

CASE NO.
362

SOUTHERN DISTRICT

LA SIERRA GRANT

VICENTE SEPULVEDA

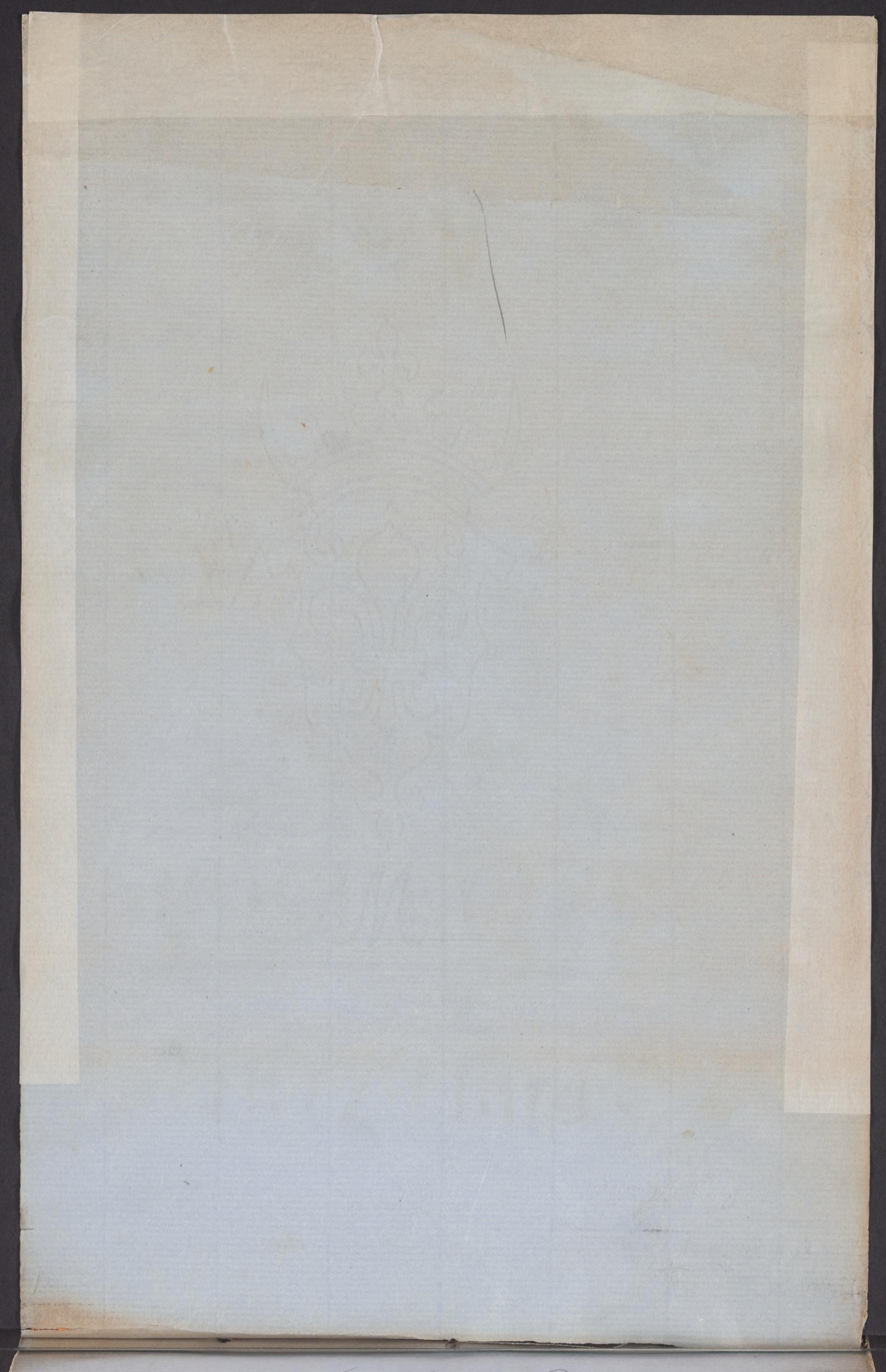
CLAIMANT

LAND CASE 362 SD pgs. 65

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453
Dept-

Esp-Sph-uniting
selves

TRANSCRIPT

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OF THE

PROCEEDINGS

IN CASE

NO. 453

Vicente Sepulveda

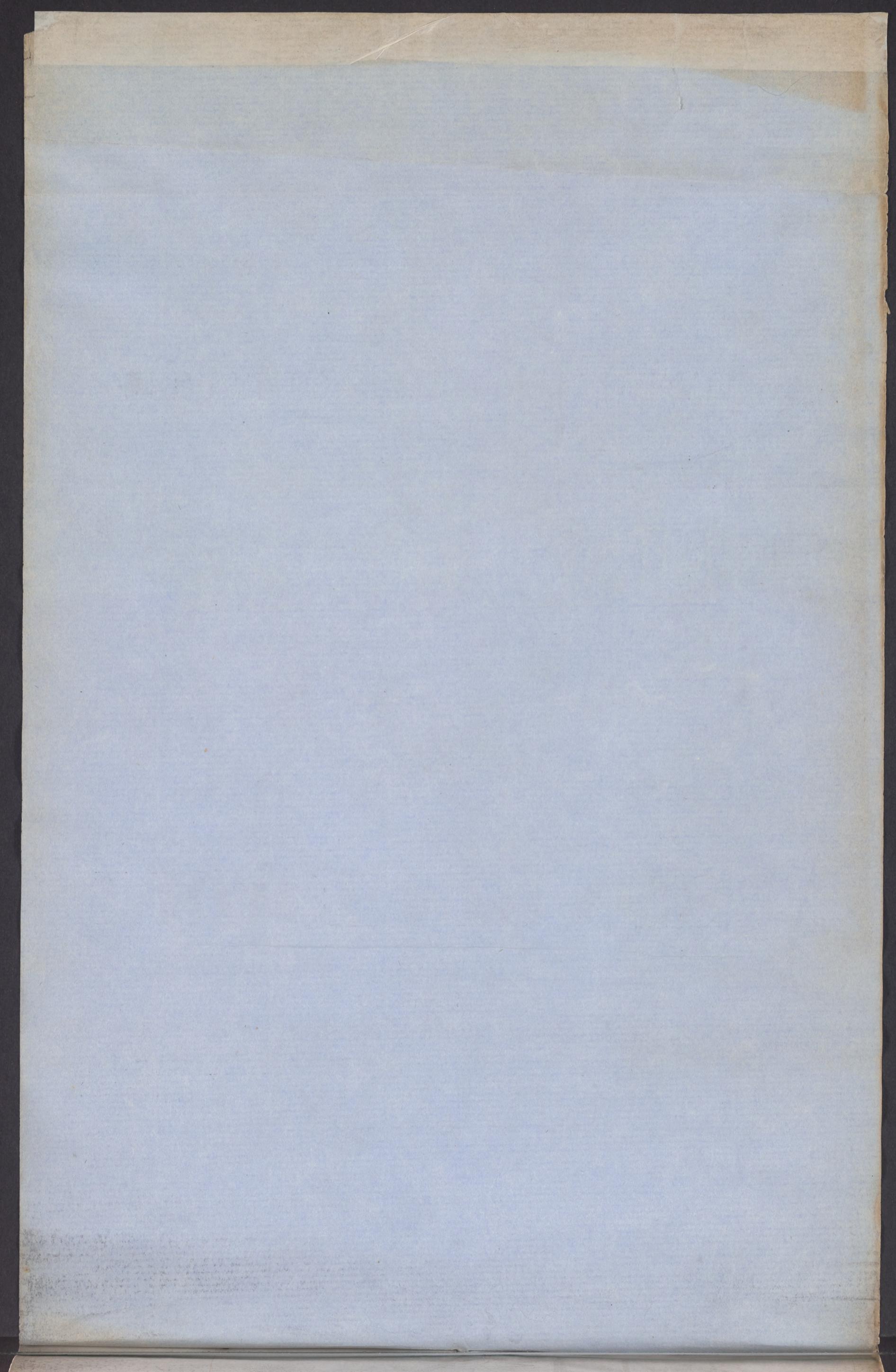
CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"La Sierra."



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 fourth 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 Vicente Sepulveda
for the Place named
La Sierra
was presented, and ordered to be filed and docketed with No. 453 and
is as follows, to wit:

(Vide page 3 of this Transcript.)

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

Los Angeles, November 10, 1852,
In case No 453, Vicente Sepulveda for the place
named "La Sierra" the deposition of Pedro Pico, or
witness in behalf of the claimant, taken before
Commissioner Nathan Hale with document marked
No. No. Not. and translation thereof marked 6,
anew a transcript was filed
(vide page 4 of this manuscript)

Los Angeles November 12, 1852
In the same case the deposition of Antonin F.
Coronel, a witness in behalf of the claimant
taken before Commissioner Nathan Hale was
filed
(vide page 4 of this manuscript)

San Francisco Oct 5, 1853
Case No 453, was submitted on briefs taken
under advisement

San Francisco July 10, 1855

In the same case Commissioner S B Fairman
delivered the opinion of the board confirming
the claim

(vide page 47 of this transcript)
and the following order was made, heretofore
(vide page 49 of this transcript)

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To the Board of the Commissioners
for Ascertaining and Setting private land
Claims in the State of California -

Petition

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Your petitioner Dona
Dionisia Sepulveda of the County of Los
Angeles in the State of California respectfully
represents to your Honorable Board that
she claims a certain tract of land called
La Sierra containing four square leagues
more or less situated in the County of Los
Angeles in the state of California that she
claims the same in fee by virtue of a grant
made to her under the authority of the
Mexican Government by the Pico Comis-
sional Surveyor of the Department of the
Californias bearing date the 15th of June
1841 -

Your petitioneer would further
represent that judicial possession of said
tract of land was given to her on the 2^d
day of July 1841 and the Comisioner thereof
acknowledged and signed and that she has
been in the peaceful possession thereof ever
since, and that she has no knowledge of
any interfering claim -

Your petitioneer herewith
presents the original grant of said land
with the judicial possession in the Spanish
language together with a translation of the
same and will make further proof of
title if required by the Board.

Your petitioneer prays
Your Honorable body to take into con-
sideration her claim to said tract of
land and decree her title to be valid and
confirm the same.

And your petition
will remain pray -

R. Huber,
Atty for Petitioner -

Filed in Office Nov 4, 1852.

(Signed) Geo Fisher Secy.

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Los Angeles Nov 10, 1852.

Deposition
of Pio Pico
mr.

On this day before Mr. Hiland Heath
comes Pio Pico, a witness in behalf of the
Claimant Vicenta Sepulveda petition No 453
and was duly sworn his evidence being in-
terrupted by the Secretary.

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The Wth Associate Law Agent was
present -

In answer to questions by
counsel for Claimant the witness testified
as follows -

This bound is Pio Pico, I am
age fifty one years & I reside at Los
Angeles.

A paper is my name me
supporting to be a grant to Vicenta Sepulveda
dated June 15, 1844 -

It is a genuine official
paper with my own genuine signature and
that of Jose Matias Moreno Secretary
upon it. It is white unlined & marked
No. 26. Not -

Pio Pico -

Sworn & Subscribed
Before Mr. Hiland Heath Comr.

Faid in Office Nov 10th 1852

(Signed) G. Fisher Secy -

Los Angeles Nov 12, 1852

Deposition
of A. L. Latomb
mr

On this day before Mr. Hiland Heath
comes A. L. Latomb, a witness in behalf
of the Claimant Vicenta Sepulveda petition
No 453 and was duly sworn his evidence
being interrupted by the Secretary -

The N.Y. Associate Law Agent
was present.

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

My name is Antonio F. Coronel.
My age is thirty three years & I reside in
Los Angeles.

I know the rancho called
La Sierra claimed by Vicenta Sepulveda -

A paper is now shown me
purporting to be a testimonial of judicial
possession dated July 6, 1844. I am acquaint-
ed with the signatures of Bernardo Cota,
Ignacio Coronel & Julian Chaves - These
signatures appearing on said paper I believe
to be genuine. Said Cota at the date of said
possession was an acting Alcalde - Said
paper is white Ampid & marked No. No. No. 1.

I have known the Rancho La
Sierra for twelve or fourteen years. It was
occupied when I first knew it. It was
occupied by Bernardo & Tomás Yerba
jointly - Afterwards I understood Vicenta
Sepulveda the widow of Tomás Yerba and
Bernardo Yerba partitioned the property for
separate portions of the land & titles were
issued to them accordingly - Since that
they have occupied the said separate -

ⁱⁿ Vicenta Sepulveda is still
in possession of she has some small houses
on the land & owns of a large stock of cattle -

Quotings by Associate Law Agent -

Did Tomás Yerba leave a will -
Answer -

He did leave a will -

Do you know the terms of the will in
relation to the land.

Answer - The will was very short - It

appointed his wife Executrix & directed his property to be disposed of according to law
I do not know that the land was mentioned -

Did he have children & what are their ages?
Answer -

He left two sons & two daughters
they are all minors -

Has she since married? -

Answer -

She is married to Remon
Cimello - She was married about 1814 or
1815 as I think -

Did you understand the grant was to her
or to herself & family -

Answer -

I do not know how the title was.

Was the land long occupied by Bernardo
& Tomas Yorke jointly?

Answer -

When I first knew the land
it was occupied by them jointly - How long
it had been privately occupied I do not
know -

Do you know whether they held under a
grant from the Governor?

Answer -

I do not know -

Question by Claimants Counsel -

When did Tomas Yorke die?

Answer -

I think about the years 1814, 1815
or 1816 -

A F Coronel
Sworn & Subscribed Before Me -
Hilary Neal Omr.
Filed in Office Mar 12, 1852,
100d, Gov Wash Secy.

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La Sierra.

Especiente.

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181.5

Especiente

Promovido por D.^r Bernardo Yorba
en pretension del terreno llamado

La Sierra.

N.^o 543.

2. An^o. Oct^e 23 de

1815.

Exmo. S^r. Gobernador.

Pase esta instancia
al Juez 1º de esta Capital Atua y de la vecindad de esta
para que practique la audiencia ante V.E. con el debido
respecto y segun Derecho me pres-
tare lo necesario y
sean necesarios y
vuelva al Gobierno para resolver.

Pd^o.

Bernardo Yorba dueño del Rancho
de Sr^r Antonio en el Río de Sta
al Sur 1º de esta Capital Atua y de la vecindad de esta
para que practique la audiencia ante V.E. con el debido
respecto y segun Derecho me pres-
tare lo necesario y
vuelva al Gobierno para resolver.
Punto y oido: que habiendo per-
cibido mas de veinte años un
paraje llamado de la Sierra
sobre el mismo río oto. fui oca-
sionalmente con los bienes
del fallecido mi hermano D^r
Tomas Yorba y los míos en cuya sujeción nos
mantuvimos en buena armonía, mas hoy
como los bienes del otro fallecido pasan a otras
máns, me es conveniente pedir la devolución
del terreno que en él expresado paraje de la
Sierra y por lo tanto no habiendo obtenido
título en forma segun han precedido leyes
posterioras a aquél entonces elevo la presente

3. Esperando que V.E. de Sierra esté satisfecho el
correspondiente al darseme que tengo el honor
de acompañar cuya estación es como de
cuatro leguas por lo que. A. V.E. Pd^o
Suplico me conceda esta solicitud por ser
de sucesión y justicia, cuya gracia suplico
protestando lo necesario y esperando de Siria
V.E. admitir la presente en este papel comun
por falta del sellado correspondiente.

Angela. y Octubre 18 de 1815.

Bernardo Yorba.

1. Angeles. Oct^e. 23. de 1815.

En cumplimiento del Superior decreto Mar-
ginal del Ilmo Señor Gobernador que obra
en el antecedente instancia pasea para manifi-
estaciones, a examinar el terreno que solicita el
solicitante, previa citación de colindante y demás

2. G
olemas diligencias respectivas. Así Yo Vicente Sanchez
A Señalar primero Constitucional decreto, muvole y
firme con los de mi asistencia segun dho.

Vte Sanchez.

asta. A. F. Coronel. asta. Felipe Castillo.

Año 3º de Obre. de 1845.

En la fha. se nombró a los tres Regidores Don Luis
Avellan y Synotico procurador D. Basilio Valdez
para que hagan la levantina del terreno que
hace mención el solicitante: previos los requisitos
de estilo y conforme al diseño. lo que ha sido
por diligencias que autorizó y firmó con los
de asta. segun otro.

Vte Sanchez.

asta. A. F. Coronel. asta. José María Moreno.

Angeles. Obre. 30 de 1845.

Se entregó el presente expediente a la comisión
nombrada en tres p^r útiles.

6.

Sanchez.

{Comision de Ayuntamiento.}

Tor. Juev. 1º

Consernierte al oficio de V. fecha 3º del p^rº
en que dice, pase hacer la levantina del
terreno que solicita (título) D. Bernardo Yorba
Comunico a V. que hemos establecido yo y el Sr. D.
Basilio Valdez hacer la respectiva examinación
y levantina del sitio, para lo cual y poderlo
verificar, mandamos citar a los colindantes
que V. me dijo heran á pesar de no serlo mas
que la tra. D. Vicente Sepulveda, pero hacen sus
embargo de eso, para cumplir: los mandé
sitar y no comparecio ninguno, y siendo ello
así y que el uno que fué con las otras dijo que
no estaban tuy ninguno: mas que la tra. Vicente
y esta maudir olear que su apoderado no
estaba hoy y que no tenía a quién mandar
nos fuimos hacer la levantina y examinar

el terreno, el qual digo a V. que es conforme al
diseno que se presente que no es de particular
ninguno ni comunidad, sino que es únicamente
y un terreno que hace mas de veinte años que lo
poseen el Sr. D. Bernardo y D. Tomás Yorba su nu-
no el que solicita otro. Sr. D. Bernardo no es todo
el terreno sino es mas que una parte del que mas
tiene.

Es quanto tenemos que ponemos en conoci-
m.^{to} de V. para los fines que le comuegan: Esta
vez no proporciona la ocasión de operar las segundas
de nuestro aprecio.

Dios y libertad.

San. Antonio. Dbre. 1^o de 1845.

Luis Gorvan. Basilio Valdés.

Exmo. Sr. Gobernador.

Any. 1845. 27. otoño
Vicenta Sepulveda viuda del
joven D. Tomás Yorba y Mené
Pase la pueste en causa por maltrato contra
esta señora al juicio 1845. por el ocioso legal y en la
que este al Jps. y digo: que tengo noticia que
cliente de Don Bernardo su hermano político Don
Bernardo Yorba porque Bernardo Yorba pidió por
loueste el contenido una instancia dirigida a su
de modo vuelva al Gobierno Superioridad, la Oficina for-
para resolver.

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loueste el contenido una instancia dirigida a su
de modo vuelva al Gobierno Superioridad, la Oficina for-
para resolver.

P. C.

Sr. Bernardo Yorba, me enjuen dirigirme
a V. E. y manifestar que al dividir ese terreno
bajo el pie que hoy se haya servido
micos que atañan a mi familia porque
el sitio que poseo es el mas pequeño de Santa

Ano

3. 11

en razón de que cuando se harto de la división
del precitado terreno por su esposo eran posesiones
las Yorbas del paraje nombrado de las rauas
y como el S^r. Alvarado se lo comunicó al S^r.

9. D. José Sepulcreta, queolo menos cabrío el
Panche y circunscribió a una cantidad absoluta
y cierta beneficio a la familia suya: mas que
no resistiría si la familia de D. Bernardo
Yorba porque tiene el cajón de Santa Ana
si de D. José A. Yorba por el derecho que obijo
fundado en las bolsas como repartuario de
D^o Catarina Muñiz: pero si V. P. como necesario
lo subdivide de estos sitios que se haga con
arreglo a ofrecerlo disfrutando todos los conjuntos
beneficios en los terrenos, pastos o brevaderos
y aguajes: y de ninguna manera se prohíba
permítase que una persona se beneficié y los
demás se olviden. Por tanto

A. V. E. Suplico que en vista de lo expuesto sucede
se aqueje esta instancia a la que presento Don
Bernardo Yorba y pido se tenga presente al
tiempo de resolver el negocio justicia que de V. P.
espero en lo que recibire gracia pero no ser de
malienda y lo necesario. D. Sirviéndose oír mi
la presente en suyo comun peralta o testigo
respectivo.

Aug^o Octubre. 27 de 1845.

No se firmar.

10. Octubre. 28 de 1845.

En cumplimiento del superior decreto Marginal
hoyas le saber la antecedente solicitud al
S^r. D. Bernardo Yorba, para que conteste al
contencioso de ésto y aquejese al Superior
de este S^r. como lo dispone el Dñmo. S^r. Ali-
yo Vicente Sanchez, Alcalde 1º y que des-
cubra, mire y firme con los de otra legajo
este S^r. Sanchez. At^r Convuel. José Chahuechum.

Ang^o Dbre. 30. de 1815.

- En la fha. q se presentó D. Bernuñolo Yorba q se le notificó la antecedente he impuesto q lo q se le entregara el Specieiente por suyo para q contabase a la sustancia de Dona Vicenta Sepulveda. Esto contestó y firmó con suyo y los de ásta segun dho.
11. Vic Sanchez. Bernuñolo Yorba.
Asa. et. F. Coronel. Asa. Luis Sorolam.

En la fha. se le entregó el Specieiente al Srs. Don Bernuñolo Yorba por cinco días en las fojas unidas.

12. Sr. Juez de 1º Instancia de la Cuitav y su
decreto en el.

Bernuñolo Yorba ante el Tribunal de V. en su forma q segun obnecio sus dores propone q lo q ha sido en el cargo de la representación q hizo al Sup^r Gobierno D^a Vicente Sepulveda viuda de su hermano Tomás y del decreto q a continuación se sirve V. expedir p^r el q puso por el término de cinco días a qui poder para contestar: lo hace con el devidito respeto y espouyo: qe panese qe la dicha tra. equitada su concepto, p^r q es su primera petición qe obre el mismo Gobierno no hubo de particion de terrenos sin solicitud del título p^r qe no hay cosa qe sea una prueba del porqye qe cui esperabalo hermano y no ocupámos, p^r qe espuecio de vivir aínes en la Sierra, y qe en cuota tiene concesión en el rancho de Sta. Ina qe a todos los hermanos nos correspondió p^r herencia: si a la repetición qe D^a Vicenta no lo conviene suplicar p^r la legua qe los terrenos qe ocupa: como si p^r esto valen qe insiste en impedir al Sup^r Gobierno no obte el título correspondiente segun el obnecio qe convine

en el Espejante de estro les resulta dano ninguno
a los herederos de Sta. Ana ni a la repeticion tenora

13. pues todo lo que pretendo es obtener el alcance
que haga legal la posesion por esipolo asi la ley
y no puelo menos de confessar que si hasta ahora
la confianza reposaba en mi diseno ya de no
advertirlo, y no responder mi ocupacion de tantos daños
a las multitudes de los tiempos venezolanos.

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Ahora con respeto al paraje de Sto. Anna
ya que la otra señora promiso encargo sobre el
dijo: que pido la opinion como peticion de
herencia ya pr que es muy necesario a mis in-
tereses y ya pr que como cosa beneficiada debe
resolver como legitimo a mis subestores, tal
como es pr lo que conviene otro particularista.
Dicha señora alega de perjuicio si se hace.
Yo ignoro las razones pr que se perjuicia pues
veo lo contrario y convexo que resulta para todos
el beneficio de saber lo que acada uno esclavizado
perderesea: mas sin proponerlo sin comentir q. no
se perjudicase q. a esto ya deberia sujetarse a
sufrir mi mal por la posesion de que o'ella
se produzca un bien? No señor quer al otro.
ni yo q. aseguro que si los demás benevolos
nos gravamos en cada y tan lejos como de-
cerlo, como convivio de ser util el verificarlo.

- Por lo obvio espero de V. de Sierra mandar
hacer lo particular del paraje obta. Anna
por ser conforme a derecho y a la autoridad
de la ley, como puede verse si se encuentra
con los sabios publicos que todos en ello convienen.
No obstante esto, sin ese recuento bastar a lo
solo las de la razon para convuir que univ-
los hombres en sociedad, esa garantia las in-
tereses particulares de cada Socio y nose con-
ciba su fin, si cualesquier quisiere impedir
el libre uso, aprovechamiento y convivencia

de los que posee. El terreno de Sto. Anna pertenece
a varios y así aun de ellos: mas como hasta
ahora no está determinada la partición vuelva
a repetir que me conviene la partición, aboyando
en mi favor el derecho y la ley que lo dispone
por lo que cumpliendo con lo dispuesto para
tribunal de V. en su decreto de fechas 6.

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A V. Rijo y Suplico haga como llevo dicho
por ser de justicia. Tengo lo necesario y que
espero me permitira V. el uso del papel comun
por falta del sellado que corresponde.

S. Antonio y Febrero 3. de 1846.

Bernardo Yorba.

15.

Exmo. Sor.

Tengo el honor de poner en manos de V.E.
en estos fechas el expediente promovido por el Dr.
Don Bernardo Yorba: el cual pone el informe
de la comisión que hizo la veolvia del terreno
denunciado: pero le falta la precisa comparación
de las cahidantes y otras visitadas: para
que según sus alegatos y esperiones la superio-
ridad forman un juicio exacto: mas como
el tiempo corre y la parte del Dr. Don Bernardo
apita es precisa elaborar a V.E. piano que tempe
lo que dice punto.

Sugd. Sr. 5 de 1845

(Seal.)

Juan Gallardo.

Angeles. Febrero 22 de 1846.

Vista Nueva este Expediente al Señorle 1º
de este Capitol para que con gusto del díano
se haga nueva reolvia del terreno que

16 pretenote, título de don Bernardo Yorba
en su nombre años con suctituto todo el que
el solicitante y su suy olo hermano ocuparon
y en que extensión así de que en suyo
el supone corespondiente con la clausula
que es masonia de Seja de cuatro sitios

5.15-

consta todo el resenorio terreno y pueda revolverse con propiedad lo que fuese justo.

Pico.

Año Febrero. 23. de 1846.

Hallandose este Juzgado con graves ocupaciones se surprende de este suceso.

Año Marzo. 27. de 1846.

Hallandose desocupado este Juzgado informan en connicion a Don Antonio Coronel y al claudor Don José Lopez los que pasaran: haran la devolucion de la manuela que lo ordena la Superioridad y daran cuenta por escrito a cuyo efecto ofrecio a Coronel y Lopez y que partan a la brevedad posible. Atíz Yo Gallardo Alcalde 1º y Juez de 1º Instancia obedeté y manole con los de arriba. Legum oterocho. Juan Gallardo.

Ata. Ygo Coronel. ana. Leonanolo Coto.

En la fecha. Se puso el oficio respectivo.

Envió. Señor.

Concediente al Superior obediencia Marginal fecha 23. de Febrero ultimo. numero oto
connicion que licencia nueva veduria de la Sierra que solicita Don Bernardo Gómez en el punto de Santa Ana: y esta misma connicion ha oido cuenta con sus trabajos y pone oficio que ve a continuacion: con cuyo documento para revolver la Superioridad lo que crea justo y conveniente.

En lo que tengo el honor de decir a V.E. en cumplimiento del precitado obediencia.

Año Abril. 11 de 1846.

Juan Gallardo.

19. Cumpliendo con lo que me ordenó en su nota 27 del pr. año pase acompañando del libro de Don José María Lopez y del Señor Don Bernardo Gómez al paraje llamado de la Sierra en el nro distritu

Solicitarlo por el Leyuuelo conveguamente a la
parte sobrante que queda de este misu terreno
al Cr. E. y leviuelo a lo visto el Superior obispado
22 de Febrero que abra en el Expediente ocluf-
-mito Sdr. Jones p. 8. questa 3 frante, en uno es
dicho que consta a la 2 del mismo y demas
de cuantos concernientes, procedi escrupulsoante
hacer la bedenia respectiva del mencionado
parage, observando todas las obligencias pos-
-cibas y necesarias de la materia y en cons-
-cuerdia resulta: que dho. terreno comprende
en su esteriores siete altos mas o menos de
Gamuel Mayor que esta ocupado hace mas
de treinta años con bienes de los señores Don
Benuuelo Yorba y el suyo. Su hermano Don
Jomas que la parte que pide el solicitante es
la mejor por sus tierras de labor pastos y
obraderos: y que en otro sitio se hizo cuenta
un corral perteneciente al suyo Don Jomas
y facie su servicio con las servientas de la
vivienda de este señor; y qualmente hizo el acto
del alquiler que hecho referencia con el punto
Solicitado y resulta que aunque es lo mismo
en su finca observan las viudas por los
mas figurados en cui aparicion a las hijas

Al hacer presente a la Señora Damavista
Sculpta el objeto de mi comision me ha
informado que el Señor Don Benuuelo Yorba
aprovechando la ocasion de tener su cargo
los intereses de cui suyo cargo D. Jomas
aprecio la parte mayor del terreno ole
La Sierra con que perjurio de las mas
que una representante y su caudar de que
o mas o menos que estas tienen como lo ha
hecho ver el Señor por una representante

Todo lo que tecizo el Señor ole
informarse de obsequiando la Superior

disposicion y para los efectos que haga lugar adjunt
- anvelope el expediente otho. Protestando a la vez
mi aprecio y consideracion.

Dios y libertad.

Arg^o. Abril. 3. de 1846.

A. F. Povonel. José María López.

23. Pio Pico, Gobernador Constitucional del Departamento
de las Californias.

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Por quanto el Ciudadano Bernardo Gorba
há pretendido para su beneficio personal y el de su
familia un terreno que por largos años ha estado
poseyendo legalmente llamado de la Sierra en las
margines del río de Santa Ana colindante al
norte con la Sierra y al sur con el mismo río
practicando previamente las diligencias y conve-
nencias convenientes, usando de las facultades
que me son conferidas a nombre de la Nación
Mexicana sé veudo por decreto de este día
en concederle el expreso aviso declarandole
la propiedad de él por las presentes letras de
Conformidad con la ley de 18 de Agosto de 1824 y el
reglamento de 21 de Noviembre de 1828 a reserva
de la aprobación de la Junta. A. Departamental
y bajo las condiciones siguientes.

1^a Podrá ejercerlo sin perjudicar los trazados
caminos y servidumbres, lo disfrutará libre y sin
ningún destino ni uso y cultivo que no
le convenga.

2^a Solicitará del Juez respectivo que le dé la
posesión jurídica en virtud de este despacho por
el cual se devueltan los tiempos con las mu-
neras necesarias.

3^a El terreno de que se le hace donación es de
cuatro sitios de Gaucho Mayor. El que que-
dare la posesión lo hará medir conforme a
ordenanza quedando el sobrante que resulte a la
Nación para los usos que crea convenientes.

En Consecuencia suavito que tenuerolose el presente título por firme y valeadero se tome razón de él en el libro respectivo y se entregue al interesado para su resguardo y demás fines. Dicho en la Ciudad de los Angeles en este papel comun por no haber del sellado a quince de Junio de mil ochocientos dieciséis y seis.

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24.

Pío Pico.

Por Cuarto Dona Vicenta Sepulveda ha puesto suavito para su beneficio personal y el de su familia parte de un terreno que por largos años estaba poseyendo legalmente su difunto esposo D^r Tomás Yorba llamando la Sierra en las margenes del Rio de Santa Ana. Colindante con D^r Bernardo Yorba y la misma Sierra, practicadas previamente las diligencias y averiguaciones convenientes segun desarrollo de las facultades que me son conferidas á miembro de la Nación Mexicana he venido por veneno de este día en Colección al expresado terreno declarando la propiedad de él por las presentes letras de conformidad con la ley de 18 de Agosto de 1821 y reglamento de 21 de Noviembre de 1828 a reserva de la aprobación de la S.A. Departamental y bajo las condiciones siguientes.

25.

1º Podrá cerearlo sin perjuicio de las tierras caminos y servidumbres lo disfrutará libre y esclavitudmente destinándolo al uso y cultivo que sean le convenga. 2º Solicitud del dueño respecto de la posesión Jurídica en virtud de este despacho por el cual se obtendrán los títulos con las modificaciones necesarias. 3º El terreno de que se hace donación es el de cuatro sitios de Jaujolo Magor. El que obiere la posesión lo hará suelto conforme a ordenanza quedando el sobrante que resulte a la Nación para los usos que sean convenientes. El que obiere la posesión lo hará suelto conforme

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... la suscripción lo hagan suceder conforme
a voluntad quedando el sobrante que resulta
a la Nación para los usos que sean convenientes.
En Consecuencia mañana que tiene celose el presente
título por firme y valeadero, se tome razón de él
en el libro respectivo y se entregue a la interesada
para su resguardo y demás fines. Dado en la
Ciudad de los Angeles en este papel comun por
falta de sellado a quince de Junio de mil ochocientos
cuarenta y seis.

J
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" y pásela a la interesada q. a compaña el
objeto respectivo.

Here follows a map or plan.

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

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 Calif.
by virtue of the power vested in me by law, do
hereby certify that the Twenty Six preceding and
hereunto annexed pages of tracing paper, numbered
from one to twenty six 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 hereunto
signed my name officially and caused my Seal of
office to be affixed at the City of San Francisco this third
day of Oct^r A.D. 1853.

John C. Hays.

U.S. Surveyor G. for Calif.

Filed in office Feb^r 13 1854.

Geo Fisher Secy.

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Depósito -

Presidento -

Bleno of Proceedings instituted by
Don Bernardo Gorke praying for the
land called "La Sura".

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PAGE 21

Translatio[n]
of
Ospedinto
m.

Angels Oct
23rd/115 -

Let this petition
be referred to the
first Judge of this
Capital in order to
make the necessary
report and return
it to the Govern-
ment for action -

Pico

No 543.

To His Excellency
the Governor.

I. Bernardo Gorke
owner of the Rancho of
San Antonio on the River
of Santa Ana in the vicinity
of this City presents myself
before you with due respect
and according to law and
say that having owned for
more than twenty years
a place called La Sura
on the same river which
was only occupied with the
property of my deceased
brother Don Thomas Gorke
and my own in which
settled I accusations we
maintained ourselves in good
harmony but now as the
property of said deceased
passes in other hands it is
necessary for me to pray
for the division of the land
situated at the aforesaid
place of the Sura and not
having obtained a title in
form as desired in posterior
laws for that purpose I
therefore present this petition
hoping that you will be
kind enough to grant me
the property corresponding
to the sketch which I have

the favor to admit hereto which extension
is of about four leagues whence I pray
you may grant me said property it being
of necessity to me and justice which County
I implore doing all that is necessary hoping
you will accept these presents on this
ormany paper in the absence of the proper
seal paper.

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August October 18th 1845 -

Ramundo Yorba,
curia

August Oct 24, 1845.

In conformity with the
Superior decree of his Excellency the Governor
appearing on the foregoing petition for better
authorization let the land prayed for by the
party be examined the measures being justi-
cally considered and the other necessary steps
be taken -

Thus I Ramundo Sanchez first
Constituted Alcalde decreed ordered and
signs it with my assistants witnesses according
to law -

Atto Sanchez.

Witnesses

A F Carmon
Felipe Castello -

August 23rd 1845 -

On the above date the
Regidor Don Luis Jordan and the Syndic
Don Bazilio Valdez were appointed to make
the measurement of the land mentioned
by the petition the necessary proceedings hav-
ing been had and in conformity with the
Sketch those steps being taken for the investiga-
tion which I authorize and sign with my
assisting witnesses

Atto Sanchez.

Mitifsis
Atf Llum
Tosi Ma Morro.

August Oct 31. 1845.

The present Expediente
on three useful Sheets was handed to the
Commissary appointed - Sanchez -

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Commission of ^{the}
Ayuntamiento ^{of}
To the first Judge.

Concerning your order of the 29th last
past to make the Measurement of the
land shaped for by Don Bernardo Yorke
I communicate to you that Don Bazallo
Vaidz and myself proceeded to make the
Examination and Measurement of the land
for which purpose went to briefly it was
ordained the neighbors to be notified as you
told us although there were no other than
La Simora Vicenta Sepulveda. but nonetheless
in order to conform to the instructions we
named her to be cited but no one appeared
and seeing this and that the Servant we sent
with this notice said that there were no
other but the Simora Vicenta. who said that
her attorney in fact or agent was not there
and she had gone to find still we went
to make the Measurement and Examination
of the land which we inform you is as is
shown by the State presented that it belongs
to the outlet. is a piece of land which Don
Bernardo and Thomas Yorke (deceased)
has been in possession of for more than twenty
years. lessells that the land shaped for by
said Bernardo is not the whole land
but only a part thereof more or less.

The above is all what we
have to report you for the necessary ends
this giving us the occasion to offer to you
the assurance of our appreciation -

God and Liberty. San Antonio Nov 1. 1845.
Luis Jordan
Barillo Valaz. 3

To His Excellency
the Governor.

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PAGE 24

Aug 24 / 115^o

Let the present petition be submitted to the first Judge of this Capitol and be answered to the one of B. Yorke to answer its contents and return the proceedings to the government for adjudication.

Pico -

I. Vicente Sepul-
vella widow of Thomas Yorke deceased a Mexican by birth legally and in form appears before Your Excellency and say -
That I am Motsu'd that my brother in law Bernardo Yorke by a petition presented to you prayed for the division of the Ranchos of Santa Ana, this Petition together with the fact that I am of my minor Chilares this also of S. Yorke deceased require that I should present myself before you and represent that the division of the land as prayed for would result in nothing else but the ruin of my family because the land that I possess is the smallest of S. A. Ana in consequence of the fact that when my husband possessed the possession of said land the Yorkes were owners of the land known as the Rinas and as Sor Alvarado granted it to

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Don José Sepulveda the Rancho had
his drift and was reduced to an Absolute
Shameless without benefit to my family
Moreover that no injury will result to the
family of Don B. Yorba because he owns
the Casin de Santa Ana his will that of
Hon José A. Yorba an account of the rights
he claims as representative of Anna Catherine
Yorba, but if you think the division of the
lands necessary, let it be done according to
Equity that all may enjoy the lands, pas-
turage, watering places and streams and in
no case can it be permitted that one may
be benefitted and the others injured.

Whence I pray that in
view of the foregoing that this petition be
granted to the said presented by Bernardo
Yorba and asks that he be present when
the Master will be seated a Justice which
I hope from you for which I shall receive
favor swearing that there is no malice and
what is necessary.

Expecting that you will
allow the present on ordinary paper in the
absence of sealed paper.

Angelus Oct 28th 1845.
Petitioners does not know how to sign -
me.

Angelus Oct 28th 1845.
In accordance with the
Superior decree on the margin - Let the
foregoing petition be made known to B.
Yorba to answer its contents and be an-
swered to his expedito as ordered by his
Excellency -

Thus I Viento Saychez 1st
Alcalde and Judge of the first instance
decree order and sign it with my witness
according to law -

H. Sanchez -

Notary's. *Oxenot* *S.*
Morona. *S.*

26

Angus Dec 30th 1845 -

On the above date Dr
B. Gorke presented himself and the
firing was notified to him -

He asked that the
Esquinto be handed to him for five days
to answer the petition of Waaco became
Supplied this his answers and signs with
you and my witness -

B Gorke
8th Decr 1845.

Witnesses

H F Coronel
Luis Indom

An the above date the Esquinto
consisting of five useful shots was handed
to B Gorke for five days.
num.

To the Judge of the First Instance
of the City and its Ammunition -

I Bernardo Gorke before
your tribunal in due form and according
to law appear and say. That having
examined the representation which Vicente
Sipulide will of my accused brother
Tomas made to the Superior Government
and the order rendered by you in consequence
thereof that the delay of five days to answer
it has deserved - I return it, with due respect
and care - that the said lady is in error
as my first petition I presented to the same
Government does not treat of petition of
lands but is a prayer for the title because
there is no in form for that part in the
Sierra which my aforesaid brother and
myself occupied for twenty years and which
has no connection with the Rancho of Sta
Ana -

If it is not convenient for the said
lady to pray for a title for her security
to me it is and for that reason I insist
in implying from this Superior Government

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that the aforesaid title be granted to her according to the sketch annexed to the Especialista
injury will result from that either to the heir's
of Sta Ana or to the aforesaid Lady inasmuch
that what I ask for is to obtain the legal pos-
session required by law and I cannot do less
than confess that if up to this time hopes which
placed on my carelessness now you should
put an end to it and not expose my occupation
of so many years to the necessities of humanity -

Relative to Sta Ana now that
the said Lady brings suit on it. I say that
I ask the division as a partition of an inheri-
tance because it is now very necessary to my
interests and as it is an inherited thing it must
be acknowledged as legitimate to my successors
as it is for that reason that the partition is
necessary -

The Señor Rua Vicente avows
nothing in case they may be any. I am ignorant
of the reasons why any injury should result
to her as I see the courtesy contrary and I
know the benefit which will result to all by
ascertaining that which exclusively belongs
to each. Let supposing for argument sake
that a prejudice will result to her should
I submit to suffer an injury to assume a
benefit in her favor? In sur - no injury will
result to her or to myself and I assure
you that neither the other heirs nor ourselves
will receive any damage so far from certifi-
cating anything of the kind the pecuniaries will
be useful I confirm them

Wherefore I hope that
you will order the partition as being in
conformity to justice and authority of the law
as it may be seen by consulting the wise
advisors on which point thus alleged
agreed but aside from this light of reason
there will suffice to establish that our
associating themselves in partnerships this
principle guarantees the particular interest
of each partner and the required ends will
not be obtained if one our desire to present
the few and simple and advantages of

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those that possess anything - The land of
Santa Ana belongs to various individuals
and to myself, but as to this time the portion
of each is not determined. I warrant that
the partition is necessary pending in my
favor right of law which thus arises it -

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In consequence whereof com-
plying with the desire of your Tribunal in
paper I pray for what I have asked as
being Justice - I swear to whatever is necessary
and hope that you will permit me the use of
drawing paper in the absence of compasses
sealed paper -

San Antonio.
January 3rd 1848.
Bernardo Yorka -
uuc.

I have the honor to place in your
hands the Expediente on Eight Sheets Executed
at the request of Mr Yorka the report of the
Commission which made the measurement of
the land prayed for being thence annexed
but the precise appearance of the neighbors
and other interested parties to establish their
allegations and objections in order to enable
the Office to make a correct decision is wanting.

But as the time is running and
the party representing Mr Bernardo is pressing
the matter it is necessary to submit it to you
in order that you may decide what is just -

Augustus Domingo 3rd 1848.

Am Ballado -

Anglo February 2^d 1848.

Let this Expediente be
returned to the 1st Alcalde of this Capital
in order that with the sketch a new Measure-
ment of the land for which Mr Bernardo
Yorka prays with be made Examining less-
ons with & acts all that the parties
and his deceased brother occupied and the

is necessary that the right of zoning which

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Exhibit of it in order that the necessary report
may be completed with that clearness which
is necessary, that the number of sections (square
leagues) comprising the aforesaid land may
be known and that which is just may be
decreed with equity.

Sir -

uuu.

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Anglos February 23rd/14.

This court finding
itself with important accusations this affair
is continued -

uuu.

Anglos March 24/14.

The Court Not being
occupied orans that Mr Antonio Cordero
be appointed of the Commission and Mr José
López Curator which being accomplished
thus will make the measurement as ordered
by the authority and thus will report in writing
for which purpose said Cordero and López
will officiate and shall start as soon as
possible -

Thus I Juan Gallardo 1st
Alcalde and Judge of the first instance
doe and order it with the witnessess accord-
ing to law.

John Gallardo -

Witnesses

A Cordero
Giménez Cotero 3.

uuu

On the above date the respective notices
were given -

uuu

Sir -

In conformity with the
Supreme Magistrate dictio dated February 22
last I have appointed another Commission
to make a new measurement of the Señor

prayed for by Rm Bernardo Yrbea on the
place of Sto Ane and this same Commission
has revisited its labors and submits the
report which follows these presents with
which document the authority will be able
to adjudicate whatever it thinks just and
convenient -

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It is that which I have the
honor to tell you in accordance with the
aforesaid decree -

Angus April 11th 1844 -
From Bernardo -

etc.

In accordance with that which
you ordered me in your date of the 24th
ultimo I went accompanied with the
Cazador Rm Jaxo Maria Lopez and Rm
Bernardo Yrbea to the place called La
Sierra on the River of Santa Ana prayed
for by said Yrbea together with the human
marks of the same due to the North East
and having done the decree of the 22^d of
February appearing in the Expediente (reports
of proceedings) of the Asmisdad Sir Dorado
pages 8 and 9 and the Stock page 2 and
the same other documents concerning the same
I proceeded with great care to
make the required measurements of the aforesaid
land observing all the requirements prescribed
and necessary in the matter -

In consequence thereof
it resulted that that land comprised in the
same is seven leagues (Siete) more or less
of grazing land that it has been occupied
for more than twenty years by the property of
Rm B Yrbea and that of his accused
brother Rm Thomas that the part prayed for
by the petitioner is the best portion on account
of its agricultural lands and watering
places and that in said place there is a
Quale pin (Corral) which belonged to
Rm Thomas accused and a shanty occu-
pied by the servants of the widow of said

31

accused I made a comparison of the sketch having reference to the place solicited and it resulted that although it is the same in sum it indicates the four points of the compass in opposition to the two ours.

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In informing the Señora Sepulveda of the object of my mission she represented to me that Don Bernardo Gómez taking advantage of the fact of having charge of the interests of her deceased husband Don Thomas has prayed for the last part of the land of the Yurlo to the great injury of the Mission without consideration to their equal or quota rights as she has represented to your Excellency in a petition.

All of which I have the honor to inform you of in obedience to your order and for the necessary impressing him with the aforesaid object -

At the same time protesting my regard and appreciation -

Lord and Liberty -

August 3, 1841.

A. F. Conron

José María López.

1st. Señor Judge

Don Juan Gómez

mm.

To the Constitutional Governor of
the Department of the California -

Marcus the Citizen Bernardo Gómez has prayed for his personal benefit and for those of his family for a piece of land which for many years he has legally possessed called the Yurlo on the shores of the river of San Andrés bounded on the North by the range of mountains and on the South by the Salado river the necessary steps being taken and the necessary investigations being had using of the faculties afforded upon me in the Banks of the Mexican Nation by a decree of this day I have granted to him the aforesaid land declaring to him the ownership thereof in virtue of these presents affinably to

the law of the 18th of August 1824 subject
to the approval of the Departmental Assembly
under the following conditions -

1st - We may exercise it without prejudice
to the roads and services he will enjoy it
fruly and exclusively applying it to the uses
and extraction which to him will appear best.

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2^d - We will pay from the proper Judge
that Judicial possession be given him in
virtue of this decree for which purpose the
Canadian will be paid with proper marks

3rd - The land herein mentioned is of four
Quarto Leagues (cuarto leucas de quinientos
Mayor) The Judge will have it measured
in conformity to ordinances the surplus land
to remain to the Nation for the uses which may
be convenient -

In consequence I order that
the present title be held firm and valid and
that nothing thence be made in the proper book
and be delivered to the party for his security
and other ends -

Given in the City of Las
Ampas on this ordinary paper in the absence
of stamped paper on the 15th of June 1841.

more

Pio Pico -

Maria Anna Vicenta
Sepulveda has prayed for her benefit and
that of her family for the land for many years
legally possessed by her deceased husband
Don Tomas Yerola called La Señorita on the
shores of the River called Santa Ana bounded
by the lands of B Yerola and the said
Range of Mountains the necessary steps being
taken and the necessary investigations being
had using of the faculties which are conferred
on me in the name of the Mexican Nation I
have by a decree of this day granted for the
aforesaid land declaring it her property in

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virtue of these presents in Consequence with the
law of the 15th of August 1824 and the
regulations of the 21st of November 1828 sub-
ject to the approval of the Departmental
Assembly. Subject to the following conditions -

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1st - She may Enclose it without prejudice
to the roads, cross roads and Irrigations - She
will Convey it freely and exclusively applying it
to the use and Cultivation which to her will
appear best -

2^d - She will pay from the proper
Judge the Judicial possession in virtue of
this decree for which purpose the boundaries
will be marked with proper land marks -

3^d - The land granted is of four square
leagues of grazing land (cuare de la ganada
Mayor) -

The Judge who will give for the
possession shall have measured according to
ordinance the surplus land to remain to the
nation and he will notify the party that she
has the proper sketch -

In Consequence whereof I
order that said title being held firm and
valid entries thereof be made in the proper
book and it be handed to the party for her
security and further ends -

Given in the City of Los
Angeles on this ordinary paper in the absence
of stamped paper this fifteenth day of
June 1846.

a

Signed in Office Feb 13, 1854.
(Signed)

Glo Fisher
Seal

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Pío Pico Gobernador Constitucional del Departamento de las Californias.

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B.

No N° 1.
acuerdo de
oficio
oficio

Por quanto Don Vicente Sepulveda ha' pretenido para su beneficio personal y el de su familia, parte de un terreno que por largos años estuvo poseyendo legalmente su difunto esposo Don Tomás Yorba, llamado la Sierra en las mangas del río de Potosí otorgando voluntariamente con Don Bernardo Yorba y la misma Sierra, practicadas previamente las diligencias y averiguaciones convenientes; usando de los facultados que tiene son corporistas a nombre de la Nación Mexicana he' venido por oficio de este día en concederle el espurado terreno estableciéndole lo propiedad de él por las presentes letras, de conformidad con la ley de 18 de Agosto de 1824 y reglamento de 21 de Noviembre de 1828 a reserva de la aprobación de la Exma Asamblea Departamental y bajo las condiciones siguientes.

1º Podrá cercarlo sin perjudicar las travesías caminos y servidumbres, lo disfrutará libre y esclavamente destinando lo al uso o cultivo que más le convenga.

2º Solicitará el que respectivo le dé la posesión jurídica en virtud de este despacho por el cual se devueltan los linderos con las invenciones necesarias.

3º El terreno de que se le hace donación es el de cuatro cuartos de ganado mayor. El que q. tiene la posesión lo hará medir conforme a lo establecido quedando el sobrante que resulte a la mención para los usos que sean convenientes y preventiva a la intensidad que acompañe el destino respectivo.

En consecuencia manuel que tiene desde el presente título por finie y valeadero se trae razón de él en el libro respectivo q. se encuegue a la intención para su resguardo y demás fines. Dicho en la ciudad de los Angeles en este papel comun por falta de sellado a quince de Junio de mil ochenta y cuatro y seis.

Pío Pico José Matías Moreno,
Queda tomada razón de este Superior despacho en el libro respectivo. Moreno.

36

Filed in Office.

Nov² 21st 1853.

Geo. Fisher.

Sey.

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PAGE 35

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Sir Vice Constitutional Governor
of the Department of California -

"C"

Translation
of
English
Grant

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Manas Anna Gentile Sepulveda
has asked for her personal benefit and that
of her family for a part of a tract of land which
for many years has been legally possessed by
her deceased husband Don Thomas Yorlee called
the Simo among the Oaks of the river Santa Ana
claimed by the property of Don Bernardo
Yorlee and the ridge of mountains the somal-
otes and other steps having been observed
using of the faculties which have been granted
to me in the name of the Mexican Nation
as per decree of this date I have granted the
aforesaid land declaring it her property before
these presents according to the laws of the 18th
of August 1824 and the regulations of the
24th of November 1828 subject to the approval
of the Departmental Assembly and under the
following conditions -

1st. She may enclose it without prejudice
to the roads and servitudes - She shall
enjoy it freely and exclusively applying it
to such uses and ends which to her shall
appear best -

2^d. She shall solicit from the proper
Judge the judicial possession in virtue of this
order in consequence whereof the Conduccio shall
be laid off with the necessary land marks -

3^d. The land hereby granted is of four
leagues of pasture lands - The Judge who
will give the possession shall have it measured
according to the regulations the surplus land to
remain to the Nation for its use and the
grantee shall annex a design to this order -

Consequently I order that this title
be held firm and valid and that anything of
it made in the proper book and that said
title be handed to the grantee for his protection

and other Quills. Given in the City of Las
Aguilas on this day of June for want
of Stamped paper on the 15th of June 1811.

Geo. Pio -

Jose Matias Munoz
Secretary -

Copy of this has been made of this order in
the proper book.
Pio.

Filed in Office Nov 4. 1852.

(Signed) /
Geo Fisher Secy

1. 39
Suplicante

Posecion

de Dona Vicente Sepulveda.

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ano. de 1846.

ANEXO
20

70.
20.
—
180.

En la ciudat de los Angeles del Departamento de las Californiaas a los veinte dias del mes de Julio de mil ochenta y cuatro cuarenta y seis, anteante á la sollicitud verbal que hizo Dona Vicenta Sepulveda de Gorba para que se le diese posesion juridica de un paraje llamado la Sierra en las margenes del Rio de Santa Anna concebido por el E. S. Gobernador segun lo demuestra el titulo que al efecto presento: pase por mi y testigos de asistencia al paraje que se indica y previa citacion de colindantes procedese á dar la posesion á la referida Dona Vicenta con total arreylo a su titulo que con fecha quisico de Junio se le extendio. Asi Yo Sevuanolo Cota Regidor de uno del Ilustre Ayuntamiento, Alcalde 1º y Juez de 1.ª instancia interino, obedece, mandé y firme con los de asistencia segun Derecho en este papel comun por falta de sellado ologje. Sevuanolo Cota. = asistencia: Ignacio Palomares. Ata. Juan Roster. = En Seguila pase oficio a los señores colonizantes manifestando les que iba a remediar un paraje en la Sierra en el Rio de Santa Anna y poner en posesion de él a la señora Dona Vicenta Sepulveda por lo que se les prevenia estubiesen en sus liendres estos señores no inquistarlos objencion alguna y quedaron entevidos lo que se pone por diligencia. Sevuanolo Cota.

Ata. Ignacio Palomares. Ata. Juan Roster. = A continuacion y hallandolo en este ciudad se buscan cabalgada para salir y hallandose en contrado se emprevio la marea y se pone por diligencia. = Cota. = En marea de Julio del mismo año y estando en la Sierra de los manganes del Rio de Santa Anna nombra otras oficiales corredores los que por no saber firmar se omiten sus nombres los que despues de haber asentado se les tomo el juramento respectivo bajo el qual oyeron desempenar fiel y lealmente su encargo y cumplir con el caracter de tales corredores. Yo que aciento por obligacion que autorizo y firme con los de asistencia seguir adelante. Sevuanolo Cota. = Ignacio Palomares. Juan Roster. = Ata. Continuo y permanente en el paraje de la Sierra, estando ante mi los oficiales corredores y los testigos de asistencia

7. H1

hizo medir un coroel constante de cien varas al que se le ataron en sus extremos unos lances de madera y previa observacion y calculo por un disolucion se tiro el coroel rumbo N. con cuarenta y cinco grados al E. a orilla del río de Santa Anna des del liendro de don Bernardo Yorba partió la Vega hasta donde huece y sigue una sanya q. remata esta molida en una lomita liendro de don Bernito Wilson q. se midieron y contaron oley y mere mil quinientas varas en cuyo remate se manó poner una myonera. De este punto y con dirección al E se tiró la cuerda q. remataban cinco mil ochientos cuarenta varas que remataban en un servito que se haya cubierto de penascos y colindra con terrenos valiosos. De este lugar y con dirección al S. se tiró se tiró el coroel y se midieron y contaron oley y mere mil varas que remataban en un arroyo seco del temascal liendro de don Bernardo Yorba q. se haya un servito solo en el ilquo donde se manó poner una myonera.

De este punto se tiró la cuerda al S. con dirección y se midieron y contaron siete mil ochientos varas sencuentas varas que sialijaron en la orilla del precitado río donde se olio principio a las medias. Y presentes los colonizantes no manifestaron objecion alguna y concluidas las medidas se pidió la opinion q. unica q. soleme del terreno mencionado i nombre de la Nación Mexicana a la Señora Dona Vicente Sepulveda q. quedó satisfecha y trunando el acto lo q. autorise y firmé con los abastos segun Derecho. = Levuanolo Cota.

Mrs. Ignacio Palomares. = Mrs. Juan Foster.
angeler. Julio 11. de mil ochocientos cuarenta y seis. = Desele testimonio a la Señora Dona Vicente Sepulveda de los presentes obligaciones para q. ayeguadose lei al título de su anexo Coexistencia y seguridad. Así Yo el Juez en tanto oíenq. ibanote y firmé con los de mi asistencia segun dro. = Levuanolo Cota.

Mrs. Ignacio Palomares. - Juan Foster.
En la otra. se olio el testimonio respectivo.

Con cuerda con su original a que me remitió del que se sacó fiel y legalmente en estas otras pagas del papel comun por falta del

42

the wt Supra. Doy fee. Salvavlor. etc.
Gg^r. Coronel. assa. Indian chuboya.

Filed in office. Nov. 25th 1853.

Geo. Fisher.
Sey.

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PAGE 41

1853

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In the City of Los Angeles
Department of California
on the 8th of July 1846.

"8"

Translation
of
Judicial
Paperwork.
etc.

362 SD
PAGE 42

According to the verbal paper made
by Anna Vicente Sepulveda de Gofan for the
official possession of the Rancho called the
Puma on the margin of the Santa Ana
River granted to her by the Crown according to
the title which for that purpose she presented I
ordained that with the assistance witness should
go to the indicated place previous notice to the
neighbors being given that we should proceed
to give possession to the aforesaid Anna Vicente
according to the title which was granted to her
on the 15th of June.

Thus I Leonardo Cota
Regidor of the Ayuntamiento first Alcalde
and Justice probó in the first instance
dictated orated and signed with the assisting
witnesses according to law on this ordinance paper
for want of stamped paper.

Given at the
Leonardo Cota -

Witnesses
Ignacio Palmaras.
Juan Foster -

Consequently I notified the
neighbors informing them that I was about
possessing a tract of the Sierra on the River of
Santa Ana and place in possession thereof
the Anna Vicente Sepulveda and that they
should leave their boundary lines these parts
being made acquainted with the facts caused no
objection whatever which facts are here inser-
ted as part of these proceedings -

Leonardo Cota -

Witnesses
Ignacio Palmaras
Juan Foster -
etc.

Therefore having being determined to proceed to the premises which fact is here recorded as part of the proceedings -

Cotw.

362 SD
PAGE 43

On the 9th of July of the same year and being on the Suma at the Margin of the Santa Ana River I appointed two Chain Carriers who not knowing how to sign their names are omitted thus having accepted the Office were sworn to observe faithfully and accomplish legally the duties of the Office which fact is here inserted as part of the proceedings -

(Signed) Cotw.

Witness
Ignacio Palomares,
Sum Trot -
Cotw.

And being on the designated spot together with the Chain Carriers and the assistants witnesses the first proceedings were to have a rope of one hundred varas measured off to the ends of which a wooden Stake was attached and previous observations and calculations being made by me the rope was stretched in a Northly direction forty five degrees East of the Margin of the Santa Ana River from the Cummings line of Mr. Birney du Plessis all along the plain to where additions this measurement measured and running nineteen thousand five hundred varas ended on a small hill commanding the property of Mr. Birney Wilson at which terminus I ordained that a Stake be placed

From this point and in an Eastly direction the rope was stretched over four thousand two hundred and fifty varas which ended on a small hill covered with rocks commanding vacant lands from this point and in a Southly direction the rope was stretched and running thousand

Varas were Measured and Counted which
ended in the day next of Termes cal. named -
any time of the Property of Don Bernardo
Morales and there being a lonely hill in the
plain where it was ordered that a land
mark should be placed from this point I
ordered the line to be drawn in a Westerly
direction and five thousand two hundred and
fifty varas were measured off which ter-
minated at the margin of the above mentioned
River where the measuring began -

The Rightors being present
thus raised no objections and the measuring
being concluded I gave to the Señora Vicenta
Sepulveda Solum and judicial possession
of the above described land in the name of
the Mexican Nation and the proceedings were
terminated and accomplished -

Which I have authorized and
Signed with the aforesaid witnesses -

Bernardo Cota -

Witnesses Ignacio Palomares,
Juan Foster -

City of Los Angeles 11th of July 1841.

Let copy of these proceedings be
given to the Señora Vicenta Sepulveda
in order that they be annexed to the title for
her protection and security and thus I Judge
in Office do decree order and sign with the
aforesaid witnesses according to law -

Bernardo Cota -

Witnesses Ignacio Palomares 3
Juan Foster 3

On the above date the testimony was
given -

Conformably to the original which was
legally and faithfully copied without two
shuts of ordinary paper for want of stamped
paper and to which I refer -

Confid to and dated as above

Leonardo Coto -

Witnesses Ignacio Compte
Juliano Chaves. 3

Filed in Office Nov 4, 1852

(signed) G. Fisher 3
Sic. 3

47

Vicinta Sepulveda

453

for a place called "La
Villa United States" I Suria, situated in the hills
of Los Angeles and containing
several square leagues.

Opinion of the Board
delivered by Commissioner
S. B. Parry

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PAGE 46

The petitioner in this case has offered
in evidence a traced copy of her affidavit
to Governor Pio Pico dated the 18th day
of October, 1845, praying for a grant
for the place, and also traced copies of
the preliminary proceedings by way of reference
as to the propriety of issuing the grant and
of the reports of the surveyor general; all
of which are on file in the archives of
State in the office of the United States
Surveyor General and properly certified
to the Commissioner.

She has also offered in evidence a
grant issued in pursuance of the said
affidavit by Governor Pio Pico dated
the 15th day of June, 1846;

Also a copy of the proceedings in
judicial measurement and papering
done on the 9th day of July 1846.

The documents above recited are all
shown to be genuine and the evidence
establishes the fact that the petitioner
and her deceased husband have been
in the occupancy and papering of
the place for about twenty years before
the date of the grant, and that she has
been in the papering thereof ever since.

We think this case is entitled to a
confirmation and a decree will be entered
accordingly.

The proceedings in reference to
the judicial measurement and papering

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we had after the Americans had possession
of the Country and consequently of no
validity, and a decree will be entered
without reference thereto that the land
may be located hereafter according to law.

Dated in office July 10, 1855

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PAGE 47

(Signed)

Geo. Fisher Feay

Vicenta Tepulbuan]

453

no
The United States]

Decree of
Confirmation

In this case after hearing the premises
and deliberation, it is adjudged by the
Commission that the claim of the said
Tepulbuan is valid, and it is therefore
decreed that her application for a
confirmation should be allowed.

The land of which confirmation
is hereby given is called "La Sierra"
situate in the County of Los Angeles, and
is bounded as follows. "Northeast"

Being on the shores of the river
Santa Ana, and adjoining the lands
of B. Yorba, and bounded also by the same
range of mountains that forms a boundary
line of the said B. Yorba, containing
several square leagues, to be located ac-
cording to law with reference to the
calls of the grant and the map accompanying
the evidence.

R. A. Thompson

S. B. Farwell, Clerk

Dated in office July 10, 1855

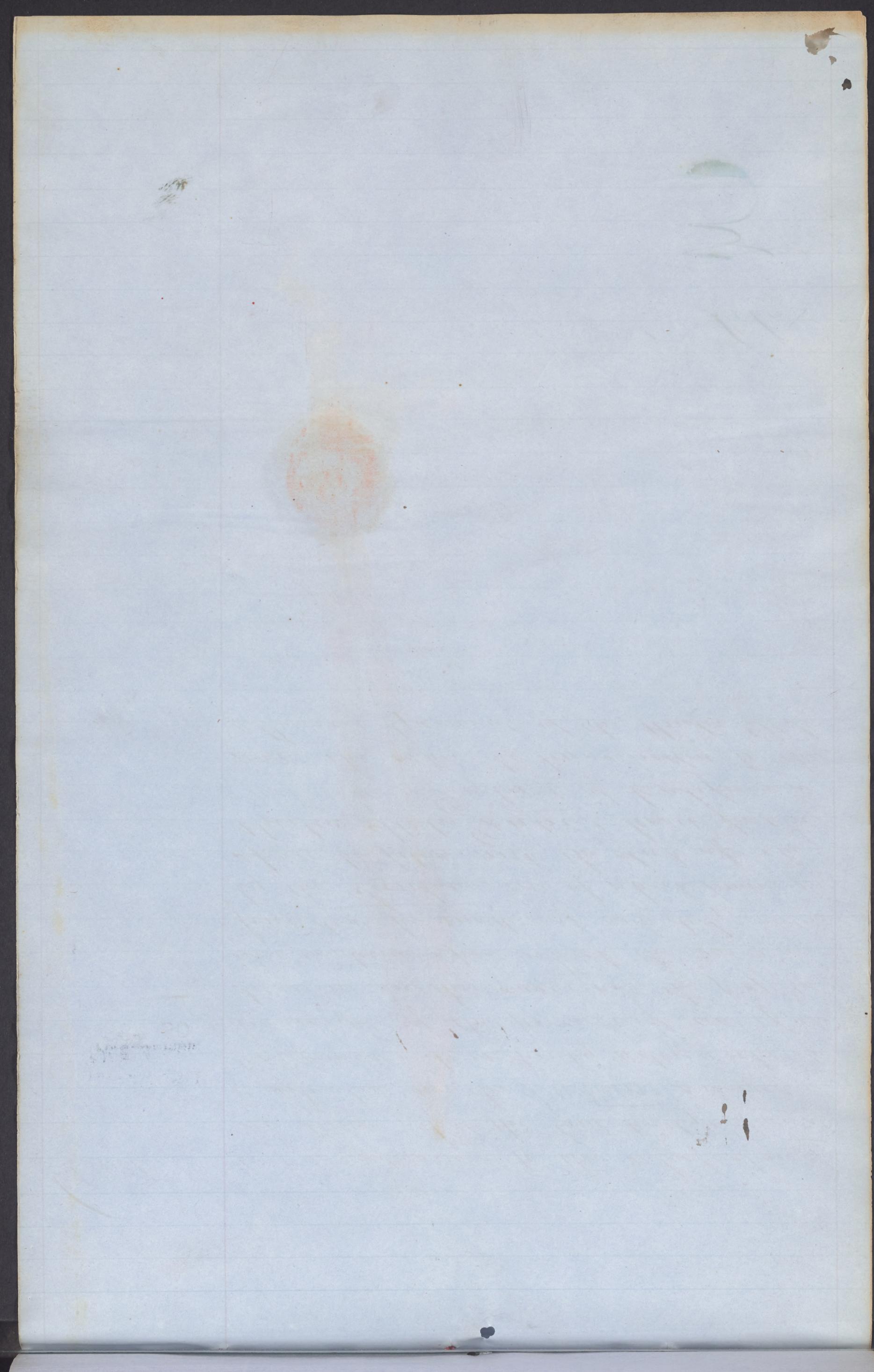
(Signed) Geo. Fisher Feay

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Order

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PAGE 48

and it appearing to the satisfaction of
this Board, that the land hereby adjudicated
is situated in the Southern District of
California, it is hereby ordered that two
transcripts of the proceedings and of the
decisions in this case, and the papers
and evidence upon which the same are
founded be made out and duly certified
by the Surveyor, one of which transcripts
shall be filed with the clerk of the
United States District Court for the
Southern District of California
and the other be transmitted to the
Attorney General of the United States.



Office of the Board of Commissioners,

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

362 SD

PAGE 49

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 Forty nine — pages, numbered from 1 to 49, 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. 453 on the Docket of the said Board, wherein

Vicente Sepulveda is —

the Claimant against the United States, for the place known by the name of La Sierra —

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

Geo. Fisher

Aug.



362

U. S. DISTRICT COURT,

Southern District of California.

No. 362.

THE UNITED STATES,

vs.

362

Mocanta Sotolvoda.
"La Lira."

TRANSCRIPT OF THE RECORD

FROM THE

BOARD OF U. S. LAND COMMISSIONERS.

In Case No. 453.

Filed January 5th 1856.

*J. C. Jans.
A.C.*

362

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

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



Vicinal Sepulveda
362 SD Appellee
PAGE 50 ad. Docket No. 362.
The United States, Appellant Transcript No. 453.

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

The Petition of Parisicus 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 4th day of November A. D. 1852, Vicinal Sepulveda,

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 La Sierra

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 5th day of January A. D. 1856, 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. 453; reference to which it is prayed may be had and made part of this petition. That on or about the 18th day of December A. D. 1855, the Honorable Caleb Cushing, Attorney-General of the United States, received a duly certified duplicate of said transcript of the proceedings and decision of said Commissioners in said cause, and the papers and

evidence on which said decision was founded. That thereafter, to wit:
~~or about~~ on the 12th day of February — 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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PAGE 50A

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

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

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

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

N^o. 362.

SD

Filed this 5th January
1857 C. Smith & Co.
J. H. Coleman
Detd

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

THE PRESIDENT OF THE UNITED STATES,

TO

Vicenta Sepulveda

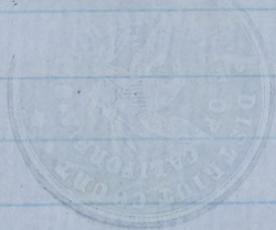
362 SD
PAGE 53

TAKE NOTICE, That a Petition, a copy of which is herewith served upon you, has been filed against you, and each of you, in the District Court of the United States, in and for the Southern District of California, on the 5th day of January in the year of our Lord, one thousand eight hundred and fifty-seven, at the City and County of Los Angeles, in said District, by

P. Ord U.S. Atty praying
said Court to review the decision of
the U.S. Land Commissioners of the
10th day of July 1855, confirming your
claim to the lands called
"La Sierra"

and that you, and each of you, are required to appear at said Court, in said City, within ten days after the service hereof, if served on you within the County of Los Angeles, and within twenty days if served on you in the County of San Diego or San Bernardino, and within forty days if served on you in any other County of said State, exclusive of the day of service, and answer said petition, or that judgment by default will be taken against you, and each of you, and the prayer of the said petitioner will be granted, with costs.

In witness whereof, I have hereunto set my hand, and affixed the Seal of the said Court, this 20th day of January, in the year of our Lord, one thousand eight hundred and fifty-seven, at Los Angeles aforesaid.



Clerk.
P. McLean
Dep

No. 362

Marshal Court

Copying Immmons - 60
Serving the Petition - 3 -
Petition - 3 -
28 6.60

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

Nicenta Sepulveda
abhee

Dr.
The United States
Attly
Districts 23 January 20
A. D. 1857
F. H. Calleman
S. P. Schlesinger

SUMMONS.

January 20th 1857.
Edward Hunt,
U. S. Marshal
Mr. Wm Goodman
362 S. Depty

PAGE 54

I served this Summons, along with the proper copy of the Petition, upon *Nicenta Sepulveda* by delivering to her a copy of the same at Los Angeles, in the Southern District of California, on the 28th day of January, A. D. 1857.

Sworn to and subscribed before me, this
28th January, 1857.

Clerk.
F. H. Calleman
Sup

Edward Hunt
U. S. Marshal.
Wm. Goodman
Dept

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

Vicente Sepulveda No 362

362 SD

PAGE 55

Appellee

Ad.

The United States

Appellant Transcript 483

And now comes the above named Appellee, by J A Scott, her attorney, and for answer to the petition for review filed in this case by the appellants day,

That her title to the lands claimed in this case, called "La Sierra", is good and valid.

That said lands are situate in San Bernardino County and not in Los Angeles County, said County of San Bernardino having been created since the filing of her claim before the Land Commission, but that they are situate in the Southern District of California.

Wherefore she prays that the decision of the U. S. State Board of Land Commissioners may be affirmed, & her title to said land decreed to be valid & for her costs herein expended, and such other or further & general relief as to Equity & Conscience belongs or the nature of her case shall require.

J A Scott
Atty for appellee

No 362
U. S. Dist Court

Vicenta Sepulveda
appellee

ad

The U. States
Appellee

Answer

Filed Feb 5th 1837
Opms
CLR

362 SD

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Scott

Vicente Sepulveda ^{ad} appellee

Case No.

362

The United States ^{ad} appellee

362 SD

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Deposition of

Antonio Coronel

taken before C. SIMS, United States Commissioner for the District of California, at the United States Court House, in the City of Los Angeles, on Thursday, the 19 day of February A. D. 1857, at 1 o'clock P. M., on said day, on behalf of the Claimants — by the consent & agreement of parties to be used as testimony in a certain cause now pending in the United States District Court of California being Case No. 362, on the Docket of said Court, wherein The United States — are appellants, and

Vicente Sepulveda

is ~~are~~ appellees.

Present P. Ord Eng U.S. Atty Attorney in behalf of the appellants
and A R Scott Eng in behalf of appellees.

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3
3
3
3

pro 343

Just What is your name age and place of residence

Ans My name is Amos T. Cornwell - am 39 years of age and reside in Talbot County and have resided here since the year 1838

Just Do you know where I went up

Ans Edo

Just Do you know the Ranch called the Severe, if so how long have you known it and when is it situated

Ans Edo - I have known it since 1838 or 9, I first passed over it in that year, and have been on it at different times since, the last time I was on it, was in the fall of 1850 when I gave General Lee possession of it. It situated in the County of San Bernardino, on the Board of the River of "Santa Anna"

Just Look upon the map here shown you in the transcript in said case and state whether you can recognize the location of said ranch or any well known objects that surround the same. Is there not any error

Said Map correct, if not stalid whom
- in the iron consists -

Ans I cannot say that the map is
correct - the general outlines are cor-
rect - the Extencion boundaries are also
correct. In a much the River, Sierra
too - the Boundary towards Europe
and the Boundary upon Bernardo
Yorba - I think the points of the
Compass are mostly correct

Quest On which side of the ranch is
the River Santa Anna?

Ans I think it is on the north and
it is for this reason that I think
the points of the Compass are not
correct

Quest On which side of the Ranch
is the Ranch of Bernardo Yorba;
Ans ~~Bernardo Yorba has two Ranches~~
~~Bernardo Yorba part of the Ranch~~
~~has Sierra lies Bustnarily from on~~
the Ranch

Quest On which side of the Ranch does
the Sierra lie;

Ans I think on the South, nearer that
direction than any other

Map communicated by A. J. Gould
as required

A. J. Gould

Monrovia, before me this 14th day of Feb'y.
1867 John C. Gould John C. Gould
J. C. Gould

I, C. Sims, of the City and County of Los Angeles, and State of California, Commissioner to take Affidavits and Bail, in civil case pending in the Courts of the United States, and Depositions under the Acts of Congress, approved September 24th, A. D. 1789, February 20th, A. D. 1812, and March 1st, A. D. 1812, by virtue of my office of Clerk of the United States Court of the Southern District of California, and by special appointment by the United States Circuit Court for the State and circuit of California, do hereby certify that the foregoing Depositions of Antonio F. Coronel was taken before me on the 19 day of February, A. D. 1857, according to the consent and agreement of the said parties at the United States District Court House, in the City of Los Angeles, and State of California, in behalf of the Claimant. That the said Antonio F. Coronel was by me duly sworn according to law as a Witness in said cause in the caption of this Deposition mentioned, and after being so sworn, his Testimony was by me reduced to writing in his presence, and after having been by me carefully read to him, and by him corrected in every particular as he desired, was by him signed in my presence.

In witness whereof, I hereunto set my hand and private Seal, (having no Seal of Office,) this 19 day of February, A. D. 1857

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PAGE 80

United States Commissioner.

No. 312

United States District Court for the
Southern District of California.

362 SD
PAGE 61

Deposition of A. F. Coronell

Filed this 19th February 1857

Cesius alk
J. A. Holman
Dep

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

Vicenta Sepulveda Case No. 362
Appellee "La Sierra".
ad
The United States Transcript No. 453
362 SD Appellant

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This cause coming on to be heard 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 3d 1851, on a transcript of the proceedings and decision of said Board, and of the papers & evidence upon which said decision was founded and the additional evidence taken and filed in this court; 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 having been heard:

It is ordered, adjudged and decreed
that the decision of said Board
of Commissioners be and the same hereby
is affirmed in manner as follows:

And it is further adjudged and de-
creed that the claim of the appellee, Vicen-
ta Sepulveda, is good and valid and the
same is hereby confirmed to her.

The lands of which confirmation
is hereby made, are known by the name

of "La Sierra", and situate in said Bernardo
Oro County, and confirmation is hereby
made, thereof to the extent of four (4) square
leagues of land and no more, within the
boundaries set forth in the grant and in
the map in the Espediente filed in this case,
to wit "on the banks of the River Santa Ana,
"bounded by Don Bernardo Dorba, and the Sierra
"itself," (muisaca Sierra), reference for explana-
tion of said map and Grant, being had to
the parol evidence filed before this Court.

Provided that should the quantity
of land within said boundaries be less
than four (4) square leagues then confir-
mation is hereby made of such less quan-
tity. This done and signed in open court
this 20th day of February A.D. 1857

*Manuel Lopez
H. J. for Judge*

Case 362
Ex. S. Dist. Court

*Pascual Salvador
Añazco
1857*

Attest:

Decree

*Filed Feb 20th 1857
S. J. S. C.*

Recorded on Page 225

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California Land Claims
Attorney General's Office
11 Feb. 1857

Sir: In the case of the claim of
Vicente Sepulveda, confirmed
to the claimant by the Commiss-
ioners, Case no. four hundred and
fifty-three, (453). appeal will
not be prosecuted by the United
States.

I am,
Respectfully,

Edwin

Pacific Ad Eq
U. S. Attorney
Los Angeles

No. 362,

Filed 4 March 1858,
S. Sims, Clerk.
for W. W. Stetson,
Dftg.

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