CASE NO.
372
SOUTHERN DISTRICT

LOS COYOTES GRANT

ANDRES PICO, ET AL

CLAIMANT

LAND CASE 372 SD pgs. 207

ALSO AVAILABLE ON MICROFILM

TRANSCRIPT

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OF THE

PROCEEDINGS

IN CASE

NO. 400.

Andres Pico et al. CLAIMANTS.

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"Los Coyotes"

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 twentieth day of October, Anno Domini One Thousand Eight Hundred and Fifty-52, 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 Andres Pico, et al.
for the Place named
"Los Coyotes,"
was presented, and ordered to be filed and docketed with No. 400 and is as follows, to wit;

(Vide page 5 of this Transcript.)

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

Los Angeles October 25th 1852.

In case no. 400. Andres Pico et al. for the place named "Los Coyotes", the deposition of Abel Stearns a witness on behalf of the Claimants, taken before Commissioner Leland Hall, with documents marked H. H. nos. 1, & 2 annexed thereto, with translations thereof, were filed;

(Vide page 8 of this Transcript)

Los Angeles November 1st 1852.

In the Same case the Counsel for the Claimant filed the following Stipulation, viz:

(Vide page 22½ of this Transcript)

Los Angeles November 12th 1852.

In the same case the parties City and filed the following Agreement, to wit:

(Vide page 22½ of this Transcript)

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In the same case the Claimant filed an order in his behalf by agreement with the Assistant Law Agent, a certified copy of the deposition of Nicolas Alamo, heretofore taken before Commissioner Roland Hall, in case no. 402 on the docket of this Board;

(vide page 11 of this Transcript)

San Francisco Dec. 24th 1852.

In the same case an authenticated copy of the deposition of José Antonio Carrillo, a witness in behalf of the Claimants, taken before Commissioner Roland Hall, in case no. 404, Abel Stearns, for the place named "Alamitos", was filed;

(vide page 13 of this Transcript)

San Francisco December 31st 1852.

In the same case the Counsel for the Claimants filed the following Agreement, viz:

(vide page 23 of this Transcript)

San Francisco January 21st 1853.

In the same case, a certified copy of the deposition of Felipe Talamantes, a witness in behalf of the Claimant, in case no. 404, taken before Commissioner Roland Hall on the 11th November 1852, was filed by the Counsel for the Claimant by consent of the United States Associate Law Agent;

(vide page 21 of this Transcript)

San Francisco, January 24th 1853.

In the same case the Counsel for the Claimants presented an Amended Petition – Ordered, That the same be filed among the papers in the case.

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(vide page 24 of this Transcript)

San Francisco Oct. 19th 1853.

In the same case the deposition of D. D. Warner, a witness in behalf of the Claimants, taken before

Commissioner Thompson Campbell was filed

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Commissioner Thompson Campbell, was filed;
(Vide page 17 of this Transcript.)

San Francisco December 1st 1853.

In the same case the deposition of Jose Antonio Leot, a witness in behalf of the claimants, taken before Commissioner Alpheus Felch, was filed;
(Vide page 18 of this Transcript.)

San Francisco March 18th 1854.

In the same case the Counsel for the claimants filed the following Stipulation, to wit;
(Vide page 24 of this Transcript.)

San Francisco, April 18th 1854.

Case No. 402 was submitted on briefs and taken under advisement by the Board.

San Francisco Sept. 25th 1855.

In the same case Commissioner Alpheus Felch delivered the opinion of the Board confirming the claim;
(Vide page 20 of this Transcript)

8. and the following order was made, to wit;
(Vide page 23 of this Transcript)

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To the Honble the Commissioners for ascertaining and settling land titles in California—

Petition.

The petition of Andres Pico and of Francisca Ribe de Ot Campo, wife of Francisco O Campo, all of Los Angeles County respectfully shows; that they claim in fee a certain tract of land situate in said County and known by the name of Los Coyotes, and containing ten square leagues more or less, as is explained by the map hereunto submitted in document marked (A)—

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They further show to your Honble Board that said tract of land formerly composed a part of a much larger tract bounded by the side of San Gabriel, the camino Viejo (old road) to Santa Ana, the river Santa Ana, and the coast, all of which said tract was owned and possessed by one Manuel Nieto who died seized thereof about the 1804-5—

They further show that the said Manuel Nieto derived his title to said tract of land from Don Pedro Fages Governor of the Peninsula of California, in virtue of a grant made to him by said Governor, in pursuance of power in him vested, the exact date of which can not now be ascertained, as the papers are lost; but it is believed and averred to have been made sometime between years 1784 & 1792-3, which said grant it is averred was known to and subsequently approved by the Vice-Roy of New Spain sometime previous to the death of the said Manuel Nieto; but at what particular date cannot be shown as the papers and records relative thereto have been lost and destroyed

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They further show that Manuel Nuño left at his death four children to wit; Juan José, Antonio María, José Antonio and Manuela who afterwards intermaried with Guillermo Leta and that from the period of the death of the said Manuel Nuño, his said four children who succeeded to all his title and seizin in said tract of land, pursued the same without division until the year 1834, when on petition from the said Juan José Nuño, Don José Figueroa decreed a partition of said tract of land and issued separate titles to each of the four heirs and their representatives, which said partition has been executed in, ratified and approved by all the parties interested for nearly twenty years;—

That petitioners further show, that at the said partition Las Coyotes, fell to the share of the said Juan José Nuño in conformity to an agreement with and by the consent of all the parties interested; and thereupon Gov José Figueroa issued to him a separate title declaring the said Las Coyotes, to be the property of the said Juan José Nuño, and that subsequently, to wit; in 1835 the said Juan José acquired juridical possession of the said tract of land, when and at which time the lines and boundaries thereof were accurately ascertained and marked out, which lines and boundaries it is averred are such as are notoriously known and recognized as the limits of the said tract of Las Coyotes.

Your petitioners further show that in the year 1839, the said Juan José Nieto sold his right and title to the Coyotes to one Juan Bautista Leandry, then husband of Francisca Uribe, and your petitioners, that the said Juan Bautista Leandry died intestate and without children in the city of Los Angeles in 1843; that one half of the said Rancho of Los Coyotes belonged to the said Francisca his wife, and now the wife of Francisco Campo, in as much as said Rancho had been acquired during the existence of the marriage; and the remaining half was inherited, in accordance with the laws then in force by Ana Maria Josefa the mother of the intestate, that the said Ana Maria made one Antonio José Cot, her power of Attorney, with the general and special power to sell, and that accordingly on the 4th of March 1850 the said Antonio José Cot, Attorney as aforesaid, sold the part acquired by his principal in said Rancho to your petitioners, Andres Pico—

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Your petitioners further show to your Honble Board, that for more than sixty, they and those under whom they claim have had uninterrupted, peaceable, public and quiet possession as owners of the said "Coyotes", that said possession was known, approved and recognized by the Spanish and Mexican Governments, and that your petitioners now have quiet and peaceable possession of the said tract, and that they know of no conflicting claims thereto, either

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by title or bare possession.

They herewith submit traced copies marked (A) of certain documents taken from the archives in the custody of the U. S. Surveyor General, together with a translation marked B., and they rely on the same, and upon such further documentary and verbal testimony as they may be advised are necessary —

Wherefore they pray your Hon.ble Board to take their claim into consideration, and to confirm the same according to the map and judicial possession and to decree their title to be good and valid thereto —

By their Atty —
J. Lancaster Brent —

Filed in Office Oct 21st 1852.
Geo: Fisher
Secy.

Los Angeles Oct 28th 1852.

Deposition of Abel Stearns. 9

On this day befor Commissioner Hiland Hall, came Abel Stearns, a witness in behalf of the claimants, Under Rico et. al, petition No 114 11. and was duly sworn, his evidence being given in English —

The U. S. Associate Sur Agent was present —

In answer to questions by

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the claimants counsel the witness testified as follows—

My name is Abel Stearns, my age fifty four years, and I reside in Los Angeles, I have resided in California over twenty three years—

I am acquainted with the hand writing and signatures of Agustin Olvera and Francisco R. Lopez—

A paper is now shown me purporting to be an instrument of conveyance from Ana Maria Yorba by her Attorney Jose Bet to Andres Pico of lands called Los Coyotes and La Habra, dated 4th of March 1842 — and to have been executed before Agustin Olvera Judge of the first Instance — The signature of the said Agustin Olvera at the end of said paper and also that of Francisco R. Lopez I believe to be genuine — Said Olvera was at that time acting Judge of the First Instance, and as such was authorized to sanction the execution of conveyances in the manner in which this was done — In the execution of a conveyance by an agent or attorney as in this case, the Judge sanctioning it would require the production of the authority, and if he sanctioned the conveyance it would in my opinion be evidence of the sufficiency of the Agents authority — This was the custom here —

I knew Juan Bautista Leandry — He married Francisca Arrie in 1839 or 1841 as I think — He died, I believe in December 1843, without leaving children, and without a will,

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His widow has since been maried to Francisca O Campo – Said conveyance is hereto annexed and marked H. H. No 1 –

I am acquainted with the handwriting and signatures of Ine Figuera, Agustin J. Zamorano, Felipe Hugo, Agustin Olvera, Ignacio Coronel, Mariano R. Roldan, P. Hugo Reid, Rafael Guirado, Manuel Arzaga and Policarpio Leal –

A paper is now shown me purporting to be an original grant from Governor Figuera to Juan José Nieto, hereto annexed and marked H. H. No 2. dated 22d of May 1834, to which is attached a certificate of sale said Nieto to Juan B. Sandry and proceedings of judicial juresdicion –

The signatures of the said Figuera, Zamorano, Hugo, Olvera, Coronel, Roldan, Reid, Guirado, Arzaga and Leal whenever they appear on said paper, I believe to be genuine –

Rafael Guirado at the date of the giving of judicial juresdicion was acting as Alcalde by virtue of his office of Regidor – I was present at the giving said juresdicion – There was a house on the land in which Juan José Nieto was then living – He had a stock of cattle –

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The place was occupied by him until his sale to Sandry, and by Sandry until his death, and afterwards to the present time by those representing his title –

I have always understood

11

that the title of Nieto originally came from the Vicery of Mexico, or had his approbation—

Abel Stearns—

Sworn and enbscribed
Before me

Hiland Hall.
Comr.

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Filed in Office Oct 28th 1852.
Geo: Fisher
Secy

Los Angeles Oct 28th 1852.

Deposition of Nicolas Alanis—

On this day before Commissioner Hiland Hall, came Nicolas Alanis, a witness in behalf of the claimants, Ramon Yorba, et, al, petition No 402, and was duly sworn, his evidence being interpreted by the Secretary—

The U. S. Associate Law Agent was present.

In answer to inquiries by Counsel for the claimant the witness testified as follows—

My name is Nicolas Alanis, my age is sixty nine years, and I reside in Los Angeles—I am a native of California, and have lived in this place ever since the year 1811—

I Knew Manuel Nieto from my boyhood—He died in 1804—I first knew him as a soldier and in the

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year 1795 - he went and lived on his ranch.
It was called Santa Gertrudes - It is situated about four leagues and three quarters from the Mission of San Gabriel -
I know the boundaries from three points, they are on one side the main road, on the other side the sea coast, on another the river San Gabriel, and on the fourth side is the River Santa Ana - I have understood these to have been the boundaries as long as I can recollect ——
When I was Mayor dome of the Mission of San Gabriel in 1813, 1814 and 1815, these boundaries were recognized, and also before that time. Manuel Nieto when he died had more stock than one else in California, and the Missions obtained their stock from him - At the death of Nieto he left four children three sons Juan José, José Antonio, and Antonia Maria - and one daughter named Manuela - They remained with the widow living on the place, & occupied it with stock - In 1812 an inventory of his cattle that were gathered in a corral was taken amounting to five thousand - There are other witnesses of which I cannot make an estimate - They had been selling large numbers at different times, and I cannot tell how many were left - They had neglected branding their cattle for eight years in consequence of a dispute between Nieto and Juan José Dominguez about some cattle they had placed on the Rancho ——

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The Nietos also had large number of horses, so numerous that they were obliged to kill the wild one — The Rancho of Las Bolsas constituted a part of the Rancho of Manuel Nieto — I understood when I was a boy that the title papers of the land were sent to Mexico and Spain and were approved by the Viceroy of Mexico — I never saw any papers — The places called Coyotes and Santa Gertrudes were a part of Nietos Rancho —

his
Nicolas + Alanis —
mark

Sworn and subscribed
Before me
Hoiland Hall.
Comr.

I hereby certify the foregoing to be a true and correct copy of the original on file in this office in case No 112 —
Los Angeles Nov 6th 1852
Geo: Fisher.
Secy

Filed in Office Nov 12th 1852 —
Geo: Fisher —
Secy

Deposition of José Antonio Carillo —

Los Angeles Nov 8th 1852.
On this day before Comr H. Hall, came José Antonio Carillo, a witness in behalf of the claimant, Abel Stearns,

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petition No 404, and was duly sworn, his evidence being interpreted by the Secretary

The U. S. Associate Law Agent was present —

In answer to inquiries by counsel for the claimant, the witness testified as follows —

My name is José Antonio Carrillo, my age is fifty seven years, and I reside in Los Angeles, I am a native of California, I am acquainted with the hand writing and signatures of Manuel Dominguez, Ignacio Coronel, Francisco A. Alvarado, José Perez, Manuel Arzaga, Vicente Miraga, Ignacio del Valle and Felipe Valenzuella —

A paper is now shown me purporting to be an instrument of conveyance from Juan José Nieto to José Figueroa, dated June 30th 1834, and to which is attached an instrument of conveyance from the Executor of said Figueroa to Abel Stearns, dated July 12th 1842; said paper is here annexed, and marked W. W. No 1 —

The signatures of the said Dominguez, Coronel, Alvarado, Perez, Arzaga, Miraga and del Valle, appearing on said paper, I believe to be genuine — José Perez was acting as Alcalde, at the date of the first instrument in 1834, and said Dominguez, as Justice of the Peace, at the date of the second in

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1842, and they were authorized to sanction and certify such instruments —

Another paper is also shown me, purporting to be a testimonial of Judicial possession, dated in September 1842, It is hereto attached and marked H. H. No 2. The signatures of said Dominguez, Bernal and Valleudolla, appearing on said paper, I believe to be genuine. Said Dominguez was Justice of the Peace, and Judge of the First Instance, and authorizid to give such possession —

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I was acquainted with the children of Manuel Nieto, they were Juan José, José Antonio, Antonio Maria, and Manuela — I know the tract of land occupied by said children — When I was quite a young man, about forty five years ago, I was at the house of Juan José, and at his request, I wrote a letter for him to the Priest of the Mission of San Gabriel notifying him to take away some sheep from the said Juan José Nietos land. At that time he showed me a title paper, by which the land had been granted by Governor Pedro Fajes, by order of the Viceroy of Mexico, as the title paper stated. The boundaries of the land in said title paper, were the River San Gabriel, the River Santa Ana, the main road leading from San Diego along the hills to San Gabriel, and the sea coast —

The land has since been divided between the heirs of said Manuel Nieto. The Rancho Alamitos is a part of the

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land included within the boundaries before mentioned.

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

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Was the order from the Viceroy to the Governor which was mentioned in the title papers, a special order to grant land to Nieto, or a general order to make grants?
Answer.
I do not Know—

Do you recollect whether this title made any mention of the Commandant General of the Internal provinces?
Answer.
It did not mention him—

José Ant°. Carrillo—

Sworn and subscribed
before me
Heiland Hall.
Comr.

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I hereby certify the foregoing to be a true and correct copy of the original on file in this office, in case No 404.
San Francisco, Decr 11th 1852—
Gen: Fisher. Secy.
Filed in Office Dec 24th 1852—
Gen: Fisher. Secy—

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Office of the Board of
Commissioners &c &c ——

This day before Comr, Thompson Campbell, came D. J. Warner a witness in behalf of claimants Andres Pico, A. al, No 402. who after being duly sworn, deposed as follows —

Deposition of
D. J. Warner.

What is your name, age and place of residence?

My name is D. J. Warner, I am forty five years of age, and I reside at San Diego.

Are you acquainted with the tract of land Ex Cayote, if so, state when, and by whom you first Knew said tract to be occupied?

I am acquainted with said tract. I first Knew it about the first of December 1831, and was encamped on it, in the immediate vicinity of a house and corral — There was large herds of cattle and horses grazing ~~on it~~ upon it. In 1834 I became acquainted with the proprietor whose name was Juan José Nieto, who continued to occupy it for a number of years, until he sold it to Juan Bautista Sandry, who continued to occupy it until his death; During its occupancy by Nieto there was an adobe house or two on it, corrals and some small cultivated fields, and it was thus occupied in the year 1834.

Associate Law Agent for Govt.
D. J. Warner.

Sworn to and subscribed

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before this 19th day of
October A. D. 1853.
Thompson Campbell.
Comr—

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Filed in Office Oct 19th 1853.
Geo: Fisher.
Secy.

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

Deposition of Antonio José Cot—

This day before Comr Alpheus Felch came Antonio José Cot, a witness in behalf of the claimants Andres Pico, et al, petition No 414 11, and being duly sworn his testimony being in Spanish, was interpreted by the Secretary as follows.

Questions by Mr Crittenden, Attorney for claimants—

1 Question.

What is your name, age and place of residence?

Answer.

My name is Antonio José Cot, my age is sixty nine years, and I reside at Los Angeles in California—

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2 Question.

Did you ever have in your possession any of the papers of Juan Bautista Sandry?

Answer.

I had many of them in my possession, after Sandry's death, as attorney

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in fact for his mother, who resided in Italy. Leandry died at Los Angeles about the month of December and in the year 1843. He died intestate. In virtue of a Power of Attorney from his mother, I recolect his papers and kept them —

3 Question.

Did you find among his papers any letter of naturalization, showing him to be a citizen of Mexico?

Answer.

I did not. I examined carefully but could not find them — Knowing him to be a citizen of Mexico I wanted to find the paper of naturalization. I was the third Administrator and I think they must have been mislaid in the transfer of the papers ~~from~~ from one to the other. I know of other papers of said Leandry that were missing.

4 Question.

How long were you acquainted with said Leandry?

Answer.

I was acquainted with him from the year 1834 until his death.

5 Question.

Did said Leandry ever hold any office under the Government in California? if yes, what?

Answer.

In 1840 he was appointed Justice of the Place at Los Angeles, and continued to exercise the duties of that office during that year, Felipe Lugo was the other Justice during the same time.

Questions by Mr Guinhon,

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Associate Law Agent.

1 Question.

Was Anna Maria Testa, the mother and heiress of said Leandry, a Mexican citizen?

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Answer.

She was not. She never was in Mexico.

Question by Mr Crittenden.

1 Question.

Please look on the document now presented to you marked "Exhibit H. H. annexed to the deposition of Abel Stearns taken before Commissioner Hiland Hall" heretofore filed in this case, purporting to be a conveyance from yourself as Attorney of Anna Maria Testa to Andres Pico, and say whether or not you made the sale as therein stated?

Answer.

I have examined the said paper and recognize it to be an authenticated copy of the original deed of conveyance executed by me as the Attorney in fact of Anna Maria Testa. I made the sale as therein stated.

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Antonio José Cot

Subscribed and sworn to before me this first day of December A. D. 1853.

Alpheus Felch.

Commissioner.

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Filed in Office Dec 1st 1853.
Geo: Fisher.
Dicy.

Deposition of Felipe Talamantes.

Los Angeles Nov 11th 1852.

On this day before Comr Hiland Hall, came Filipe Talamantes, a witness in behalf of the claimant Abel Stearns petition No 404, and was duly sworn, his evidence being interpreted by the Secretary.

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In answer to questions by counsel for claimant the witness testified as follows—

My name is Felipe Talamantes, my age is about eighty five years, and I reside in the county of Los Angeles. I have lived in the district of Los Angeles for fifty or sixty years, I knew Manuel Nieto upwards of fifty years ago, I was in his employ. He lived in the Rancho of the Nieto— I lived with him about two years— I cannot tell how many years it was before his death— I know the boundaries of the Rancho— they are the river Santa Ana, the river San Gabriel, the old main road, and the sea coast— I cannot tell how long Manuel Nieto occupied the land before his death. He was occupying the land when I first came here. He had a house on the land in which he lived with his family. He had great number of cattle and horses, fifteen or twenty thousand or more— He had corrals

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and cultivated land – I was about twenty five or twenty six years old when I lived with said Nieto – I cannot tell how long ago he died –

Nieto was a soldier and was an old man when he retired from the service and I believe the land was given him by the King – tho' I never saw any papers not being able to read – I heard Nieto and his children say they had papers that came from the Viceroy or from somewhere – Manuel Nieto occupied the whole land included within the boundaries before mentioned with cattle and horses –

Questions by the Associate Law Agent.

Who did the soldiers receive their pay from?
Answer – From the King – When they retired as invalids they received it by order of the King.
How old was Manuel Nieto when he died?
Answer. I cannot tell, he was a very old man –

his
(Signed) Felipe + Salamantes.
mark

Sworn and subscribed
before me
(Sgd) Hiland Hall. Com.

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Office of the U. S. Land Com.
File din Office Jany 21st 1853. I certify that the foregoing is a true & correct copy of the original on file in this office in case No 404.
San Francisco Jany 21st 1853.
Gen: Fisher. Secy. Gen: Fisher. Secy –

1/4 " " -

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No 411 "

United States Land Commission

Andres Pico and Francisco Campo claimants to a tract of land, situated in the County of Los Angeles called Los Coyotes

Agreement.

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It is agreed by - Gunnison Associate Law Agent for the United States and J. Lancaster Brent, Attorney for the claimants, that a certified copy of the deposition of Nicolas Alamir taken in the claim of Las Bolsas, No 402, on the docket of this Commission, may be read of the hearing of this claim, with the same effect as if originally taken in the said claim -

Robt Gunnison.

J. Lancaster Brent.

Filed in Office Nov 1st 1852 -
Geo: Fisher.
Secy.

No 411 "

Stipulation Claimants } U. S. Land Commission -
Andres Pico, et. al. }
Los Coyotes -

By consent of the Asst Law Agent for the United States and J. Lancaster Brent, Atty for the claimants, a certified copy (without documents annexed) of the deposition of José Antonio Carrillo, taken in the claim of Abel Stearns No 404, may be read

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on the hearing of this claim with the same effect and force, as if originally taken in it—

Robert Gruenhow.
Associate Law Agent.

J. Lancaster Brent—

Filed in Office Nov 12 1852—
Geo: Fisher.
Secy

Stipulation

Andres Pico and Francisca
V Campo wife of Francisco
V Campo—

vs

The United States.

No 414 U. S. Land Commission
Los Cayotes—

It is hereby agreed between the Associate Law Agent for the United States and J. Lancaster Brent Atty for claimants, that a certified copy of the deposition of Felipe Salamanteo taken in the Claim of Abel Stearns No 414 to the Rancho of Las Alamitos may be read in the hearing of this claim in the same manner and with the same effect as if taken originally in this said claim—

R. Gruenhow.
U. S. Law Agent
J. Lancaster Brent.
Atty for Claimants.

Filed in Office Dec 31 1852. Geo: Fisher, Secy

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To the Hon. Board of Commissioners to ascertain and settle Private land claims in California —

Amended Petition —

The amended petition of Andres Pico and Francisca V Campo wife of Francisco V Campo all of Los Angeles County, by leave of the Honorable Board first had and obtained, respectfully represents that the original petition of the claimants is hereby amended by striking out the words, and containing two square leagues more or less" and inserting the words, and is bounded by the Rancho of Santa Gertrudes, Los Coyotes, Los Alamitos, Los Bolsas and the rancho of Tajauno Ontevaros, in the place of the words stricken out — and the said claimants pray as in their original petition and as in duty bound &c

By their Atty
J. Lancaster Brent.

Filed in Office June 24th 1853.
Geo: Fisher.
Secy.

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Stipulation

Andres Pico, et al, vs The United States — Before the U. S. Land Commission — No 411 —

Claim to a tract of land, called "Los Coyotes" — It is hereby stipulated

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between the parties by their respective Attorneys that the four documents filed by the Secretary of said Commission in his office on the 17th March 1854 in said claim and marked "J. H. M. K" shall be read on the hearing of said claim in the same manner and with the same effect as if they were originals duly proved proven, but subject nevertheless to the same objections that might be offered to the competency, validity and relevancy of the said originals themselves

March 18th 1854.

J. H. McKune.
Law Agent.

Filed in Office March 18 1854.
Geo: Fisher.
Secy

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Exhibit K.K.
No. 2 to depo. of
Abel Stearns.

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Testimonio de las medidas
del rancho de los Collotes propiedad
de Dn Juan José Nieto.

Pueblo de los Angs 2 Joe. Marzo de 1835.

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Sello Primero Seis pesos.

Habilitado provicionalmente por la Administracion de la Aduana Maritima de Monterey para los años de mil ocho cientos treinta y tres y mil ocho cientos treinta y cuatro.

Figueroa. José Rafael Gonzales.

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José Figueroa, General de Brigada de los Ejercitos Nacionales Mejicanos, comandante General Inspector y Gefe Superior Politico del Territorio de la Alta California.

Por cuanto Don Juan José Nieto tiene acreditado su derecho à la Testamentaria del finado Manuel Nieto y tomando en consideracion la antigua y pacifica posecion que tiene del parage conocido con el nombre de los Coyotes colindantes con el de Santa Gertrudis, los Cerritos, los Alamitos, las Bolsas y el rancho de Patricio Ontiveros, practicadas previamente las diligencias y averiguaciones consecuentes segun lo dispuesto por las leyes y reglamentos; usando de las facultades que me son conferidas por decreto de Veinte y Siete de Julio del año anterior à nombre de la Nacion Mejicana he venido en declararle la propiedad de dicho parage y de que se le ponga en pacifica posecion por las presentes letras con entera conformidad à lo dispuesto por las leyes y sujeto à las condiciones siguientes.

1ª Que se someterá à las que establecerá el Reglamento que se ha de formar para la distribucion de terrenos baldios y que entretanto ni el agraciado ni sus herederos podrán dividir ni enagenar el terreno de que se ha echo mencion: imponer censo vinculo, fianza, ipoteca ni otro gravamen cualquiera sea por causa piadosa ni pasarlo à manos muertas.

2ª Podrá cercarlo sin perjudicar las travesias caminos y servidumbres: lo disfrutará libre y esclusivamente destinando lo al uso ó cultivo que mas le acomode. pero dentro de un año á lo menos fabricará casa y estará habitada.

3ª Podrá desde luego solicitar del Juez respectivo que le de posecion judicial en virtud de este despacho por el cual se deslindarán los linderos en cuyos límites pondrá à mas de las mojoneras, algunos arboles frutales ó silvestres de alguna utilidad.

4ª El terreno de que se hace referencia es de

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diez sitios de ganado mayor poco mas ó menos segun
esplica el diseño que resulta á la nacion para los usos
convenientes. 5ª Si contraviene á estas condiciones
perderá su derecho al terreno y será denunciable por otro.
En consecuencia mando que sirviendole de
titulo el presente y teniendose por firme y valedero
tome razon en el libro a que corresponde y se le entregue
al interesado para su resguardo y demas fines. Dado
en Monterrey a veinte y dos de Mayo de mil ocho-
cientos treinta y cuatro.

José Figueroa.

Agustin V. Zamorano. Srio.

Nueva tomada razon en el libro de asientos de
titulos x sobre adjudicacion de terrenos a fojas veinte
y ocho nº 26 q. obra en la Secretaria de mi cargo
Monterrei veinte y dos de Mayo de mil ochocientos
treinta y cuatro Zamorano.

Felipe Lugo Juez 1º de Paz y de primera
instancia de la Ciudad de los Angeles en el Departamento
de las Californias. Certifico que el dia
de hoy se me han presentado los Senores Dn Juan José
Nieto y Dn Perfecto Hugo y Reid, vecino de esta mi
-jurisdiccion manifestando el primero que convinciendo
particularmente á sus intereses ceder en favor de
Dn Juan Bta Leandry la accion y derecho que tiene el
Rancho de los Coyotes por concesion que se le hizo
de él con fha. 22 de Mayo de 1834 por la autoridad
politica del territorio, pide al Juzgado que en los
terminos mas conformes á las leyes de la materia
pide al Juzgado que en los terminos mas conformes
á las leyes de la materia, se sirva hacer estampar
á continuacion del referido titulo respectivo que
tiene el honor de presentar una diligencia en que
conste ser su voluntad hacer la cesion insinuada
en favor del repetido Dn Juan Bta Leandry por los
motivos ya espresados y habiendo comparecido Dn
Perfecto Hugo Reid con poder bastante del Sor
Leandry hace ratificar al Sor. Nieto en su dicho y
a presencia de dos testigos de mi asistencia para
formalizar el acto como se verificó: y resultando
a el la conformidad de ambas partes mando estampar
despues de la presente la diligencia en que consiste
el pedido y habiendo los firmar con migo y los
de mi asistencia. Angeles. Enero 25 de 1850

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Entre renglones = favor = vale = tachado = vapor = no vale.

Felipe Hugo. Asso. Agustin Olvera. Asso Jg° Coronel.

En la fecha siendo presentes los Señores Don Juan José Nieto y Dn Perfecto Hugo Reid apoderado de Dn Juan Bta Leanday, dijo el primero que era su voluntad hacer cesion del rancho de los Coyotes á Dn Juan Leanday por cuyo motivo el será el legítimo dueño del respectivo rancho esto contestó y firmó á su ruego Dn Mariano R. Roldan firmando igualmte el Señor Reid por ante mí y los testigos de asistencia segun Drô.

Felipe Hugo. A ruego de Juan José Nieto.
Mariano R. Roldan. P. Hugo Reid. Asso. Agustin Olvera.
y. nacio Coronel.

Sor. Alcalde Constitucional.

Juan José Nieto hijo de este Pueblo y dueño del Rancho de Santa Gertrudis como mejor proceda ante V. con todo respeto parezco y digo: Que conforme a lo dispuesto en el despacho que acredita mi propiedad y que oportunamente le acompañaré, se ha de servir V. con merito de Justicia pasar á mi citado rancho a darme posecion judicialmente cuya practica pido a V. no pase del presente mes.

Por tanto. A V. Suplico se digne aceptar mi solicitud devolverme a mis documentos originales con la providencia que estime conveniente para mi seguro y recibirme el presente escrito en papel comun por no haber del sello que corresponde. Juro no ser de malicia y lo.

Pueblo de los Angeles 5 de Febrero de 1835.

Nos firmar.

Angeles. Febrero 6. de 1835.

Por presentado y admitido en cuanto há lugar segun Drô. y en consideracion á las muchas y urgentes ocupacion. q. tengo este Juzgado pasará el Sor. presente regidor de este Ayuntamiento á D. Rafael Guirado a dar la correspondte posecion del terreno que tiene concedido a su favor el solicitante y a cuyo efecto se acordará con el agrimensor. Abel Stearns. = Entre renglones = Rafael Guirado. = Vale.

Despacho del Gefe Politico. Jose Figueroa General de Brigada de los Ejercitos Nacionales Mejicanos Nacionales, Comandante General, Inspector y Gefe Superior Politico del Territorio de la alta California

3. 30

= Por cuanto Don Juan José Nieto, tiene acreditado en ofo. ó la Testamentaria del finado Nieto, y tomando en consideracion la antigua y pacifica posecion que tiene del paraje conocido con el nombre de los Collotes, colind-antes con el de Santa Gertrudis, los Cerritos, los Alamitos las Bolsas y el rancho de Patricio ó Ontiveros, practicadas previamente las diligencias y averiguaciones concernientes segun lo dispuesto por las leyes y reglamentos: usando de las facultades que me son conferidas por decreto de Veinte y Siete de Julio del año anterior á nombre de la Nacion Mejicana, he venido en declararle la propi-edad de dho. paraje, y de que se le ponga en pacifica posecion por las presentes letras con entera conformidad á lo dispuesto por las leyes y reglamentos, y sujeto á las condiciones siguientes. 1ª Que se someterá á las que establesiere el reglamento que se ha de formar para la distribucion de terrenos baldios y q. entre tanto ni el agraciado ni sus herederos, podrán dividir ni enajenar el terreno de que se ha hecho mencion: impo-ner censo, vinculo, finca, ipoteca ni otro gravamen aunque sea por deuda piadosa ni pasarlo á manos muertas. = 2ª = Podrá cercarlo sin perjudicar las travesias caminos y servidumbres: lo disfrutará libre y esclusivamente destinandolo al uso y cultivo q. mas le acomode. pero dentro de un año á lo mas fabricará Casa y estará habitada. 3ª Podrá desde luego solicitar del Juez respectivo q. le dé posecion Jur-idica en virtud de este despacho por el cual le Demarcaran los linderos en cuyos límites puntos á unas de las mojoneras algunos arboles frutales ó silvestres de alguna utilidad = 4ª El terreno de que se hace referencia es de diez sitios de ganado mayor poco mas ó menos segun esplica el diseño que corre en el espediente: El Juez que diere la posecion lo hará medir conforme á ordenanza para señalar los lind-eros, quedando el sobrante que resulte á la Nacion para los usos convenientes. = 5ª = Si contraviene á estas condiciones perderá su dro. al terreno y será denunciable por otro. = En consecuencia mando q. sirviendole de titulo el presente y teniendose por firme y valedero se tome razon en el libro á que corresponde y se le entregue al interesado para su resguardo y demas fines. Dado en Monterrey á veinte y dos de Mayo de mil ochocientos treinta y cuatro.

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José Figueroa. Agustín V. Romero. = Sueldo
tomada razon en el libro de asientos de titulos sobre
adjudicacion de terrenos a fojas veinte y ocho nº 36
que obra en la Secretaria de mi cargo. Monterrey
Veinte y dos de Mayo de mil ochocientos treinta y
cuatro. = Romero = Sor. Alcalde Constitucional.

Escrito de peticion para la posecion.

Juan José Nieto hijo de este pueblo y dueño del rancho
de Santa Gertrudis conocido por el de los Nietos ante
V. con todo respeto comparesco y digo: Que conforme á lo
dispuesto en el Despacho que tiene mi propiedad
y que debidamente le acompaño, se ha de servir V. en
merito de Justicia pasar á mi citado rancho á clarme
posecion judicialmente, cuya practica pido á V. un
pase del presente mes. Por tanto A. V. Suplico
se digne aceptar mi solicitud devolverme ambos docum
-entos originales con la providencia que estime conveniente
el presente escrito en papel comun por no haber del
sello q. corresponde. Juro no ser de malicia &c.
Pueblo de los Angeles Cinco de Febro de mil ocho-
-cientos treinta y cinco. = No se firmar. = Angeles
Febro. 6 de 1835. = Por presentado y admitido en
cuanto ha lugar se le un dro. y en consideracion á las
muchas y urgentes atenciones que tiene este Juzgado
pasará el Señor regidor de este Ayuntamiento 2º
Rafael Bertrudis a dar la posecion correspondiente
del terreno q. tiene concedido a su favor el solicitante
y a cuyo efecto se acordará con el agrimensor Dn
Abel Stevnes. Juzgado 2º Constitucional de los
Angeles. = Como las urgentes atenciones ocurridas en
este Oficio no dar lugar a que yo pase personalmente
a dar la correspondiente posecion a Don Juan José
Nieto del terreno que tiene declarado en su favor
habiendo en nombrar a V. para que acompañado con
el agrimensor Dn Abel Steavnes en conduzca V. al
mencionado terreno llamado los Collotes y lo posecione
en debida forma con arreglo al titulo q. al efecto
acompaño. = Dios y libertad. = Febro. 16 de 1835.
Domingo Romero. = Sor. Regidor D. Rafael Guirado.
= Pueblo de los Angeles 16 de Febro. = Atento á la comis
-ion q. en oficio de esta fha. me ha conferido el Señor
Señor Alcalde 2º Constitucional Ciudadano Domingo
Romero, para que pase á posecionar á Don Juan
José Nieto del rancho de su propiedad conocido
con el nombre de los collotes: y habiendo convenido

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con el Señor Agrimensor Don Abel Stevenes para q. remida los enunciados terrenos con tal arreglo al diseño q. corre en el Espediente de la materia, practicado y q. existe en poder del Señor Jefé Superior Politico: pasece por mi y los testigos de mi asistencia al espresado sitio y procedase a verificar la posecion mandada con total arreglo al despacho con q. da principio este Espediente. El Ciudadano Rafael Guirado, Regidor del Ylte Ayuntamiento y Juez Comisionado. Asi lo decretó mandó y firmó con testigos de asistencia Segun dro. Rafael Guirado. = asia. Manuel Arteaga = En el propio Pueblo dia mes y año hasi dicho presentado el Agrimensor, manifestandome que por ser muchas ocupaciones no podra asistir á la remitida ordenada en el dho. anterior, dije y efectue la Suspencion de estas diligencias por no haber en este pueblo Sujeto inteligente de quien Valerse para estas operaciones y lo autorizo y firmó Con los de asistencia Segun dro. = Rafael Guirado. asia. Manuel Arteaga. = asia. Polycarpo Leal. Angeles Marzo de 1835. = Por recibido el presente oficio del Señor Alcalde 2º Constitucional Don Domingo Romero: agreguese para que obre los efectos q. haya lugar. El que Subscribe asi lo decretó y firmó con las de asistencia Segun dro. = Rafael Guirado. = asia. Manuel Arteaga. = asia. Polycarpo Leal. = Baron. En la fecha se agregó el oficio que incluia el dro. anterior y para Constancia lo rubrique. = Juzgado 2º Constitucional de los Angeles. = En atencion á las existentes circunstancias en que se haya este pueblo por la estraordinaria revolucion que han formado los Sonorenses, es de necesidad que V. Suspenda por ahora la practica de la comision que en V. se ha conferido para la posecion de terrenos en favor de Don Juan José Victo hasta que haya oportunidad para proceder á las remitidas y diligencias que al caso se requieren. Dios y libertad. Angeles Marzo 7 de 1835. Domingo Romero. = Sor. Regidor Don Rafael Guirado. = Pueblo de los Angeles 13 de Marzo de 1835. En virtud de haber cesado la revolucion que embaraza la prosecucion de estas diligencias, y asimismo estar dispuesto el agrimensor pase por mi al enunciado sitio: hagase citacion de colindantes nombrese cordeleros y medidores, y practiquese las

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Diligencia de Suspencion.

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diligencias convenientes. Rafael Guirado. Juez comisionado así lo mandé decreté y firmé con los de asistencia segun drô. = Rafael Guirado. = asta. Policarpo Leal. = asta. Manuel Arraya. = En el rancho de los Coyotes y a las Catorce dias del mes de Marzo de mil ochocientos treinta y cinco: Yo el propio Juez Comisionado en cumplimiento de lo por mi mandado en el auto anterior y habiendo hecho citacion de veinticuatro comparecieron las que efectivamente son a este llamado Rancho de los Collotes. Don Roberto Pardo quien al comparecer dueño de los Alamitos por el Sur. Da Catarina Ruiz de Nieto dueña de la Bolsa por el mismo rumbo. Por el Este con terrenos ocupados por los herederos de Patricio Ontiveros: por el Norte y Poniente Con terrenos ocupados anteriormente por la Mision de San Gabriel propiedad de Dona Josefa Cota y Nieto: y por el Oeste con Dona Manuela Nieto y Cota, a quienes hecho les saber el objeto de mi comision les exigi exhibieren con arreglo á sus titulos algunos Documentos en q. titubiesen drô. a aquellos terrenos y no habiendo manifestado ninguno con que acreditarlo lo pongo por diligencia que autorizo y firmo segun drô. Rafael Guirado. = asta. Manuel Arraya. asta. Policarpo Leal. = En el propio puesto dia mes y año el mismo Juez que suscribe en prosecucion de estas diligencias nombró dos oficiales Condeleros con arreglo a drô. quienes despues de aceptar promesion desempeñan su encargo: y para constancia lo pasó por diligencia que firmó con los de mi asistencia segun drô. Rafael Guirado. = asta Manuel Arraya. = asta Policarpo Leal. = En el acto y en el propio puesto, dia, mes y año, el mismo Juez a efecto de continuar la practica de estas diligencias, nombró dos medidores cordeleros a drô. quienes despues de haber aceptado su encargo nombramiento, prometieron desempeñar fiel y legalmente su encargo: y para que conste lo por diligencia lo firmo con los testigos de asistencia segun drô. = Rafael Guirado. asta. Manuel Arraya. = asta. Policarpo Leal. = En el propio rancho de dia, mes y año, Yo el Juez que suscribe para dar principio á la remidida de los sitios de los Coyotes, hice medir un cordel constante de ciento treinta varas el cual fué examinado y reconocido por el Agrimensor D. Abel Stearnes y fué puesto en unos cueros y haciendo de sus extremos. El referido

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agrimensor, habiendolo hecho en calculo, dispuso se tirara el cordel el rumbo Este cinco y medio grados al Sur comenzando desde un alizo que esta en la orilla de la Sanja de agua que biene de los metos, inmediato á los alamitos y es esquina que divide los ranchos de los Cevritos, Alamositos y Collotes que se fueron midiendo y continuo tuvo mil varas que remataron en una Noparera en donde se puso en donde se puso un palo de Saun en senal de mohonera y hacer esquina con las Bolsas y Alamitos. Y en atencion a ser muy tarde y no poderse por lo mismo continuar la vemidida, dispuso suspenderlo para continuarlo el siguiente dia, con lo q. se concluyo esta diligencia que autorizo y firmo con los testigos de asistencia segun ord. doy fé. =

Rafael Guirado. = asso. Manuel Arraga. = asso. Polycarpo Leal = En el propio Rancho a quince de Marzo de mil ochocientos treinta y cinco, El Juez q. subscribe, atendiendo á la prosecucion y practica de las diligencias de medidas, y dispuesto para verificarlo puesto el Cordel sobre un Sauz cortado y caido con brotes verdes sobre el rumbo Este catorce grados al Norte, se contaron y midieron cinco mil quinientas varas y tomando el rumbo Norte diez grados al Oeste se midieron y contaron hasta el Camino Viejo de Santa Ana diez ocho mil varas y concluyeron en una cunada y se puso por mohonera un palo de Sauco Viejo: Inmediatamente se tomó el rumbo Este Veinte y cinco grados al Norte y se contaron tres mil docientas varas q. remataron en la mojonera que divide el rancho de Santa Bertrandis y luego variando al rumbo y tomando el Oeste treinta y medio grados al Sur se repetio la medida y se midieron y contaron diés y seis mil cetesientas varas que remataron en la Sanja donde se puso por mojonera dos palos de Alizo por uno y otro lado la cual es la linea divisoria de los ranchos Cevritos y Collotes, cuyo rumbo es al Sur diez ocho grados al Este en donde se contaron once mil quinientas Varas. Y estando Concluida esta diligencia de medidas á satisfacion del interesado y Colindante con aprobacion del agrimensor lo pongo por diligencia que firmo con los de asist^a segun ord. doy fé. = Rafael Guirado = asso. Polycarpo Leal. = asso. Manuel Arraga. = Nota. Los Cordeleros y medidores que se mencionan en las diligencias anteriores no firmaron por no saber

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y para constancia lo rubrique. Angeles 27 de Marzo de 1835. = Estando concluidas las presentes diligencias con arreglo a dro. Desde testimonio autorizado á la parte dando cuenta al Juzgado de haver concluido la comision que me confirió y archívese las las presentes diligencias para los efectos que haya lugar. Rafael Guirado Juez comisionado así lo decretó mandó y firmó segun dro. = Rafael Guirado. asta. Manuel Arzaga. = asta. Polycarpo Leal. = Con esta fha. se remitieron las diligencias al Juzgado y para constr lo rubrique.

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Es copia de su original a que me refiero la que autorizo y firmó con testigos de asistencia segun dn. en papel comun por no haber del sello q. corresponde.

Rafael Guirado. asta. Manl Arzaga.
" Polycarpo Leal.

Filed in Office. Octr 28th 1852.

Jno. Fisher. Secy.

3/c

First Seal, Six Dollars.
Provisionally authorized by the administration of the Maritime Custom House of Monterey for the years 1833 and 1834.—
Figueroa. José Rafael Gonzalez.—

Translation of Exhibit H. H. No 3 annexed to the deposition of Abel Stearns taken before Comr Hall.

(Here follows the grant, a translation of which is filed in the case and marked B.)

Felipe Lugo 1st Justice of the Peace and of the first Instance of the City of Los Angeles in the Department of the California.—

I certify that on this day appeared before me Dn Juan José Nieto and Dn Perfecto Hugo Reid, the first of whom declaring that it was entirely suitable to his interests to cede in favor of Dn Juan Bautista Leandry the share and right that he has to the rancho of Los Coyotes, by concession that was made to him, bearing date the 22d of May of 1834, by the Political Authority of the Frontier; he asks of this tribunal that in terms most conformable to the laws upon the matter, it may be pleased to cause in connection with the aforesaid title that he has the honor to present; a decree to be subscribed in which it may appear to be his free will to make the cession above mentioned in favor of the said Dn Juan Bautista Leandry for the reasons already expressed, and Dn Perfecto Hugo Reid having appeared

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in person with sufficient power on the part of Don Sandry, caused Don Nieto to repeat what he had said and in the presence of two witness of my assistance, in order to legalise the act as was duly verified and the result of the same being suitable to both parties, I caused to be subscribed after the present (proceedings) the record in which appear the petition, and causing them to sign with those of my assistance —

Angeles Jany 25th 1840.

Interlineation = favor is valid — vafor erased — not valid —

Felipe Suyo.

Assistance.
Agustin Olvera.

Assistance
Ygnacio Coronel —

On the same date, being present Don Juan José Nieto, and Don Perfecto Hugo Reid, the Agent of Don Juan Bautista Sandry, the former said that it was of his free will to make cession of the Rancho of Los Cayotes to Don Juan Sandry, by virtue of which, he shall be the legitimate owner of the said Rancho, this was confirmed and signed at his request, by Don Manuel R. Roldan, Don Reid also signing the same, in my presence and the assisting witnesses, according to law —

Felipe Suyo.

at the request of Juan José Nieto, Manl. R. Roldan —

P. Hugo Reid —

Assistance

Assistance.

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Agustin Olvera. Ygnacio Coronel.

To the Constitutional Alcalde.

Juan José Nieto, native of this Pueblo, and owner of the Rancho of Santa Gertrudes, known as that of the Nietos, before your Honor with proper respect, appears and says—

That agreeably to the dispatch that indicates my right of ownership, & that I properly transmit to you, you may be pleased as a matter of justice to despair to my aforesaid Rancho, to give me possession judicially, which act I ask of you may not be delayed beyond the present month. Therefore I beseech your honor to deign to accept my petition, to return to me again both original documents with the order that you consider suitable for my security, and to receive the present upon common paper, from not having any of the corresponding seal— not Knowing how to sign—

I swear not be acting from malice.

&c &c—
Pueblo de las Angeles Feby 5th. 1835.

Angeles Feby 6th. 1835.

The same being presented and received, as it is proper according to law, and in consideration of the observance and urgent attentions required on the part of this Tribunal, the Exmo Magistrate of this Ayuntamiento, Dn. Rafael Gunado will go to give the corresponding possession of the land which

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the petitioner has had granted in his favor, & for which object he shall be authorized with the surveyor Dr. Abel Stearns—
Rafael Guirado—

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(Here follows a "testimonio," copy of the grant referred to)—

(Here follows a "testimonio," copy of the petition for judicial possession &c translated on page 31)—

Notice of Appointment } To the urgent attentions acquired in this office do not allow the time that I may personally repair to give the corresponding possession of the land to Dn. Juan Bte Rito, that he has had declared in his favor, I have thought proper to name you, in order that associated with the surveyor Dn. Abel Stearns, you may go to the aforesaid land called Los Cayotes, and give him possession in due form, in conformity to the title, that to this effect I herewith transmit—
God and Liberty. Feby 14th. 1835—
Domingo Romero.
For the Senor Magistrate
Dn. Rafael Guirado

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Done

In obedience to the commission that by an order of this present date, the 2d Constitutional Alcalde Dn Domingo Romero has committed to me, in order that I may go to give possession to Don Juan Bte Vieth of the Rancho belonging to him known by the name of Los Coyotes, and having agreed with Dn Abel Stearns the Surveyor, in order that he might measure the aforesaid lands in conformity to the diseño which accompanies the Expediente upon the matter previously complying with that required on the part of the Superior Political Chief that I should go myself and with the witnesses of my assistance, and should proceed to make good the aforesaid possession, in strict compliance to the dispatch with which this Expediente begins.
Citizen Rafael Guirado, Magistrate of the Illustrious Ayuntamiento and commissioned Judge, thus did decree, command and sign, with those of my assistance according to law.

Rafael Guirado -

Assistance
Policarpo Leal.

Assistance -
Manuel Arzaga -

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Order of Suspension.

In the same Pueblo, day, month and year, the Surveyor having presented himself, & making known to me that on account of his many occupations he would not be able to assist in the measurement ordered by the foregoing decree, & ordered, and effected a suspension of these proceedings because not having in this Pueblo any intelligent person

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who would be available for these operations; and I authorized and signed it with those of my assistance, according to law—

Rafael Guirado.

Assistance. Assistance
Policarpo Leal. Manuel Urzaga.

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Angeles March 7th 1835.

Let the order that was
decree ferre- } received from the 2d Constitutional Al-
turning the } calde be returned, in order that he may
order } put into effect the dicts that are equi-
table, he that subscribes thus did decree and sign with those assisting, according to law—

Rafael Guirado—

Assistance. Assistance
Policarpo Leal. Manuel Urzaga—

note of its } note,— On the same date the order
having been } was transmitted, as directed by the anterior
transmitted. } decree, and in proof I signed it with a rubric—

2d Constitutional Tribunal of Los Angeles—

Order. } In consideration of the critical circumstances in which this Pueblo is placed, because of the outrageous revolution that the Dominicans have created, it is necessary that you suspend for the present, the execution of the commission which has been confered on you for the spreading of land in favor of Dn Juan Jose Nieto, until an opportunity occurs for proceeding with the measurements,

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and the Spraitions, that are required in the matter.

God and Liberty. Angeles March 7th 1835.

Domingo Romero.

Pueblo de los Angeles March 13th 1835.

Notice — In view of the resolution being concluded that embarrassed the prosecution of these proceedings, and also as the Surveyor is ready to go with me to the aforesaid tract; let a citation of the neighbors be made, let end bearers and measurers be appointed and let the necessary proceedings be put into practice — Rafael Guirado commissioned Judge thus did decree, command and sign, with three assisting according to law —

Rafael Guirado.

Assistance. Assistance

Policarpo Seal. Manuel Arzaga.

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Proceeding for citation of the neighbors — At the Rancho of Los Coyotes and on the fourteenth day of the month of March one thousand eight hundred and thirty five, in compliance with that for my command in the anterior decree, and having made a citation of the neighbor who in effect are to this said land of the Coyotes, Don Roberto Pardo, who did not appear, owner of the Alamitos, towards the South, Da Catarina Ruiz de Nieto owner of La Bolsa in the same direction towards the east with the lands occupied by the heirs of Patricio Ontiveros, occupied anteriorly by the Ex-

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Mission of San Gabriel, and the rancho of Santa Gertrudes, the property of Doña Josefa Cota de Nieto and towards the West with Doña Manuela Nieto de Cota, to whom I made known the object of my commission, & told them they might shew agreeably to their titles any documents by which they could have any right to those lands, and not having shewn any by which to prove such right, I duly made note thereof. That I authenzid and signed according to law.

Rafael Guirado —

Assistance
Policarpo Leal.

Assistance
Manuel Arzaga —

Selection of card bearers

At the same place, day, month & year, the same Judge that subscribes in prosecution of these proceedings, named two official card bearers agreeably to law, who after accepting, promised to discharge their duty, and in proof of the same, I made a record thereof that I signed with those of my assistance, according to law.

Rafael Guirado.

Assistance
Manuel Arzaga.

Assistance
Policarpo Leal.

Selection of Measurers

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The act continuing, and at the same place, day, month and year, the same Judge, for the purpose of continuing the execution of these proceedings, named two measurers agreeably to law, who

HH

after accepting their appointment promised to discharge faithfully their and proof of the same I made a note, that I signed with the existing witness according to law.

Rafael Guzmán

Assistance
Manuel Urzaga

Assistance
Policarpo Leal.

Notice of measurement

At the same Rancho, day, month & year, I the Judge that subscribes, was to begin with the measurement of the tracts of Los Coyotes, caused to be measured a cord containing one hundred and thirty varas, which was examined and recognized by the Surveyor Dn. Abel Stearns, and was divided into certain widths and knotted at the ends, the aforesaid Surveyor having made his calculation, afterwards the cord was drawn in a direction East five and a half degrees to the South commencing at an Alisio that is on the edge of the Santa Ana water that comes from Los Nietos contiguous to Los Alamitos and is the corner that divides the ranches of Los Coyotes, Alamitos and Coyotes and they measured and counted three thousand varas, that terminated in a prickly pear thicket where was placed a willow just as a sign of a land mark, and to draw a corner with the Bolsas and the Alamitos, and in view of the time now being very late, and not being able on that account to continue the measurement, I ordered it to be suspended for continuance on the next day, by which was concluded this present proceeding, that I authorized and signed

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with the assisting witnesses according to law, which I certify.

Rafael Guirado.

Asistance
Manuel Urzaga.

Asistance.
Policarpo Leal.

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At the same rancho on the fifteenth of March one thousand eight hundred and thirty five, the Judge that subscribes in furtherance of the prescribed execution of the proceedings of measurment, and being ready to make good the same, placed the cord upon a burnt and fallen "sauco" (elder tree) in an East direction fourteen degrees to the North, and there was measured and counted five thousand five hundred varas, and taking the direction North, twelve degrees to the West they measured and counted as far as the old road of Sta Ana, ten thousand varas, that terminated in a barranca, and there was placed as a land mark a post of an old elder tree "sauco viejo", then the direction East was taken thirty five degrees to the North, and there was counted three thousand two hundred varas that terminated at the land mark which divides the ranchs of Sta Gertrudes, and then changing the direction, and going to the East thirty and one half degrees to the South, the measurment was repeated and there was measured and counted seventeen thousand seven hundred varas that terminated at the "Sanja" where was placed as a land mark two posts of the Alisio, one on each side, which is

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the dividing line of the Ranchos Simitas and Coyotes, which direction is to the South ten and eight degrees to the East where was emited eleven thousand five hundred varas; and thus these proceedings of measurment being concluded to the satisfaction of the interested party and the neighbors, and with the approbation of the Surveyor, I duly note the same, that I signed with Want of my assistance, according to law.

Rafael Guirado.

Assistance. Assistance

Policarpo Leal. Manuel Arzaga

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Note

3 The end bears and mearers that are mentioned in these foregoing proceedings, did not sign, not Knowing how, in proof of the same, I signed it with a rubric—

Angeles March 27th 1835.

Decree of conclusion

The present proceedings being concluded agreably to law, let a copy of the same be given to the interested party upon being made to the Tribunal of the termination of the commission, that was confered on me, and let the present proceding be deposited among the Archives for the purpose that are suitable, Rafael Guirado, commissioned Judge, thus did command, decree and sign, according to law—

Rafael Guirado

Assistance Assistance

Manuel Arzaga. Policarpo Leal.

Note

3 On the same date, the proceedings were transmitted to the tribunal and in

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proof thereof I signed it with a rubric—

This is a copy from the original to which I refer, which I authorize and sign with the assisting witness, according to law, on common paper from not having any of the corresponding seal—

Rafael Guirado—

Assistance — Assistance.

Manuel Arzaga. Policarpo. Leal—

Filed in Office Oct 28th 1852.

Gen: Fisher.

Secy

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H Andres Reo et al.
Capote.
Italian Copy

Decree of publication

L. H. M. K.

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(50 d)

Atto di notorietta

L'anno del Signore mille otto cento quaranta cinque, ed alli otto del mese di Agosto in Nizza marittima è nel solito uffizio della giudicature intramuros.

Giudizialmente avanti L'Illustrissimo Signor avvocato Gio Battista Rivalli giudice di questo mandamento in Virtu di Regie patenti del dodeci Mazo mille otto cento quaranta due e successiva ammessione senatorie coll'assistenza del Notajo impiegato segretario di questa giudicatura

Sono personalmente comparsi li Signore Cavaliere Francesco Dapotis Colonello Comandante il Posto de questa citta il signor Cavaliere Francesco Caisson ed il Signor pietro Lenno li quali attestando sulla semplice richiesta della Signora Catterina Leandri Vedova Garetto abitante a Villafranca, che qui presente dichiara non voler far uso di quest'attestato in alcuna causa civile vertente previo giuramento che hanno li medesimi prestato, cioè li detti primi tocando co' la croce, alla forma delli signori cavaliere ed ultimo à mani nostre toccate le scritture e dotti da loro stessi; como dichiarano, della forza ed importanza d'un tal atto tanti unitamente; che separatamente hanno deposto, e depongono quanto segue.

Noi con deponente possiamo con tutta verita dichiarare d'avere avuto perfetta conoscenza della famiglia dell'or da pu Sebastiano Leandri morto nell'Isola della Maddalena in Sardegna li diecisette settembre, mille Otto cento Ventisei, come dalla fede del di lui decesso statuciva presentata il quale era unito in legitimo matrimonio con Anna Maria Zolo di Bonifaccio nell'Isola de corsica è morendo lasciò questa di lui Vedova ora Commorente in questa Citta de Nizza, la quale gode d'un annua pensione di due cento novanta due lire centesimi ottanta sulla cassa

Generale degli invalide di Terra ferma di
S. M. il Re di Sardegna, come Vedova dell
detto fu Sebastiano Leanchi vivendo mari
=naro di prima Classe al servizio della pe
detta S. M. il Re di Sardegna.
Che morto il detto Sebastiano Leanchi las
cio un di lui successo. i due figli e quatro
figlie tutti legittimi e naturali, cioè 1°
Gio Battista Leanchi nato nella suddetta
Isola della la Maddalena il primo Mar
zo, mille otto chento uno come dalla fede
di nascita del medesimo. 2° Michele
3° Laura ora Vedova Colioli. 4° Catterina
ora Vedova Garetti. 5° Giuseppa maita
ta con Francesco Befsè. 6° L. Maria
Domenica ora Vedova Leffizi Loi; che
il Michele e deceduto nella suddetta Isola
della Maddalena lasciando in suoi eredi
e successori Sebastiano di lui unico figlio
maschio tuttora minore e Anna Maria
maritata con Francesco pezzi abitanti
nell'Isola suddetta della Maddalena.
Che la Laura Vedova Colioli è tuttora vi
vente ed abitante nella suddetta Isola
della Maddalena. Che la Maria Domenica
ora Vedova Leffizi Loi e pure vivente e com
morante nella suddetta Isola della Madale
na. Che la Catterina maritata con Giacomo
Garetto e vedova ed abita in Villa franca.
Che la Giuseppa maritata con Francesco
Befsè è deceduta, lasciando in di lei eredi
tà dotato di lei unico figlio maschio, e Maddalena
tuttora minore e nubili dimorante à Cheras
co provincia de Torino.

Che inoltre il Gio Battista Le
anchi marinajo de professione l'assento
dalli Stati di Europa, anni venti quatro
orsi sono e più non comparve se non chè
ora a notizie che trovavasi nella grande Ba
ttonia dove esercita un Cambrei ed in
dustria e da dove diede notizie alla di
lui madre e diceva ora dicendo che dicasi
reso difunto avendo lasciato una pingue
eredità la quale troverebbasi sotto se=

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=questo permaneanza della presenza d'
Eredi viggenti in Sardegna gli eredi legitti=
mi sarebbero; 1a L'anna Maria Josto Ve
dova di Sebastiano Leandri suddetto di
lui madre per la legittima corrispondente
ad un terzo dell'eredità.
2o. Il minore rappresentando l'agnazi=
=zione nepote ex parte del defunto Gio.
Battista Leandri per gli altri due terzi.
Salvo però li diritti di Legittima che possono
competere sulla medesima successione
del defunto Gio. Battista Leandri alli di
lui sorella viventi, Laura Vedova Colioli
Catterina Vedova Garitto e Maria Domini
ca Vedova Laffisio Loinon che alli onorato
e Madalena fratello è sorella Besse come
unici figli e rappresentanti Guiseppa Leam
dri altra sorella del detto defunto Gio: Battis
ta Leandri, ora defunta ed infine alli Anna
Maria moglie di Francesco Pezzi sorelle
germana del minore Sebastiano niscun
altro potendo avere diritto nella successione
del detto Gio Battista Leandri qualora
sia si reso defunto al intestato ed senza li
berj.

Il ciò sappiamo noi con deponenti
per avere avuto particolare conoscenza e
frequenza colla famiglia del Sebastiano Le
andri; avere conosciuto il Gio Battista Le
andri e conoscere tutti li summominati
individui vivente.
Interrogati sulle generali. Rispondono
ovè io Cavaliere Francesco Dapritis sono
figlio del fu Lorenzo nativo di Villafranca
abitante en questa Città Colonello Comman=
dante questo porto d'anni sessanta quattro
in beni L. trenta mile e più cmi sosscrivero
Ed io Francesco Caufoon sono figlio del fu
Antonio, nativo ed abitante in Villa-franca
Luogo tenente nell' artiglieria Marina
d'anni settante ke in beni L venti mila
e più e mi sosscrivero.
Ed io Pietro Lauro sono figlio del fu Severino
nativo di Villafranca tenente nell sesto

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Rigimento fanteria di presidio in questa Città d'anni trenta nove in beni £ Venti mila e più cui sosscrivero e dopo lettura persistendo si sono sottoscritti=
W. Francesco Carson # Dupratis #
Francesco = pietro Lavoro = Duval di
Giuliee = G. Luigi = Paseroni Notajo
Secretario.

Per copia conforme all'originale levato de carattere a me pdo.
Nizza li cedodici Agosto 1845
G. Luigi Paseroni.
Not: Segr.

Noi senatore prefetto in pascritto legalizziamo la sovra distesa firma del Sig.r Giovanni Luigi Paseroni Notajo e Segretario della Giudicatura di questa Città entro le mure.

Nizza 12. Agosto 1845
Cairoschi D. P.
Conte. Segr.

1821.
VISTA R.a Segreteria Di Stato
per Gli Affari Esteri.
per Legalizzazione Della firma del Prefetto de Tribunale di Prefettura à Nizza
Torinoli 23 Agosto de 1845.

Cav. Cavigioni
P. F, una 50.

I George Wishar Secretary to the U.S. Land Commissioni to ascertain and settle the private Land claims in the State of California hereby certify the foregoing to be a true full and correct copy of a paper in the Italian language relating to cause No. 100, Anchresieta et al for the place named "Cajote" on the Docket of this Board which paper was delivered to J. C. Brent Esq.r Atty for the claimants.

In Testimony whereof I have hereunto signed my name Office of the above named Commissioni Dan Francisco

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this 14th day of March A. D. 1854

Geo: Yeisher Decy

Filed in Office March 14th 1854

Geo: Yeisher Decy

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Copy of Auto. de Notoriedad

S. H. M. K.

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Sello

Auto de Notoriedad

El año del señor Mil ochocientos cuarenta y cinco en el punto de Niza y a los ocho del mes de Agosto: En el acostumbrado Oficio de jusgado intra muros.

Judicialmente, ante el Ilustrisimo señor Abogado Juan Bautista Uvaldi, juez de este mandamiento en virtud de Reales Despachos, fechados en doce de Marzo de mil ochocientos, cuarenta y dos y de la sucesiva admicion Senatorial con la asistencia del Infrascrito Notario Secretario de este jusgado.

Han comparecido personalmente los señores Dn. Francisco Daprotis, Coronel, Comandante del puerto de esta Ciudad Dn. Francisco Caissoti, y Dn. Pedro Lauro quienes certificando sobre la simple requisicion de la señora Catalina Leandre viuda Garetti residente in Villafranca, la que hallandose aqui presente declara no quiere hacer uso de este testimonio en ninguna causa que sea en lo civil previo juramento que ellos mismos han prestado es decir los dos primeros tocandose la cruz en la forma de los señores Caballeros, el ultimo en ntras manos tocando las escrituras educidos por si mismo, segun declaran, de la fuerza è importancia de un auto semejante tanto unidamente como por separado, han declarado y declaran todo lo que sigue. A. Saber. Nos. los exponentes podemos declarar con toda Verdad- que hemos tenido un perfecto conocimiento de la familia del finado Sebastian Leandri, muerto en la Isla de la Madalena, en Cerdeña, en diez y siete de Setiembre de mil ochocientos veinte y seis, como consta por la fè de muerte que se nos presento quien estaba unido en legitimo matrimonio con Ana maria Hosto de Bonifacio en la Isla de Corsega y al morir dejo à esta su viuda residente en la actualidad en esta ciudad de Niza la que goza de una pension

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anual de doscientos noventa y dos Liras y ochenta centados sobre la Caja general de los Invalidos de Genova. Yerne de S. M. el Rey de Cerdeña como vendra del ya citado difunto Sebastian Leandri, Marinero que fue de primera clase al servicio de la precitada Magd.a el Rey de Cerdeña. Que fuera de esto el enunciado Sebastian Leandri, dejo por sus sucesores dos hijos varones y cuatro hijas, todos legitimos y naturales esto es: 1.º Juan B.ta Leandri nacido en la ante dicha Isla de la Magdalena el primer de marzo mil ochocientos uno segun le comprueba su fé de bautismo:
2.º Miguel. 3.º Laura, ahora viuda Bolioli
4.º Catalina ahora viuda Garetto.
5.ª Josefa casada con Yerancesco Bessè
6.ª Maria Domunga ahora viuda de Effisio Loi; Que Miguel ha fallecido en la suso dicha Isla de la Magdalena dejando por herederos y sucesores suyos:
Sebastian, su unico hijo varon; todavia menor y Ana Maria, casada con Yeremeo Pezzi hecino de la sobredicha Isla de la Magdalena.

Que Laura viuda de Bolioli vive todavia y reside en la referida Isla de la Magdalena. Que Maria Domunga actualmente viuda de Effisio Loi, tambien vive todavia y reside en la sobre dicha de la Magdalena.
Que la Catalina, casada con Santiago Garetti, es viuda y vive en Villa panea. Que la Josefa casada con Francisco Bessè ha fallecido, dejando de herederos suyos à su hijo unico varon, Honorato y Magdalena de menor edad, y casadera avecindados en Cheraco provincia de Gunn.
Finalmente que Juan Bautista Leandri de profesion Marinero de ausento hace unos veinte y cuatro años de los Estados de Europa, y no parece mas por alla aunque hallara en la Gran California, donde ejercia un comercio ò industria y desde

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donde dio noticias à su Madre; y se refiere actualmente que ha fallecido, dejando una herencia la que parece se encuentra bajo secuestro, por falta de presentarse legitimos herederos de suerte que; conforme à las leyes vigentes de Cerdeña los herederos legitimos del mismo, siempre que hubiere fallecido ab intestato y sin hijos legitimos serian.
1º. Ana Maria Vasto viuda de Sebastian Leandri y ya enunciada, madre de Juan Bta. Leandri, le corresponde por su legitima la tercia parte de la herencia.
2º. El menor Sebastian Leandri del finado Miguel, representando la parentela en linea masculina, sobre si es de falte del difunto Juan Bautista por las otras dos terceras partes Salvo no obstante los derechos de legitima q. puedan caber sobre la misma succesion del difunto Juan Bautista Leandri à sus hermanos viveis, Juana viuda Cololi; Catalina viuda Zaretti y Maria Dominga viuda de Effesio Lai, no solamente à los hermanos Honrato y Magdalena Bessè, como hijos unicos y representantes. Josefa Leandri otra hermana del ya citado difunto Juan Bta. Leandri al presente difunto; y finalmente à Ana Maria Esposa de Francesco Pezzi; primera hermana del dicho menor Sebastian no pudiendo ningun otro tener derecho à la succesion del espresado Juan Bautista Leandri cuando fuese cierto hubiese fallecido ab intestato et omni liberis.

Esto lo sabemos nosotros los declarantes por haber conocido y tratado particularmente à la familia del dicho Sebastian Leandri y conocer à todos y à enunciados y existentes individuos.

Preguntados sobre los generales:
Responden, esto es: Yo Gab. Francisco Damotis soy hijo del finado Lorenzo natural de Villafranca, domiciliado en esta Ciudad Coronel Comandante de este puerto de edad de sesenta y cuatro años con

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treinta mil y mas Liras en bienes y me sub-
scribere.

Yyo Francisco Carsson soy hijo del fina-
do Antonio natural y residente en Villa fran-
ca teniente de Artilleria de Marina de Se-
tenta y tres años de edad, con veinte mil y
mas Liras en bienes y pondrè mi firma.
Yyo pedro Laura soy hijo del finado Save-
rio, natural de Villa-franca, teniente
del 6to Regimiento de Infanteria de
guarnicion en esta ciudad de edad de
treinta y nueve años con veinte mil y mas
Liras en bienes y lo firmarè y leido todo lo q.
precede, lo ratificaron y firmaron.
Francisco Carsson # Francisco Daprotis
pedro Lauro = Vivaldi prez. - G. Luis pa-
seroni. Escribano secretario = r.
por copia conforme con el Original saca-
da con caracteres que me son fieles.
Nza à los doce de Agosto de 1845.
Luis paseroni Nrio y Secº
Nos el infrascrito, Senador prefecto legali-
zamos la sobre-dicha firma del Sor Juan
Luis paseroni, Escribano y Secretario de
esta Ciudad dentro de Murallas.
Nza 12 de Agosto de 1845.
Cairaschi S. P.
Conte - Secretario.
Vº en la Rl. secretaria de Estado de
Negocios Estranjeros para la legalizacion de
la firma del prefecto del Tribunal de pre-
fectura de Nza.

Un sello — Turin à los 23 de Agosto de
1845.
Cabº Carossini
L. una 50 cent.
Traduccion del interprete de R. C.
Franco Mata Linares.

Para el bienio repub- -lica peruana Dn
1844. y 1845. Sello 5º Dos Rs.

Valga para los Años de 1846. y 1847

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Yo el infrascrito Escribano doy fè Que Don Mariano de Mata Linares por quien aparece hecha la traduccion del frente de que queda anbricada por mi es tal Intrprete del supremo Gobierno de esta Republica de perù, como de titulo y que ha firmado la referida traduccion à mi presencia despues de haberse instruido en su contexto. Y para los efectos que haya lugar pongo la presente en Lima y Diciembre treinta de mil ochocientos cuarenta y seis.

Juan Onfre Menendez
Escrio Pubco

Nos infrascritos Escribanos publicos de este Capital de la Republica del perù. Damos fè: Que Don Juan Antonio Menendez por quien en aparece legalizada la firma del Intrprete de este supremo Gobierno puesta al pie de la traduccion que ha hecho del Instrumento de fojas primera es tal Escribano publico del numero como de titula, por lo que à sus semejantes y demas que despacha se les da fè en todos juicios: Y para los efectos que haya lugar ponemos la presente en Lima y Diciembre treinta y uno de mil ochocientos cuarenta y seis.

Josè de Cd Lorjw. / Juan Garcia
Josè Manl Montalvan

Consta à esta prefectura y las hojas primeras que anteceden son las mismas que acostumbran hacer los Escribanos q. se expresan.

Lima Diciembre treinta y uno de mil ochocientos cuarenta y seis.

Josè Mn Lizarzaburu
Mr de Odriozola.

Josè Gregorio Paz Soldan Ministro de Relaciones Esteriores del perù.

Certifico: Que D. Josè Maria Lizarzaburu por quien aparece suscrita la anterior legalizacion es prefecto de este Departamento

Lima 31 de Diciembre de 1846

Josè G. Paz Soldan

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José antonio Menendes Consul de la Republica Mejicana como del Gobierno del Peru.

Certifico que el señor Dr. Don José G. de Paz Soldan por quien aparece legalizada la certificacion que antecede es en la actualidad Ministro de Relaciones del peru como se titula, y para los fines que convengan doy la presente firmada de mi puño y sellada de mi sello de Officio de este Consulado de mi cargo

Lima Marzo 10 de 1847

José A. Menendez

Consulado de la Republica Mejicana en Callao

Para el bienio de 1844 y 1845

Republica Peruana

coat of arms

Sello 5°. Dos Rs.

Valga para los años de 1846 y 1847

I Georg Yeshen Secretary to the U. S. Lena Commission to ascertain and settle the private land claims in the State of California hereby certify that the foregoing is a true and correct copy of a Spanish Document in Case No 400 Antonio Pico et al; for the place named "Capote" in the Docket of this Board, which document was delivered to D. D. Brent Esqr. Atty for the Claimants.

In testimony whereof I have hereunto signed my name Office of the Secretary of the above named commission.

Done at San Francisco this 14th day of March A. D. 1854.

Geo: Yeshen Secy

Sealed in Office March 14th 1854

Geo: Yeshen Secy

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Seal

Decree of Publication—

In the year of the Lord one thousand eight hundred and forty five, at the port of Nice, and on the eighth day of the month of August, in the usual office of the Court within the walls, judicially before the Most Illustrious Senor Uttamy Juan Bautista Vivaldi, Judge of this Demarcation, by virtue of Royal Despatches, dated March twelfth one thousand eight hundred and forty two, and of the successive Senatorial admission, with the assistance of the undersigned Notary, Clerk of this Court, have personally appeared Senors, Don Francisco Dapuntis, Colonel Commandant of the Port of this city, Don Francisco Cuisson, and Don Pedro Saun, certifying upon the simple requisition of Senora Catalina Seandri, viuda Gandti, a resident of Villafranca, and she being here present declares, that she does not wish to make use of this testimony in any cause pending in civil suit, upon the oath which they have previously taken, that is to say, the first two having touched the cross in the form of Sirs Knights and the last in our hands touching the Scriptures induced by themselves, as they declare, by the force and importance of a similar decree, as well jointly as separately, they have declared and do declare all the following, viz:

That the deponents, can declare with all truth, that we are perfectly acquainted with the family of the deceased Sebastian Seandri, who died in

Translation of Acta de Notoriedad.

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the Island of Maydalena, in Sardinia, on the seventieth of September one thousand eight hundred and twenty six, as appears from the certificate of his death presented to us, that he was married in lawful wedlock to Ana Maria Tatò de Bonifacio, on the Island of Corsica, and at his death he left the latter his widow now residing in this city of Nice, and that she receive an annual pension of two hundred and ninety two Libras and eighteen cents from the General Treasurer of the Invalids of the Land Forces of his Majesty, the King of Sardinia — That besides this, the said Sebastian Leandri left as his successors, two sons and four daughters, all legitimate and natural, that is: 1st Juan Bautista Leandri born in the aforesaid Island of Maydalena, on the first day of March one thousand eight hundred and one as is corroborated by his Baptismal certificate — 2d Miguel — 3d Laura, now widow Colioli — 4th Catalina — now widow Garetti — 5th Teresa, married to Francisco Bessi — 6th Maria Dominga, now the widow of Effisio Lei — That Miguel has died on the aforesaid Island of Maydalena, leaving as his heirs and successors Sebastian, his only son, still a minor, and Ana Maria, married to Francisco Pizzi, a resident of the said Island of Maydalena —

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That Laura, widow of Colioli, is still living and resides on the Island of Maydalena; — That Maria Dominga,

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now widow of Effisio Sei, is also living and resident in the said Island of Magdalena; That Catalina, who was married to Santiago Gardi, is a widow & lives in Villafranca; That Luisa, who was married to Francisco Bere, has died, leaving as his heir, Honorato, her only male heir, and Magdalena, a minor and marriagable, residing in Cherasco, province of Turin.

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Finally, that Juan Bautista Leandri, a mariner by profession, absented himself some twenty four years ago, from the European States, and did not return there again, but that he was in Gran Californias, carrying on trade and commerce, and whence he gave information to his mother; and it is reported, that he has died, leaving a large estate, which it appears is under registration the legitimate heir failing to present themselves, so that according to the existing laws of Sardinia, his legitimate heirs in the event that he might have died ab intestato, and without legitimate children would be;

First, Ana Maria Justo, the aforesaid widow of Sebastian Leandri, mother of Juan Bautista Leandri, to whom corresponds, as her legacy, the third part of the estate—

Second, to the minor Sebastian Leandri of the deceased Miguel, appertaining the relations in the masculine line, nephew, ex fratre, of the deceased Juan Bautista, corresponding the other two thirds parts— Excepting however the rights of legitimacy that may pertain

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beyond the same succession of the deceased Juan Bautista Leandri to his living sisters, Laura, widow Colioli, Catalina, widow Gandti, and Maria Dominga the widow of Efficio Li, not alone to the brothers Honorato, and Magdalena Bizzi, as the only children and representation — Insofar Leandri another sister of the aforesaid deceased Juan Bautista, now deceased, and finally to Ana Maria, wife of Francisco Pizzi, cousin to the same minor Sebastian, no thus being able to have any right to the succession of the said Juan Bautista Leandri, if it should be certain that he might have died ab intestato et sine liberis.

And this is the deponents knowledge having known and intimately acquainted with the family of the said Sebastian Leandri, and first knowing all of the aforesaid and existing individuals —

Being interrogated upon the generals they answer, that is; I, Col.° Francisco Dapotis, and a son of the deceased Lorenzo, native of Villafranca, resident of this city, Col.° Commandant of this Port, seventy four years of age, with thirty thousand and more Libras in property, and I will subscribe it.

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And I Francisco Caissan, am a son of the deceased Antonio, a native and resident of Villafranca, Lieutenant of the Marine Artillery, seventy three years of age, with twenty thousand and more Libras in property and I will sign it.

And I, Pedro Lanza, am a son

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of the deceased Savoia, a native of Villa-
franca, Lieutenant of the Eighth Regi-
ment of Infantry of the Garrison of this
City, thirty nine years of age, with twenty
thousand and nine Libras in property,
and I will sign it; and all of the Jour-
ney having been read, they ratified and
signed it.

(Signed) Francisco Cuneo.
(Signed) Francisco Dupuis
(Signed) Pietro Lauro.
(Signed) Vivaldi.
(Signed) G. Luis Pasanni. Judge
Notary & Secy.

Given as a copy in conformity
with the original made in my own
hand writing —
Nice, August 12th 1845.
(Signed) Luis Pasanni.
Nty & Secy.

We the undersigned Senador and
Prefecto, and Secretary, legalize the afore-
said signature of Senor Juan Luis Pas-
anni, Notary and Clerk of this city
within the walls.
Nice, August 12th 1845.
(Signed) Camaschi. S. P.
(Signed) Conte, Clk —

Viewed in the office of the Royal
Secretary of State for Foreign Affairs,
for the legalization of the signature
of the Prefect of the Tribunal of
Prefecture of Nice —
(Stamp) Turin, August 23d. 1845.
(Signed) Cab.e Cavezini

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1 Libra and 50 cents —
Translation by the Interpreter
to the Royal E.
[Signed] Franco Mata.
Sinaia —

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For the Biennial 5th Class Stamp (Peruvian coat of arms) Peruvian Republic 1844 & 1845 Ten Reales

Valid for the years 1846 & 1847.
(Rubric)

I, the undersigned Notary Public certify, that Don Franco Mata Sinaca, by whom the foregoing translation, with my rubric attached, appears to have been made, is such Interpreter to the Supreme Government of the Republic of Peru as he styles himself, and that he has signed the said translation in my presence, after having informed himself of its contents. And for convenient purposes I give the present at Lima, December 30th 1846.
[Signed] Juan Antonio Menendez.
Noty Pub —

I, the undersigned Notaries Public of the Capital of the Republic of Peru, certify, that Don Juan Antonio Menendez by whom the signature of the Interpreter to this Supreme Government appears to be legalized, signed at the bottom of the translation, which he has made of the Instrument on the first folio, is such Notary Public of the number as he styles

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himself, and thereto to all such and
those (authentications) which he despatches
full faith is given in all Courts; and for
evidence purposes, we give the present
at Lima, December 31st 1846.

(Signed) Juan Garcia.
(Signed) José Manl Montalvan.
(Signed) José de la Lunga—

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Republic of Peru Stamp Prefecture of Department

It is manifest to this Prefecture, that those going signatures are the same which the said Notaries usually make—
Lima, December 31st 1846
(Signed) José Mª Lizarzaburu.
(Signed) Mª de Odriozola—

José Gregorio Paz Soldan, Minister of Foreign Relations of Peru—

I certify that Don José Mª Lizazaburu, by whom the foregoing legalization appears to be subscribed, is Prefect of this Department. Lima, December 31st 1846

Supreme Office of Foreign Relations Stamp of the Department

José Antonio Menendez, Consul of the Mexican Republic and the Government of Peru—

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I, certify, that Sñor Don José G. de Paz Soldan, by whom the forgoing certificate appears to be legalized, is, at the present time, Minister of Relations of Peru, as he styles himself, and for convenient purposes, I give the present signed with my hand and sealed with my seal of office of this Consulate of my charge.
Lima March 16th 1847.
(Signed) José A. Menendez

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For Consulate of the United Rep. Lima Stamp

Peruvian coat of arms

For the Biennial = Republic of Peru = of 1844 & 1845

5th Class Stamp

Two Reales

Valid for the years 1846 & 1847.
(Rubric)

I, Geo. Fisher, Secretary to the U. S. Land Commission to ascertain and settle the private land claims in the State of California, hereby certify that the foregoing is a true, correct and faithful translation of a Spanish document in case No 460, Andres Pico et. al, for the place named Cajote on the docket of this Board, which document was delivered to J. S. Brunt Esq, Atty for the claimants.

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In testimony whereof I have hereunto signed my name & affixed the Seal of the above named Commission, San Francisco, this 17th day of March A.D. 1854.

Signed/ Geo: Fisher.

Secy

Filed in Office March 17th 1854.

Geo: Fisher.

Secy

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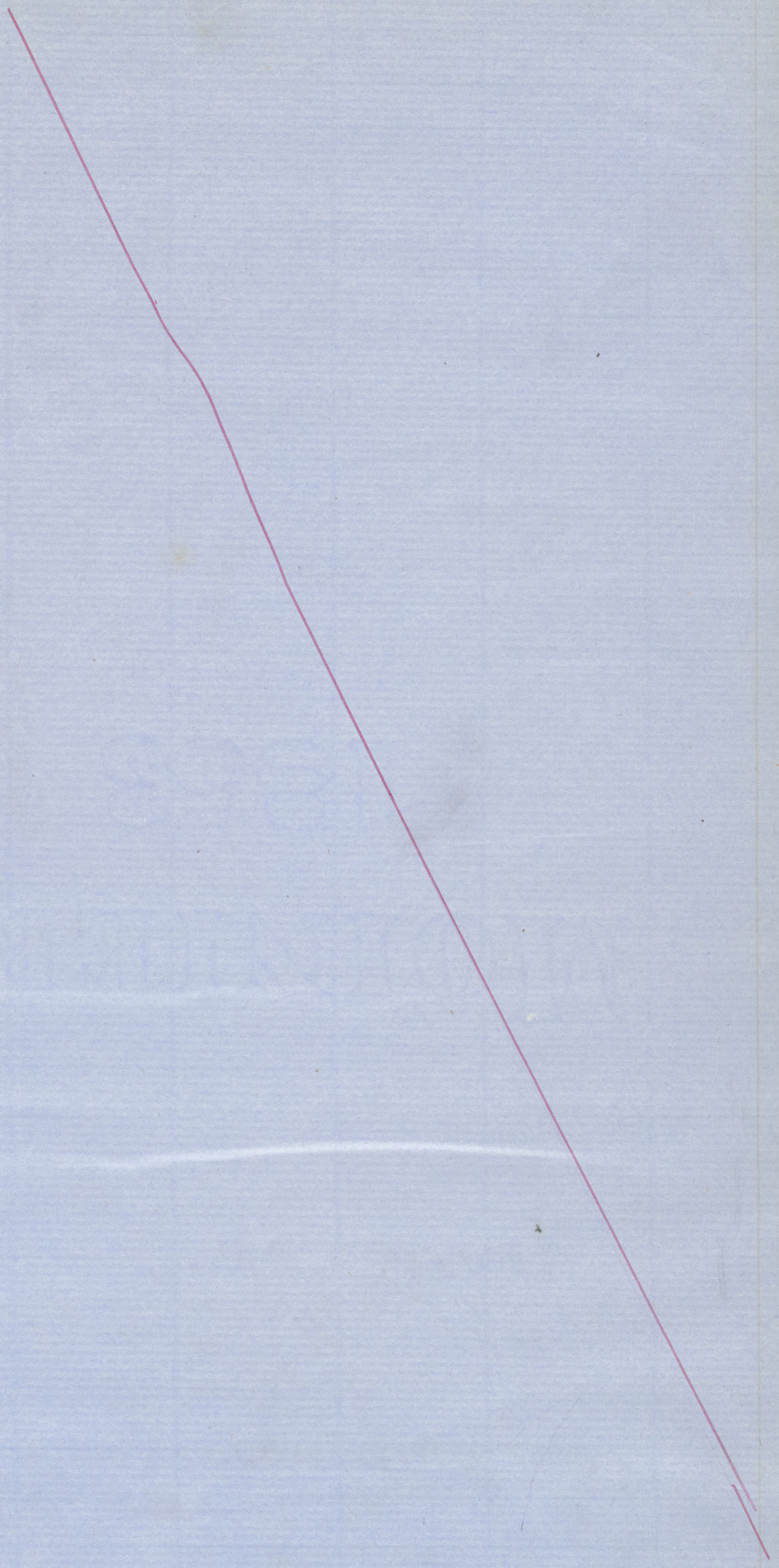

2,00

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Exhibit H. H
No 1. annexed
to the Depo: of
Abel Stearns
taken before
Commrs. Hiram
Hall.

Testimonio de una Escritura

de Venta de la mitad del terreno y bienes Raices y semovientes del Rancho Coyotes otorgada en favor de Don Anches Prieo.

Año de 1850.

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En la Ciudad de los Angeles de la Alta Cali
fornia à los cuatro dias del mes de Marzo de
mil ochocientos cincuenta ante mi Agustin
Olivera Juez de primera instancia de lo civil
de la referida Ciudad y su Distrito y por
ante los testigos de mi asistencia con quienes
actuo en receptoria à mas de los instrumen-
tales que al pie se nominaran compareció
Don Antonio José Cot como apoderado de
Doña Ana Maria Soto residente en el Rey
no de Cerdeña lo que acredito por medio del
poder respectivo presentado en el acto y de cuya
persona vecino de este lugar doy fé conozco
y en jo. Que hallandose reconocida su
poderdante por legitima heredera de los bie
nes que dejó su difunto hijo Don Lucas Bau
tista Leandry y le corresponden como à
su madre legitima segun se declara en
un auto del Alcalde primero de esta Ciu
dad fecha treinta de Enero del presente
año que manifestó igualmente en testimo
nio de los que en su concurrencia ha to
mado pose con provincion en comun
con la Coheredera Doña Francisca Cube
rrubia que fué del repetido Señor Leandry
se halla en el caso de poder elevar à escri
tura publica el contrato de Venta que co
mo su apoderado y facultado por parte
de la espresada Doña Francisca Cube
rrubio del Rancho de los Coyotes que es parte
de los mencionados bienes à Don Andres
Pico. Mas como posteriormente hubieren
ocurrido algunas diferencias y desean los
herederos hacer un arreglo estrajudicial
de particion de bienes, verificado que se
firmaron un avenimiento con fecha diez
de diciembre de mil ochocientos cuarenta
y nueve y en su articulo cinco se estable
cio que el espresado rancho de los Coyotes
se adjudicara por mitad à ambas par-
tes à cuyo arreglo habia prestado su aqui
escencia el mencionado Don Andres Pico de
sistiendo de cualquier derecho que sobre
la parte perteneciente à Doña Francisca

of 2

Corregido

Cubee pudiese asistirle mediante la venta
antes dicha. Que consiguiente con la esen
cia del enunciado contrato de Venta pero
con las variaciones à que haben dado
lugar las circunstancias referidas tanto
por que en la actualidad la Venta es-
solo de la mitad del espresado Rancho
y no del todo como por los terminos en que
se han de verificar los pagos, espresa. Que à
nombre de su poderante, herederos sucesores
y de quien de ellos hubiese titulo Dor y causa
en qualquiera manera, vende y da en venta
real y enagenacion perpetua por juro de
heredad para siempre jamas à Don Lu
dres Pico de esta misma vecindad y à los
suyos la mitad del terreno del Rancho
de los Coyotes y Cañada de la Haba como
tambien la mitad de los brenes raices y
semovientes pertenecientes à dicho Rancho
esceptuando el fierro y señal que vendio
Don Juan Josè Cheto por pertenecer à Doña
Francisca Cubee; que pertenesiendole
en propiedad y posecion la mitad del
referido Rancho de los Coyotes y Cañada
de la Haba como igualmente la mitad
de sus brenes Raices y semovientes incluso el
el fierro y señal conocido por Gutierez no de
claro no tener nada de esto vendido enagena
do ni empeñado y que esta libre de tributo
memoria, capellania, vinculo patronato
prenda y de otro gravamen real perpetuo
temporal, especial general, tacito y espreso
y como tal se lo vende con todo las entradas
salidas pacias cento vuelo, usos costumbres
bres, servidumbres y demas
cosas anexas que ha tenido tiene y le
pertenece segun derecho por la cantidad
de diez y seis mil pesos en plata de mone
da usual y corriente que se an pagados
dos en la forma siguiente: Que seis mil
pesos deben ser entregados de contado la
mitad de diez mil pesos dentro de nueve
meses contados desde hoy y los otro cin
co mil en el termino de diez y ocho meses

Corregido

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que corren desde hoy tambien que habiendo
sido entregada por el comprador la cantidad
de seis mil pesos que debia dar de contado
confesando haberla recibido y dando
se por satisfecho de ella renunciaba la
ley 9 del tito 1 part 5o. y asi mismo declara
que el justo precio y verdadero valor de
la referida mitad del Rancho de los
Coyotes è igual porcion de la Cañada
de la Haba y mitad de Colmenes cañees
y demas pertenencias son los diez y seis mil pe
sos que no vale mas, ni hallo que en tiempo
le haya dado por todo ello y si mas vale
o valer pueda del exceso en poca ò mu
cha suma hace à favor del comprador y
de sus herederos y sucesores en virtud del
poder con que se haya enveste dado fiel a y
donacion pura, mera perfecta è irrevo=
cable en amistad con manutencion
y demas formalidades legales, y renuncia la
ley 2. tit 1. lit. 10. de la Novisima Recopi
lacion que trata de los contratos de don
de fraude y de otros en que hay lesion en
mas ò menos de la mitad del justo precio
y los cuatro años que prefine para pedir su
rescision ò suplemento à su justo valor
los que da por pasados como si efectiva
mente lo estuvieran. Y desde hoy en adelan
te para siempre declara à nombre de su
poderdante que se desapodera desiste
quita y aparta à sus herederos y sucesores
del dominio ò propiedad posesion, titu
lo voz, recurso y otro cualquier derecho
que le competa à la mitad del Rancho
de los Coyotes con todos los demas intere
ses que antes se mencionaron; los cede, re
=nuncia y traspasa con las acciones reales
y personales, utiles mistas directas y efec
tivas en el comprador y en quien la suya
represente para que los posea, goce cambie
enagene, use y disponga de ellos à su vo
luntad como de cosa suya adquirida
con legitimo y justo titulo y le confiere
poder irrevocable con libre franca y

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y general administracion y constituye
procurador, actor en su propia causa para
que de su autoridad, judicialmente
ente y se apodere de la mitad del Rancho
de los Coyotes como yual posesion de la
bañada de la Hahra y mitad de los bienes
raices y semovientes y de ello tome y aprenda
la real tenencia y posesion que por derecho
le compete; y para que no necesite tomarla
me pide que le de copia autorizada de
esta escritura, con la cual sin otro acto de
aprension ha de ser visto haberla tomado
aprendido y tasperidosele y en el interim
se constituye su inquilino, tenedor y pre-
ario posedor en legal forma. Y se obliga à nom
bre de su representada à que dicha mitad
del Rancho de los Coyotes inclusive la
parte correspondiente de la bañada de
la Hahra y la mitad de los bienes raices
y semovientes, sera todo cierto seguro y e-
fectivo al comprador y nadie le inquietara
ni movera pleito sobre su propiedad pose-
sion, goce y disfrute, ni contra ello apareci-
ra gravamen alguno; y si se le inquietare
moviere o apareciese, luego que la repre-
sentada sus herederos y subcesores sean re-
queridos conforme à derecho, saldran à
su defensa y lo seguiran à sus espensas
en todas instancias y tribunales, hasta
ejecutoriado y dejar al comprador y à
los suyos en su libre uso quieta y pacifica
posesion y no pudiendo conseguirlo le
daran otro igual en valor de todo lo re-
lacionado y en su defecto le restituiran
la cantidad que ha desembolsado las
mejoras utiles presisas y voluntarias q. ?
à la mayor tenga el mejor valor y estima
cion que en el tiempo adquiera y todas
las costas, gastos, daños intereses ò menos
cabos que se le siguieren ò causaren; por
todo lo cual sele ha de poder ejecutar
solo en virtud de esta Escritura y ju-
ramento del que la pose ò de quien le
represente, en quien defiere su importe y

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la relava de otra prueva. Y hallandose presente Don Pio Pico hambren vecino en representacion de su hermano Don Andres Pico impuesto que fuè de esta escritura dijo que era en todo conforme con ella y que en la parte que à su hermano le ligaba prometia dar exacto cumplimiento à cuyo fin hipotecaba los bienes de ambos que tienen mancomunado tanto presentes como futuros para que se les pudiera compeler y apremiar por la via ejecutiva como si fuese por sentencia pasada en autoridad de cosa juzgada, consentida y sin mas recurso. En consecuencia manifestando Don Antonio Josè Cot. apoderado de Doña Ana Maria Josto y Don Pio Pico representante de su hermano Don Andres Pico que renunciaban las leyes de su favor y defensa con la general del derecho en forma en cuyo testimonio primero con migo y los de asistencia siendo instrumentales Don Benito Wilson Don Josè Salazar y Don Juan Avila que tambien fueron presentes y vecinos doy fee.
Agustin Olvera # Antonio Josè Cott # Pio Pico # asistencia # Jeremias R. Lopez Assistencia. Domingo Pinyol # Instrumental. B. D. Wilson # Instrumental Josè Salazar # Instrumental Juan Avila
Concuerda con su Original à que me remito y existe en el libro de registros del juzgado de mi Cargo. Esta fielmente sacado corregido y cotejado en estas seis fojas de papel comun por falta de sellado lo que autorizo y firmo con los testigos de mi assistencia à falta de derecho doy fee.
fecha ut supra.
En testimonio de Verdad.
Assistts. Agustin Olvera. Assa.
Jerems R. Lopez # Miens R. Serrano

Los Angeles Office Octr. 28th 1852

Geo. Hansher Deputy

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In the city of Los Angeles of Upper California, on the fourth day of the month of March one thousand eight hundred and fifty, before me Agustin Olvera, Judge of the First Instance of the civil law of the said city and district, and before the witness of my assistance with whom I act as a receptor (receptora) besides the instrumental witness that at the conclusion shall be named, appeared Dn. Antonio Lizalde, agent of Doña Maria Josefa a resident of the Kingdom of Sardinia which was accredited by the respective power presented in the act and of whose person as a citizen of this place I satisfy that I know, and I say; that his principal being recognized as the legitimate heiress of the estate that was left by her deceased son Don Juan Bautista Landry, and that belongs to her as his legitimate mother, as is declared in a decree of the Alcalde dated the thirtieth of January of the present year, which also make known that in testimony of which she has in consequence latter principal possession in common with the co-heiress Doña Francisca Uribe, who was the widow of the aforesaid Landry, and the matter treated of is to authorize by a public document the contract of sale that as her agent and empowered by the aforesaid Doña Francisca Uribe he made of the ranch of Las Cuyotes, that is part of the said estate to Don Andres Pico, but as posteriorly there might have occurred some differences, and as the heirs may desire to make an extra judicial order of partition of the estate, which was accomplished,

H. H. No 1. Translation of Exhibit annexed to the deposition of Abel Stearns taken before Comr. Hall

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they signed an agreement bearing date the tenth of December one thousand eight hundred and forty nine, and in the fifth article it was established that the aforesaid ranchos should be adjudicated by a half to both parties to which arrangement the said Andres Pico had given his consent, desisting from any right that in relation to the portion belonging to Doña Francisca Ybibe might be vested in him by means of the said sale. That conformably to the spirit of the said contract of sale, but with the variations that the circumstances appeared to had given place in such a manner as that actually the sale is only for one half of the ranchos and not of the whole, as is explained by the terms in which the payments are to be made — That in the name of his principal, heirs, successors, and whoever of them may have title, rise and right in any manner, he sells and gives in sale, real and perpetual alienation by right of inheritance forever to Don Andres Pico of this same vicinity and to his the half of the land of the Ranchos of "Las Coyotes" and "Cañada de la Habra" as also the half of the real and movable property belonging to said Ranchos excepting the brand and mark that Don Juan Cañizares sold as it belonged to Doña Francisca Ybibe, as belonging to him in ownership and possession the half of the said ranchos of "Las Coyotes" and "Cañada de la Habra" also the half and movable property including the brand and iron known as

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of Gutierrezian, declaring that nothing of that which is sold to be alienated nor mortgaged, that it is free from taxation, tribute, servitude, entail, oblivion, bond and from any other burden, real, perpetual, temporal, special, general, tacit and expressed, and as such it is sold with all the entrances, exits, structures, entre, uses, customs, privileges, servitudes, and whatever other things it has had, now has, and belong to it, according to law; for the sum of sixteen thousand dollars in coined money, usual and current, which shall be paid in the following manner, that six thousand are to be delivered in cash, the half of ten thousand dollars within nine months counting from to day, and the other five thousand dollars in the space of eighteen months counting also from to day; that the sum of six thousand dollars having been delivered by the purchaser, that must be given in cash, confessing to have received it and expressing himself satisfied with it, he renounces the 9th law of title 1st part 5th and also declares that the just and true value of the aforesaid half of the ranch of Las Cuyotes and equal portion of the "Canada de la Habra" and half of the real and movable property, is the sixteen thousand dollars that it is worth no more, nor be found not any one to give as much for the whole and if it is worth more, and is able to exceed the value of the excess by a quarter or smaller sum, he makes it gift of the purchaser and of his heirs and successors in virtue of the power

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with which he is invested entire gift and donation, a perfect and irrevocable purchase in conformity with public knowledge & other legal proofs, and renounce the 2d. law title 1. book 10. of the new Recopilation that treats upon contracts of sale, barter, and of others in which there is a damage of more or less of the half of the just price, and the four years it provides to ask for its rescision or supplement to its just value, which he gives as passed as if they were effectually so, and from this time henceforth he declares in the name of his principal, he desposes and divests, retires away and separates from it, his and successors any authority or ownership, possession, title, voice, appeal, and any other right that they may have, to a half of the rancho of Las Coyotes, with all further minerals and before mentioned, he cedes, renounces and transfers them with the rights, real and personal useful, mixed, united and uncertain to the purchaser that he may possess, enjoy, exchange, alienate, use and dispose of them to his choice, as of anything acquired by a legitimate and just title, and enters upon him power irrevocable, with free, frank and general administration, and constitutes him attorney and actions in his own cause in order that by his authority, or judicially he may enter and be possessed of the half of the rancho of Las Coyotes with an equal partition of the Canada de la Habra, and half of the real and immovable

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property, and if A he takes and holds the
said Kuping and pursuits that by right
belongs to him, and in order that he may
not need to take it, he asks of me that
I may give him an authenticated copy
of this writing, with which without any
other act of possession it may be seen that
he has taken, sized and transferred it to
him, and in the mean time he is con-
stituted his tenant holder and temporary
possessor in legal form, and he pledges
himself in the name of his representatives
that said half of the rancho of Los coyotes
including the corresponding part of the
Canada de la Habra, and the half of the
said and movable property shall all be
certain, sure and effective to the purcha-
ser, and no one shall molest him, nor
bring suit in relation to his ownership
possession, enjoyment of use, nor against
it shall appear any obligation, and if he
should be molested, or suit should be had
or any obligation should be made, then
the person representing her heirs and
successors as required by law shall appear
in his defence, and shall maintain it at
their own expense before all courts and
tribunals until the exception of A, &
to leave the purchaser and his in their
free use and quiet peaceable possession,
and not being able to maintain it they
shall give to him another equal in
value with everything as related, and
in default of this they shall restore to
him the ~~same~~ sum which he has dis-
bursed for the best, useful, private & volun-
tary improvements that on the occasion
may have the greatest value & estimation

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that with time it may acquire, and all the costs, charges, damages, interests or diminutions, that they subject him to or cause him, all of which he has power to execute against them only by virtue of this writing and the oath by which he possesses it or whoever represents him to whom he may transfer his cause, and assist it by other proof; and being present Don Pio Pico, also a citizen, in the representation of his brother Don Andres Pico, being informed of what this writing was, he said, that he entirely confirmed the same, and that as to the part to which his brother bound him he promised to give exact fulfilment to which end he pledged the property of both that they have in association together, as well present as future, in order that he might be able to compel and demand of them by executive manner as if it was by a sentence passed in authority of anything judicially determined, consented to and without further appeal; In consequence making known Don Antonio Jose Cot the agent of Doña Ana Maria Josto, on Don Pio Pico the representative of his brother Don Andres Pico that they summoned the laws in their favor and

defence with the application of right, in form, in testimony of which they signed with me and the witness of my assistance, the instrumental witnesses being Don Benito Wilson, Don José Sulazar and Don Juan Avila (being present and citizens of this place)

7/4 " "

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which I certify.
Agustin Olvera.
Antonio Isi Col. Pio Pico.
Assistance.
Francisco R. Lopez. Domingo Peyol.
Instrumental B. D. Wilson
Instrumental Isi Salazar.
Instrumental Juan Avila.

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Agreeing with the original to which I refer and that is in the book of registry of the Tribunal under my charge, this is faithfully copied, extracted and compared on three sixteen pages of common paper for want of sealed paper which I authorize and sign with the witness of my assistance according to law, which I certify, date as above—
In testimony Whereof.
Agustin Olvera—
Assistance Assistance
Francisco R. Lopez. Adriano P. Serrano.

Filed in Office Oct 28' 1852.
Geo: Fisher.
Secy

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Here precedes a Map or plan.

A. Expediente

Sello tercero (place of the seal) Dos reales.
Para los años de mil ocho cientos veinte y seis y mil ocho cientos veinte y siete.

Sn Diego 27 de Julio de 1833.

Vista la presente instancia por notoriedad publica la posecion pacifica y jamas inter- -umpida con que Manuel Nieto y sus herederos han disfrutado de los terrenos demarcados en el diseño. Visto el expediente en q. consta la concesion de dho. terreno hecho por el Governador Dn Pedro Fajes al mencionado Nieto con todo lo demas que se tubo pres- ente y ver convino. de total arreglo con las leyes y reglamentos de la materia y con sujecion de la materia, se declaran dueños en propiedad á Juan José Nieto de los parages nombrados Coyotes Alamitos y Palos. á Dn Manuel Nieto de los Serritos á Da Josefa Cota viuda de D. Antonio Maria Nieto de Santa Ger- -trudis á Da Catarina Ruiz viuda de Dn Antonio Nieto del parage de los. Librese las ords. correspondientes procedase á dar la posecion juridica que pretenden hagase saber á las partes que respeto á que no se pueden extender los titulos hta estar en la capital. Librese provicionalmente un testimonio certificando de este decreto para que entre tanto les sirva de resguardo á los interesantes. El Sor. D. José Figueroa Gefe Superior politico de este territorio así lo mandó decretó y firmó de q. doy fé.

Sor. Gefe Superior Politico.
El ciudadano Luciano Eyalbo natural del Estado de Sonora y avecindado en este territorio con poder bastante del ciudadano Juan José Nieto con el debido respeto y p. el recurso mas oportuno hago presente q. en el año de 1784 le fué concedido un parage por el Sor. Gobernador Don Pedro Fajes á Manuel Nieto la porcion de terreno q. dem. el diseño que corre con el debido respeto. Que habiendo fallecido sus dros. entre quienes hace cabeza mi poder dantes siguieron en pacifica posecion o disfrutando dicho terreno como legal posecion y propietario que en este estado se han metido marcha de veinte y nueve años han terminado hta la fecha sin impedidos en el goze de sus derechos. que habiendo examinado los titulos q. legitimaron la propiedad del terreno ocurrio varias veces

The original is worn off

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José Figueroa. al Jefe Superior politico para
Agustin V. Zamorano. Srio. que en virtud de las constancias
existentes en el Archivado se le espediera nuevo titulo mas
embano repito sus oblon. hasta que la Voluntad de V. S. se sirva
atenderlo librese dando les testimonio de la unica const-
-ancia q. se encontró en el Archivo pero q. es bastante
a combencer la legitimidad con que ha poseido el mencionado
terreno como se acompanea en el espediente q. respetuosamente
acompaño en 5. fojas utiles: afin de q. dandolo lo por bastante
y legal se sirva en su meritos de Justicia como se lo suplico
librarles el titulo correspondiente y mandar q. se le dé pocesion
juridica: que deseoso de q. todos los herederos disfrutaran
de la merced concedida a su finado padre suplico á V.
S. que si no haviese inconbenientes, se espidan por separado
los titulos de la parte q. a cada uno corresponde segun
quedar demarcado en el mismo diseño en estos terminos
en el parage de Santa Gertrudis posar Da Josefa Cota
y sus hijos como viuda del finado Antonio Ma Nieto
el parage de las Bolsas pa Da Catarina Reis y sus hijos
como viuda del finado José Antonio Nieto el parage
de Serritos para Da Manuela Nieto y el resto en que se
correspondan los parages nombrados los Coyotes, Alamitos
por esto hace mi poderante Dn José Nieto quien como
cabesa de familia he resulto efectuar estas particiones
en beneficio de sus deseos y para evitar todo motivo
de gasto pide encarecidamente se pocecione á cada uno
de la parte que les corresponde en tal concepto. A V. S.
suplica se sirva acceder á mi solicitud en q. recivirá
gracia y justicia q. imploro. Juro no ser de malicia
y lo necesario. San-Diego. Veinte y seis de Julio
de mil ocho cientos treinta y tres.

Luciano Grajalba.

Sello tercero (place of the Seal) Dos reales.
Para los años de mil ocho cientos veinte y seis y
ocho cientos veinte y siete.

Monterrey. Diciembre 21 de 1833.
Cumplase lo mandado en el antecedente decreto espid-
-ase sus titulos con prevencion de que por ellos se les
dé la pocecion juridica respeto a que les notifique y
dilatada conseccion y posecion que tienen de ellos.
El Sor Don José Figueroa Gral de Brigada y Coman-
-dante Gral. Jefe Superior politico del territorio así
lo mandó decretó y firmó de que doy fee.

José Figueroa A. V. Zamorano Srio.

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SD

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José Figueroa General de Brigada de los Ejercitos nacionales Mejicanos, Comandante General Inspector y Gefe Superior político del territorio de la alta Calif.ª

Por cuanto D. Juan José Nieto tiene acreditado su derecho á la testamentaria del finado Manuel Nieto y tomando en consideracion la antigua y pacífica posecion que tiene del punage conocido con el nombre de los Coyotes, colindante con el de Santa Gertrudis, los Serritos, los Alamitos las Bolsas y el rancho de Patricio Ontiveros practicadas previamente las diligencias y averiguaciones Concernientes segun lo dispuesto por las leyes y reglamentos: usando de las facultades que me son conferidas por decreto de 24 de Julio del año anterior a nombre de la Nacion Mejicana he venido en declararle la propiedad de dicho punage y que se le ponga en pacífica posecion por las presentes letras con entera conformidad á lo dispuesto por las leyes y sugeto á las condiciones siguientes.

1ª Que se someterá á las q. establecieren el reglamento que se ha de formar p.ª la distribucion de terrenos baldios y que entretanto ni el agraciado ni sus herederos hace mencion. imponer censo, vinculo, fianza, hipoteca ni otro gravamen; aunque sea por causa piadosa ni pasarlo á manos muertas.

2ª Podrá cercarlo sin perjudicar las travesías caminos y servidumbres: lo disfrutará libre y exclusivamente destinando lo al uso ó cultivo que mas le acomode. pero dentro de un año á lo mas fabricará casa y estará habitada.

3ª Podrá desde luego solicitar del Juez respectivo que le dé posecion judicial en virtud de este despacho p.r el cual se deslindarán los linderos en cuyos límites pondrá á mas de las mojoneras algunos arboles frutales ó silvestres de alguna utilidad.

4ª El terreno de q. se hace referencia es de diez sitios de ganado mayor poco mas ó menos segun espresa el diseño que corre en el espediente. El Juez q. dé la posecion lo hará medir conforme á ordenanza para señalar los linderos quedando el sobrante que resulte á la Nacion para los usos comunes.

5.ª Si contraviniere á estas condiciones perderá su derecho al terreno y será denunciable por otro.

En consecuencia mando que sirviendole de titulo el presente y teniendose p.r firme y valedero

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Se tome razon en el libro a q. corresponde y se le entregue al interesado previa su resguardo de derechos fiscales. Dado en Monterrey á 23 de Mayo de 1834.

José Figueroa. Ag. V. Romero. Sr.

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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 custody a portion of the archives of the Mexican territory or Department of Upper California do hereby certify that the eight preceding and hereunto annexed pages of tracing paper numbered from one to eight inclusive and each of which is verified by initials S. D. K. are true and accurate copies of portions of a document designated as "Expediente relativo á los linderos del Rancho de Sta Gertrudis que posee el Ciud.no José Nieto" 103. which is on file and forms part of the said archives in this office.

In testimony whereof I have hereunto signed my name officially and affixed my private seal (not having a seal of office) at the City of San Francisco Cal. this 2d day of Septembr. 1852.

Samuel D King
Surv.r Gl. Cal.

Filed in office. Octr 20. 1852.

Geo. Fisher.
Secy.

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Seal third two reals.
For the year of 1826 and 1827.

1B.
Translation of A.99

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San Diego 27 July, 1833. Having seen the present petition and the peaceable and uncompleted possession being publickly known by which Manuel Nieto & his heirs have enjoyed the lands as marked out on the map (diseño) & having seen the Expediente in which appear the concession of the land made by Governor Dn. Pedro Fajes to the aforesaid Nieto, with everything else in relation to the matter which was proper to be considered - In full conformity with the laws and regulations on the subject, and in execution of the conditions which they point out - They

To the Superior Political Chief -

Citizen Juan Bautista Gifalba native of the State of Genoa, & now a resident in this Territory, with sufficient authority on the part of citizen Juan José Nieto, whose agent and interest I represent before your Honor with proper respect and through the most suitable means, I present myself and say, that in the year 1784, was granted in right of inheritance to Don Manuel Nieto by Governor Don Pedro Fajes, the possession of the land as is shown in the map (diseño) that with due respect I humbly present - That having lived (margin illegible) among whom is the chief of my constituent) Pobladores, they continued in peaceable possession, occupying the said land as legal owners, that in this state, (margin illegible) for more than twenty nine years,

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shall be declared
to be owners in
fee, 1st to Juan
José Nieto of the
tracts called Los
Coyotes, Alamitos,
& Palo Verde, to
Doña Manuela
Nieto of Los Cori-
tos, Doña Josefa
Cota widow of Dn.
Antonio Nieto of
Santa Gertrudes,
to Doña Catarina
Ruiz the widow of
Dn. José Antonio
Nieto the tract
of las Bolsas; let
the corresponding
titles be issued
to them, in order
that the judicial
mandamus may
be given to those
who petition, let
the same be known
to the parties, &
besides that the
titles cannot be
issued until I
am in the Capi-
tal, let a certified
provisional copy
of this decree be
issued, in order
that it may

tom, have remained to
the present time, in the
enjoyment of their rights,
uninterrupted; that the
titles which legalize the
ownership of the land,
having been irregular, he
presented himself at
various times to the
Supreme Political Chief
in order that by virtue of
the existing circumstan-
ces in the archives, a
new title might be
issued, but in vain he
solicited his attempts,
until now through the
goodness of your Honor
he is pleased to effect
it, relying upon the tes-
timony of the only proof
that is contained in the
archives, but which is
sufficient to establish
the legitimacy by which
he has pursued the
aforesaid land, as is
marked out in the
Espediente, which Res-
pectively herewith ac-
company upon 5 written
pages, in order that
recognizing it as suf-
ficiently legal, you
may be pleased in your
wisdom & justice to act

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serve in the mean time as a safe guard to the parties interested.

Given Don José Figueroa, Superior Political Chief of this Territory, thus did command, decree and sign, to which I certify—

José Figueroa.

Agustin V. Zamorano—

Secretary.

as I now beseech—to issue the corresponding title, and to order that juridical possession may be given, as I desire also that all the heirs may enjoy the favor conceded by their father, I beseech your Honor, if you consider it suitable to issue the titles separately to each one; the several parts to correspond as remains marked out in the map (diseño) itself in these terms— The tract of Santa Gertrudes for Doña Josefa Cota and her children as widow of the deceased Antonio Maria Nieto, the tract of Las Bolsas for Doña Catarina Ruiz and her children as the widow of the deceased Don Antonio Nieto, the tract of Los Cimiles for Don Manuel Nieto, and the remainder which comprehends the tracts of Las Cuyotes, Alamitos, Pala Alto, etc, for my constituent Defendant Don Juan José Nieto, who as the head of the family has determined to effect this division for the benefit of his (prangen tam) and

to avoid all motive of dispute he asks that possession may be given to each one of the portions which severally correspond to them, for this object—

I humbly beseech of your honor that you may be pleased to grant the petition by which I shall receive favor, and justice, swearing that I am not acting in malice, but through necessity etc—

San Diego, July 21' 1833.

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Monterey Dec 21' 1833.

Let the command contained in the foregoing decree be complied with, let the titles be properly issued, in order that by them the juridical possession may be given, in view of the ancient and delayed concession and possession which they have of them (the lands)—

Sen.r D.n José Figueroa,
Gen.l of Brigade and Gen.l Commanding
Superior Political Chief of this Territory
thus did command, decree and sign, which
I certify—

José Figueroa.

Agustin V. Zamorano—
Secy

José Figueroa Gen.l of Brigade of the National Mexican Army, Commanding Gen.l, Inspector and Superior Political Chief of the Territory of Upper California.

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Whereas Don Juan José Nieto has accredited his right to the estate of the deceased Manuel Nieto, and in consideration of the ancient and peaceable possession which he has of the tract known by the name of Los Coyotes bounded by that Santa Gertrudes, Los Domitos, las Manitas, Los Bolsas, and the ranche of Dn. Patricio Ontiveros, the necessary steps and formalities and been punctually fulfilled as required by the laws and regulations, by virtue of the faculties which are conferred by the decree of the 27 July of the present year, and in the name of the Mexican Nation I hereby declare to him the ownership in fee of the said tract, and of which he may be put in possession, by these presents titles, with entire conformity to what is required by the laws and regulations, and subject to the following conditions—

1st. He shall submit himself to what shall be established by the regulation that may be made for the distribution of vacant lands, and that in the meantime the grantee nor his heirs shall be able to divide or alienate the land of which mention is made, nor to impose, tax, entail, bond, mortgage or any other incumbrance although it may be for a pious purpose—

2d. He may enclose it without injury to the crossings, roads and servitudes. He shall enjoy it fully and exclusively devoting to such use or culture as best may suit him, but within one year at most he shall build a house and

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it shall be inhabited—
3d. He shall immediately solicit of the proper Judge, that he may give him juridical possession by virtue of this dispatch, by whom the boundaries shall be marked upon the limits of which he shall place besides the land marks some fruit trees or wild ones of some utility.
4th. The land of which reference is made is of ten square leagues (sitios de ganado mayor) according as is shown in the map (diseño) which accompanies Expediente, the Judge who shall give the possession shall cause it to be measured agreably to ordinance, so as to point out its boundaries, the surplus to remain to the nation for its convenient uses—
5th. If he shall contravene these conditions he shall lose his right to the land and it shall be denounceable by another—

In consequence I command that the present serving as a title be considered firm and valid, and note be taken of it in the corresponding book, and it be delivered to him for his security & further ends.

Given in Monterey this 22d. day of May 1834.

José Figueroa—

Agustin V. Zamorano—
Secretary

Filed in Office Oct 20th 1832.
Geo: Fisher. Secy

Dup. Invr.

1. 94

M. M

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Angs. Marzo 24 de 1839.

Son el informe conveniente
elevese la presente instancia
al Supremo Gobierno Departl.
L. Cosme D. Peña.

Sor. Prefecto del Distrito.
Juan Bautista Leandry y
ante la Justificacion de V.S.
parezco y digo. que hace muchos
años que he solicitado en
terminos legales la carta de naturalizacion que es necesaria
gozar en el pais las mismas garantisas que los ciudadanos
Mejicanos y como las diligencias relativas pareze se han
extraviado por virtud de las convulsiones politicas. Suplico
a V.S. se sirva solicitar ahuelo el informe necesario que el
Supremo Gobierno Departamental me mande espedir el
merecimiento Documento en lo que recibiré la Justicia. que
me asiste. Admitiendo me en el presente papel comun por
no haber del sellado correspondiente.

Angeles. 7 Marzo 30 de 1839.

Archivese. Juan B. Leandry.

Enero. Sor.

El que solicita es acreedor á la gracia que pide y los
laureles en que se apoya son Justos. Asi le consta
el que subscribe.

Angs. Marzo 24 de 1839.

L. Cosme D. Peña.

Office of Surveyor General of the United States for California.

I John C. Hays Surveyor General of the United States for the State of California and as such now having in my charge and custody a portion of the archives of the former Spanish and Mexican Territory or Departamento of Upper California by virtue of the power vested in me by law. do hereby certify that the preceding and hereunto annexed page of Foreing paper exhibits 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 twenty ninth day of September A. D. 1853.

John C. Hays. U.S. Surveyor Gl
for California.

Filed in office. Dec. 1st 1853.

Geo. Fisher. Secy.

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G5

(Keep folded in the map)

A
Executive
&
Grant.

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1/4 11 11

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To the Prefect of the District.

I, Juan Bautista Landry appear before your Excy and say, that many years ago, in legal manner I solicited the letter of naturalization which is necessary to injoy in the country the same guarantees as Mexican citizens, and as it appears, the papers on this subject have been lost in consequence of political convulsions, I beseech your Excy to request, giving this necessary report that the Supreme Departmental Govt will order the said document to be issued to me, whereby I shall receive the justice which benefits me, admitting this on common paper, there being none of the proper seal.

Angles March 24' 1839.

Juan B. Landry

Angles March 24' 1839. Let this application with the proper report be forwarded to the Supreme Departmental Government.

L. Cerne de Peña

Translation of Document Marked M.M. part

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Let it be registered.

Excellent Sir.

The petitioner is entitled to the favor he asks and the causes which states are just. Thus it appears to the subscriber.

Angles March 24' 1839.

L. Cerne D. Peña

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The letter of naturalization
was issued —

Filed in Office Dec 1 1853.
Geo: Fisher
Secy.

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N.o 400.

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Andres Pico et Al.
Copy the Italian Copy power of Attorney

(8 cent)

Procura en Brevetto.

L'anno del Signore mille otto cento quaranta cinque ed alli sei del mese di Dicembre in Nizza marittima, nello studio del Signor Causidico Gastaldi; posto sui baluardi del ponte vecchio alle ore cinque de sera.

Avanti di me Regio Notajo alla residenza di questa Citta à Testimonj sotto scritti è personalmente comparsa la signora Anna Tosto fu Michele Vedova di Sebastiano Leandri nativa della Citta di Bonifaccio nell' Isola di Corsica e demorante en questa Citta da varj anni à me Notajo cognita, ed ai Testimonj la quale tanto in proprio que nella qualità di procuratrice generale

L.H.N.-R.

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1o. Delli signori Onorato e Maria Madalena fratello è sorella Bessè del fu Giovanni, nativi de questa Città e domiciliate in Cherasco quest' ultima como minore abilitata dal Consiglio di famiglia, in forza d'atto di deliberazione giudiziale delli tre scorso settembre ricevuto Fiorito segretaro di Giudicatura mannuato nella tappa di Chirasco, li dodeci stesso mese, pagato lire tre centesimi ottanto sette assistita dal di lei curatore en detto atto nominatole signor Misuratore Carlo Scapparrone constituita procuratice per atto publico del quattro detto mese di settembre, ricevuto pure Fiorito Notajo in Cherasco mannuato pure nel la Tappa di Cherasco li dodeci stesso mese pagato lire tre centesimi ottanta sette.

2a. Delle signore Laura Vedova Coglioli Maria Domenica Vedova del fu ... Loi sorelle Leandri fu Sebastiano e di Anna Maria Leandri fu Michele moglie di Antonio Besse da questa assistita, e del signor Alibertini detto Curatore con legale decreto del Signor Giudice mandamentale dell' Isola Madalena in Sardegna del sette scorso Novembre, del minore Sebastiano Leandri fu detto Michele, tutti nativi e demorante nella ditta Isola Madalena in Sardegna procuratice eletta con altro atto delli otto scorso Novembre rogato nell Isola Madalena dal

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pubblico Notajo Salvador Dini e tutti quei mandanti eredi o legittimarj, initamente alla comparente Anna Maria Josto Vedova Garetti del fu Giov. Battista Leandri respettivo figlio patellvezio, deceduto nell' Alta California ab intestato, come si dice la quale comparenti ha fatto ed in virtu del presente atti fà e costituisce in di lei procuratore e di detti di lei mandanti; speciale ed a quanti infra generale il Signor Giuseppe Canevaro Reggente il consulato generale di Sardegna, assente come se fosse presente accettante per esso, me Notajo infrascritto al quale dà ampia facolta e pieni potere ed in contraditorio e concorrenza nella successione del suddetto Giò Batta Leandri, procedere o far procedere alla liquidazione di tutto ciò e quanto cade, ed è caduto nella medisima successione tanto nella grande California che altrove, vendere cedere, ed alienare tutti e singoli i beni stabili mobili, crediti, semoventi, diritti e ragione à quel pregio che meglio stimerà quelli esigere e riscuotere come pure esigere e riscuotere qual si voglia altra somma, crediti, petconti correnti, ed altro passare liberazione con consenso alla cancellatura di ipoteca qual si voglia iscrizione ipotecaria provocare qual si voglia divisione tanto fra e consuccessibili che con persona estranee agire in giudizio tanto attivamente che separatamente; proporre ogni azione instanza eragione, fare ogni esezione deduzione ed offerta anche di giuramento, ottenere ogni sentenza di condanno e quella mettere ad esecuzione con tutti esercitivi e permessi sino all' intiera e perfetta riscossione del dovuto delle sentenze gravorie appellavenanti che di diretto, costituire defensori quelli revocari e costituirne altri provocare la rimozione d'ogni sequestro economato, e sindacato degli oggetti per ottenerne la libera e piena disponibilita parrendere ogni conto di qualunque gestione

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amministrazione ed operato hangere convenire e compromettere sopra ogni questione e differenza. Ed in somma fare ed agire per la definitiva liquidazione della predetta successione e trasmissione del ricavato in questi Regi stati, come se al tutto fossero immediatamente presente e consenziente senza che mai possa mai apporre il difetto del mandato con facoltà di sostituire e resostituire uno o più mandatari e gli stessi ed occorrendo più ampi poteri volendo che sia per apposta ogni altra clausola più salutare aziando quella cum libera il tutto collo promissa de rato, e di rilevarlo dal carico del mandato sotto obbligo de di lei beni presenti e futuri e licendone testimoniale. Le quali ho io detto Notaro concesso col presente atto che ho fatto, letto e pubblicato ad alta, chiara ed intelligibile voce alla detta Sig.ra constituente all presenza delli Signori Giuseppe Amborro del vivente Giulio e Francesco Ammirati del vivente Domenico, ambidui nati ed abitanti in questa città, testimonj idonei richiesti assunti cogniti e conoscenti meco notaro sotto scritti, ad eccezione della comparente la quale per essere illiterata come dichiara ha fatto il solito segno di croce ✝ i mezzi ut supra di approva una postilla.

Segno ✝ di Anna Maria Costa vedova Leandri.

Amborro Giuseppe Gio.

p.te Ammirati. Testo.

Il presente atto, scritto dal Signor Francesco Ammirati, contiene un foglio carta bollata in tre facciate scritta alla il contenuto in questa.

Pietro Lorenzo Benso Not. di Reg.o

(8.o) Noi senatori prefetto infrascritto legalizziamo la sopra distesa dignatura del D.r Pietro Lorenzo Benso, il quale è veramente Regio Notaro come si qualifica.

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Nizza li 13 Xbre 1849.
Cairaschi C. C.

Conte Degl.
1851

Alla R.a Segreteria Di Stato
per Gli Affari Esteri
per Legalizzazione Della firma del Prefetto
del Tribunal di Prefettura à Nizza.
Torino li 23 Agosto 1845.
Cav: Carrofini

(Seal) P. Erma, S.O.

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I George Yrisher Secretary to the U. S. Land commission to ascertain and settle the private Land claims in the State of California, hereby certify that the foregoing is a true full and correct copy of a paper in the Italian Language relating to Cause No. 200, Andreo Spotorno et al for the place named "Capote on the Docket of this Board, which paper was delivered to S. C. Brent Esq.re Atty. for the Claimants

In testimony whereof I have hereunto signed my name & affixed the Seal of the Secretary of the above named Commission.

San Francisco, this 14th day of March A. D. 1854.

Geo: Yrisher Secy

Filed in Office March 14th 1854

Geo: Yrisher Secy

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2/00

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Andres Pieschi

al.

Copote.

Power of Attorneys.

I. H. M. K

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Un Sello

Poder en Despacho

El año del Señor mil ocho cientos y cuarenta y cinco y à los seis dias del mes de Diciembre en el puerto de Niza, en el Oficio del Sor Bonifacio Gastaldi, situado en los Bellavistas del puente Viejo, à las cinco de la tarde.

Ante mi, notario Regio, residente en esta Ciudad y los infrascritos testigos ha comparecido la Sra Ana Maria Gesto, hija del finado Miguel y Viuda de Sebastian Leandri natural de la Ciudad de Bonifacio en la Isla de Corcega y domiciliada de Algunos años à esta parte en esta Ciudad à quien yo conozco y los testigos conocemos la que dijo por si en calidad de apoderada general en primer lugar de los Sres Onorato y Maria Magdalena, hermano y hermana Begni hijos del finado Juan, naturales de esta Ciudad y avecindados en Cherasco, esta ultima habilitada por ser menor de edad por el consejo de familia en Virtud de providencia judicial dada en Nizza en Xbre proximo pasado librada por Sr Vicario Secretario judicial y publicada en el descargadero de Cherasco en dos del mismo mes, habiendo pagado seis libras, ochenta y siete centavos asistida por el curador que se le nombrò en el ya citado auto el Sr Medico Carlos Scapparone constituida apoderada por un auto publico del cuatro del espresado mes de Setiembre recibido tambien Sr Vicario escribano en Cherasco en el distrito de Cherasco en dos del mismo mes habiendo pagado seis libras y ochenta y siete centavos. 2º De las Sras Laura Viuda Cogliole, maria Domenga Cyprien Lavi hermanos Leandri, hijos del finado Sebastian y de ana Maria Leandri, del difunto Miguel esposa de Antonio Begni; acompañada por este y del Señor Albertini nombrado curador por decreto legal del Sor juez en ejercicio de la Isla de la Magdalena en Cerdeña en siete de Novbre proximo pasado del mismo Sebastian Leandri hijo del dos dicho Miguel naturales todos y residentes en la dicha Isla

de la Magdalena por el Escribano publico
salvador Lini y todos aquellos herederos ó co-
herederos de comun acuerdo con la que com
parece Ana Maria Tosto viuda Leandri
Catalina Leandri, viuda Zanetto del finado
Juan Bpta Leandri respectivo hijo, hermano y
tio, fallecido ab-intestato en la Alta Cali
fornia segun dicen, que ha hecho la que
comparece y en virtud del presente auto nom
bra y constituye por su apoderado y de los
dichos sus apoderados especial y á cuanto
se extienda generalmente al Sr. Dr. José
Carnevaro, Regente del consulado General
de Cerdeña, ausente como si estuviese presente
aceptado por dicho señor yo el Infrascrito
escribano á quien confiere amplias facultá
des y plenos poderes, y en contradiccion y con
curencia, sea de la que comparece como de
los otros asesores y interesados en la sucesion
del sobre dicho Juan Bautista Leandri pa
proceder ó hacer proceder á la liquida cion
de todo aquello y cuanto en he y pueda haber
ingresado en la referida sucesion tanto en
la Alta California como en cualquiera otra
parte parte que pueda vender, ceder y ena
genar todos y cada uno de los bienes, raices
muebles, creditos demonientes, derechos y
pretensiones en aquel precio que juzgue mas
ventajoso escijir y cobrar como tambien escijir
y cobrar cualquiera otra suma, creditos de-
quieres, cuentas corrientes y ademas pasar sus
determinaciones en consentimiento á la
Chancelacion definitiva de qualquiera
escritura de hipoteca, promover cualquie
ra division ó particion tanto entre los suce
sores como con personas estrañas obrar en
juicio tanto activamente como pasivamente
proponer cualquiera accion, instancia
y derecho, hacer excepcion, deduccion y oper
pas cum de juramento, obtener toda sentencia
de condena y hacer las cumplir por
todos los medios coercitivos y licitos hasta
la entera y completa cobranza de lo actuado
apelar de las sentencias gravosas ante quien

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corresponda de derecho, constituir defensores revocarlos y nombrar otros, promover el alzamiento ò remocion de cualquier secuestro custodia y rendimiento de los objetos para conseguir la libre y completa disposicion hacer rendir cuentas de cualquiera gestion administracion y lo ejecutado, transigir convenirse celebrar compromiso sobre cualquier asunto y dificultad.

Y en resumen hacer y ejecutar lo conducente à la liquidacion difinitiva de la consabida succesion y transmitir à estos Reinos todo lo realizado como si los poderantes lo presenciasen todo; sin que se les pueda nunca poner tacha à lo mandado con facultad de sostituir y sostituir segunda vez uno ò mas mandatarios con los mismos ò si fuese menester mas amplios poderes queriendo que se añada toda otra clausula mas favorable à mas de aquella cum libera y todo con la promesa de ratificacion y de relevarlo el cargo de lo mandado bajo la obligacion de sus bienes habidos y por haber pidiendo testimonios, los cuales yo el dicho escribano he concedido àqui con el presente auto que he hecho, leido y publicado en alta clara e intelijible voz à la dicha señora constituyente en presencia de los señores José Umbourg, hijo del viviente, Julio y Francesco Ammirati del viviente Domingo ambos à dos nacidos y vecinos de esta ciudad testigos adecuados, requeridos, conocidos por mi escribano y conmigo los abajo firmados con escepcion de la S. compareciente quien por ser ignorante segun lo declara ha hecho la señal de cruz de estilo = ✝ en medio ut supra.

Se aprueba una nota ò postilla.

Señal de la cruz de Ana Ma Lostoviuda Gemdri; José Umbourg testigo = Francesco Ammirati testigo.

El presente auto extendido por el Sor Francesco Ammirati contiene un pliego de papel pegado (o sellado) las tres caras escritas fuera de lo contenido en esta.

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Pedro Lorenzo Bensa Notario Regio.
Nos el Infrascrito senador prefecto, legaliza
mas la firma que ex tendido arriba el Sr.
Pedro Lorenzo Bensa, quien es veridicamte.
segun se titula Notario Regio.

un sello

Niza 13 de Dbre. de 1845
El S. P. Cairaschi #
Conte = secretario

Visto. En la Rl. secretaria de Estado de
negocios estranjeros. para legalizar la firma
del senador prefecto del Tribunal de la
prefectura de Niza Turin 28 de Dbre. de
1845

El Secretario de Estado.
Cabo. Carossini

un sello. una lira y 5 centavos
Ferm. Meta Linares

Traduccion del Interprete del Ministerio
de R. E.

Coat of Arms & Seal

(Para el Bienio Republica Peruana De 1844 y 1845

Sello 5o. Dos Reales)

Valga para los Años de 1846. y 1847.
En Lima y Diciembre treinta de mil ochocien
tos cuarenta y seis. El señor Don José Canera
ro Consul General de su Magestad el Rey
de Sardeña cerca de este Gobierno vecino y
propietario en esta capital de la Republica
del peru à quien conosco de que doy fèe an
te mi el Escribano y testigo dijo: Que en uso
y ejercicio de las facultades que se le confieren
en el poder que precede à traduccion de en
frente, lo sostituye en el señor Don José An
tonio Menendez Consul de Mexico cerca
de este Gobierno à fin de que dicho señor
ya sea por si mismo ò ya por medio de
las personas à que tenga à bien transferir
y sostituir el referido poder lo use y ejer
za en la indicada Republica de Mexico

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y sus adyacentes, como el señor otorgante
pudiera hacerlo, revocando sus sustitutos
y nombrando otros de nuevo con la misma
relevacion de costos de que el señor otorgem
te es relevado. para todo lo cual le transpe
re sus voces y veces con cargo à derecho
En cuyo testimonio asi lo dijo y firmo dien
do Don Josè Mateo Capiell, Don Josè Grego
rio Galindez y Don Mariano Roldan
Josè Canevaro.
Juan Antº Menendez Escrº Pubco
Los Infrascriptos Escribanos publicos de esta
capital de la Republica del Peru; Damos
fè. Que Don Juan Antonio Menendez
por quien aparece autorizada la sustitucion
del poder que precede, es tal Escribano pub-
lico del numero por lo que à sus semejantes
y demas que despacho se les da fè y credito
en todos juicios. Y para los efectos que haya
lugar ponemos la presente en Lima à Di
ciembre treinta y uno de mil ochocientos
cuarenta y seis.
Juan Garcia Josè Memº Montalon
Josè de Loyza.

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Constra à esta prefectura que las
hes firmas que anteceden son las mis
mas que anteceden son las mismas
que acostumbran hacer los Escribanos
que acostumbran hacer los Escribanos que se
expresan. Lima y Diciembre treinta y uno de
mil ochocientos cuarenta y seis.
Josè Mª Lozenzaburu.
Mª de Ochozola.
Josè Gregorio Paz Soldan Ministro de Re
laciones Esteriores del peru.
Certifico que Don Josè Maria Lezaro-aburu
por quien aparece suscrita la anterior legaliza
cion es prefecto de este Departamento. Lima
y Diciembre treinta y uno de mil ochocientos
cuarenta y seis.
Josè Mª Lizaro-aburu
Mª de Ochozola
Josè Gregorio Paz Soldan Ministro de

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Relaciones Exteriores del Peru.
Certifico que don José Maria Lizarsaburu por
quien aparece suscrita la anterior legalizacion
es perfecto de esta Departamento Lima: 31 de
Diciembre de 1846.

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Seal of Arms

José G. Paz S.
Soldan

En Lima y Marzo dies de mil ochocientos
cuarenta y siete. Ante mi el Escribano.

Seal & Coat of Arms

Para el Bienio — De 1844 y 1845

Sello 5° — Republica — Peruana — Dos Rs.

Valga para los años de 1846 y 1847.

y testigos parecio el señor Don José Antonio Me-
nendez consul de la Republica de Mexico sa
ca de este Gobierno, à quien conosco de que doy
fè y dijo: que menedo de la facultad que
se le confiere en la sostitucion del reverso tran
spere el poder à que esta se contrae y que
se contiene en estas fojas en Don Antonio José
Cot residente en la ciudad de los Angeles Al
ta California, para que lo ejerse con relebacion
de costas. En cuyo testimonio forma la presente
y la sella con el Sello de aquella de aquella
Republica para los efectos consiguientes siendo
testigos Don Mariano Roldan, Don José Gre
gorio Galindo y Don José Mateo Espiell.

Place of Eagle

José A. Menendez
Ante mi
Juan Antº Menendes
Escno Pco

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Por Juez de 1ª instancia
Antonio José Cot ciudadano del peru y del Co
mercio de esta ciudad como mas haya lugar
ante V. digo que habiendo recibido los documen
tos que en devida forma acompaño en un cua

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cumento de 18 fojas utiles, por los cuales se me con
fiere poder bastante y cumplido para repre
sentar la persona de Dª Ana Maria Foster
viuda de D. Sebastian Leandri y madre
de D. Juan Bautista que falleció en esta ciu
dad y percibir los bienes que quedaron en su
muerte ab: intestato de ha de servir V. de=
clarme y admitirme como à tal legitimo apo
derado y por tanto.
A. V. suplico se sirva haber por presentado
el referido poder, para en su virtud pedir
lo que corresponda en justicia. que esta y
solicito &c.

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Otro si, digo: Que reconocido y declarado
por tal apoderado se sirva V. tener à bien
devolverme dichos documentos para los efec
tos convinientes.

Angeles 12 de Julio 1848
Antonio José Cot.

Angeles Julio 19. de 1848.
por vista y admitida en cuanto ha lugar
la representacion que antecede y examina
dos los poderes ya mencionados de que trata
que quedan reconocidos los citados poderes
como suficientes y legales y por lo tanto pro
ceda al Señor D. José Antonio Cotª como
apoderado à tomar los pasos que convenga
à su derecho para alcanzar el fin de los y de
repetidos poderes: y que se le devuelvan los
poderes que acompañan para los usos que
le convengan. Asi y el juez decretó mandó
y firmó con los de asistencia Segun derecho
entre renglones = como apoderado = valen.

Stephen C. Foster.
Alcalde 1º.

Asistª
Franco Step. Johnson # Jamos C. L. Wadsworth Asstª

I, George Fisher Secretary to the Board of
the United States land commission to ascer
tain and settle the private land claims
in the State of California do hereby certify
that the foregoing is a true full and correct
copy of a paper in the Spanish language

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relating to Cause No 400 Andres Pico et al for the place named Cajote on the Docket of this Board which paper was delivered to D. S. Brent Esq Attorney for said claimants

In testimony whereof I have hereunto subscribed my name, & Office of said Commission San Francisco California this 14th day of March A. D. 1854

Geo: Fisher Deery

Filed in Office March 14th 1854

Geo: Fisher Deery

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7/4111

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Power of Attorney-

Translation of Power of Attorney-

(seal) On the sixth day of the month of December in the year of our Lord one thousand eight hundred and forty five, in the port of Nice, at the office of Sr Cancidico Gastaldi, situate in the Bulwarks of the old Bridge, at 5 o' clock in the afternoon before me, royal Notary, residing in this city and the undersigned witnesses, appeared Donna Anna Maria Testa, daughter of the late Miguel and widow of Sebastian Scandri, a native of the city of Bonifacio in the Isle of Corsica, and residing some years since in this city, with whom, I the Notary and the witnesses am acquainted, - who both for herself and in the capacity of Attorney in General - In the first place as Attorney of Donna Onorato and Maria Maydalena, brother and sister Bessi, children of the late Juan, natives of this city, and residing in Chiavari, the latter Bessi being for her minority qualified by the family in council by virtue of a juridical order, dated the 3d day of September last past, issued by the judicial Secretary Fiorito and published in the "descargadero" of Chiavari on the twelfth day of the same month; having paid the "lire" one and eighty seven hundredths - accompanied by Sieur Medico Carlos Scarpanone, Administrator appointed to her in the order aforesaid; constituted by a public document - having date the fourth day of said month of September, having employed also Fiorito Notary in Chiavari

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in the District of Churaco, on the twelfth day of the same month, and year three thousand eight hundred and eighty seven hundredths — In the second place as Attorney of Simon Sanna, widow Coghile, Maria Domingo, Efficio Soi, sister Leandri, daughters of the late Sebastian and of Una Maria Leandri, of the second Migne, wife of Antonio Bini, accompanied by the latter and by Simon Albertini, administrator appointed by a legal decree of the acting Judge of the Isle of Magdalena in Sardinia, on the seventh day of November last past, of the minor Sebastian Leandri; son of the said Migne, all natives and residents of the said Isle of Magdalena, in Sardinia; named by another document of the eighth day of November last past, made in the Isle of Magdalena by Salvador Sini, Notary Public — and all three heirs and theirs by common consent with the said Una Maria Tosto, widow Leandri, Catalina Leandri, widow of Garetti, of the late Juan B^ta Leandri, respective son, brother and uncle, died ab intestato in the Upper California, and state — that she the said Una Maria Tosto has, and by virtue of the present letter does appoint, and constitute for Don Jose Canevaro Director of the Consulate General of Sardinia, her special and general Attorney in fact, and of her said constituents — absent as if he were present, I the undersigned Notary being accepted by said Simon — to whom she confers ample and full

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powers, and in contradiction or concurrence whether of the said Ana Maria Soto, or of the other executors and parties co-interested in the estate of the said Juan Bautista Landri – to proceed or cause to proceed to a liquidation of all and singular pertaining and which may pertain to the said estate whether in California or elsewhere, that he may sell, grant, and transfer all and singular the real and personal estate, rights and claims at such price as he may deem most advantageous – to ask and receive, as also to demand and collect any other sum, credits, rents and accounts current and further to give his decision consenting to a definitive calculation of any deed of mortgage, to cause any division or partition to be made both between the executors and strangers, to act in court both actively and separately, to bring any action, suit and claim, to make deception, deduction, and offer even by affidavit – to obtain judgment and to cause them to be complied with by all correct and lawful means until the full and complete recovery of any debtor debts; to appeal from whatever judgments before competent court according to law, to appoint lawyer and revoke the same, and name others, to cause to be suspended or removed any execution, custody or condition of any property, in order to obtain free and complete management of the same; to render accounts of any administration and of any other thing done by him on the subject, to settle, to

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agne, and to make compromise regarding any subject or dispute - and lastly to take such steps or measures as may lead to a definitive liquidation of the said estate, and to transmit to those Kingdoms all and singular that he may he may have done thereon, as if his constituents were present thereto; and they hereby agree not to put any objection to the power herein given; also to substitute and resubstitute one or more attorneys with the same, or if necessary with more ample power; and to add thereto another more favorable clause beside the one cum libera, and she does hereby promise to ratify and ogenerate him of all charge regarding his power - thereby binding her present and future estate - and the said Una Maria Testo having asked authentic copies thereof - I the said Notary grant the same by these presents, made, read and published by me in a loud, clear and intelligible voice, to the said Senora in the presence of Senors José Ambony son of the living Julio, and Francisco Antinoranti of the living Domingo, both of them natives and residents of this city, competent witnesses, required and known by me the Notary - subscribing their names hereto together with me at the foot hereof with exception of the said Una Maria Testo, who not being able to write, as she states, has made the usual cross mark + in the middle ut supra -

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A note or a marginal note is approved.

Una Mark of Una Maria Tasto,
Vidua Liendi — Witness Umberto —
Witness — Francisco Ammiranti —

These presents drawn by Sig.r Francisco Ammiranti, embrace one sheet of stamped paper, the first three pages all written, besides this one —

Pietro Lorenzo Bonsa.
Royal Notary —

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We, the undersigned, Senator Prefect (and the Secretary) hereby attest the above signature of Sig.r Pietro Lorenzo Bonsa who is in fact a Royal Notary as styled.

Niz.a December 13.th 1845
The S. P. Cairaschi
Conte Secretary —

(seal)

Viewed in the office of the Royal Secretary of State of Foreign Affairs for the purpose of attesting the signature of Senator Prefect of the Court of Prefecture of Niz.a —
Nice December 28.th 1845.
Cab.e Carossini
Secretary of State.

(seal)

"Una libra"

Translation by the Interpreter of the Ministry of F. A. —

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Peruvian (L. S.) Republic —

For the term of the year 1844 & 1845.
Fifth Stamp, Two Reales.
Revalidated for the year 1846 & 1847.

Lima December 30th 1846.

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Before Don José Canevaro,
Consul General of his Majesty the King
of Sardinia, near this Government, resi-
dent and land owner in this Capital of
the Republic of Peru, with whom I am
acquainted, which I attest; before the No-
tary and witnesses stated: That in the
exercise of the powers granted to him in
the foregoing power of Attorney with the
translation attached to it, he substitutes
in his place Don José Antonio
Menendez Consul of Mexico near this Go-
vernment, in order that said Don
whether by himself or through such per-
sons as he may deem proper to convey
and substitute said power of Attorney
may operate the same the said Republic
of Mexico, and its determinate parts, as
he the said José Canevaro himself could
do - and to make substitutes, and to
name others anew with the same reser-
vations & charges, as the said José Cane-
varo is operated - For all which he con-
veys unto him his powers and authority
(as such Attorney) according to law -

In testimony whereof thus he sta-
ted it and signed his name hereto, being
witnesses thereto Don José Mateo Es-
pill, Don José Gregorio Galindo and
Don Mariano Roldan.

José Canevaro.

Juan Antº Menendez.
Notary Public -

We, the undersigned Notaries Public of

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(T)

this Capital of the Republic of Peru, hereby certify that Don Juan Anto. Menendez, before whom the substitution of the foregoing Power of Attorney was made, is such Notary Public, as he styles himself, which office he legally discharges. Thereto & to like and other documents faith and confidence are given in every court. And for due purposes we grant these presents in Lima December thirty first, one thousand eight hundred and forty six.

José Manl. Montalvan.

Juan Garcia.

José de la Lavaya.

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It is proved to this Prefecture that the three foregoing signatures are the same as usually used by the Notaries therein mentioned. Lima December thirty first, one thousand eight hundred and forty six.

(S.S.)

José Mª Sizansaburu.

M. de Odriozola.

I José Eugenio Paz Soldan, Minister of the Eternal Relations of Peru hereby certify that Don José Maria Sizansaburu, by whom the preceding attestation was subscribed is a Prefect of this Department.

Lima, December thirty first, one thousand eight hundred and forty six.

José G. Paz Soldan

(S.S.)

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Peruvian (S.S.) Republic

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For the term of the years 1844 & 1845.
Fifth Stamp, Two Reales.
Revalidated for the years 1846 & 1847.

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Lima, the tenth day of March, one thousand eight hundred and forty seven, before me Notary and witness appeared Don Don José Antonio Menendez, Consul of the Republic of Mexico near this Government - with whom I am acquainted, which I attest, and stated that in the exercise of the power conferred upon him in the substitution in the terms he conveys the power, to which this is joined, and which embraces three sheets unto Don Antonio José Cot, residing in the city of Los Angeles Upper California, that he may discharge the same Representation & charges -

In testimony whereof he subscribes his name thereunto and affixed the seal of that Republic for due ends - Don Mariano Roldan, Don José Gregorio Galindo and Don José Mateo Espil being witnesses thereto -

José A. Menendes -

Before me
Juan Antº Menendes.
Notary Public -

(L. S.)

1st Instance -

To his Honor the Judge of the

I, Antonio José Cot, a citizen of Peru, and Merchant of this city, as the law may favor me best, before your honor state; That having received the documents, which in due form I annex hereto, in a parcel containing eighteen sheets thoroughly written; whereby I am granted full and sufficient power to represent -

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the person of Una Maria Soto, widow of Sebastian Leandri and mother of the late Juan Bautista, who died in this city; and to receive the real and personal estate which were left at his death ab intestate - Your Honor will be pleased to declare and admit me as such lawful Attorney.

Thus I pray your Honor will grant the said power of Attorney as provided that I may by virtue thereof demand whatever is according to justice - Moreover; I state; on my being acknowledged and declared as such Attorney your Honor will please to return me said documents for the convenient order -

Angeles July 12th 1848.

Antonio José Cot.

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Angeles July 19th 1848.

The foregoing representation having been viewed and admitted according to law, and on examining the powers above mentioned, It is ordered that the same be recognized as sufficient and legal, and therefore Don José Antonio Cot may as Attorney proceed to take such steps as may be convenient to his right in order to attain the end of the powers aforesaid; and that the powers thereunto annexed be returned to him for due purpose -

Thus I the Judge decreed, ordered and signed, with my assistant witness according to law - sustained as Attorney to be valid -

Stephen C. Foster.
1st Alcalde.

Witness
Francisco Hesp. Johnson.

Witness
James C. L. Wadsworth.

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I Geo Fisher Secretary to the United States Land Commission to ascertain and settle the private land claims in the state of California do hereby certify that the foregoing is a true, full and exact translation of a paper in the Spanish language, stating to cause No 4111, Andres Pico, et, al, for the place named Cajote on the docket of this Board- which paper was delivered to D. L. Brent Esqr Attorney for the claimants.

In testimony whereof I have hereunto subscribed my name & Office of the said Commission, San Francisco, California, this 17th day of March A. D. 1854.

Signed/ Geo: Fisher.
Secy.

Filed in Office March 17th 1854.
Geo: Fisher.
Secy.

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Andres Pico et al For the Place

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Andres Pico et al
vs
The United States

For the place called "Los Coyotes" in Los Angeles County containing ten square leagues of land.

The land claimed in this case is part of a large tract of land which was claimed and occupied by the Nieto family as an early day, and which being divided was granted to several members of that family in 1834 to hold their respective portions in severalty.

The portion called "Los Coyotes" which is the land in question in this case was assigned to Juan José Nieto and the grant made to him of the same by Governor José Figueroa bearing the date of May 22nd 1834, is given in evidence. Judicial possession was given under the grant with a designation of the boundaries on the fifteenth day of March 1835.

The proof also shows that the grantee had a house on the premises in which he lived and cultivated portions of the land as early as the year 1834 and continued this occupancy until he sold the premises.

Evidence is also given of the conveyance before the proper officer of said premises made by said Nieto to Juan Bautista Leandry on the 25th day of January 1840. Leandry died about the month of December 1843 without children and intestate, but leaving a widow Francisca Uribe (since married to Francisco Ocampo) who is one of the Petitioners

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Opinion by Comr. Fields

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in this case.

The property being acquired by purchase during the coverture, the widow is in accordance with the principals of the Mexican law entitled to one half of the property and thus her interest in the premises is sustained by the proof.

The other petitioner Andres Pico claims the other undivided half under a conveyance thereof made to him by Anna Maria Josefa, the mother and heir at law of said Leandry. through her attorney Antonio Jose Cot on the 4th day of March 1850.

The evidence we think sufficient to establish prima facia the right of Pico to the interest claimed by him in the premises.

A decree of confirmation will be entered

Confirmed

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Filed in Office Sept 25th 1855
Geo Fisher Sec.

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Andres Pico et.al.
vs
The United States

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

The land of which confirmation is hereby made is that known by the name of Las Coyotes situated in Los Angeles County, and bounded and described as follows, to wit: Commencing at an "Aliso" that is on the edge of the "Zanja" that comes from Los Nietos and is the corner that divides the Rancho of "Los Cerritos" "Alamitos" where a willow post was placed as a land mark: thence running east fourteen degrees North five thousand five hundred varas; thence north twelve degrees west to the old road of Sta Ana, ten thousand varas, terminating in a "Canada" at a post of an old elder tree (Sauco viejo) placed as a land mark; thence east twenty five degrees North three thousand two hundred varas terminating at a land mark which divides the Rancho from that of Santa Gertrudes; thence west thirty one and a half degrees South sixteen thousand seven hundred varas to the "Zanja" which is the dividing line of the Ranchos "Cerritos" and "Coyotes" at a point where two posts of "Aliso" were placed, one on each side. thence South

Decree of Confirmation

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eighteen degrees east down said "Sanja" to the place of beginning; the same being bounded by the Ranchos of Santa Gertrudes Los Cenitos, Los Alamitos, Las Bolsas and that of Palmeria Cutiveras, and containing ten square leagues of land; being the same premises granted to Don Juan José Nieto, reference for more particular description thereof to be had to the said grant. the testimonial of judicial possession & the map attached to the traced copy of the Expediente are on file in this case.

Alphens Nieto

R. Aug Thompson

L. B. Farwell

Comm.rs

Filed in Office Sept 28th 1855,
Geo. Fisher
Sec.

Ordered.

And it appearing to the satisfaction of the Board that the land hereby hereinafter 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 District States District Court for the Southern District of California and the other be transmitted to the Attorney

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General of the United States.

Office of the Board of Commissioners,
To ascertain and settle the Private Land Claims in the State of California.

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 One hundred & twenty three pages, numbered from 1 to 123, 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. 401 on the Docket of the said Board, wherein Andres Pico, et, al, are — the Claimants against the United States, for the place known by the name of "Los Coyotes." —

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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 January A. D. 1856, and of the Independence of the United States of America the ~~seventy~~ eighteenth.

Geo: Fisher.
Sec'y

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U. S. DISTRICT COURT,

Southern District of California.

No. 372.

THE UNITED STATES

vs.

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Andres Pico et al

Los Coyotes.

TRANSCRIPT OF THE RECORD

FROM THE

BOARD OF U. S. LAND COMMISSIONERS,

In Case No. 406.

Filed, January 19th 1856.

J. E. Lyon
Clerk

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Office of the Attorney General of the United States,

Washington, 11 February, 1856.

400. / "Las Cayotes" –

Andres Rios 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 17th 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.

Attorney General.

No. ~~XXX~~ 372

U. S. Dist. Court
South Dist of California

Andres Pico et al.

vs.

The United States

Notice of Appeal

Filed June 3rd 1854

C. E. Carr
Clk
By Ed Morgan
Depty

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

Andres Pico et al
appellees
vs
The United States
appellants

Docket No. 372
Transcript 100

The Attorney General of the United States, having given Notice that the appeal to the Supreme Court from the decision of this Court in the above entitled Cause, will not be prosecuted by the United States, and a Stipulation having been entered into by the acting United States District Attorney, and the attorneys of the claimant, that the order granting an appeal to the Supreme Court heretofore made in this Cause be vacated, and that the decree of this Court heretofore rendered in this Cause, may by order of this Court be made final. It is Ordered, adjudged and decreed that the order granting an appeal to the Supreme Court heretofore made in this Cause, be and the Same is hereby vacated, and that the claimant have leave to proceed under

the decree of this Court heretofore rendered in this cause as under a final decree

Thus done and signed at chambers this 24th. day of July A.D. 1857.

Saml. L. Ogier
U. S. Dist. Judge

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No. 372

U. S. Dist Court
for Southn Dist of Cala

Andres Pico et al
appellees
vs
The United States
appellants

Order vacating appeal

Filed this 24th July
A. D 1857

C. Sims clk
J. A. Coleman
Dep

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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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Andres Pico et al
appellees.
vs
The United States. Appellants.

Docket No. 372.

Transcript No. 400.

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* 20th *day of* October *A. D.* 1852, Andres Pico et al *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 Los Coyotes *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* 25th *day of* September *A. D.* 1855, *the said Commissioners confirmed, by final decision, the said claim of said petitioner. That thereafter, to wit: on or about the* 19th *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.* 400; *reference to which it is prayed may be had and made part of this petition. That on or about the* 17th *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 3^ 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 claimants presented as aforesaid to said Commissioners. And your petitioner further denies that the said claimants ~~has~~ have any valid right or title to said land claimed as aforesaid, or any part thereof.

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PAGE 130

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 ~~his~~ their attorneys 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~~ said claim, and decree the alleged title to be invalid: with costs and general relief.

P. Ord

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

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No 372.

Filed this 5th January 1857
A Smith clk
J H Coleman
dep

372 SD
PAGE 132

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

The President of the United States,

TO

P Ord Esq U S. Atty

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PAGE 133

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 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

Jose Ma Covarrubias and Joaquin Carillo praying said Court to reverse the decision of the United States Board of Land Commissioners of the 11th of September 1855 rejecting their claim to the tract of land known as the "Mission of Santa Inez"

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 4th day of January A. D. 185 7

Wm Sims CLERK.

J H Coleman Dep

129

Marshals Cost

Copying Summons — 60

Serving same 3.—

Petition 3.—

$6.60

No. 319

UNITED STATES OF AMERICA,

Southern District of California,

U. S. District Court.

Jose Mª Covarrubias et al
appellants
vs
The United States
appellees

Filed on return this 8th of January AD 1857
Chas Clerk
J. A. Hegleman
Dep

SUMMONS.

Received January 7th 1857

372 SD
PAGE 134

Edward Hunter
U. S. Marshal.
By McGoodman

I served this Summons, together with a certified copy of the Petition, upon P. Br
U. Ally by delivering to him personally a
true copy of same
at Los Angeles
the 8th day of January A. D. 1857

Sworn to and subscribed before me, this
8th day Jany 1857
Chas Clerk.

Edward Hunter
U. S. Marshal.
By McGoodman
Dep

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

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Jose Maria Covarrubias appellants, and Joaquin Carrillo vs the United States appellee } No 369

Your petitioners Jose Maria Covarrubias and Joaquin Carrillo by their attorney respectfully represent that heretofore to wit on the 29 day of January 1853 they filed their petition with the Board of Commissioners to ascertain and settle private land claims in the State of California averring the right of said petitioners to the tract of Land known as the Mission of "Santa Ynes" the same being situate in the Southern District of California and within the jurisdiction of this Court and that on the 11 of September 1855 the said board of Commissioners rejected said claim and your petitioners in conformity with Law filed in this Honorable Court a notice of his intention to prosecute an appeal from said decision on the 30 of April 1856 and on the 19 of January 1857 a transcript of the proceedings in said cause before said Board of Commissioners was filed in this Honorable Court

Wherefore your petitioners pray that the decision of said Board may reversed

and that this Honorable Court decree that the title of said Jose Maria Covarrubias and Joaquin Carillo be valid

A Packard Atty
for Claimants

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PAGE 136

No 349

Jose M Covarrubias et al

vs

the United States

Petition of Appellants

Filed this 7th January
A.D. 1857
C. Smith Clk
Pr. J. H. Coleman
Dep

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PAGE 137
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United States of America, } ss.
SOUTHERN DISTRICT OF CALIFORNIA.

THE PRESIDENT OF THE UNITED STATES,

TO

Andres Pico et al

372 SD
PAGE 138

GREETING:

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

P. Ord U.S. Atty praying said court to review the decision of the U.S. Land Commissioners of the 25th day of September 1855 confirming your claim to the Lands called

"Los Coyotes"

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.

C. Lewis
Clerk.

J. H. Coleman
Dep

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No. 372

Marshal's Cost

Copying Sum. — 60
Serving same 3. —
Petition 3. —
$ 6. 60

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

Andres Pico et al
appellees

vs.

The United States
Appts

Filed on return this 21st of January 1857
J. H. Coleman clerk
dep

SUMMONS.

January 20th 1857
Edward Hunter
U.S.M.
pr M. L. Goodman Depty

372 SD
PAGE 139

I served this Summons, along with the proper copy of the Petition, upon A. Olvera Atty for francisca Ocampo by delivering to him a true Copy of the same

at Los Angeles, in the Southern District of California, on the 21st day of January, A. D. 1857.

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

C Sims Clerk.
pr J H Coleman
dep

Edward Hunter
U.S. Marshal.

pr M L Goodman
Depty

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

THE PRESIDENT OF THE UNITED STATES,

TO

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Andres Pico et al.

GREETING:

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

P. Br U S Atty praying said court to review the decission of the U S Land Comisioners of the 25th day of September 1855 confirming your claim to the Land called

Los Coyotes

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.

C Sinis
Clerk.
J. D. H. Coleman
Dep

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No 372

Marshals Cost

Copying Summons — 60
Serving same — 3.—
& Petition — 3.
$ 6.60

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

Andres Rios et al
Appts

Vs.

ad
The United States
Apptee

Filed on return this 23 January 1857
Wm. Ash.
J. H. Coleman Dep

SUMMONS.

January 20th 1857

Edward Hunter
U.S.M.
By H. C. Goodman
Deputy

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I served this Summons, along with the proper copy of the Petition, upon Andres Rios by delivering to him a copy of the same at Los Angeles the 23 day of January, in the Southern District of California, on A. D. 1857.

Sworn to and subscribed before me, this 23 January 1857.

Wm. Ash Clerk.

Edward Hunter
U. S. Marshal.

By H. C. Goodman
Dep.

135

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In the United States District Court for the
Southern District of California
Hon. I. S. K. Ogier Judge

Andres Pico et al
appellees
vs
The United States
appellants

No. 372
Franchise No. 400

The answer of the
appellees to the petition of Review filed in
this Case by the United States - avers that
their title under which they claim the tract
of land called "Las Cojotes" is valid and
they pray that the decision of the U.S. Board of
Land Commissioners be affirmed and their
title decreed valid - and for general relief

Olvera & Todd
Atty for Claimants

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No 372

United States Dist Court
for Southn Dist Cal.

Andres Pico et al
appellee
adts
The United States
applts

Answer

Filed this 21st January
1857 C Sims clk
J. H. Coleman
Dep

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First Seal ——— Six Dollars
Validated provisionally by the administration of the Maritime Custom House of Monterey for the years 1833 and 1834.
Figueroa José Rafael Gonzales

José Figueroa, Brigadier General of the National Mexican Armies, Comandant General Inspector, and Superior Political Chief of the Territory of Upper California.

Inasmuch as Don Juan José Vieto has accredited his right to the succession of the late Manuel Vieto, and taking into consideration the ancient and peaceable possession that he holds of the place called "Los Coyotes", bounded by that of the "Santa Gertrudes" "Los Cerritos," "Los Alamitos," "las Bolsas" and the Rancho of Patricio Ontiveros, The proceedings and verifications concerning the matter having first been had, as directed by the laws and regulations; using the powers that are conferred upon me by Decree of July 27th of the year last past, in the name of the Mexican Nation I have decided to grant him the ownership of said tract, and of which let him be put in peaceable possession by these presents, with entire conformity to what is directed by the laws and subject to the following conditions;

1st That he shall submit to the condition which the Regulation that is to be formed for the distribution of Vacant Lands may establish; and that in the meanwhile neither the grantee nor his heirs shall have power to

divide nor alien the tract of land of which mention has been made, to impose tax, entail, bond, mortgage, nor other encumbrance, even for a pious purpose, nor to pass it into mortmain.

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2nd He shall have power to enclose it, without prejudicing the cross-roads, highways and rights of way, he shall enjoy it freely and exclusively, devoting it to the use or cultivation which may best suit him, but within one year at the furthest he shall build a house, and it shall be inhabited.

3d He can at once solicit the proper Judge to give him juridical possession in virtue of this Patent, by whom the boundaries shall be defined at the extremities of which he shall place, besides the landmarks, some fruit or useful forest trees.

4th The tract of land to which reference is made, is of ten (10) square leagues a little more or less, as the map explains, (which runs in the Espediente. The Judge who gives the possession, shall cause it to be measured, conformably to ordinance, to designate the boundaries) (the surplus) that may result (remaining) to the Nation for the uses befitting.

5th If he shall contravene these conditions he shall lose his right to the land, and it shall be liable to denouncement by another.

Therefore, I order, That these presents (giving him for a title deed) being held for form and valid, record thereof be made in the proper book, and they be delivered to the interested party for his security and other ends. Given at Monterey the 22nd of May, one thousand eight hundred and thirty four.

José Figueroa

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Agustin V. Zamorano Secy.

Record made in the book of location of titles on the adjudication of lands, on leaf 23, N° 26; Kept in the Secretary's Office under my charge. Monterey May 22. 1834.

Zamorano

No. 372

Translation of Original Grant.

Filed this 18th February 1857

C Sims Clk

J H Coleman D.C.

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

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December Term. A.D. 1856.

Andres Pico et al
Appellee
vs
The United States
Appellant

Docket No. 372
Transcript 400
Los Coyotes

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 and evidence upon which said decision was founded and it appearing to the Court that said Transcript and the notice of appeal have been duly filed according to law and counsel for the respective 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 hereinafter stated.

And it is further adjudged and decreed that the title of the appellees is good and valid, and the same is hereby confirmed to them as follows

The lands of which confirmation is hereby made are of the tract called

"Los Coyotes" situated in the County of Los Angeles, said tract of "Los Coyotes" being a part of the lands originally granted to Manuel Nieto by Governor Pedro Fages in or about the year 1784 and which said Grant was recognized and confirmed by the Mexican Government by the Decree of date July 27th 1833, made by Governor Jose Figueroa on the Petition of Luciano Grijalva presented on behalf of the heirs of the said Manuel Nieto, and by the Grant of date May 22nd 1834 issued by said Governor Figueroa to Juan Jose Nieto a son of said Manuel Nieto.

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PAGE 149

Reference for the boundaries of the tract of "Los Coyotes" being had to the said petition of Luciano Grijalva and to the map accompaning the same contained in the Expediente filed in this case to wit by the Rancho Santa Getrudis, Los Cerritos, Los Alamitos, Las Bolsas and the lands solicited by Patricio Ontiveros also to the act of juridical possession of date March 27th 1833.

Ogier
U S Dist Judge

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No 372

United States District Court
for Southn District of California

Andres Pico et al
appellees
vs
The United States
appellants

Decree

Filed this 19th February
A.D. 1857 C Sims Clk
by J. H. Coleman
Dep

Recorded on Page 222

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In the United States District Court in
And for the Southern District State of Cal
ifornia

Andres Pico et al
Ads Appellees
The United States
Appellants

Case No 400
Docket No 372

In pursuance of a
Letter received from the Hon Attorney General
of the United States hereto annexed giving Notice
that in the above Cause the Appeal in the Supreme
Court will not be prosecuted by the United States
It is therefore Stipulated and agreed be
tween the parties that the Order of this Court
granting An Appeal to the Supreme Court
heretofore made herein on the 24th day of Febru
ary AD 1857 may be vacated, and the Decree
of this Court filed in this Case on the 19th day
of February AD 1857 by Order of this Court
be made final

P Ord District Atty
for C E Thorn
Acting Dist Atty
Agreed Oscar M. Boston
Atty for Appellees

148

Filed 24th July 1857
C. Sims Clk.
J. H. Coleman
Dep

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California Land Claims.
Attorney Generals Office
5 Febry 1857.

Sir.

In the case of the claim of Andres Pico et al: confirmed to the claimants by the Commissioners, case no. four hundred, (400), appeal will not be prosecuted by the United States.

I am,
Respectfully,
[signature]

Christian Pd Eeg
U. S Attorney,
Los Angeles.

No 342

Filed this 18th July
AD 1857. C Swinelk
J H Coleman
Dep

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This Indenture, made this 23rd day of April A. D. 1859, Between James Thompson as Sheriff of the County of Los Angeles and Assignee of Samuel Carpenter an Insolvent Debtor, party of the first part, and James F. McFarland and John G. Downey, parties of the second part, all residents of the City and County of Los Angeles, State of California, Witnesseth ——

Whereas in the District Court of the First Judicial District, State of California, for Los Angeles County, in the matter of the Petition of Samuel Carpenter, an Insolvent Debtor to be discharged from his debts; ~~The Sheriff of the County of Los Angeles~~ ~~[illegible]~~, was on the 20th day of July A. D. 1857 duly appointed Assignee of said Carpenter, ~~and on the same day duly qualified as such, as appears by said order duly entered~~ And whereas, thereafter on the 16th day of December A. D. 1858, the said Assignee was by order of said Court, authorized and directed to sell certain property of said Carpenter, among which was the hereinafter described Real Estate, at Public Auction, in manner and form as prescribed by law; And Whereas, thereafter, on the 7th day of February A. D. 1859, by virtue and in pursuance of said Order, the said Assignee proceeded to sell the said Real Estate hereinafter described, at Public Auction at the door of the Court House in the City of Los Angeles, at 12 O'clock M. of said day, after having given public notice thereof by publishing in the Los Angeles Star, a newspaper printed and published in the City and County of Los Angeles, a notice of the time and place of Sale, with a full description of the property to be sold for more than twenty days next preceding the day of Sale, and sold the same to James F. McFarland

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and John G. Downey, who were the last and highest bidders therefor, for the Sum of two thousand two hundred Dollars, and who were Mortgage Creditors of said Insolvent, holding a Mortgage over the identical property sold, and whereas the said M.C. Garland and Downey, parties of the second part, having paid the said Sum as bid by them, and the aforesaid District Court having by its order entered on the 15th day of April A.D. 1859, confirmed and approved said Sale and ordered a conveyance of said lands to be executed and delivered by said assignee to said purchasers — Now Therefore, in consideration of the payment by the said parties of the second part to the party of the first part of the said Sum of two thousand two hundred dollars, so bid as aforesaid, which payment is hereby acknowledged, and by virtue and in pursuance of the premises the party of the first part hath bargained sold, granted, conveyed and transferred, and hereby doth bargain, sell, grant, convey and transfer unto the parties of the second part, their heirs and assigns forever, all the right, title, interest and estate of the said Samuel Carpenter of in and to that certain parcel or tract of land lying and being situate in the County of Los Angeles, State of California, known by the name of Santa Gertrudes and bounded on the West by the River San Gabriel; on the North by the lands formerly owned by the late Juan Perez, and now occupied by Dio Dios; on the North East by lands now occupied by Tomas. S. Golunas; on the East and South East by that tract of land known as Las Goyotes; and on the South by lands known as Los Cerritos; containing

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five leagues more or less — excepting therefrom a tract of lands within said boundaries, owned and occupied by heirs of James W. Barton, deceased and another tract of about one hundred acres, owned and occupied by Jose Ramirez, together with all and singular the tenements hereditaments and appurtenances thereunto belonging or in anywise appertaining. In Witness Whereof the said party of the first part hath hereunto set his hand and seal the day and year at the beginning written after variation in the third line from the top of 1st page and insertion of the words "The Sheriff of the County of Los Angeles" and erasure in the 14th 15th & 16th lines from top of 1st page from the words "Carpenter" to the words "and Whereas"=

James Thompson
Sheriff &c &c
assignee of Estate Carpenter
Insolvent

State of California
County of Los Angeles

On this 25th day of April A.D. 1859 before me William G. Shore a Notary Public in and for the County aforesaid, personally appeared James Thompson Sheriff of Los Angeles County and assignee of the Estate of Samuel Carpenter an Insolvent, known to me to be the person described in and who executed the foregoing instrument, and to be assignee as aforesaid, who acknowledged to me that he executed the same freely and voluntarily and for the uses and purposes therein mentioned

In Testimony whereof I have hereunto set my hand and affixed my official Seal the day and year above written

Wm G. Shore

Notary Public

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No 372

Filed June 8th 1863
John A Whelen
Clk

Deed

James Thompson

to

James M. McFarland

and

John G. Downey.

Filed April 25, 1859
at 9 Min AM for Record
at request of Grantee

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PAGE 158

3.75

Wm G Shore Notary Public

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Know all men by these Presents that I James Thompson of the County of Sacramento and State of California for and in consideration of the sum of Two Thousand Dollars to me in hand paid by James M. McFarland and John G. Downey the receipt whereof is hereby acknowledged do by these presents grant bargain sell convey and confirm unto the said James M. McFarland and John G. Downey and to their heirs and assigns forever all that certain lot piece or parcel of land situate lying and being in the County of Sacramento and State of California and bounded and described as follows to wit: Commencing at the corner of J and Front Streets in the City of Sacramento and running thence along the line of Front Street North Forty feet thence West One Hundred and Twenty feet thence South Forty feet to the line of J Street thence East along the line of J Street One Hundred and Twenty feet to the place of beginning. Together with all and singular the tenements hereditaments and appurtenances thereunto belonging or in anywise appertaining and the reversion and reversions remainder and remainders rents issues and profits thereof and all the estate right title interest property possession claim and demand whatsoever as well in law as in equity of the said James Thompson of in and to the same and every part and parcel thereof with the appurtenances. To have and to hold all and singular the said premises together with the appurtenances unto the said James M. McFarland and John G. Downey and to their heirs and assigns forever. In witness whereof I have hereunto set my hand and seal this Twenty Fifth day of April A.D. 1859.

James Thompson

Signed sealed and delivered in presence of
Wm G Shore Notary Public

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

The United States } In D.C. No 369
Appellants
vs } Mission of Santa Ynez
J.M. Covarrubias
Appellee } In L.C. No 738.

To the said Appellee or his Attorneys.

You are hereby notified that the above entitled cause will be brought on for hearing before said District Court on the first day of the next term thereof to be holden in the City of Monterey District aforesaid, commencing on the 6th day of June A.D. 1859, or as soon thereafter as the same can be heard

J. R. Sitgreaves
U.S. Dist Atty
Southern Dist California

No 369

The United States
appellants
vs
J M Covarrubias
appellee

Notice of Trial

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Received June 2nd 1859
copy of the within Notice
upon Morton
& Dorrow
attys for claimants

Filed June 2. 1859.
D. Sims. Clerk.
pr W. W. Watson. Deputy

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

Moses Rico et al,
Appellees
vs
The United States
Appellants

No. 372
"Los Coyotes"
Transcript &c.

Now come the Appellees in this case by Scott & Lander, of Counsel, and suggest to the Court, that the claim in this case has been finally confirmed, and a survey of the premises claimed has been made and approved by the Surveyor General of the United States for California, as they are informed & believe; and they say that said survey is not made in conformity with the final decree in this cause, and that the Appellees will be injured thereby.

And they therefore move the Court for an order on the said Surveyor General of the United States for California, requiring him to return the plat of the survey of the land claimed in this case, into this Court forthwith, for its further action.

Scott & Lander
Attys of Appellees.

Southern District of California } ss.

It being suggested to the Court that the survey of the land claimed in this case, made under final decree and approved by the United States Surveyor General for California, does not conform to

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said Decree, and is erroneous, and that said
survey will be to the injury of the party applicant,
on application of Scott & Lander, attorneys for
the Claimants.

It is ordered

That the said Surveyor General re-
turn to this Court the plat of said survey, and
that the claimants be allowed twenty days
from and after the return thereof to file objec-
tions thereto; And it is further ordered that a
certified copy of this order be served upon the
said Surveyor General for his information

Done done in open Court March 1860

Case No 372
U. S. District Court
Southern Dist. California

Andres Pico et al.
Appellees
vs
The United States
Appellants.

Motion and Order for
Return of Survey

Filed in my Office
this 20th day March
1860
J. Lyons Clk

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Order to Surveyor

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UNITED STATES DISTRICT COURT,
FOR THE SOUTHERN DISTRICT OF CALIFORNIA.

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Andres Rios et al
appellees
vs
The United States
appellants

No. 372
"Los Coyotes"
Transcript 400

It being suggested to the Court that the survey of the land claimed in this case, made under final decree, and approved by the U. S. Surveyor General for California, does not conform to said decree and is erroneous and that said survey will be to the injury of the Pueblos Applicants

on application of Scott & Sanders attorneys of Claimants it is ordered that the said Surveyor General return to this Court forthwith the plat of said survey, and that the Claimants be allowed Twenty days, from and after the return thereof, to file exceptions thereto; and it is further ordered that a certified copy of this order be served upon the said Surveyor General for his information.

I. S K. OGIER, U. S. District Judge.

UNITED STATES OF AMERICA, SOUTHERN DISTRICT OF CALIFORNIA.
COUNTY OF LOS ANGELES.

I, C. Sims, Clerk of the United States District Court for the Southern District of California, do hereby certiy that the above and foregoing is a full true and correct copy of the original order, made and entered on the 20th day of March 1860, in said case, No. 372 on the docket of said Court, wherein Andres Rios et al claimants against the United States, as appears of record in my office.

In witness whereof I herewith ~~with~~ unto set my hand and affix the seal of said Court this the 23d day of March 1860.

C. Sims, Clerk.

UNITED STATES OF AMERICA,
SOUTHERN DISTRICT OF CALIFORNIA.

THE PRESIDENT OF THE UNITED STATES,
To. J. W. MANDAVILLE, U. S. Surveyor General, for California—Greeting:

You are hereby notified that the United States District Court, for the Southern District of California, at the December Term of said Court, 1859, in case No. 372 on the docket of said Court, wherein Andres Rios et al and claimants against the United States, made and caused to be entered an order, of which the above and foregoing is a certified copy herewith transmitted to you for your information, and you are hereby required to take notice of the same.

Witness the Hon. ISAAC S. K. OGIER, Judge of the United States District Court, for the Southern District of California, this the 23 day of March 1860.

Attest my hand and the seal of said Court the day and year last above written

C. Sims, Clerk.

I served a Copy of the within personally on J. W. Mandeville U. S. Surveyor General for California in the City of San Francisco on June 12th 1860

James C. Pennie
U.S. Marshall
per A. W. Buchanan
Dep. U. S. Marshal

No 372
U S Dist Court
Southern Dist Cala

Andres Pico et al
ads
The United States

Certified Copy of
Order for return of
Survey

Served June 12
at 12 o'clock

Filed in office this
22d day of June 1860
C Sims, Clk

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

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PAGE 165

Andres Rico et al
Appellees
vs
The United States.
Appellants.

No. 372
"Los Coyotes"
Transcript. 400

It being suggested to the Court that the survey of the land claimed in this case, made under Final Decree, and approved by the U.S. Surveyor for California, does not conform to said Decree, and is erroneous and that said survey will be to the injury of the party applicant; on application of J.R. Scott & James F. Lander attorneys for the Claimants; It is ordered;

That the said Surveyor General return to this Court the plat of said survey, and that the Claimants be allowed twenty days from and after the return thereof to file exceptions thereto, and it is further ordered, that a certified copy of this order be served upon the said Surveyor General for his information

Isaac S. O'Byrne
U S Dist Judge
for the S Dist of Cal

Case No 372.
Dist Court of U. States
South Dist. Calfa

Andres Pico et al.

vs

The United States

Order for Return of
Survey

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

Andres Pico et al
Appellees
vs
The United States
Appellants

Case No. 372
"Los Coyotes"
Transcript No. 400

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Now come the Appellants and Claimants in the above case, by I.R. Scott and James H. Saunders their attorneys, and represent and suggest to the Court that the survey of the lands of "Los Coyotes" claimed herein, made under final decree has been approved by the U.S. Surveyor General for California but that said survey is erroneous, and that the appellees and claimants will be injured thereby; and therefore the Appellees pray and apply for an order on the said Surveyor General, requiring him forthwith to return into this Court the plat of said Survey for its further action

James H. Saunders
Atty for Claimants

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No 372.

U. States Dist. Court
Southern Dist. Cal.

Antonio Rico et al

vs

The United States

Application for return of Survey?

Filed Oct 27th
1860

R. Sims
Clk

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UNITED STATES DISTRICT COURT,
FOR THE SOUTHERN DISTRICT OF CALIFORNIA.

Andres Pico et al
vs
The United States

No. 372

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It being suggested to the Court that the survey of the land claimed in this case, made under final decree, and approved by the U. S. Surveyor General for California, does not conform to said decree and is erroneous and that said survey will be to the injury of the Parties Applicant

on application of D R Scott & D H Sanders Attorneys of Claimants it is ordered that the said Surveyor General return to this Court forthwith the plat of said survey, and that the Claimants

be allowed Twenty days, from and after the return thereof, to file exceptions thereto; and it is further ordered that a certified copy of this order be served upon the said Surveyor General for his information.

I. S. K. OGIER, U. S. District Judge.

UNITED STATES OF AMERICA, SOUTHERN DISTRICT OF CALIFORNIA.
COUNTY OF LOS ANGELES.

I, C. Sims, Clerk of the United States District Court for the Southern District of California, do hereby certiy that the above and foregoing is a full true and correct copy of the original order, made and entered on the 27th day of October 1860, in said case, No. 372 on the docket of said Court, wherein Andres Pico et al are claimants against the United States, as appears of record in my office.

In witness whereof I herewith set my hand and affix the seal of said Court this the 27th day of Oct 1860.

C. Sims, Clerk.

UNITED STATES OF AMERICA,
SOUTHERN DISTRICT OF CALIFORNIA.

THE PRESIDENT OF THE UNITED STATES,
To. J. W. MANDAVILLE, U. S. Surveyor General, for California—Greeting:

You are hereby notified that the United States District Court, for the Southern District of California, at the Special August Term of said Court, 1860, in case No. 372 on the docket of said Court, wherein Andres Pico et al are claimants against the United States, made and caused to be entered an order, of which the above and foregoing is a certified copy herewith transmitted to you for your information, and you are hereby required to take notice of the same.

Witness the Hon. ISAAC S. K. OGIER, Judge of the United States District Court, for the Southern District of California, this the 27th day of Oct 1860.

Attest my hand and the seal of said Court the day and year last above written C. Sims, Clerk.

No 372

San Francisco Nov 10 1860

I hereby certify that I have this day made personal service of this order on J W Mandeville U.S Surveyor General for California by leaving with him a certified Copy of the same

James C Pennie
U.S. Marshal
per A W Buchanan
Dep't Marshal

Marshals fees
For Service $2.00
" Mileage 10.00

Filed Nov 14. 1860
Sam'l Mc
by John O Wheeler Deputy

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

Andres Rico et al
Appellees
vs
The United States
Appellant.

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"Los Coyotes."

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Now comes Abel Stearns a party claimant herein, and makes and files his exceptions to the survey of the land called "Los Coyotes", claimed in this case, heretofore approved by the United States Surveyor General for California, and returned by him into Court, and the plat whereof was filed with the Clerk December 3d 1860; in manner, and so far, as follows:

He excepts to the eastern line of said survey, being the line between Stations numbered 143 and 144 on said plat; and says that he claims and alleges that the true and proper boundary line in stead thereof is as follows:

Commencing at the large Rock or Pillar, marked Station 144; and thence running the course designated for the eastern line of the lands aforesaid, by the Act of Judicial Possession on file, to wit South 12° East, by Compass; or true course, South 1½° West; and running as far as a point from which a line drawn parallel to the boundary line between these lands of Los Coyotes and the Rancho of Los Alamitos, as delineated and marked on said plat

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or South 70 1/2° East, to the western line of the Survey, or the old bed of the San Jose or Pinute Creek, would include, within the other lines of the Survey, neither more nor less, but exactly Eleven square leagues of land;

And he excepts to the Southern line of said Survey, and to the western line thereof, as far north as Station numbered on the plat 106; being lines 106 @ 107, 107 @ 108, 108 @ 109, 109 @ 110, 110 @ 111, 111 @ 112, 112 @ 113, 113 @ 114, 114 @ 115, 115 @ 116, 116 @ 117, 117 @ 118, 118 @ 119, 119 @ 120, 120 @ 121, 121 @ 122, 122 @ 123, 123 @ 124, 124 @ 125, 125 @ 126, 126 @ 127, 127 @ 128, 128 @ 129, 129 @ 130, 130 @ 131, 131 @ 132, 132 @ 133, 133 @ 134, 134 @ 135, 135 @ 136, 136 @ 137, 137 @ 138, 138 @ 139, 139 @ 140, 140 @ 141, 141 @ 142, 142 @ 143: and alleges and claims that said line should be changed to a line as follows; Commencing at the point where the ~~line~~ east line on the east of the lands, as claimed above, and towards the South, and thence, running parallel to the boundary line between Los Coyotes and Los Alamitos as marked on the plat aforesaid, or North 70 1/2 West, as far as the bed of the San Jose or Pinute Creek; to or near to Station 106, so as to include within said boundaries as herein claimed and the other lines of the Rancho, exactly eleven square leagues of land;

And applicant claims the eastern boundary as above amended, as being

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the true line whereby Judicial possession

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the true line whereby Judicial possession was given of the lands; and declaring the said amended line on the South and West, instead of the line of survey from 106 to 143, as being the line of division between the Ranchos of Los Coyotes and Los Alamitos, as agreed upon and finally fixed by the owners of said Ranchos respectively, by deed of date September 13 1859. executed by Francisca Ocampo, and Francisca Ribas his wife, Rio Rico and this party, Abel Stearns. which is referred to and here shown to the Court.-

Wherefore he prays that the said survey may be amended in accordance with these exceptions, and that the Court will decree the confirmation of the lands to be to the boundaries here prayed for, and that the final survey and patent thereof be made to conform to said boundaries, and for such other and further relief as Equity, good Conscience and the nature of the case may require.

Abel Stearns

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United States of America
Southern District of California } ss.

Abel Stearns the party claimant and making the above exceptions being duly sworn, says that he has read said exceptions and knows the contents thereof

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And that the same are true of his own knowledge, except the matters therein stated on information and belief and as to those matters he believes it to be true.

Abel Stearns

Sworn and Subscribed to before me this the 21st day of Dec. 1860

C. Sims
US Commr for Dist of Cala

Case 372.
U. States Dist. Court

Andres Pico et al.

adv

The United States.

Exceptions to Survey of A Sheary

Filed this the 21st Dec. 1860
C Sims Clk

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J.R. Scott
J.H. Lander

To J R Gitchell Esqr } – ~~Take notice~~
Dist Atty &c } Sir – Please take notice that the above exceptions will be brought to hearing before the Court in thirty days after the service on you of the same or as soon thereafter as Counsel can be heard.

J H Lander
of Claimants Counsel

In United States Dist. Court, Southern Dist. of California

Andres Rico et al
Appellees
vs
The United States
Appellants

372.

Los Coyotes

Transcript &c.

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Now come the parties Claimant herein, by R. Scott & J. W. Sanders, their attys, and except to the Survey of the lands herein claimed, heretofore made and approved by the United States Surveyor General for California, and the plat whereof has been by him returned and filed with the Clerk on December 3d 1860;

And they except to the eastern boundary of the lands claimed, as represented in said plat, to wit, the line between Stations No 143 and No 144; and they say that in the Judicial Possession given of said lands, the acbolishment of is on file in the case and is hereby referred to, the course of said line was North 12° West, by Compass; or applying the Correction for variation, of 13° 30' (13°30') East; North 1½° East;

And therefore they claim that said Eastern line should be a line drawn from the large Rock or Pillar marked Station 144, South 1°30' West, the course aforesaid, as far as a point hereafter

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stated: as they say that they are informed and believe that said Rock or Pillar is at the point designated in said Judicial Possession as the northern end of said Eastern line.

And they except to the Southern boundaries of the said lands as marked on said plat, to wit the lines from Station 141 to 142, & from 142 to 143; and also to the western boundaries of said land as marked on said map, as far north as Station 106, or thereabouts, to wit the several lines from Station 106 to 141: for the reasons following;

They say that heretofore to wit, on the 13 day of September 1859, by deed of that date, executed by Francisco Ocampo & Francisca Uribes his wife Rio Rico & Abel Stearns, the respective owners of these lands of Los Coyotes and of other lands lying to the South of & adjoining said lands, called Los Alamitos, fixed and determined the boundary line between said two parcels of land, as follows; said line to be a line drawn parallel to the northern line of said tract of Los Alamitos as the same had been run by Henry Hancock in a survey theretofore made by him, (which survey is identical with the one whereof the plat is filed in Court), and so located as to include, with the other boundaries of the Rancho of Los

Coyotes, & Exactly Eleven Square leagues of land, which deed they refer to & show to the Court.

And they therefore claim in lieu of the Southern and Western boundaries above excepted to, a line running South 70 1/2° East or North 70 1/2° West, true course, and so located as to include within the new eastern line above suggested and claimed, and the northern and other western boundaries marked on the plat, & Exactly Eleven leagues of land; as they say that the said owners of los Coyotes and los Alamitos did claim their respective titles under and from a common grantor or predecessor, one Juan José Nieto; and that the decrees in the cases of said lands in this Court, each call for the other tract of land as a boundary, and that they are informed and believe that both said los Coyotes and los Alamitos were held by said Nieto as one tract of land in different portions thereof bearing different names.

The intersection of said new Southern line fixing the point at which the above claimed eastern line shall end; and intersecting the western line of said plat about near station 106.

Wherefore they pray that said Eastern & Southern lines may be fixed by the decree of the Court as above claim-

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ed, and that the final Survey of the lands claimed herein ~~shall~~ may be ordered to be made, and the Patent to be issued in conformity with such Decree, & for such other & further or general relief as shall be agreeable to Equity & good Conscience & the nature of the case requires.

James H. Lander
Claim^t^s Att^y^

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United States of America
Southern Dist of California

James H Lander being duly sworn says, that he is one of Claimants attorneys in this Case, that he has read the foregoing exceptions and knows the contents thereof, & that the same are true of his own knowledge except the matters therein stated on information & belief, and as to those facts he believes them to be true –

James H. Lander

Sworn to & subscribed before me this 22nd December 1860

J Sims Clk
pr John O Wheeler Dep

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U.S. Dist Court - So
372 -
A. Riche et al.
vs
U. States
Exceptions to Su

To/

J. R. Fitcher
U S Dist Atty
So. Dist. Cala

Sir

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Please take notice that the above & annexed exceptions will be brought to a hearing before the above Court in thirty days after service hereof on you or so soon thereafter as Counsel can be heard

December 22, 1860

James H Lander
U S Atty.

I hereby Certify that I personally served a true copy of the within upon J. R. Gitchell U.S. District attorney by delivering to him a true copy of this Original at Los Angeles Cal December 24th 1860.

James C Pennie
U.S. Marshal
pr J. F. Burns Deputy

372
U.S. Dist. Court

Rice et al
vs
The U. States

Exceptions to Survey

Filed Dec. 22d 1860
J. Sims clk
by Jno. O. Wheeler Depty

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STATE OF CALIFORNIA, County of LOS ANGELES—Ss.

HENRY HAMILTON, being duly sworn, says that he is Publisher of the "LOS ANGELES STAR," a Newspaper printed and published in the aforesaid County, and that a Notice, of which the annexed is a copy, was published in said paper once a week, for three successive weeks.

The first insertion was on the 26th January and the last on 9th February, 1861

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H. Hamilton

Subscribed and sworn before me, on this Twelfth day of February, A.D. 1861

L. L. Mix

Clerk of the U.S. Dist Court

County Clerk

South Dist of Cal'a

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NOTICE.

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

Andres Pico, *et al.*, vs. The United States—No. 372—"Los Coyotes."

IN THE ABOVE CASE, the final survey of the lands claimed by the parties to the record having been returned into Court and objected to, and the exceptions taken having been served on the opposite party, all parties in interest are hereby admonished to intervene for the protection of their [illegible]

{ L. S. }

Witness my hand [illegible] Court, at Los [illegible] of January

jan26t3

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U. S. Dist Court for the
Southern Dist of California

Andres Pico et al

vs

The United States

Notice of final Survey

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Filed Feby 12th 1861

J. L. Mc
Clk

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

The United States vs Abel Stearns	No 290 "Los Alamitos" Transcript 404
The United States vs Ramon Gonzalez et al	No 208 "Las Bolsas" Transcript 402
The United States vs Andres Pico et al	No 372 "Los Coyotes" Transcript 402
The United States vs Joseph Montalvo	No 374 "Temescal" Transcript 414

Abel Stearns Esq

Sir. You will please take notice that we decline further service as attorneys of Claimants in the above suits, and you will therefore provide yourself with other Counsel in your discretion

The above Cases are set for the first Monday in June next. at Monterey.

Los Angeles
April 15th 1863

Jacob Landers

United States of America
Southern District of California } ss Charles R. Ayers

being duly sworn says, that he delivered a copy of the within notice, personally to Abel Stearns, at the City & County of Los Angeles, on the 14th day of April 1863

Subscribed before me this 15th day of April 1863 — J. R. Ayres

Read — J. R. Ramirez
Notary Public and ex Commissioner for the Southern District of California

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Filed June 1st 1863
John D. Wheeler Clk.

United States of America
South'n Dist. California } ss. I, John D. Wheeler Clerk

of the United States Dist. Court South'n Dist. California hereby Certify the above and foregoing to be a full true and correct copy of the Original on file in No. 3 4 Joseph Montalvo vs the United States in my office

Witness my hand & seal of said Court this 1st June A.D. 1863

John D. Wheeler Clk
U.S. Dist. Ct. Dist. Cal.

No 372

U. S. Dist Court
South'n Dist Ala

Andrew Reed et al
Appts
vs
The United States
Appels

Withdrawal of Atty

Filed June 1st 1858
John D Wheeler
Clk

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

Andres Pico et al
vs
The United States

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Your Petitioner
John G Downey and James W Wayland respectfully represents
to your Honor that on the day of
AD 185 the U S Board of
Land Commissioners for the State of
California confirmed to Samuel Carpenter
that tract of land known as the
Rancho of Santa Gertrudes. Said
Rancho lying and being in the County
of Los Angeles State of California
and within the jurisdiction of this
Court. Which said confirmation
was afterwards appealed to this
Court and on the day of
AD 185 said appeal was
by this Court. Petitioners would
further represent that afterwards
to wit on the 25th day of April
AD 1859 the said Samuel Carpenter
conveyed by deed the said Rancho to
your petitioner, which said deed
is hereunto attached and made part
of this petition

1200

Your petitioners would further represent that they are informed and believe that Andres Pico et al have had certain other lands confirmed to them known as the Rancho Los Coyotes and that they have procured a survey of said Rancho by the United States Surveyor General. Which said survey is now in this Court on the application of the Claimants.

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Your petitioners are informed and believe that the said survey of the Rancho of Los Coyotas interferes with the rights of your petitioners in and to their said Rancho of Santa Gertrudes and that they are injured thereby. They therefore pray that they may be allowed to intervene in the aforesaid cause of Pico et al vs the United States for the protection of their interests as aforesaid, and that upon the final hearing of said cause, the said survey of the said Pico et al may be so amended as not to include within its boundaries any of the aforesaid lands of your petitioners and for general relief

J R Mitchell
Atty for Petitioners

State of California
County of Los Angeles } ss

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John G Downey one of the above named petitioners, being duly sworn deposes and says that he has read the foregoing petition and knows the contents thereof. and that the same are true of his own knowledge except as to the matters which are therein stated on his information or belief and as to those matters he believes it to be true

John G. Downey

Subscribed and sworn to before me this 25th day of May A.D. 1863.

Francisco P. Ramirez

United States Commissioner, Southern District of California.

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N. Dist. Cal.

A. Pico et al

vs.

The United States

Application for
Intervention

Filed June 2d 1863.
John D. Whelan
Clk

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District Court of the United States
Southern Dist of California

Andres Pico et al
vs
The United States
Las Coyotes

Now comes John G Downey by Jas McFarland & J R Gitchell his attorney and moves the Court for leave to intervene in the above entitled cause for the protection of his interest and in support of said motion will depend upon the petition and affidavit of John G Downey herewith filed and the affidavit of J R Gitchell

J R Gitchell
Atty for Intervenors

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No 372

Andrew Pico et al

vs

The United States

Motion of Attorney for
leave to intervene.

Filed June 3. 1863
John D Whalen
Clk

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J. P. Gutchett atty.

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United States District Court. Southern District of California

A Reid et al
vs
United States

No 372.

James H Lander being duly sworn in open Court this 3d day of June A.D. 1863. at Monterey Cal^a testified as follows to wit.

Quest. Do you know any thing relative to a Publication by the U.S. Surv. Genl for California of the approval of the Survey of La Coyotes Claimed by A Reid et al. and if so what.

Ans. (Witness is here shown a blank book containing certain slips from Newspapers,) I do. In the year 1860. I was one of the attorneys for the Claimants in the Case of the Coyotes. and my attention was called to a publication in the Los Angeles Star a Newspaper published in the City of Los Angeles. and which said Publication I cut out and is the one now appearing in the blank book now shown me. - My attention was particularly called to it as the Name of "A Reid et al" appeared therein as the Claimants of La Coyotes. but as there is no other Ranchs by that Name in the

State I was convinced that it was an error of the printers and should have been as was of course intended "A Ries et al". I not only know of the publication in the issue of the paper from which I took this extract, but recollect very well of seeing it in other issues of the same paper, and have no doubt but that the publication was fully made, the publication reads as follows to wit,

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"U. S. Land Surveys — To all whom it may
" Concern, U. S. Surveyor Generals Office, San Francisco
" Sept 17, 1860,
" In Compliance with the first section of an
" act of Congress approved June 14, 1860 Regulating
" Surveys of private Land Claims, notice is hereby
" given, that the plats of the following private land
" Claims surveyed in pursuance of the thirteenth sec-
" tion of an act entitled "An act to ascertain and
" settle private Land Claims in the State of California, ap-
" proved March 3d 1851 have been examined and
" approved by me and heretofore forwarded to Wash-
" ington — Name of Ranchs — Confirmee
(here follows a list of Ranchos among which ap-
pear that of Los Coyotes)
" These plats will be retained in this office, subject
" to inspection, for four weeks from the date of this
" publication

" James W. Macdowell
" U. S. Surveyor General

James N. Sanders

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No. 372

U. S. Dist Court
South Dist Calif

A. Rios et al

vs

The United States

Testimony of Lander
as to pub. by Surv Gen. taken in
open Court.

Filed June 3 1863
John D Wheeler
Clk

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

Andres Pico et al
vs
The United States

Joseph R Mitchell
being duly sworn deposes and
says that he has examined the
Survey of the Rancho Las Coyotes
returned into this Court and that
according to his best information
and belief the northern line of
said survey interfers with and
is upon the Rancho of the Santa
Gertrudes, as follows, to wit. from
a point in the western line of said
survey at which the figure 10 is placed
on said plat, thence Northwardly with the
Western line to the point marked thereon
"beginning Stake No 1" thence east to the
point marked "Stake & Mound 146" thence
South east to the point marked "Stream
and Road" all of which aforesaid
lines affiant is informed and believes
are upon the said Rancho of the
Santa Gertrudes.

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And further that this affidavit is made by affiant for the reason that the records of this Court being kept at Monterey he was unable to specify the particular lines objected to by said Downey & M Parker so that the same might be identified and sworn to by said Downey at Los Angeles. his place of residence and where he now is

J W Mitchell

Sworn to and subscribed
before me this 24th day June 1852
John O Wheeler
Clk of the Dist Court

No 372

Andres Pico et al

vs.

The United States

Affidavit

Filed June 4, 1863

John B Wheeler

Clk

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In the United States District Court,
for the Southern District of California.
June Term 1863.

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The United States } For rancho Los Coyotes
vs No. 372 } Confirmed to Survey.
Andres Pico et al

Personally appeared, Abel Stearns,
the present owner of said Rancho, who
being duly sworn, makes oath and
says, that, long previous to the time
of his having any interest in said
grant, viz, in the year 1834, by
order of the Government, he
executed the survey for the juridical
possession, given in this case, and
also, for the rancho San Gertrudis
now claimed by Rafael Pico and
Downey and McFarland. That
the Northern line established
at that time for the Coyotes
was also the Southern line
then established for the
San Gertrudis. That the
line now returned by the
United States Surveyor General
as the boundary next to the
San Gertrudis, for the Coyotes,
is the same established

by the juridical survey of 1834 and
is well defined by natural objects
existing then and at this time.
Affiant is informed and believes, that
the same United States Deputy Surveyor
executed the survey of both ranches
and he adopted the lines of said juridical
survey, as the official line and boundary
between said ranches, and that
there is no conflict whatever between
said surveys, or the official maps
of the same as approved and
returned by the Surveyor General.
That, the map of the survey of the
Coyotes was returned into Court, on
filed December 5. 1860, and regularly
published, and that, there has
been no objection to said Northern
line until the present term
of the Court.
Affiant further states, that said
grants for both of said ranches, are
dated the same day, and call
for each other as boundary. It
further appears, that the official
survey of the Surveyor General
conforms entirely to the map of
the Juridical Survey in both

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grants.

Abel Stearns

Sworn to & subscribed before me
this 11th day of June A D 1863
John G. Wheeler Clk
of Dist Ct of Dist Cala

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PAGE 200

No 372

U.S. Dist Court

South Dist Ala

Andrew Beard

vs

The United States

Affd of A. Stearns

Filed June 14, 1866

John D. Rhodes Clk

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The United States of America Petitioner
vs. Survey — No 372 —

It is agreed in the above stated Case, that the hearing on the Objections to the Survey shall be continued until the next Term of the Court, and the submission of the Case set aside

R. C. Whiting
U. S. Dist Atty
for the Southern
Dist of California
S. E. Knaud
for Claimant

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No 372

U. S. Dist Court
South Dist Ala

Andres Rios et al
vs
The United States

Stip of parties Continuing
Cause to next term

Filed June 11th 1866
Eleventh

John D Wheeler
Clk

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make copy - Apl. 20 68

In the United States Dist Court
in and for the Southern Dist of Calª

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Andres Pico et al
Appellants
ads
The United States
} Nº 372
Los Coyotas

Now on this 22ª day of March 1864
the above stated cause coming
on for hearing on the return of survey
of the lands claimed in this cause
being Rancho Los Coyotas situ-
ated in the County of Los Angeles
Dist aforesaid and it being shown
to the satisfaction of the Court
that the plat of the survey of
the said lands made and approved
by J. H. Thandeville U. S. Sur. Gen.
for Calª was filed in this Court
under its own order on the 3ª
day of Dec 1860 and was excepted
to by claimant as appears by
written exceptions filed by leave
of court on the 22ª of Dec 1860
and due proof having been made
that the publications and notices
in such cases provided by the

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rules of this Court and the acts of Congress concerning the returned surveys in California and especially by the act approved June 14 1860 entitled an act to amend an act "entitled an act to define and regulate the jurisdiction of the District Courts of the U.S. in California in regard to the survey of and location of confirmed private land claims and the claimant appearing by his attorney Colony E. Howard and the United States in opposition to the exceptions by B. C. Whiting Esq U.S. Dist Atty the court proceeded to hear the proofs and attorneys of the parties and having fully considered the same It is ordered adjudged and decreed that the exceptions of the claimant be overruled & the claim as herein confirmed, saving and excepting only such as refer to the Southern ~~boundary~~ and Western as also Eastern boundary to the extent of Enabling the claimant to have the aforesaid Western Southern and Eastern boun-

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- daries so modified as to conform
to those recited in a certain agree-
ment between Claimant and certain
other parties executed at Los Angeles
Cal^a on the 13th day of Septr 1859 a
certified copy of the same being
this day filed in this Cause and
to that extent the said exceptions
be and are hereby sustained

And it is further ordered adjudged
and decreed that the said plat of
Survey together with a certified
copy of the said exceptions and
a certified copy of the agreement
of Francisco Ocampo Francisca
Ocampo Pio Pico and Abel Stearns
aforesaid of date Septr 13th 1859 and a
certified copy of this Decree be transmitted
to the United States Surveyor General of
California for his information

This decree rendered and signed
in Open Court this 22^d day of March
1864

Hetchen M. Haight
U. S. Judge for Southern
District of California

No 342

U. S. Dist. Court

Dist. of Dak. Terr.

Andrew Fenwick

vs

The United States

Decree

on Exceptions to Survey

Filed March 22 1864

John S. Wheeler

Clk

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