

July 25/74

You will see by the papers that poor San Diego has a new excitement about lands, titles &c - I mean the Quit Claim deed matter.

The meeting last night (July 24th) of the City Trustees was correctly reported by the "World" but the Union with its d - h cunnings, without many glaring misstatements conveys a wrong impression.

Horton claims 160 acres of the Park, claims that he purchased it from Morse and Bush Trustees, that his land was wrongly located by Pascoe in that the north line of his tract instead of running when Pascoe made it run should have been run half a mile farther up, thus

giving him 160 acres in the Park including Carruthers land and also 160 acres or more to the north of his line on the west of the Park.

Horton conveyed all this by quit claim deed to Gunn & Felsenheld Arnold and Choate. In his deed to Gunn he described the 160 acres of the Park including Carruthers land particularly by metes & bounds.

They gave him deeds to Hortons Addition, and I really think he passed deeds and did all the business without knowing what it all meant - that they fooled him by their d-k cunning (I don't like that word but it expresses exactly Gurns quality),

But after the people saw what was up they brought a pressure to bear on Horton and the others and Horton saw that he had been fooled they told him, such men as Mr Mauston, Higgins, Pierre Beyle, Briant & others, that if he wished to set himself right with the people he should get those deeds back and straighten the matter all out right.

Mr Mauston told him he had money enough and land enough and now all he wanted was character and even if it cost him \$5000 - he ought to undo the cloud he had put on titles by giving these deeds, that he might make such a character as would cause

The people in San Diego to
respect and honor him.

"I will do it" says Mr Horton
"if it costs me \$5000-".

Mr Horton told me on
Thursday the 19th, upon my
telling him that he ought
to get those deeds back
even if he had to commu-
nit for fraud, that he was
going to do it. "I did
wrong" he says "I ought not
to have given those deeds"
I asked him how he would
like to have me give some
one a deed for the Hotel
and the block it is on
wouldn't he think it very
wrong? "yes" he says "I
see it" "I did wrong"
I asked him what made
him do it told him he ought
to have suspected something
wrong when those scampis

5 -
asked him to give them a deed to property that he didnt own. "Well I thought I was helping them to settle up the old matter in dispute between them and Wilbur as to the lines of their lots".

I asked him at this time or about a week previous I dont remember which why he gave them a deed to the 160 acres in the Park. "Well" he says "they wanted it, I told them I never claimed any land there, I never claimed any land in the Park, I have got land enough" &c and he said to me when explaining what their theory was, that they said his lots which he bought at Trustee sale, which lie south of the Park

and adjoin New Town & Middletown were 1 mile long N. & S. instead of $\frac{1}{2}$ mile.

But he said to me he did not want to create any disturbance of titles or lines, that he never claimed any land above that line pointing to the line on the Poole Map running along on the south side of the Parks, that he did not own any there and didn't want any there, and he thought he wasn't doing anybody any harm by giving a quit claim deed for what he never claimed.

I asked him why he had not consulted his lawyer before making the deeds and the only answer he made was, "I ought to have done it".

I have no doubt, he intended some days ago

To do the fair and honest thing about this matter, but that he went to Maj. Chase to consult him how to get them ^{the deeds} back from Arnold & Choate, and they did get the papers out to sue them for fraud in obtaining the deeds from Horton, and though Maj. Chase's advice Horton is now trying to steal 160 acres or more from the Park. I am convinced the more firmly of this view from the fact that Maj. Chase came to me on Monday and said as you are a client of mine I always make it a point to inform them ^{his clients} of any thing that comes up in the course of my business affecting their interests. I called around to show you how you are affected by this "Quit Claim Deed

"matter" as they call it"
and he then went on to show
me that as I own lot 1150
it might perhaps give me
160 acres more of land as
well as Horton, if the Arnold
& Cheate theory was sustained
and he Maj. Chan believed
it would be. He knew
it would be the case was
too plain to admit of any
doubt. I told him I

didn't believe it, didn't
^{believe} any court would decide
so unjustly, and we had
quite an argument over it.

Now I am satisfied that
Maj. Chase came to me not
from any desire to benefit
me, but simply to show me
that it was for my interest to
join them in the attempt
to steal some land. If he
had learned that my interests

9

were to have been expected
injuriously he never would
have come near me, but
they wanted ~~me~~ to bribe me to
throw my influence in favor
of their steab.

As a proof A. J. Chare is
true the client of Maj Chan
that I am, as he always
employs him, has never
employed another lawyer
while I am now, with
Nash, Gale, Coats & Forster
employing a lawyer to fight
a claim of the Majors against
us & have Hitchcock, McNealy
and even another lawyer
employed in cases. And yet
he took a suit against
A. J. Chare & D. C. Breed for a
San Francisco man and used
the knowledge that he obtained
from Mr Chare in a confidential
transaction as Mr Chares lawyer

-10-

to compel A. J. Chau to pay a large sum of money.

Mr Chau was mad and talked very plainly to the Major, and I think showed ~~the~~ him so that Mr Chau got off for some less than he was going to make him pay at first. It was an outrage on Mr Chau but I suppose the Major thought he would please his client in San Francisco and Mr Chau would meekly submit.

Mr Lankershim called him publicly a miserable bilks, and repeated it. He says that the Major swindled the Cajon people out of thousands of dollars nearly \$10,000.

Mr Lankershim is very bitter towards him, and Manman & Pierce (who are communions for dividing up the Cajon Ranch) say that

every man interested in the
Cajon Ranch agree with
Mr Lammershim.

I think probably
Horton has given Chase an
interest in any land he
may obtain for him.

After the meeting last
night Mr Lockling talked
very severely to Mr Horton,
he told him that he had
already committed one crime
by altering the County records
meaning that Horton had
changed the map of "Horton's
addition" after it had been
filed in the County recorder's
office and thereby become the
official map - he told him
it was a criminal offense
to change the official map,
and he ought to be punished
for it. Horton asked him
who made it an official map

intimating that it was his map and of course he could charge it, but Lockbling told him that his act in filing it made it an official map and it was as much a crime for him to touch it after he had filed it as for anybody else.

Lockbling talked loud and pretty savage and some one said shook his fist in Horton's face once. Horton answered him by saying "you're mad I won't talk with you" and walked off.

During the meeting when Horton said he would not deed the Park land (described in the deed he first made to Gunn & now redeeded back to him) to the City, that it was his and was his when he deeded it

To Jimm, Brient quietly
observed "if ^{you thought} it was yours
Mr Horton you sold it very
cheap". The consideration
named in the deed is one
dollar.

Mr Pierre & Fred
Daully told me to day that
it would take but little more
feeling to have a party start
after Horton and give him
a coat of tar & feathers.

After the meeting last night
and after Horton had left, some
one said it would do Horton
good to ride him on a rail &
give him a good coat of tar &
feathers, several others then
spoke up and said, yes thats
so and then are some others
that need it with him.

Of course no violence will
be attempted, and I only mention

14

that to show the feeling against
Horton since his change of
views within a few days.

The World of the 14th
contains a list of the original
Quit claim deeds.

I wanted to make
some memorandums about
this matter to keep, so I thought
I would write them to you &
take a copy in my Copy book

I don't believe they can
by any possibility steal this land
unless they can elect a board
of trustees that will give it to
them. No court in the world
would give it to them and these
poor greedy fellows (or fools I was
going to say) will show the people
their meanness and their dispo-
sition without even the poor
satisfaction to themselves of being
successful in their stealing.

Of all men in the world and especially in San Diego Herton ought not to be guilty of the crime of disturbing titles, and above all of trying to steal more land. He bought his land in the first place for less than a dollar an acre and now after making thousands — he claims a million of dollars out of it — he wants to steal a few hundred acres more.

I think this transaction proves him to be both knave and fool. A. J. says the Major is extremely selfish and perfectly heartless.

Mr. Peirce told me an anecdote ~~to~~ to day about him, it was that some well known man was down here last summer, a phrenologist and examined Maj. Charles Read & he told Peirce as a secret that

he said to the Major "The almighty never made a man that you thought was your superior" and he told Pierre that the organ of self esteem was exceedingly prominent.

Well Pierre said that a few days ago while riding home from the Cajon in the coach with quite a number of others, the Major told the same story and observed "it is true I never did see a man I thought was my superior yet".

Well I must quit this long story,

So good bye love
from Ephraim
your loving husband

P.S.

It is 10 o'clock P.M. and raining briskly. There have been several smart showers to day.