dist of California
John Temple et al) Appeal from Land Commissioners
vs)
The United States) No 326
Transcript 688

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Now Comes by Plutchell Atty
for the United States for the Southern District
of California and for and in behalf of
the United States for answer to the petition
of John Temple et al for review of
the decision of the Land Commissioners
says that he denies all and singular each
and every allegation in said petition
contained - and farther this re-
spondent denies generally the validity of
the alleged title of the claimants to the
land claimed by them.

And the said respondent prays that
this Honorable Court will affirm
the decision of the said United States
Land Commissioners in said case, and
decree the said alleged title to be in-
valid - and for general relief

J. Plutchell
W. Atty for the Southern
Dist of California

No 324

John Temple et al

vs

The United States

Answer

Filed Jan 27, 1859
J. P. Sims, Clerk
vs. W. H. Watson
W. H. T. W.

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W. H. T. W.
W. H. T. W.

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

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Juan Temple, }
David W Alexander, }
Claimants & App^{ts} } 100 acres at San
by } Leon.
The United States }
Deft. & Appellees. } Transcript 188

This cause coming on to be heard by the Court, on appeal from the final decision of the United States Board of Land Commissioners to ascertain and settle the private land claims in the State of California, under an act of Congress approved March 3, 1851, on a Transcript of the Proceedings of said Board, and of the papers and evidence on 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 parties have been heard;

It is ordered, adjudged and decreed, that the claim of the above named Appellants, Juan Temple -

and David Alexander in this case
is good and valid, and the same
is hereby confirmed to them as follows.
The said decision of the said
Board of Land Commissioners be-
ing in all things hereby reversed.

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The land of which confirmation
is hereby made is situate in the Coun-
ty of Los Angeles, at the Port of San Pedro,
to the extent of one hundred varas square,
in a square form, including the house
built in the year 1834 by Abel Stearns
one of the original grantees of the pre-
mises claimed in this case, and grantor
and predecessor of the appellants, at
said Port or Landing of San Pedro: reference
being had to the concession and deposi-
tion of file in this case.

Signed in open Court this 3rd day of April A.D. 1861
James K. Ogden
U.S. Dist. Ct.

PAGE

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2. No. 324 +

U. S. Dist Court for
Southth Dist of Cal^a

Temple & Alexander
vs
The United States

Dece

Filed April 3rd 1861
G. L. Meix
Clerk

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