

CASE No.

346

SOUTHERN DISTRICT

SANTIAGO GRANT

YORBA PERALTA, ET AL

GLAIMANT

Microfilm

SD

LAND CASE 346 SD pgs. 66

ALSO AVAILABLE ON MICROFILM

MAR 23 1963

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470 Trans of Exhibits County H.

TRANSCRIPT

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PAGE 1

OF THE

PROCEEDINGS

IN CASE

NO. 470

Yorba Seratta, et al,

CLAIMANT^s

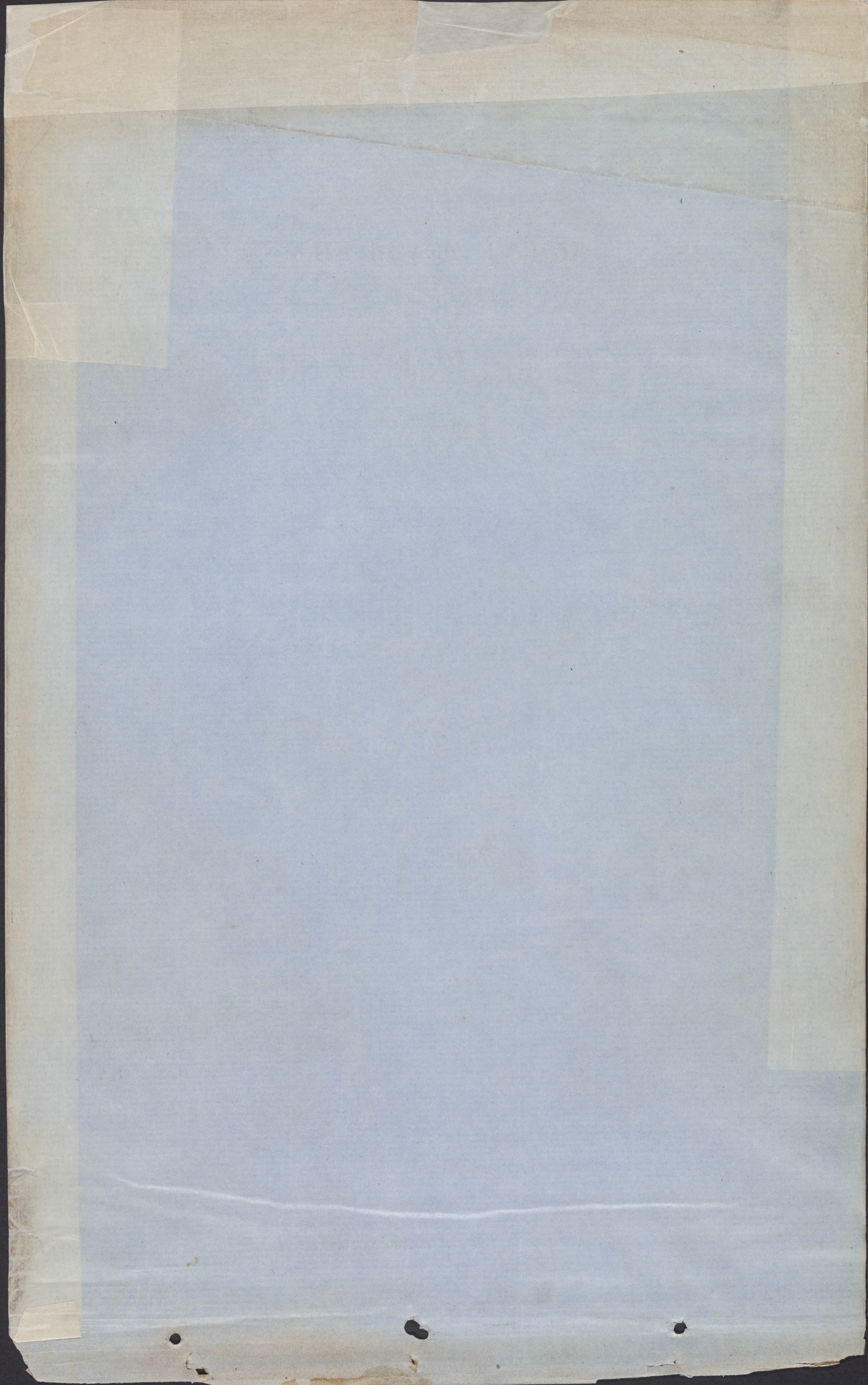
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VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"Santiago"



470
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 *ninth 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 *Yorba Peralta, et al*
for the Place named
Santiago

was presented, and ordered to be filed and docketed with No. 470 and is as follows, to wit;

(Vide page 5 of this Transcript.)

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

Los Angeles November 10, 1852.
In case No 470, Yorba Peralta et al., for the place named "Santiago," the deposition of *Nisiderio Ybarra*, a witness in behalf of the claimants, taken before Commissioner *Heland Hall*, was filed:

(vide page 7 of this Transcript)

Los Angeles November 11, 1852
In the same case the deposition of *Francisco Sepulveda*, a witness in behalf of the claimants, taken before Commissioner *Heland Hall*, was filed:

(vide page 8 of this Transcript)

2
Los Angeles November 12, 1852
In the same case the deposition of *Antonio F. Leonard*, a witness in behalf of the claimants, taken before Commissioner *Heland Hall* was filed:

(vide page 9 of this Transcript)

Los Angeles November 13. 1852.

In the same case the deposition of Santiago, ^{Arguilla} a witness in behalf of the claimants, taken before Commissioner Hiland Heald with document marked No. No. 201, and translation thereof annexed thereto was filed.

(vide page 10 of this transcript)

=====

San Francisco December 31. 1852

In the same case the Council for the claimants filed the following agreement to wit

(vide page 23 of this transcript)

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San Francisco October 13. 1853

In the same case the deposition of Jaci Ma. Covarrubias a witness in behalf of the claimants, taken before Commissioner Thompson Campbell with document marked "A. Thompson Campbell" annexed thereto was filed.

(vide page 11 of this transcript)

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San Francisco October 19. 1853

In the same case the deposition of J. D. Warner a witness in behalf of the claimants, taken before Commissioner Thompson Campbell, was filed.

(vide page 12 of this transcript)

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San Francisco Oct 21. 1853

In the same case the Council for the claimants filed the following annexed petition to wit:

(vide page 39 of this transcript)

=====

San Francisco April 25. 1854

³In the same case the Council for the claimants filed the following affidavit of Bernardo Yuba to wit:

(vide page 37 of this transcript)

=====

San Francisco May 2. 1854

Case No 470 was ordered to be placed at the foot

of the 1st class cases on the trial docket.

San Francisco May 5, 1852.

In the same case the deposition of Antonio F. Corvial, a witness in behalf of the claimants, taken before Commissioner G. T. Burritt was filed. (vide page 13 of this transcript)

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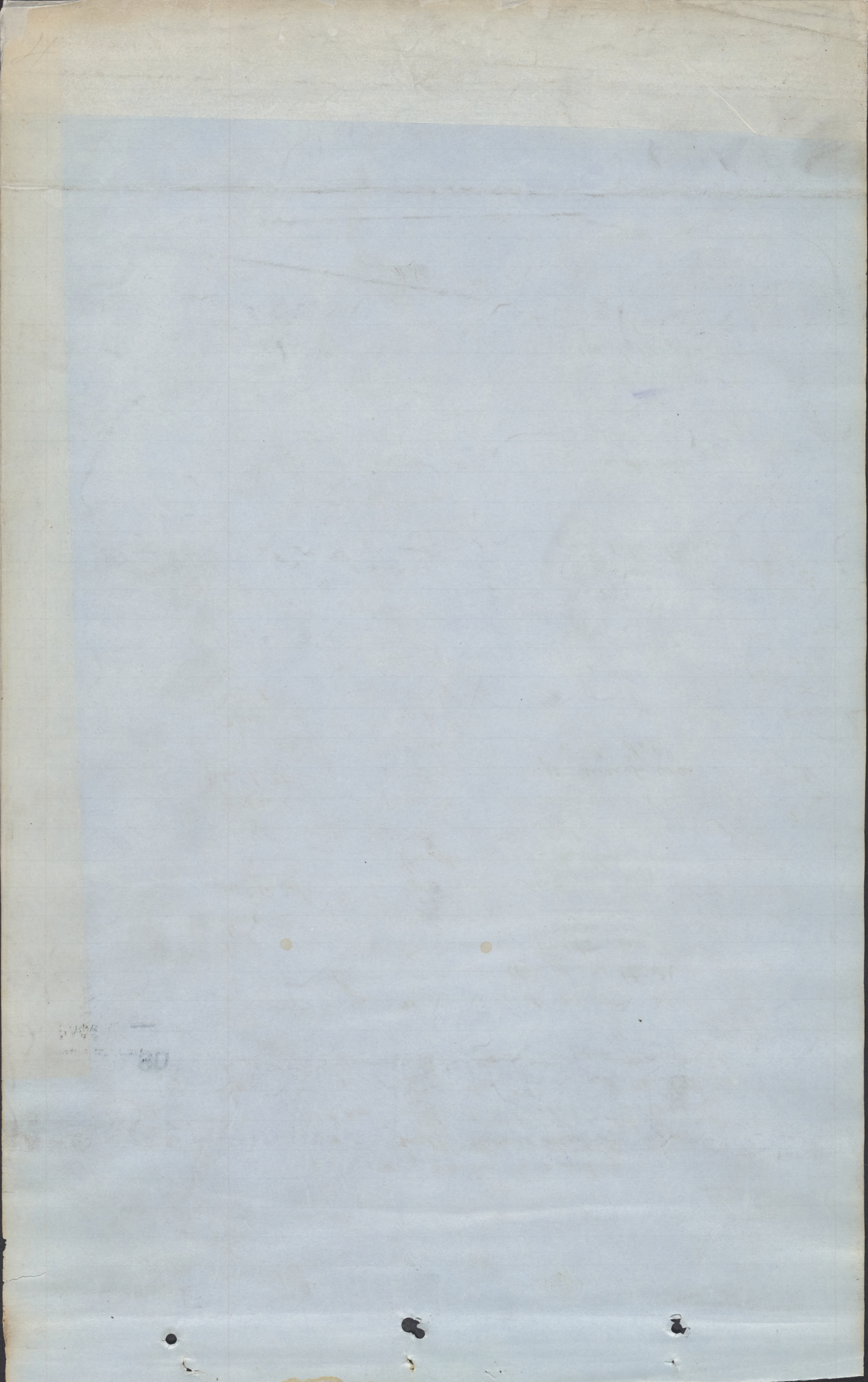
San Francisco July 21, 1852

Case No 470 was submitted on briefs.

San Francisco July 10, 1855

In the same case Commissioner M. Aug. Thompson delivered the opinion of the Board concerning the claim.

(vide page 49 of this transcript) and the following order was made, to wit: (vide page 52 of this transcript)



5
Petition To the Hon Board of Commissioners for ascertaining and settling Private Land Claims in the State of California!

The Petition of the Heirs or Legal Representatives of Antonio Yorba deceased and Juan Pablo Peralta deceased respectfully shows that they claim in fee simple a certain tract of Land situated in the County of Los Angeles known by the name of "Santiago" and containing it is supposed about Ten Spanish Leagues more or less.

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They further represent to your Hon Board that they claim said Land in virtue of a Concession thereof to the said Antonio Yorba and the said Juan Pablo Peralta made by Arrellaga Governor of the Province of California in pursuance of an Authority in him vested and bearing date Sept. 1810.

They further show to your Hon Body that previous to and at the time of said grant the boundaries of said Land were well known and accurately defined and that Judicial possession thereof was given to the original granters and that from the date of the said grant to the present time the said Land has been possessed according to its metes and bounds by the said granters and their legal representatives peaceably without interruption.

They claim as the boundaries of said tract the following line. Commencing at the mouth of the River Santa Ana where it empties into the Sea thence running up along the Lands & old bed (Caja Vigas) of the Eastern Bank of said River to a point where the River approaches closely to said River and where now is the line of the Rancho called Sierra owned by Bernardo Suba thence to the said Sierra thence Southward along a range of hills to a place called Santiago passing Eastward of the old house thence to the Burgo de las Ramas thence in a straight line to the coast thence along said coast to the mouth of said River Santa Ana the point of Commencement. all of which tract according to the metes and bounds as aforesaid the original Granters and your petitioners have had possession for more than forty years.

They further represent that they know of no conflicting claim.

They request submit Governor Arrellaga's Grant marked A and its translation marked B and they rely on the same and on such further Documentary & Verbal

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testimony as they may be advised may be necessary. Wherefore
they pray that the Hon Board may take this claim into con-
sideration and confirm it to your petitioners, or if they
are advised that it may be necessary that they may be
permitted to file a Supplemental petition setting forth
Substantially the various intents of all the owners of said
tract of land who your petitioners are amount to some
thirty or more, and that this said claim may be confir-
med to them.

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And as in duty bound &c

By the Attorney
J. Lancaster Beant.

Filed in office Nov 19th 1852

Geo Fisher Secy.

Recorded in Record of Petitions Vol 1 Pages 428, 429 & 430

Geo Fisher Secy.

7 Deposition of Los Angeles Nov 10th 1852.
J. D. Umana.
YBRRR

On this day before Hiland Hall Court came Jose Desidero Umana a witness in behalf of the claimant. He is of Antonio Garba's petition No 47 and was duly sworn his evidence being interrupted by the Secretary.

The U. S. Law Agent (Associate) was present.

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

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My name is Desidero Umana. my age is sixty nine years and I reside in Los Angeles.

I knew Antonio Garba and Juan Peralta. They lived on the Rancho Santa Ana about twelve leagues from this place, in an easterly direction. My father was in the employ of said Garba and Peralta and established the Rancho for them in 1812 and they and their descendants have occupied it ever since. They had a house there in which they lived. They had a vine yard and orchard and cultivated the land and had Cattle and other stock there.

Juan Peralta died about eighteen years ago. Antonio Garba died many years ago, and before Peralta's death. They continued in the possession of the Rancho so long as they lived. They occupied separate houses on the Rancho. I knew the boundaries of the Rancho. They were Cerro de las Ramas passing through the middle of the "Sierra la Bolsa de Lengua" to the Sea Coast, from the Sea Coast to the Santa Ana River and then the "Cerro de Santiago" where it descends to the River.

There was a new Channel formed by the River Santa Ana by a flood in 1811 - Previous to that the River flowed in its bed. Previous to the flood of 1811 Garba & Peralta had a cabin or small hut there which was discharged by the freshet.

Jose Desidero Umana.
Sworn & Subscribed before me.
Hiland Hall Court.
Filed in Office Nov 10th 1852
Recorded in C. R. B. Vol 2 p 264
Geo Arthur Secy.
Geo Arthur Secy.

Las Angeles Nov 11th 1852.

Deposition of
Anto. Sepulveda.

On this day before
Court Wiland Hall came Francisco Sepulveda,
a witness in behalf of the Claimant. He is of
Antonio Goba's trial petition No 470. and was
duly sworn, his Evidence being given in Spanish
and interpreted by the Secretary.

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The U. S. Associate Law Agent was present.

In answer to Questions of Counsel for the Claimants
the witness testified as follows.

My name is Francisco
Sepulveda. My age is twenty six years and I reside
in Las Angeles.

I know Sergeant Antonio Goba and
Juan Peralta. I knew the tract of Land called
Santiago. Said Goba and Peralta founded the
Rancho in 1810 as I think. They built a house
there with several rooms. They cultivated the land
and had a Vineyard and lived on the land and
continued there many years until their decease.
They died on the Rancho.

After their death their
families occupied it. Peralta was the Grandson
of Gezalva and he and the wife of Gezalva lived
on the land pursuant to the founding of the Rancho
of Goba and Peralta.

The Rancho now called
Santa Ana is the same as that formerly called San
tiago. Antonio Goba had a large family. The
names of the children were Jose Antonio, Thomas,
Bernardo, Rodolfo, Isabel, Ragnan, de Francisco
and another Daughter who married Abela, and
Jose Presentacion. Peralta had four Sons and
three Daughters whose names I do not recollect
Goba and Peralta had a large number of Cattle
Horses and Sheep

Francisco ^{his} Sepulveda
_{mark}

Sworn & Subscribed before me

Wiland Hall Court
Filed in Office Nov 11. 1852. G. E. Fisher Secy
Recorded in Ev. 13. Vol 2 p 273. G. E. Fisher Secy.

9 Deposition of
A. G. Coronel

Los Angeles Nov 12th 1852.

On this day before Court
Neiland Hall came A. G. Coronel a witness in behalf
of the Claimants heirs of Antonio Yaba atel petiti
on No 470 and was duly sworn, his evidence being enter
puted by the Secretary.

The U. S. Associate Law Agent
was present.

In answer to Questions of Counsel for the
Claimant the witness testified as follows.

My name
is Antonio G. Coronel, my age thirty three years, and I
reside in Los Angeles.

I know the Rancho Santa Ana
I have known it from 1838. It is bounded on the
West by the River Santa Ana. On the East by the Rancho
the Rancho San Joaquin and the Sierra de Santiago
North of the lands of Benigno Yaba and South of the
Sea Coast, on the North East it adjoins the land
of Teodoro Yaba. The Rancho has also been known
of the name of Santiago. Since I have known this land
it has been occupied by the Yabas and Pealtas. There
are now seven dwelling houses on the land, distributed
over the Rancho.

They have large fields cultivated in
raising Corn and grain, have four Vineyards and have
fruit trees. The houses are all good, and occupied.

I know the names of some of the
Children of Antonio Yaba deceased. The names of
those I remember are Bernardo, Tomas, Jose Antonio,
Teodoro, Raymunda, Isabel, & Anasco. They are
all married and have families. Some of the Children
of Antonio Yaba have Grand Children. Jose Antonio
Yaba has Eight Children. Six of these Eight, have Chil
dren, that are marriageable.

Juan Pealta left Child
are named Pablo, Rafael, Felipe, Paula, Josefa
Canela, & some others who have deceased all these
Children are married but one, and all that are
married have Children. Some of these Children are
married and have Children.

The largest portion
of these descendants of Antonio Yaba and Juan
Palta are now living on the land called
Santiago. I think the number of these descendants

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of Antonio Yuba and Juan Puella are now living on the land called Santiago. I think the number of these descendants who are living on the Rancho may be about fifty.

I know the old Road crossing the Rancho and leading to San Diego. The distance from that Road to the Sea Coast I should think was about Five Leagues and from the same Road to the Northern boundary of the Rancho about four Leagues. The width of the Rancho when the Road crosses it may be about a League and a half.

The Yubas have a large stock more than Eighteen thousand head of Cattle and over Five hundred horses. I am Assessor of the County of Los Angeles.

A. G. Corouel

Sworn & Subscribed before me

Wiland Hall Comr.

Filed in Office Nov 12th 1852

Geo Fisher Secy

Recorded in Er B. Vol pg 288

Geo Fisher Secy

Deposition of Los Angeles Nov 13th 1852.
S. Arguello

On this day before Comr Wiland Hall came Santiago Arguello a witness in behalf of the Claimants Yuba, Puella et al. and was duly sworn. His evidence being interpreted by the Secretary.

The U. S. Associate Law Agent was present.

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Subscribed and sworn before me Wiland Hall Comr

In answer to Questions of Counsel for Claimants the witness testified as follows.

Filed in office Nov 13th 1852
Geo Fisher Secy

A paper is now shown me purporting to be title papers to Antonio Yuba and Juan Puella the last date to which is July 1. 1810. I am acquainted with the signature of Jose Louquin Arallaga and Francisco Ma Ruiz. The two signatures on said paper I believe to be genuine signatures of said Jose Louquin Arallaga. He was at the date of said paper Governor of California. The signature of said Ruiz on said paper I believe to be genuine he was at the date of his signature the Military Commandant at San Diego. said paper is heavily annotated and marked H. H. No -

Recorded in Er B. Vol 2 p 300
Geo Fisher Secy

S. Arguello

Office of the Board of Commissioners &c &c.

Deposition of
J M Campbell

This day before Thompson Camp
bell came Jose Maria Covarrubias a witness in behalf
of Claimant heirs of Antonio Yoba at el No 470
who after being duly sworn deposed as follows.

1st Question. What is your name, age,
and place of residence?

Ans. My name is Jose Maria Covarrubias
I am forty-five years of age and I reside in Santa
Barbara.

2nd Question. Look at the paper now shown
you and marked (A), and state whether you are
acquainted with the signature of Manuel Arzaga
and state whether his signature as attached to said
Document which purports to be a copy of a
Pablo Gualda and state whether the same is his
genuine signature.

Ans. I am acquainted with the signature
of Manuel Arzaga and know the same to be his
genuine signature when it appears on the document
now shown me. Said Manuel Arzaga was Secretary
of the Ayuntamiento of Los Angeles in the year 1835.
About 1838 he left the country and went to Mexico
and is now dead. I first came to this country in
the year 1834.

3rd Question. Are you acquainted with
the Rancho Santiago, and if so state the distance from
said Rancho to the Mission of San Juan Capistrano

Ans. I know the Rancho. It is distant
from San Gabriel ten leagues and about eight leagues
from San Juan Capistrano.

José Maria Covarrubias
Associate Law Agent present

Sworn to and Subscribed before me this 13th
day October A.D. 1853

Thompson Campbell Court

Filed in Office Oct 13th 1853

G E Fisher Secy

Recorded in Ev B. Vol 2 p 709

G E Fisher Secy.

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Office of the Board of
Commissioners

Deposition of
J. J. Warner

On this day before Court
Thompson Campbell Com J. J. Warner a witness in
behalf of Claimants heirs of Antonio Garba et al
No. 470 who after being duly sworn deposed as
follows.

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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 a tract of Land
called Santa Ana. if so, state how long you have
known said tract, and of whom and how it has been
occupied.

I know said tract since 1834 at which
time I became intimately acquainted with it. It
was occupied by Jose Antonio, Tomas Bernardo
and Tevelocio Garba and others. It was occupied
of dwelling houses, cultivated fields, gardens, and
Vineyards, hives, Cattle and sheep in large numbers
and said tract was continued to be occupied
of them and this being down to the present time

J. J. Warner.
Associate Law Agent Present

Sworn and Subscribed before me this
19th day October AD 1853.

Thompson Campbell Com

Filed in Office Oct 19th 1853

Geo Fisher Secy.

12

Recorded in Ex. B. Vol 3. p 269

Geo Fisher Secy -

13
Deposition of
A. F. Coronel

Office of the Commissioner G. Thompson Bunell
at Las Angeles California.

Befor me G.

Thompson Bunell 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 Ante & Coronel a witness in behalf of
the Heirs and legal Representatives of Antonio
Yorba and Juan Pablo Pealata Claimants deceased
for the land named Santiago numbered on the
Docket of the said Board with No 470 whose upon
Oath declares and swears as follows.

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Questions asked by Counsel for Claimants

1st Question. What is your name, age
and place of residence?

Ans. My name is Antonio F. Coronel I
am thirty four years of age reside at Las Angeles

2^d Question Are you acquainted with
the tract of Land called Santiago or Santa Ana
in this County?

Ans. I am

3^d Question State particularly if you
are acquainted with it, the boundary of said tract,
commencing when the lerna approaches the River
of Santa Ana and running to "Las Ranas" and
state how long you have known it?

Ans. I have known it more than ten years
the boundary commences on the Banks of the
River Santa Ana when the lerna of Santa Ana
touches its Banks from thence running a line toward
the lina de "las Ranas" passing to the Eastward
of the old house on the Rancho crossing the Arroyo
of Santiago to "de las Ranas" from the lerna of Santiago
to the Arroyo, the line passes through the hills.

4th Question Do you know when the old
house was situated if so, state how far the old house
is from the high road that goes to Santiago from "las Ranas"
and from the lerna above spoken of?

Ans. I know when the old house is situated
from the main road more or less it is about a League
and a half, from the Ranas a little more than a League
and a half, and from the lerna three Leagues more or
less, I have never seen these distances measured

AH

but I have travelled them frequently.

5th Question. What office do you now hold in this County, and how long have you held the same.

Ans. I am Assessor of the County, and have held the office from the Commencement of the State organization up to the present time.

6th Question. How many Leagues do you consider embraced in the lines claimed to belong to this Rancho?

Ans. About Eleven or twelve leagues more or less, more than a third part of which is Wells.

Questions Asked by G. E. Thom Acting Law Agent.

1st Question. What is the form of the Rancho?

Ans. It is much greater in length than in breadth.

2nd Question. What is the Northern boundary.

Ans. The Sierra de Santiago.

3rd Question. Are there any Land marks along the line?

Ans. Yes, there are, which is the Sierra.

4th Question. Give the Eastern, Southern and Western boundaries, and designate particularly any Land marks there may be on those boundaries.

Ans. The Eastern boundary is the Ranas to the Sea Shore. The Southern boundary is the Sea Coast, and the Western boundary is the Rio Santa Ana the Western line is completed by the line above described from the Ranas to the Sierra.

5th Question. How do you know these to be the Eastern, Southern and Western boundaries?

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Ans. Because for a good many years I had a good deal to do with the Rancho and had the necessity to know its lines, particularly in a Law Suit with Sepulveda of San Joaquin - the directions I have never run with Compass but I judge the directions to be such as I have given them.

6th Question. Did you ever measure or did you ever see the Rancho measured.

Ans. I never measured the Rancho myself but I have seen a part of it measured.

15-

7th Quintan. Now then do you estimate
that this Rancho contains eleven or twelve leagues.
Ans. By the Calculations I have found
of the distances from point to point.

A. J. Coronel

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Sworn to & Subscribed
before me this 19th day of April AD 1854.

J. Thompson Burrell Compt.

I hereby certify that C. E. Thom Esq. was present
at the time the above and foregoing testimony was
taken acting for and in behalf of and by the Author-
ity of Mr. Mc Nam Esq. Law Agent.

Los Angeles April 19th 1854

J. Thompson Burrell Compt.

Filed in Office May 5th 1854.

J. E. Fisher Secy

Recorded in Cr. R. B. Vol 4. p. 365

J. E. Fisher Secy

16
Translation of
Petition
Exhibit "A"
annexed to depo.
of J. M. Covarrubias

True Copy

Mr Commandant Don Manuel Rodriguez,
Don Pablo Guialba Utind Ensign of Cavalry and
President of this Royal Garrison of San Diego
presents himself before you soliciting the tract of
"Arroyo de San Diego" for the purpose of keeping
my Cattle and horses, which tract is distant from
the Mission of San Juan Capistrano eight Leagues,
and from the Mission of San Gabriel from nine
to ten Leagues. The extent I solicit is from the
Banks of the River of Santa Ana towards
Santiago which is, taking a direct course a little
more than a League, and towards the Beach about
five Leagues. From this creek upwards to where
the house is there are about one League and a half
and from there to the Mountains about three Leagues
and towards the South unto Rancho I solicit
which is about one League and a half -
A tract which I hope to receive
Your Obedt Servant who kisses your hand

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San Diego Decbr 8th 1801
Juan Pablo Guialba

Attended to. San Diego Dec 14 1801.
The tract and Lands herein mentioned being bounded
by the Mission of San Juan Capistrano and San
Gabriel and by those of the invalid Don Manuel Nito
let this petition be notified to the Rev Fathers Ministers
of the aforesaid Missions and to the aforesaid
Manuel Nito that it may not result in any
injury to them, which not being the case, the affair
said tract shall be laid out by two impartial
persons. Manuel Rodriguez - From the Mission
of San Capistrano.

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San Juan Capistrano 31st Mch 1801.
If he does not pass over the limits he solicits
he will not cause any injury to the Mission
Sr J. Moreno de Santiago. Sr Jose Garcia.
This is a copy of the original

Manuel Arzaga Secy.
Filed in Office Oct 13th 1853.
Geo Fisher Secy

Repeat about
Grifalbas petition
"Grantation"

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In consideration of the repeated petitions which through me the promoted Lieutenant Don Pablo Grigalva had addressed to you soliciting for a place whereon to put his Cattle, build a house + Corral and in consideration of the favor which the benevolence of Your Excellency has digned to confer upon me of decreeing upon said petitions I have pointed out to him the best place "del Arroyo de Santiago" place in the contiguous bounds of the Missions of San Juan Baptista and San Gabriel the distance from the one to the other being estimated at 18 Leagues it is therefore the distance of nine Leagues from the mentioned place to each of said Missions.

There is not within a great distance of the place of Santiago any "Rancheria" whatsoever of Natives, wherefore I deem that instead of doing injury to said place, he will be useful, and that neither of the mentioned Missions claim a right to it in conformity to the laws, which assign to the Missions or Villages of Christian Indians two Leagues in their Environs.

Should the benevolence of Your Excellency approve of my decision, considering the justice which should Grifalva in having conceded to him a place herein, he might place the great number of Cattle which he has in the immediate neighborhood of the Rancho of Manuel Vito, for the reason that there has been some Etiquette between the two and for that which he has also had in the immediate neighborhood of this Presidio to the injury of the Pasture grounds for the horses of the Service I hope that you will dignify to order the issuing to him of Corresponding title of possession of the place "del Arroyo de Santiago" with the distances on the North as far as the "Sierra" range of Mountains, on the East as far as the Beach, its Cross Roads with the Plains of the River of Santa Ana, and which is distant from the Arroyo de Santiago a little less than a League and a half, and on the South as far as the place called "De las Ranas" which is also distant about one League & a half or that you will decide that which your Supreme Excellency will deem proper.

May GOD preserve Your Excellency many years
San Diego 11th Sept 1801 (Signed) Manuel Rodriguez

Filed in Office
Dec 17th 1853

Go. Fisher Secy

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Translation of
Exhibit 4.

Testimonial.

Sir Lieutenant Commanding D. Manuel Rodriguez — Don Pablo Guigalva Retired Ensign of Cavalry and Resident of this Royal Presidio of San Diego presents himself before you asking for the tract of Land of the Arroyo de San Diego to place there his Cattle and Horses and this tract is distant from the Mission of San Juan Capistrano eight Leagues, and from that of the Mission nine or ten.

The distance I ask is from the Banks of the River of Santa Ana towards Santiago, the portion which is along the high Road embraces an Extentian of (in distance) a little more than a League and towards the Beach about five Leagues — From the high way, the Arroyo being about the house it will be about a League and a half from there to the Mountains about three Leagues, and towards the South I ask as far as the "Rancho" which will be about a League and a half, a favor which I hope to obtain from you

Your Obedt. Servant

Juan Pablo Guigalva

"2 B S."

San Diego Dec 8th 1801

Examined San Diego Dec 14th 1801

In respect of being Cotermineous proprietors of the tract of Land which this specifies on the part of the Missions of San Juan Capistrano and San Gabriel as also the unvalued Soldan Manuel Nito Cause to be known to the Rev Father Minister of the said Missions and to the said Manuel Nito this petition, in order to see if any prejudice should follow to them which not using the Land ought to be examined by two impartial Experts.

Manuel Rodriguez of
Mission of San Juan Capistrano

San Juan Capistrano 31st March 1802 —
Not passing the limits he asks he will not cause prejudice to this Mission. — Juan Juan Notete of
Santiago Juan Luke Yagora —

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The Citizen Luis Arenas First Constitutional
Alcalde of this City acting as Receptor with two
witnesses of Assistance in default of a Notary
Public - I attest and certify that the Documents
which precede are exact Copies of those which
have been presented to me and Recorded, which
I have returned to Sr. Tomas Yuba and that it
may appear I give this testimony on this paper
of Common paper for want of stamped in the

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City of Los Angeles Sept 14th 1838.

Luis Arenas
ap Augustin Olvera ap Jose L. Hernandez

a/s

Filed in Office Oct 26th 1853.

Geo. Wilbur Secy.

Translation of
"A-B"

His Excellency the Governor.

Antonio Yuba
an invalid Sergeant of the Company of the
Garrison of San Diego, with the greatest submission
assents to Your Excellency, that Your Excellency
being temporarily in charge of the Government
in Lower California, the Ensign the late Don
Pablo Gualbin presented through the medium of
the Lieutenant Don Manuel Rodriguez a
petition soliciting a plan which is called
"San Tiago", in order that in Company with your
petitioners they might build there a house might
unite their animals and both might engage in
partnership what they might raise and what
the said tract of land might produce. I am
informed and know that the deceased did
not name me in said petition, but with
all this as I have agreed with the said
deceased in the contract of partnership we
continued together until now -

After the death
of the ensign various persons were placed in care of said
land, but they did not remain permanently and now
by common agreement with Juan Pablo Pezatta we
have agreed that he shall establish himself in the said
tract of land of "San Tiago" also placing my part

my sons both married in order that they may take care of the number of three hundred head of cattle & the cows pending number of huses, which is the number which for the present, must be put on said Land, besides the grain we expect to sow for our maintenance.

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In view of all the foregoing and recollecting to the Charity of Your Excellency the numerous family which I have the continued wear and tear of my own person without my advanced Sexagenarium age offering any obstacle, they are not sufficient to support me. For all of which I request and supplicate that Your Excellency may deign to extend the grant of said tract of Land, of "Santiago" in favor of the petitioner in order that united with the said Juan Pualta our labours may be favorable production to both ~~part~~ petitioners, a grace and favor for which he will remain grateful and obliged.

Santa Barbara Nov 24th 1809.

At the request of my father

Thomas Torba

Monterey March 26th 1810.

Decem Let this be passed to the Lieutenant D. Juan Ma Ruiz in order that he may report what he may know and learn concerning the accompanying petition and the inconveniences that might result

Anillago

Report

San Diego April 20th 1810.

In fulfillment of the Superior Decree which precedes this I report to his Excellency the Governor, that I have examined the Archives of this Garrison and that I have not found the Document which the deceased Ensign D. Pablo Grigalba presented to the Government in order that he might place himself with his property in "Santiago" the residents D. Juan Pualta not being here and Dama Dolores Valencia widow of said deceased being the principle person, I ordered her to appear before me in order that I might know of the truth in her possession the said Document and that she might

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declared to me the circumstances of its formation to which she replied, that she knew from the deceased Captain Don Ramon de Llanillo that it existed in his power, that he did not return it to her.

She heard her deceased husband say that he had presented it for himself alone and notwithstanding this she says that it is her wish that the invalid Sergeant Antonio Garba should live in said Rancho in company with his children and her Grand son Juan Pablo Peralta, in order that all united, they may take care of their property and their crops which they may be able to raise for sustenance of their numerous families and I am of the opinion that it may be so. If it should be the pleasure of Your Excellency, wishing to concede to him, your Superior permission, in case there should be no inconvenience.

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PAGE 21

Francisco Ma Ruiz

Monterey July 1st 1810.

There is no embarrassment on my part that there may be conceded to him the tract of "Santiago" which he solicits, and in the manner which the petitioner expresses, for which purpose the Commandant of the Garrison at San Diego will take the proper steps, inquiring from the Calindantes of it causes them any injury or not and if not, he will put him in possession.

Anillaga

Filed in Office Nov 9th 1852.

Geo Fisher Secy.

Most Excellent Departmental Justice.

The Citizen Thomas
Auto Gorba for himself and in the name of his
Brethren Residents of the Jurisdiction of Las Angeles
and owners of the Ranches, known by the name of
Santa Ana, with all the respect due to the dignity
and decorum of so honorable a Body.

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PAGE 22

I present
myself and say, That in different Epochs since the
Year 1835 to the present time I have made different
representations as indicates the annexed Expedient
and Copy of a Communication of His Excellency
the Governor which I girtly accompany all the
relative to the Ranch we possess and its extension
and as if the last Document His Excellency the Gov
resolved that the affair should pass to the hands
of Your Excellency I implore of your Justice the right
which I ask, and I add that at the time of the
possession which was given to "Don Sepulveda"
which comprehended the "Benega".

I claimed to
the respective Judge and made the necessary protest
and stated properly to the Departmental Government
as ought to appear in the proper Record, asking
that it might give nullity to that part of the land
conceded to Sepulveda and which belongs to us.

To Augment the cited Documents and
other proofs I consider would be too much trouble
the attention of the most Excellent Justice, but
for the great proof of our right and the time of
anticipating (occupation) it proves.

I accompany
an original letter of the Rev Father Luis Ma Tala
ided in which we made of the Benega when the cattle
of the Mission of San Juan (ap^o covered it) and by
said letter Your Excellency will be informed that
Don Echanda, Political Chief so ordered it and
wherefore I most humbly supplicate for Excellency
and in name of my Brethren that you may hold
the proper in virtue of the right which exists in us
that we may be left in the pacific possession
which we have enjoyed more than twenty^{five} years
as a property granted to us by competent authority
and the map of which made with the greatest

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1847

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1847



1. 25

Petition Original.

Exhibit A annexed to depts of José M^a Covarrubias.

Fiel copia. = Sr. Comand^{te} Don Miguel Rodriguez, Don Pablo Grisalva, Alferez retirado de caballeria y residente en este Royal H. Paredon de Sta Barbara se presentan ante V. pidiendo el sitio del arroyo de Santiago para poner sus ganados y caballeria y este parage dista de la Mision de San Juan Capistrano ocho leguas y de la Mision de San Gabriel de nueve a diez. - La distancia q. puto son de la orilla del Rio de Santa Ana para Santiago que lo que es por camino real distara una legua poco mas y para la playa como otra. del camino real, arroyo arriba adonde esta la casa q. habra como legua y media de alli para la Sierra, habra legua y media. Gracia que espero alcanzar de V. su atento Sr. J. B. S. M. = Juan Pablo Grisalva. San Diego. Diciembre 8 de 1801.

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Proveido. = San Diego 14 de Diciembre de 1801. Respeto a ser colindantes del sitio y tierras q. certifica esta para las Misiones de San Juan Capistrano y San Gabriel, como tambien el invalido D. Manuel Nieto hagareles saber a los R. R. P. P. Attos de las referidas Misiones y al dho. Manuel Nieto esta Solicitud por si les sigue y para perjuicio que no originandose debera reconocerse otro terreno por los peritos imparciales. Manuel Rodriguez.

= De la mision de San Juan Capistrano. = San Juan Capistrano a 30 de Mayo de 1801. =

No pasando los limites que pide en causa perjuicio a esta Mision. = Fr. Juan Moreno de Santiago = Fr. José Xaura.

Es copia de la original.

Manuel Araya. Fr.

Filed in Office. Oct. 13. 1853.

1906

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8. 27

Consecuente a las reiteradas instancias que ha hecho a V. M. por mi conducto el teniente, quintero Don Pablo Grijalva en solicitud de purage para poner en Ganados forraudo casa y corral: y a la facultad que la piedad de V. M. se ha dignado conferir me en los decretos de otras solicitudes le he señalado el sitio del arroyo de Santiago sito en la mediania de las Misiones de San Juan Capistrano, y San Gabriel, cuya distancia es una a otra de regular de 18 leguas siendo por consiguiente la que hay del citado sitio a cada una de otras Misiones de nueve leguas.

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PAGE 25

Deposabous
Grijalvas petition

No pudiendo hay en mucha distancia del sitio de Santiago, Rancheria alguna de naturales por lo que considero que en lugar de perjudicar en aquel sitio sera util: y que ninguna de las citadas Misiones pretenda derecho a el con arreglo a las leyes que presijan a las Misiones o doctrinas de Indios dos leguas en contorno.

Si la benignidad en V. M. tubiese a bien mi determinacion, condesciendole la justicia que asiste a Grijalva para que se le conceba sitio en donde pueda poner la multitud de ganado que tiene en las inmediaciones del Rancho de Don Manuel exieto por el que entre los años varios algunas etiquetas y el que tambien ha tenido las inmediaciones de este Presidio con atraso de los pastos para la Caballeria del Servicio: espero se obligue a mudarle expedir el correspondiente Titulo de posesion del sitio del Arroyo de Santiago, con las distancias para el Norte hasta la playa, sus traversias con la Vega del Rio de Santa Ana, que abita del Arroyo de Santiago poco menos de legua y media y para el Sur hasta el purage, marcando de las riuas que tambien dista como otra legua y media o determinarlo que la superioridad de V. M. tenga a bien.

Oct 1851.

Mmanuel Rodriguez.
Sr Gobernador Dn Joseph. Sanguin de Arrillaga.

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PAGE 26

already copied

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

I, John C. Hays, Surveyor General of the
United States for the State of California and at such
having in my Office and in my charge and custody
a portion of the Archives of the former Spanish
and Mexican Territory or Department of Upper
California, by virtue of the power vested in me by
Law, Do hereby Certify that the three preceding
and hereto annexed pages of tracing paper num-
bered from One to three inclusive exhibit a true
and accurate copy of a certain document now
on file and forming part of the said archives
in this Office.

In testimony Whereof, I have hereto
signed my name officially and caused my seal
of Office to be affixed at the City of San Francisco
this twentieth fifth day of October, A.D. 1853.

John C. Hays.

U. S. Surveyor General for California.

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27

Filed in Office. December 14th 1853.

Geo. Fisher Secy.

7. 29

1.

Festimonio.

Señor Teniente Comandante Don Manuel Rodríguez.
Don Pablo Grijalva, Alférez retirado de caballería
y residente en este Real, presidio de San Diego se presenta
ante V. pidiendo el sitio del arroyo de Santiago Diego
para poner su ganado y caballería y este jurage
dista de la Misión de San Juan Capistrano ocho leguas
y de la de S. Gabriel de nueve a diez. = La distancia
que pido son de la orilla del Rio de Santa Ana
para Santiago que lo que es por camino real dista
= avrá una legua poco mas y para la playa como
cuero ochos. Del camino real arroyo arriba adonde
esta la casa habra como legua y media de alli
para las Sierras habra como tres leguas y por
la parte del Sur pido hasta las Nañas, que habra
legua legua y media. Gracia que espero decaurir
de V. Su atento Servidor, J. B. S. M. = Juan Pablo
Grijalva. = S. Diego. Diciembre 8 de 1801.

x Provisio. = S. Diego 14 de Diciembre de 1801.

Respeto a ser colindantes del sitio y tierras que califica
esta jurra las Misiones de S. Juan Capistrano y S.
Gabriel como tambien el Yubulido Manuel Nieto
hazer de saber a los R. R. P. P. Ministros de las
respetivas Misiones y al dicho Manuel Nieto a
solicitud por si les sigue y para perjuicio que
origenandose debera reconocerse dicho terreno por
los peritos Imparciales. = Manuel Rodríguez.
de la Misión de S. Juan Capistrano a 31 de
Marzo de 1802. = no pasando los limites
que pido en causa perjuicio a esta Misión Pr.
Juan Roberto de San Yago, Fr. José Jauru.

El C. Luis Arenas, Alcalde 1.º Constitucional
de esta Ciudad actuando por receptoría con
los testigos de asistencia a falta de Escribano
publico

Certifico y doy fé: que los documentos q. anteceden
son copia a la letra de las que se me han presente

Exhibit. J.

346 SD
PAGE 27

abo y proteclados las de hi deruelto al tenor
Lomas Torra: y para que conste doy este testimonio
en tres fojas de papel comun por lumen del sellado
en la Ciudad de los Angeles a latorce de set^e de
mil ocho cientos treinta y ocho.

Luis Arenas.

aso. Agustin Olvera. asa. Jose J. Ferrnandez.

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PAGE 28

Office of Surveyor General of the United States
for California.

this copied

I John C. Hays, Surveyor General of
the United States for the State of California and as
such, having in my office and in my charge and
custody a portion of the Archives of the former Spanish
and Mexican Territory or Department of Upper
California by virtue of the power vested in me by
law, Do hereby certify that the four preceding &
hereunto annexed pages of tracing paper numbered
from one to four inclusive, exhibit a true and accurate
copy of an extract from a certain document now
on file and forming part of the said archives in
this Office.

In testimony whereof, I have hereunto
signed my name officially and caused my seal
of office to be affixed at the City of San Francisco
this Fourteenth day of October, 1853.

John C. Hays.

U. S. Surveyor General for Calif.

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Filed in Office. Oct. 26. 1853.

Geo. Fisher. Secy.

2. 31

Los Gobernador.

Monterrey y Mro. Antonio Gorba Sargto retirado
36 de 1810. de la Compañia del Presidio
Pase a este Presidente de San Diego: ante V. con la mayor
de San Francisco a fin de unirse a lo que presente q. hall
de que conforme lo que - autose V. con el Gobierno Interior
Supire; y entendiese en la barea California presento
en la abeyuta union el diferente Alj. Don. Pablo Guay
-cia y los inconvenientes - alba por conducto de este punto
que puedan resultar. D. Manuel Rodriguez cura

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PAGE 29

A.
Grant.

Doc. No. No. No. 1
to depts. of
S. Arguello.

Justancia solicitando el parage
que llaman de Santiago para
que en Compañia del pretendiente
ubicasen ahí una casa, un asen-
to de sus animales y sembrasen arbores para el disfrute
en Compañia de todos los frutos q. lleve espuestas
y produzcan otro. Sitio: estos estudiado y sabido
de no haberme acordado el disfrute: en otra
presentacion pero con todo eso, como habia qued-
-ado acordado con otro. finado en el trato de
Compañia aqui unos puntos hasta ahora.

Con la falta del difunto Alj. se han puesto
varios q. cuidasen del parage pero no han sido
permanentes y ahora de comun acuerdo con
Juan Peratta, hemos convenido el q. el se establezca
en otro. Sitio de Santiago, poniendo yo tambien
por mi parte a un hijo mio, casados ambos
afin de q. tengan cuidado el. N. de trescientos Rees
y la correspondiente Caballeria q. es el pie a que
praxera pidaria del terreno a mas de las semillas
q. pensamos desporraunar para nuestra sustentacion.

En vista de todo lo espuesto y recur-
-riendo a la piedad de V. la numerosa familia
q. tengo el continuo trabajo de mi propia persona
sin obstaculizarme la arausala estado serageno
no me son suficiente para sustentar.

Por todo lo cual ruego y suplico a V. se

se digna absolver la concesion de otro parage de Santiago y favor del Suplicante, para que unida con el espuesado Juan Peralta; Puedan sus pances ser favorables y segundas a' ciertos pre-
-cubientes: gracia y favor a q. le quedara' recono-
-cielo y obligado.

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PAGE 30

Mu. Barbara. 24 de Nov^{re} de 1889.
Arreya de mi padre.

Thomas Gorber.

San Diego 4^{to} de abril de 1810.

En cumplimiento del superior decreto que ante este
supremo el Sr. Gob^{re} que he reconocido el archivo
de este Periodio y no he encontrado el documento
que pertenece al Gobierno el difunto Alzares Don
Pablo Guzman para presentarse con sus bienes
en San Diego: no ayandose aqui el mismo Juan
Peralta y siendo la Causa principal. Dona Dolores
Valencia, viuda del dho. finado, viene a compare-
-chese ante mi para saber si mantiene en su
poder otro Documento y que me declare la
circunstancia de su formacion, a lo q. responderon
que supo por el difunto Capitan Fr. Raymundo
Carrillo que existia en su poder que no se le estrego.

Oyo decir al difunto su marido que lo havia
presentado por si solo y no obstante esto, dice ser
su voluntad el que subsista en otro. Ramon el Santo
retornado Antonio Gorra en compania de sus hijos
y de su nieto Juan Pablo Peralta para q. vistos
31 todos euiden de sus bienes y de las sumas que
puedan verificar para subsistencia de sus erecielos
familias: y yo soy de parecer que asi sea si fuere
el agrado al S. S. sirviendose conserdele su superior
previido en caso que no ay algun inconveniente.

Franc^{co} M. Ruiz.

Monterey. 1^o de Julio de 1810.

No hay embarazo por mi parte el q. se conceda
el parage que solicita y en los terminos q. expresa

3. 33

el pretendiente, a cuyo efecto el Comandante del Pres^o
de S. Diego verificará la diligencia correspondiente
ante el Jefe de los Coludantes si les fuere algr.
verifico uno, y no habiendolo se le pondrá en pos
-estón. Anillayo.

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PAGE 31

Filed in Office. Nov. 9th 1859.

Geo. Fisher. Secy.

34

Competente y luego alideno como mayor exactitud
q. ha sido posible tengo el honor de acompañar
concluyendo como haber las puestas protestas
necesarias y esperando se sirva V.E. admitir la
presente en papel común por falta del tamaño
correspondiente.

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PAGE 33

S. Pabl y Julio 23 de 1839.

Excmo Junta D. de Intendencia.

Por si ya nombre de sus hermanos.

Thomas A. Yorban.

Here follows a Map or plan.

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

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 charge and custody a
portion of the Archives of the former Spanish
& Mexican Territory or Department of Upper
California by virtue of the power vested in me by
law, do hereby certify that the four preceding &
hereunto annexed pages of tracing paper numbered
from one to four inclusive, exhibit a true and accurate
Copy of Extracts from a certain Document now on
file & forming part of the said Archives in this
Office.

the enclosed

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In Testimony Whereof I have hereunto
Signed my name officially and caused my seal
of Office to be affixed at the City of S. Francisco
this fourteenth day of October, A.D. 1853.

Filed in Office.

Oct. 26. 1853.

Geo. Fisher.

Secy.

John C. Kings. U. S. Surveyor G. for Calif.



37 Affidavit of
Bernardo Yorlco United States of America
State of California

Bernardo Yorlco being duly sworn
deposes as follows and says that he
is the son of Antonio Yorlco deceased
that his father died in 1835. That at
his death affiant succeeded to and
obtained possession of all of his papers
and that among them did not appear
the original petition of Geyalan, nor
has affiant any knowledge of where
the said original is.

Bernardo Yorlco

Sworn to and subscribed
before me in the City of Los
Angeles this 10th day of April
A D 1854

J. Simpson Deane
Notary Public

Seal

Filed in office April 25. 1854
Geo. Fisher Secy

Recorded in Co. B. Vol 4 p 293
Geo. Fisher Secy

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2000

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3 Amended
Petition

To the Hon. the Board of Land Commissioners to ascertain and decide the Private Land Claims in California.

The heirs and legal representatives of Antonio Yorba dec'd and Juan Pablo Parilla dec'd, by their Attorney J. Lancaster Brent by leave of the Hon. Board have and obtained, amend their petition by striking out the names heirs and representatives of Antonio Yorba dec'd and of Juan Pablo Parilla dec'd whom occurring by inserting in their stead the following "Benigno Yorba, Teodoro Yorba & Ramon Yorba for their selves and for the heirs and representatives of Antonio Yorba dec'd and Juan Pablo Parilla dec'd" and praying as in the Original petition and as in duty bound &c.

By their Atty
J. Lancaster Brent

Filed in Office Dec 31. 1853

Geo. Fisher Secy

Recorded in Vol 2 of Petitions on
page 224

Geo. Fisher Secy

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PAGE 35

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1861

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5. H/

1804.

Parage de Santiago.

(Solicitud.) Sr. Gobernador. = Antonio Yorra

Expediente C.

Sargento retirado de la Compañia del Presidio de San Diego ante V. Con la mayor sumision se hace presente y hallandose V. con el Gobierno Int^o en la Baja California presento el ofijante Alférez D. Pablo Grijalba por conducto del teniente Don Manuel Rodriguez una instancia solicitando el paraje q. llaman de Santiago para que en Compañia del oficio de todas las frutas que lleva espuestas, y provaje dicho sitio: estoy entendido, y saber de vos como me nombrado el ofijante en dicha presentacion pero con todo eso, como havia quedado acordado con dicho finado en el trato de Compañia seguimos juntos hasta ahora. = Con la falta del ofijante Alférez se han puesto varios que cuidasen del paraje por no han sido permanentes y ahora de comun acuerdo con Juan Penalta hemos convenido en que se establezca en dicho sitio de Santiago, poniendo yo tambien por mi parte con hijo mio casados ambos aqui de q. tengan cuidado del numero de bestias necesarias y la correspondiente caballeria q. es el pie a que por ahora usaran dicho terreno, a mas de las semillas que pensamos desperdiciar para mucha manutencion.

En vista de todo lo espuesto y recordando a la piedad de V. la numerosa familia q. tengo el continuo trafico de mi propiedad persona sin obstaculo o ranc la abarada edad de la familia no me son suficientes pa soportar. Por todo lo meyo y suplico a V. se digno extender la concesion de dicho paraje de Santiago a favor del ofijante para que con el respeto Don Juan Penalta puedan sus tareas ser favorables y felices a muchos present-erientes, gracia y favor a que le quedaria reconocido y obligado. = Santa Barbara. 24 de Noviembre de 1804. = Aruego de mi Sr. Padre. = Thomas Yorra = Nourrey. y Navarro 26. 1810. = Pase

De acto.

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PAGE 36

Petition, Decree.

Sup^{te} del Gov^{no} de Chile
J. Fr^{co} Maná Ruiz.

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PAGE 37

al teniente J. Francisco Maná Ruiz a fin de que informe lo q. supiere, y entendiere en la usy - cunda instancia y los inconvenientes q. puedan resultar. - Arrillaga. = San Diego 20 de abril de 1810. = En cumplimiento del Superior Decreto q. antecede informo el Sr. Gobernador que he renunciado el arbitrio de este Peridito y no he encontrado el documento q. presento al Gobierno el difunto Aljarey D. Pablo Guisaba para posesionarse con sus bienes de Santiago, no hallándose aqui el vecino Juan Peratta y siendo la cubera principal D^{ca} Dolores Valencia viuda de dicho padre, mandé comparecise ante mi pa saber si mantenía en su poder dicho documento y que me declarase las circunstancias de su formacion a lo que respondió q. supo por el difunto capitán Don Nuyquendo Carrillo que existía en su poder que se lo entregó. Oyo decir el difunto su marido que lo haría presentado por si solo y no obstante esto, obte ser su voluntad el que subsista en dicho Rancho el Sargento retirado Antonio Yorra en compañía de sus hijos y de su nieto Juan Pablo Peratta pa que en dichos títulos euiden de sus bienes y de las tierras q. puedan verificar pa subsistencia de sus crecidas familias. Y yo soy de parecer que así sea, si fuere del agrado del S. Superior para concederle su superior permiso en caso de que no halla algun inconveniente. J^{co} Maná Ruiz.

Decreto del Gov^{no}

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Montevideo. 10 de Julio de 1810. = No hay embargo por mi parte el q. se le conceda el privilegio que solicita y en los terminos q. espresa el pretendiente a cuyo efecto el Comand^{te} del Peridito de San Diego verificara la diligencia correspondiente haciendo saber a las Colindantes si las para algun perjuicio ó no, y no habiéndolo se le permitirá en posesion. Arrillaga.

C. 43

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

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
charge and custody a portion of the Archives
of the former Spanish and Mexican Government
Territory or Department of Upper California, do
hereby certify that the two preceding and herewith
annexed pages of tracing paper numbered 1 & 2 exhibit
true and accurate copies of a portion of
an unbound book called "Registros de sueros
y setratos" now on file and forming part of
the archives of said office.

In testimony whereof I have
herewith signed my name, Officially and affixed
my private Seal (not having a Seal of office)
at the City of San Francisco at the 29th day
of January. 1853.

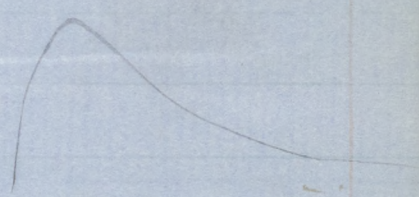
Samuel D King
Surveyor General. Calif.

Filed in Office Oct. 26. 1853.

Geo. Fisher. Secy.

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PAGE 38

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2015

2015

45-
 Translation of
 Petition Decree
 No. —

Santiago:
 Señor Governor.

Antonio Yorra restera

Sergeant of the Presidial Company of San Diego, appears before your Excellency with the greatest submission and represents: That while your Excellency was Governor and interim of Lower California, the deceased Ensign, Don Pablo Chizalva through Lieutenant Don Manuel Rodriguez, presented a petition soliciting the place called "Santiago" for the purpose of building a house thereon in Company with your petitioner, and emitting our animals and cultivating it, both of us for the common enjoyment of all the above mentioned benefits, which the said place may afford: I am aware and understand that the deceased has not mentioned me in the said petition, but nevertheless, in as much as I had so agreed in the Contract of Copartnership with the said deceased, we have continued together until the present.

In consequence of the death of the deceased Ensign various persons have been placed in charge of the place. And now I and Juan Trullas have jointly agreed to settle the said place called Santiago. I for my part placing thereon one of my sons both being married, for the purpose of taking care of the number of three hundred head of Cattle and the corresponding number of horses, which is the stock that will now be upon the said tract of Land, besides the seed we contemplate sowing for our maintenance.

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the goodness of your Excellency that I have a large family, my continued personal labors unobstructed by my advanced age and my age are not to me sufficient to support. Whence I pray and supplicate your Excellency be pleased to issue the grant of the said place of "Santiago" in favor of your petitioner in order that in company with the said Juan Peratta his labors may prove favorable and profitable to both petitioners a benefit and favor for which he will be grateful and obliged to you.

Santa Barbara November 24th 1809

At the request of my Father

(Signed) Thomas Yorra

Decree Monterey, March 26, 1810.

Let it be referred to Lieutenant Don Francisco Maria Ruiz to report whatever he may know and circumstances in relation to the annexed petition, and the inconveniences that may result.

(Signed) Arillaga

Report of Lieu In obedience to the foregoing Superior Don Francisco decree I inform his Excellency the Governor Maria Ruiz that I have examined the Archives of this Presidio and have not found the account presented to the Government by the deceased Ensign Don Pablo Gijalva for the occupation of Santiago with his stock. Captain Juan Peratta not being here, and Dona Dolores Valencia, widow of the said deceased, being being the principal head, I command her to appear before me to ascertain whether she retained

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in her possession the said document, and to declare to me the circumstances of its Execution, to which she answered that she understood from Capt. Don. Raymundo Llanillo deceased that he had it in his possession, that he did not deliver it to her - That she heard her deceased husband say that he had presented it in his own name alone, and notwithstanding this, she says she is willing that Antonio Yorio, the retired Sergeant, remain upon the said Rancho in Company with her Sons and grand Son, Juan Pablo Ferrer in order that all of them in Company, may take care of their stock and cultivate the lands they may own for the support of their large families - And I am of the opinion, that it should be so, if it should meet your Superior approbation, being pleased to grant him your Superior permission in case there is no objection

(Signed) Francisco Maria Ruiz

Decree of the Monterey July 1st 1810
Governor

On my part there is no objection to granting to the petitioner the place which he solicits and upon the terms which he proposes, for which purpose the Communion of the Presidio of San Diego will take the proper proceedings, ascertaining whether or not it will result to the injury of the Colonias and that being done he will put him in possession thereof

(Signed) Anallaga

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A true and correct translation
written by hand this 26th
Oct. A.D. 1853

Geo. Fisher Secy

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PAGE 42

Filed in office Oct. 26. 1853

Geo. Fisher Secy

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Opinion of
Board by
Com. R. A. A. Thompson.

Bernardo Yorba and Others
heirs of Antonio Yorba deceased
and Juan Pablo Ferrer dec^d

vs
The United States
San Antonio about 11
Square Leagues in Los
Angeles County

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This is a very ancient title and is founded
on a concession made by Governor Arce to
Antonio Yorba and Juan Pablo Ferrer
the ancestors of the present claimants
On the 1st July 1810 the original of
which together with the Especifico
in relation to it are filed in the case
and please to be given

It appears from
the documentary Evidence filed in the
Case that the land was originally
asked for by Pablo Ferrer in the
year 1801 and, and circumstances
made upon said petition by the officers
to whom it was referred, but no formal
title appears to have issued.

In 1810
Antonio Yorba solicited a grant of the
same premises to himself and Juan
Pablo Ferrer the grandsons of the said
and which with the part of the records
of the office was conceded to them - they
immediately entered on the premises
erected houses in which they lived with
their families, stocked it with cattle
and horses and cultivated it industriously.

This occupation
was continued by them until their
deaths which occurred many years
ago, since which time it has been
occupied by their children and desc
endants amounting now to more
than fifty persons -

The boundaries are well defined in the petition of Gredlow, the report of Manuel Kameyee, on the same land the other testimony in the case.

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This claim is a highly material one, and a decree of confirmation would be essential.

Filed in Office July 10th 1855

Geo. Fisher Secy

57

Decree

Bernardo Yorba and others
heirs and legal representatives
of Antonio Yorba and Juan
Pablo Tratta Dec^o

^{vs}
The United States

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PAGE 45

In this case on hearing the proofs and
allegations it is accepted by the
Commission that the claim of the
petitioners is valid; and it is therefore
decreed that the same be confirmed

The land of
which Confirmation is made is situated
in the County of Los Angeles and is
known by the name of Santiago
or Santa Ana. For a more precise
description reference to be had to the
Original title papers, the certified
copies of the petition of Pablo Peralta
and the report of Manuel Romo
and of the map contained in the
Expediente all of which are filed among
the papers in the case.

The quantity of
land confirmed is that contained
within the boundaries described
in the above mentioned documents

R. Aug. Thompson

S. B. Fawcett

Commissioners

Filed in Office July 10. 1855

Geo. Fisher Secy

And it appearing to the satisfaction of
 the Board that the land hereby conveyed
 is situated in the Southern
 District of California. It is hereby
 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
 out and duly certified by the Secretary
 one of which transcripts shall be filed
 with the Clerk of the United States
 District Court for the Southern District
 District of California and the other
 be transmitted to the Attorney General
 of the United States.

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PAGE

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 *Fifty two* pages, numbered from
1 to 52, 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. 470 on the Docket of the said Board,
wherein

Yorba Peralta, et al, are
the Claimant, against the United States, for the place known by
the name of "*Santiago.*"

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 *November*
A. D. 1855, 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,

Southern District of California.

No. 346

THE UNITED STATES,

vs.

346

Mrs. Ant. Yuba, et al.

Santiago

MANUSCRIPT OF THE RECORD

FROM THE

BOARD OF U.S. LAND COMMISSIONERS.

In Case No. *478*

Filed,

December 6th 1855

C. E. Can Ckls

By Jan. J. Summer

Sept.

346

Office of the Attorney General of the United States,

Washington, 11 Feby 1856.

470) "Lautings"

Yorba Perotta et al claimants

You will please take notice that in the above case, decided by the Commissioners to ascertain and settle private land claims in the State of California in favor of the claimant, and a transcript of the proceedings in which was received in this office on the

1st day of January, 1856, the appeal in the district court of the United States for the *Southern* district of California will be prosecuted by the United States.

Cushing

Attorney General.

No. 346.

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

Yuba Suttu et al.

vs
The United States

Notice of appeal

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Filed June 3d 1856.

C. C. Canby

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By O'Farrell
Deputy

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

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

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Bernardo Yerba, Teodosia Yerba & Ramon Yerba
& the Heirs of Antonio Yerba & Juan Pablo Piralla

Docket No. ~~346~~ 346.

and
The U States.

Transcript No. 470.

TO THE HON. ISAAC S. K. OGIER, JUDGE:

The Petition of Pacificus Ord, a resident of said City, County, and State, Attorney of the United States for the Southern District of California, who petitions in this behalf for the United States, and being present here in Court, in the name and behalf of the United States, represents as follows: That heretofore, to wit: on or about the 19th ~~December~~ day of November A. D. 1852; Bernardo Yerba, Teodosia Yerba, Ramon Yerba, & the Heirs of Antonio Yerba, & Juan Pablo Piralla presented a petition to the Commissioners to ascertain and settle the private land claims in the State of California, when sitting as a Board, claiming a tract of land called Santiago or Santa Anna in the County of Los Angeles State of California, which said petition is referred to for a description of the land claimed, a copy of which appears in the transcript hereafter referred to. That thereafter, to wit: on or about the 10th day of July A. D. 1855, the said Commissioners confirmed, by final decision, the said claim of said petitioner. That thereafter, to wit: on or about the 6th day of December A. D. 1855, a duly certified transcript of the proceedings and decision of the said Commissioners in said cause, and the papers and evidence on which the said decision was founded, was filed in the Office of the Clerk of the District Court of the United States for the Southern District of California, and marked No. 470; reference to which it is prayed may be had and made part of this petition. That on or about the 1st day of January A. D. 1856, the Honorable Caleb Cushing, Attorney-General of the United States, received a duly certified duplicate of said transcript of the proceedings and decision of said Commissioners in said cause, and the papers and

evidence on which said decision was founded. That thereafter, to wit: on the 3rd day of June — A. D. 1856, the said Attorney-General of the United States filed, or caused to be filed, in behalf of the United States, a notice with the Clerk of said District Court of the United States, that the appeal in said cause from the said decision of the said Commissioners, in the District Court of the United States for the Southern District of California, would be prosecuted by the United States. Your petitioner further represents, that the land claimed, as aforesaid, is situate in the Southern District of California, and within the jurisdiction of this Honorable Court. Your petitioner further represents and insists, that the said claim is invalid; and the said decision of said Commissioners is erroneous, and ought to be reviewed, reversed and set aside, for many errors and imperfections of law and evidence, apparent in said certified transcript of the proceedings and decisions of said Commissioners in said cause, filed and appealed from as aforesaid. And your petitioner denies all and singular, each and every allegation in the said petition of said claimant, presented as aforesaid to said Commissioners. And your petitioner further denies that the said claimant has any valid right or title to said land claimed as aforesaid, or any part thereof.

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

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

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

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P. M.

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

No 346

W. States Dist Court
Southern Dist of Cal

Bernardo Verba et al

vs

W. States

Petition of Review

Filed this 4th day of
Dec 1854

Amos
Clark

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Herb
W. S. Allen

UNITED STATES OF AMERICA, } SS.

Southern District of California,

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TO

The President of the United States,

*Bernardo Gutu, Modesto Gutu
and Ramon Gutu, the heirs of Antonio
Gutu and Juan Pablo Peratto*

Greeting :

Take Notice, That a Petition, a copy of which is herewith served upon you, has been filed against *Gon* and each of *you* in the District Court of the United States, in and for the Southern District of California, on the *4th* day of *December* in the year of our Lord one thousand eight hundred and fifty-
Los Angeles, in said District, by

*Prord US atty, praying
said Court to return the possession of the W States
land Commencement of the 10th of July 1855
Confirming your claim to the land called
"Santiago or Santa Anna"
situated in the County of Los Angeles,*

and that *Gon* are required to appear at said Court, in said City, within ten days after the service hereof, if served on you within the County of Los Angeles, and within twenty days if served on you in the County of San Diego or San Bernardino, and within forty days if served on you in any other County of said State, exclusive of the day of service, and answer said Petition, or the Petitioner will apply to the Court for the relief demanded therein.

In Witness whereof, I have hereunto set my hand, and affixed the Seal of said Court, at the City of Los Angeles, this *5th* day of *December* A. D. 185*6*.

C Sims

CLERK.

A. D. 1856.

UNITED STATES OF AMERICA,
Southern District of California,
U. S. DISTRICT COURT.

Ramon Baha
ads
W. W. W.
Filed this 8th Dec 1856
SUMMONS, *Adm. Act*

Received December 5th 1856
E. Hunter
U. S. MARSHAL.

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By M. Goodman
Deputy

I served this Summons, together with a certified copy of the Petition, upon *Ramon*
Yorba in Santa Ana Los Angeles County
personally by delivering to him a true copy
of this Original Summons
at *Santa Ana Los Angeles County* in the Southern District of California, on
the *4*th day of *December* A. D. 1856.

Sworn to and subscribed before me, *his*
8th day Dec 1856
Chas CLERK.

Edward Hunter
U. S. MARSHAL.
By M. Goodman
Deputy.

Barthol Cort
Copying Summons - 60
Sworn Law 3.-
Petition 3.-
2 days Horse hire 8.-
Pre Rights doing 2.-
Horse feed 2.-
\$ 16.00

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

Bernardo Gorba et al

Appellees

} Case 340

vs

The United States

Appellants

} Santiago or Sant^a
Ana^a

} Transcript 4/6

And now come the Appellees Bern-
nardo Gorba, Teodoro Gorba, ^{and} Ramon Gorba
~~and Juan Pablo Peralta~~, by J. L. Brent,
their attorney, & for answer to the Petition
for review filed in this case by the Appel-
lants say, that their title of the Appellees
to the lands called Santiago or Sant^a Ana^a
claimed in this case is good & valid.

Wherefore they pray the Judgment
of this Hon. Court, that the decision of
the United States Board of Land Commis-
sioners may be affirmed, & that their
title to said lands may be decreed
to be valid, & for such other and fur-
ther or general relief as to Equity &
good conscience belong and the na-
ture of their case shall require

Juan Carlos Brent

Atty for Appellees

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Case 346.

In U. S. Dist. Court
South Dist Cal.

Bernardo Goza et al
Appellees

vs

The United States
Appellants

Answer

Filed Dec. 15th 1856

Filed Dec 15th 1834

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J. Brent

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

346 SD

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The President of the United States,

TO

*Bernardo Orta, Theodor Guba
Ramon Orta, The Heirs of Antonio
Guba and Juan Pablo Orta*

Greeting:

Take Notice, That a Petition, a copy of which is herewith served upon you, has been filed against *you* in the District Court of the United States, in and for the Southern District of California, on the *4th* day of *December* in the year of our Lord one thousand eight hundred and fifty-*four*, at the City and County of Los Angeles, in said District, by

*John W. States attorney praying
that the Court should order the decision of
the United States Land Commissioners of 10th
day of July 1855 confirming your claim
to the land called*

*"Santiago or Santa Anna"
situated in the County of Los Angeles*

and that *you* are required to appear at said Court, in said City, within ten days after the service hereof, if served on you within the County of Los Angeles, and within twenty days if served on you in the County of San Diego or San Bernardino, and within forty days if served on you in any other County of said State, exclusive of the day of service, and answer said Petition, or the Petitioner will apply to the Court for the relief demanded therein.

In Witness whereof, I have hereunto set my hand, and affixed the Seal of said Court, at the City of Los Angeles, this *5th* day of *December* A. D. 185*4*



C. Sims
CLERK.

No. 646

Marshall Court

Copying Summons 50
Serving do 3.
" Petition 3.
\$ 6.60

UNITED STATES OF AMERICA,

Southern District of California,

U. S. DISTRICT COURT.

Bernardo Yorba et al

ad

Edw. Hunter
for the U.S. Marshal

SUMMONS. *Amos et al*

Received December 5th 1856

346 SD

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E Hunter

U. S. MARSHAL.

by M. Goodman
Depty.

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I served this Summons, together with a certified copy of the Petition, upon *Bernardo*
Theodocia
Yorba by delivering to *Theodocia Yorba* also
a party in this case a true copy of the
Original
at the City of Los Angeles in the Southern District of California, on
the 6th day of December A. D. 1856

Sworn to and subscribed before me, *his*
6th day of Dec 1856
James CLERK.

Edward Hunter
U. S. MARSHAL.

by M. Goodman
Depty.

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

346 SD The President of the United States,
TO PAGE 60

Bernardo Goba, Salvador Goba
and Ramon Goba, the heirs of Antonio
Goba and Juan Pablo Peralt

Greeting:

Take Notice, That a Petition, a copy of which is herewith served upon you, has been filed
against *Gon* in the District Court of the United States, in and for the
Southern District of California, on the *4th* day of *December*
in the year of our Lord one thousand eight hundred and fifty-*57*, at the City and County of
Los Angeles, in said District, by

Robt. W. States attorney
for the Southern District of California, praying said
Court to *revoke* the decision of the United States Land Commission
issued ~~confirmed~~ after the *10th* day of July 1853, confirming
Gon claim to the land called Santiago or Santa Anna
situate in the County of Los Angeles and appealed by the
Atty General of the United States

and that *Gon* & 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 the Petitioner will apply to the Court for the relief demanded therein.

In Witness whereof, I have hereunto set my hand, and affixed the Seal
of said Court, at the City of Los Angeles, this *5th*
day of *December* A. D. 1854.

C. Sims
CLERK.

No. 346

Marshal Cost
Copying Summons - 00
Serving do 3.-
Petition 3.-
\$ 6.00

UNITED STATES OF AMERICA,
Southern District of California,
U. S. DISTRICT COURT.

Sumner Ingraham

add

[Signature]

Filed 8th of Dec 1856
SUMMONS.

Received December 5th 1856.

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PAGE 61 E Hunter

U. S. MARSHAL.

62 by M. L. Goodman Deputy.

I served this Summons, together with a certified copy of the Petition, upon *Theodorico Yorba* by delivering to him personally a true Copy of the Original

at *the City of Los Angeles* in the Southern District of California, on the *6th* day of *December* A. D. 1856.

Sworn to and subscribed before me,
8th day of Dec 1856
[Signature] CLERK.

Edward Hunter
U. S. MARSHAL.
by *M. L. Goodman*
Deputy.

In the Dist. Court of the U. States for the Southern Dist. of
Cal: Monterey, June term 1857 Hon: J. S. K. Ogier Judge.

Heirs of Antonio Garba et al. }
vs. appellants } N^o. 346.
The United States. }
Appellants. } Term N^o. 470.

On motion of P. Ord Att^y of the U. States for the said Dist: &
on suggesting to the Court that it is not the intention of the U. States
to prosecute further the appeal in the above cause, it is or-
-dered by the Court that the appeal in said cause be dismissed;
and that the claimant have leave to proceed upon the decree
of the Commissioners heretofore rendered, as a final decree.

Samuel K Ogier
U S Dist Judge

No. 346

Heirs of Anto. Yorba
vs

The U. States

Dismissal of appeal

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Filed 8 June 57
W. Taylor
Clerk

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California Land Cases.
Attorney General's Office
31 Jan'y 1857.

Sir: In the case of the claim of
Yorba Peralta et al. confirmed to the
claimants by the Commissioner, Case
no. four hundred and seventy, (470),
appeal will not be prosecuted by the
United States.

I am,
respectfully,
Yours,

Placido P. de E. G.
U. S. Attorney,
Los Angeles.

No. 346

↓
Filed 4th March 1858
for 8th June 1857
Cecilia Clark
of Malvern
Dep

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