

1 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
 2 IN AND FOR THE COUNTY OF SAN LUIS OBISPO.  
 3 LUIGI MARRE LARD & CATTLE COMPANY,  
 a corporation, LOUIS J. MARRE, and )  
 4 Tressa B. Marre, Plaintiffs, ) No 9266  
 5 vs )  
 6 Raymond Roses, Joe Baylon, also ) Further Affidavit of  
 known as Joe Baulan, and Mario ) of Ignatius F. Parker  
 7 Baylon, also known as Savina Roses, ) on Motion under 473 CCP.  
 8 Defendants. )

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 10 STATE OF CALIFORNIA, )  
 COUNTY OF San Luis Obispo ) ss.

13 IGNATIUS F. PARKER, being duly sworn, deposes and says:  
 14 That in addition to the facts presented in the affidavit  
 heretofore filed by affiant herein affiant states as follows:  
 15 That he has made a personal investigation of the records  
 16 on file in the office of the Clerk of the United States  
 17 District, San Francisco, California, and found therein the  
 18 records of the case of United States vs Pedro Estrada,  
 19 entitled Case No. 76 of the Records of the United States  
 20 District Court for the Southern District of California; that  
 21 in said case and in said place there is on file the transcript  
 22 of record from the Board of United States Land Commissioners  
 23 in Case No. 588 before said Board, entitled "Pedro Estrada,  
 24 Claimant, vs The United States, Defendant", "For the Place  
 25 Called 'La Asuncion'"; that in said transcript of proceed-  
 26 ings in said case No 588 before said Board of U.S. Land  
 27 Commissioners there appears the Petition of said Pedro Estrada  
 28 for the grant of the lands called "La Asuncion", and the  
 29 finding of the Justice of the Peace of San Luis Obispo with  
 30 reference to the occupation of the/lands by Indians, and also  
 31 the "Expediente" and other proceedings concerning the Grant  
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*Sub. 17 10-30*  
 J. G. DRISCOLL, CLERK  
*J. G. Driscoll*

1 by the Mexican authorities of said lands to said Pedro  
2 Estrada; and there is attached to this affidavit certified  
3 photostatic copies of a translation of said records which  
4 said translation is a part of said records in both said  
5 cases above referred to and which is marked herein Exhibit  
6 "A" and which said certified copies are hereby referred to  
7 and made a part hereof as if fully set out at length herein;

8 That affiant is informed and believes that the lands  
9 referred to hereinabove and called "La Asuncion" and which  
10 were granted to said Pedro Estrada include within the  
11 boundaries thereof certain of the lands of plaintiffs herein  
12 and that said plaintiffs deraign their title from said  
13 Mexican Grant made on June 19, 1845, by Pio Pico, then Governor  
14 of California, to said Pedro Estrada, and concerning which lands  
15 a Patent from the United States was issued to said Pedro  
16 Estrada on March 22, 1866;

17 That the title of plaintiffs herein to the lands claimed  
18 by them herein is founded on said grant and patent; and that  
19 affiant is informed and believes that either the plaintiffs  
20 herein do not own the lands upon which the defendants herein  
21 now live and have lived for many years last past because the  
22 lands granted and patented to their predecessor in interest,  
23 Pedro Estrada do not include all the lands claimed by  
24 plaintiffs in their complaint herein, or, even if plaintiffs  
25 should be found to be the rightful owners of those lands  
26 claimed by them in their complaint herein, then the ownership  
27 of said plaintiffs in said lands is subject to the right of  
28 occupancy by defendants of the lands upon which defendants  
29 now live and have occupied for more than forty years, and upon  
30 which the ancestors of said defendants lived for many years  
31 prior thereto, as shown by Exhibit "A" attached hereto;

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That defendants, California Indians, have lived all their lives on the lands claimed by them herein; that their ancestors, also California Indians, lived on these same lands; and that this occupation, use and enjoyment of possession by these defendants and their ancestors of these said lands has been continuous and uninterrupted since long before the plaintiffs herein acquired any interest in these said lands and even before said lands were granted by the Mexican authorities to said Pedro Estrada; that the right of occupancy of these said Indian and the defendants herein was recognized by the Mexican Government as is shown in the proceedings leading up to the grant to said Pedro Estrada as set forth in Exhibit "A" attached hereto; and this right of occupancy of these said Indian and defendants herein has never been abandoned or lost by these defendants or their ancestors nor has said right of occupancy ever been heretofore taken away, cancelled or denied by any lawful authority whatsoever.

*Ignatius F. Parker*  
Ignatius F. Parker.

SUBSCRIBED AND SWORN TO  
before me this 17th day of February, 1930.

*J. H. Ince*  
Notary Public in and for the County  
of \_\_\_\_\_, State of California.

County Clerk and ex-officio Clerk Superior Court,  
County of San Luis Obispo State of California