

CASE NO.

249

**NORTHERN DISTRICT**

---

PART OF NAPA GRANT

---

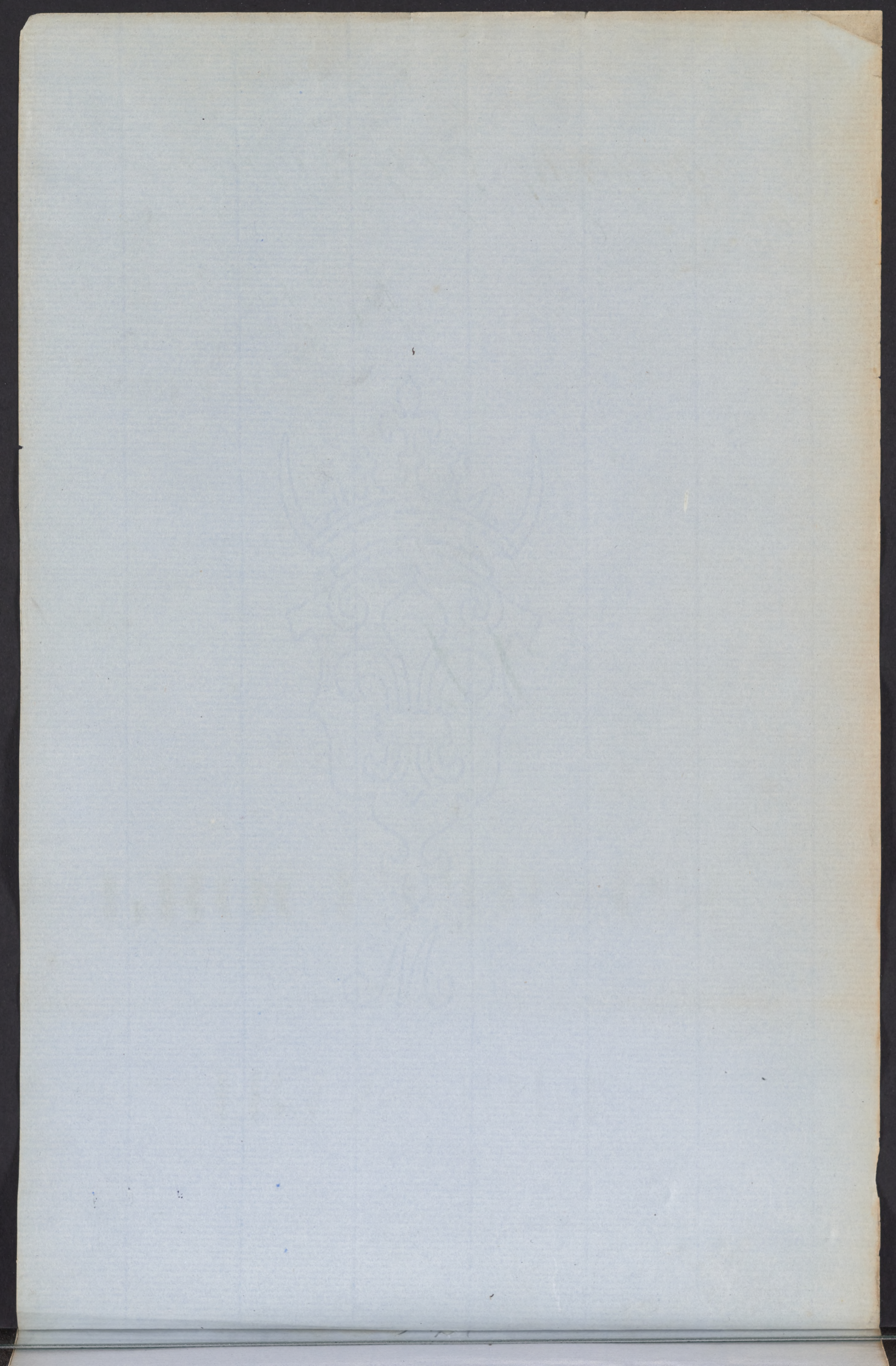
BENJAMIN McCOOMBS

CLAIMANT

LAND CASE 249 ND 44 pgs.

NOV 10 1962

577



249 ND

PAGE 1

# TRANSCRIPT

OF THE

# PROCEEDINGS

IN CASE

NO. 577

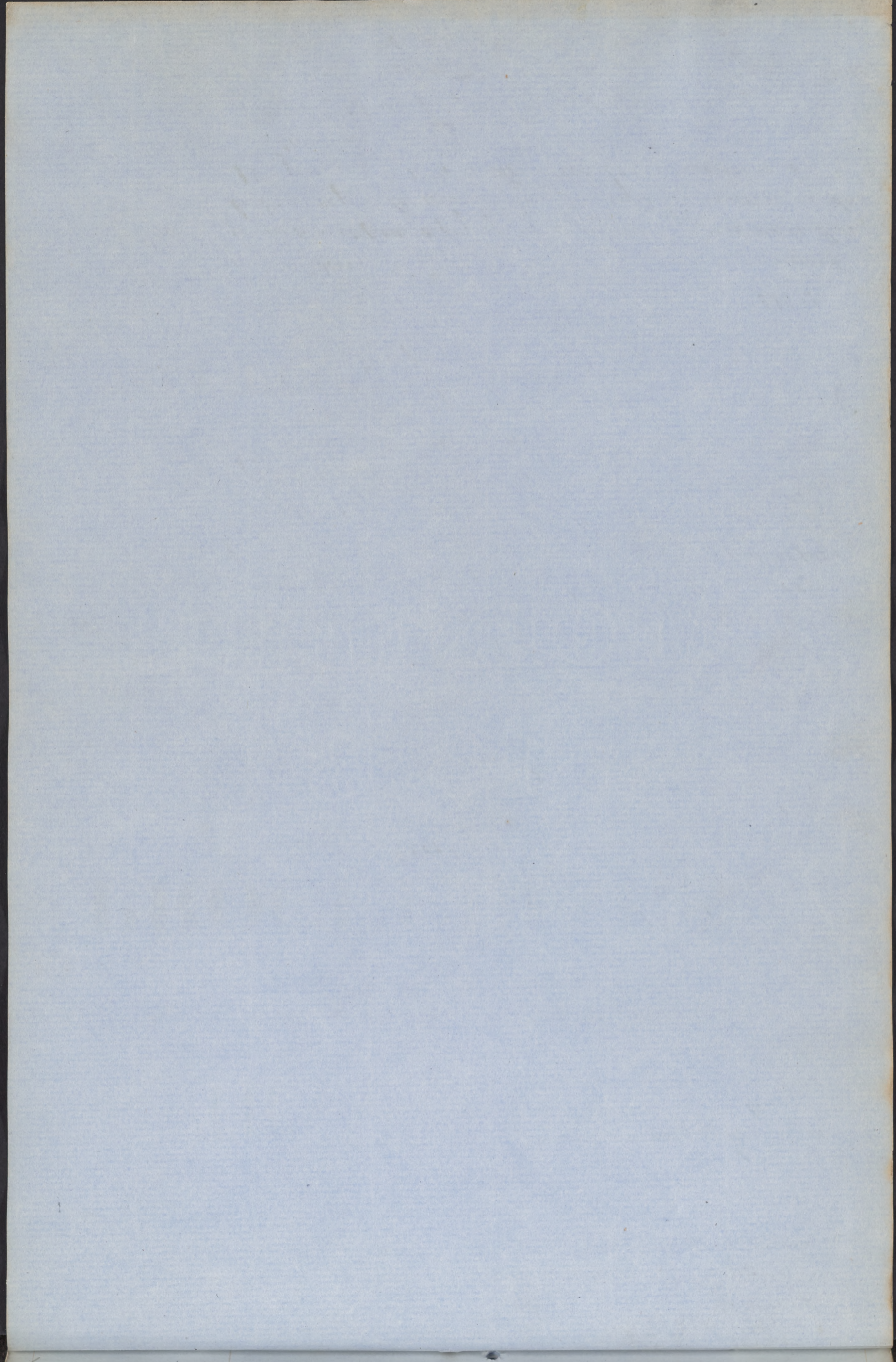
*Benjamin M. Combs* CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

*a part of*  
FOR THE PLACE NAMED

*"Salvador's Rancho"*



Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

249 ND

PAGE 2

Be it Remembered, that on this eleventh day of February, Anno Domini One Thousand Eight Hundred and Fifty-three, 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 Benjamin M<sup>c</sup>Combs, <sup>part of</sup> for the Place named "Salvador's Rancho" was presented, and ordered to be filed and docketed with No. 577 and is as follows, to wit;

(Vide page 3 of this Transcript.)

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

San Francisco August 15<sup>th</sup> 1854.  
In case no. 577, Benjamin M<sup>c</sup>Combs for a part of the place named "Salvador's Rancho", a certified copy of the deposition of Emile A. d'Hennecourt, a witness in behalf of the claimant in case 582, taken before Commissioner Sott, on the 4<sup>th</sup> April 1854, was filed as evidence in this case in accordance with the stipulation annexed thereto;

(Vide page 5 of this Transcript.)

San Francisco October 7<sup>th</sup> 1854.  
In the same case the Counsel for the claimant filed a certified copy of the deposition of Jose de la Rosa, taken before Commissioner Harry J. Thornton on the 15<sup>th</sup> January 1854 in case no. 500, as evidence in this in this case:

(Vide page 7 of this Transcript)  
in accordance with the following Stipulation, to wit;  
(Vide page 29 of this Transcript)

2

San Francisco December 15 1854.

Case no. 577 was ordered to be placed at the foot of the 3<sup>d</sup> Class Cases on the Trial Docket.

San Francisco December 19 1854.

Case no. 577 was submitted under the Rule of March 21<sup>st</sup> 1854 and taken under advisement by the Board.

San Francisco December 26 1854.

In the same case Commissioner Alpheus Felch delivered the opinion of the Board confirming the claim.

(Vide page 31 of this Transcript.)

and the following order was made, to wit:

(Vide page 35 of this Transcript.)

249 ND  
PAGE 3



53  
To the Board of Land  
Commissioners of the United States for the Settlement  
of Private Land Claims in California.

Petition of  
Benjamin Mc Combs.

249 ND  
PAGE 4

Your petitioner Benjamin Mc Combs of the County  
of Napa respectfully represents that on and before  
the nineteenth day of January A. D. 1852 Salvador  
Vallejo was the lawful owner of a tract of land sit-  
uate in said County and known as Salvador's  
Ranch containing seven square leagues, that his title  
thereto was derived by a grant made to him by J. J.  
Alvarado former Governor of Upper California which  
said Grant is described as follows: that tract of land  
situate in the County of Napa known and described  
as the "paraje de Napa" situate between the Napa  
back adjoining the lands of Nicolas Biqueyn on the  
South and on the North by the lands of George Yont  
containing seven leagues as will more fully appear  
by the original Grant and papers connected therewith  
on file and of record in the public archives of California  
and which your petitioner craves leave to produce  
and prove, your petitioner further shows that on  
the seventh day of March A. D. 1850 said Salvador  
Vallejo and wife by a deed of that date, a copy of which  
is annexed and marked "A" conveyed to your petitioner  
a portion of said Salvador Ranch" described as follows  
a certain piece of land in the Pueblo of Salvador, Napa  
County California and known upon the Map of said  
Pueblo as copied in Record Book D. page 132 in the  
Office of William M. Fuller, Attache of Sonoma as her  
number five (5) containing forty acres more or less  
that on the nineteenth day of January A. D. 1852  
said Salvador Vallejo and wife by a deed of that  
date, a copy whereof is annexed and marked "B" con-  
veyed to Johnson Howell six hundred and forty  
acres of said land as will more fully appear by refer-  
ence to said deed last mentioned. And that  
on the twenty fourth day of January A. D. 1853  
said Johnson Howell by a deed of that date a copy  
whereof is annexed marked "C" conveyed all that  
certain other part of said lands so conveyed to him  
by said Salvador Vallejo as aforesaid particularly  
described as follows. Commencing at a point  
on Nuts North Eastern line where the westerly

4

line of John Blakes land touches said line, and running  
 on state North East line  $32^{\circ}06'$  West thirty six chains and  
 thirteen links. thence North  $55^{\circ}19'$  East twenty seven  
 chains and twenty six links. thence South  $32^{\circ}06'$  -  
 East thirty seven chains thirty six links to John Blakes  
 line. thence South  $57^{\circ}52'$  West twenty seven chains  
 and twenty three links to the place of beginning. Cont-  
 -aining one hundred acres of land; and that your  
 petitioner claims title to said two parcels of land  
 herein before set forth. That he has been and is now  
 in quiet and peaceable possession thereof and knows  
 of no other claimant to the same or any part thereof  
 and therefore respectfully prays that the same may  
 be confirmed to him.

249 ND  
 PAGE 5

Robt H. Morrison.  
 Attorney for petitioner

Recorded in vol 1. of Petitions on pages 557 & 558.

Geo. Fisher. Secy

Filed in office. Feby. 11<sup>th</sup> 1853.

Geo. Fisher. Secy.

United States of America { Ss.

State of California. }

San Francisco April. 4. 1852.

This day personally came before Peter Gott a Commissioner for taking testimony to be used before the Board of U.S. Land Commissioners, in said State, Elie Emite D'Heurecourt a witness in behalf of the claimant in Case n<sup>o</sup> 582 on the docket of said Board in which John Gore is claimant and the said witness being duly sworn on oath deposed in English as follows to wit.

The U.S. Law. Agent is present.

Questions by R. A. Morrison Esq. Attorney for claimant.

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

Answer. My name is Emite D. D'Heurecourt my age 38 years my residence in Napa County California.

2<sup>nd</sup> Question. Are you a Surveyor by occupation and are you acquainted with the Rancho of Napa County called the "Napa Ranch" and with the boundaries the same Ranch granted to Salvador Nullyjo and sometimes called the Salvador Ranch, if you describe the boundaries?

Answer. I am a Surveyor by occupation I am acquainted with rancho named, and know its boundaries. I have Surveyed them. It is bounded on the South by the Arroyo de Napa and a straight line running from that Arroyo to the arroyo de las Cavernas, to the lower part of the arroyo las Cavernas on the North by a straight line from the upper part of the Cavernas called Gont's pass, to where the Southern line of George C. Gont touches the mountain, and also by said Gont's northern line to the river Napa and on the East by said Napa river which is sometimes called the Rio de las Cavernas, to its junction with Napa creek or Arroyo de Napa.

3<sup>rd</sup> Question. Have you examined the description of the lands claimed in the following cases on the docket of the Board of U.S. Land Commissioners to wit n<sup>o</sup> 577 in which Benjamin Mc Cook is claimant. n<sup>o</sup> 579 in which Johnson Barrell is claimant. n<sup>o</sup> 582 in which John Gore is claimant

249 ND  
PAGE 6

(Certified Copy)

Deposition of  
Emite D' He-  
meourt.

6  
and No. 583. No 579 in which Johnson Horwell is  
claimant and 583 in which William Weedy is claimant  
If you: state whether the pieces of land therein respectively  
described are or are not embraced within the limits  
of the original Grant or the Rancho de Napa" granted  
to Salvador Valljo, the boundaries of which you have  
described in the foregoing hereto.

249 ND  
PAGE 7

Answer. I have examined the  
paper in each of the cases named. I am well acquainted  
with the respective claims in each case, I have surveyed  
them and them all to be embraced within the original  
Grant to Salvador Valljo, called the Rancho de  
Napa"

Em. A. S. Hemenway.  
Subscribed & sworn to before me. on the 7<sup>th</sup> day  
of April A.D. 1854.

Peter Holt. Commissioner.  
For taking testimony &c. &c.

It is hereby stipulated and agreed by the Undersigned  
the U. S. Law Agent and the Counsel for claimant  
that the foregoing deposition may be considered as  
taken and filed and may be used and read in  
evidence also in cases No 583 577. and 579 on the  
docket of the Board of U. S. Land Commissioners  
Copies of the Deposition to be furnished by claimants  
for each case. San Francisco. April 7. 1854.  
J. H. Merhune.

Law Agent.  
Morrison. Atty for Claimant.

I George Fisher, Secretary to the Board of U. S. Land  
Commissioners to ascertain and settle the private land  
claims in the State of California do hereby Certify that the  
foregoing is a true and correct copy of the deposition  
of Emile A. S. Hemenway, taken before Com. Peter  
Holt in case No 582 now on file & in this office. and in  
my care and custody as such Secretary.

Given under my hand this fourteenth day  
of Aug. 1854.

Geo Fisher. Secy.  
Filed in Office. Aug. 15. 1854.

Geo. Fisher. Secy.

8.

7

Geo. Fisher. Secy.

San Francisco. January. 15<sup>th</sup> 1854.

On this day before Comis<sup>r</sup> Harry J Thornton, came José de la Rosa, a witness in behalf of the Claimant Gibbum W. Boyss. Petition n<sup>o</sup> 500 and was duly sworn this evidence being interpreted by the Secretary.

249 ND  
PAGE 8

Certified Copy of  
Deposition of José  
de la Rosa.

My name is José de la Rosa, my age is 61 years. I reside in Sonoma and have resided there 21 years.

I know the Rancho called Nappa in Nappa Valley which was granted to Salvador Valijo in 1838. The grantee first occupied it in 1838. or. Q. he built a house on it and corrals; had cattle and horses on it and cultivated portions of the land. Since the Americans took possession of the country he has sold portions to various individuals.

I am acquainted with the signatures of Juan B. Alvarado, Francisco Arce, Jacob P. Reese, Victor Prudon, Domingo B. Rodriguez, Matario Berregera and Rafael Narvaez, their signatures to the document before me marked N<sup>o</sup> 1. in 1845. and purporting to be the original title approval and Judicial possession, are genuine.

Signed. José de la Rosa.

U. S. Law Agent. present.

Sworn to and Subscribed before me this 15<sup>th</sup> of Jan<sup>y</sup> 1853.

Signed. Harry J. Thornton.  
Com<sup>r</sup>.

I George Fisher Secretary of the Board of the U. S. Land Commissioners to ascertain and settle the Private Land Claims in the State of California Do hereby certify the foregoing to be a full, true and correct copy of the Deposition of José de la Rosa as taken in case n<sup>o</sup> 500 on the Docket of this board and on file among the Archives in my care and custody as such Secretary.

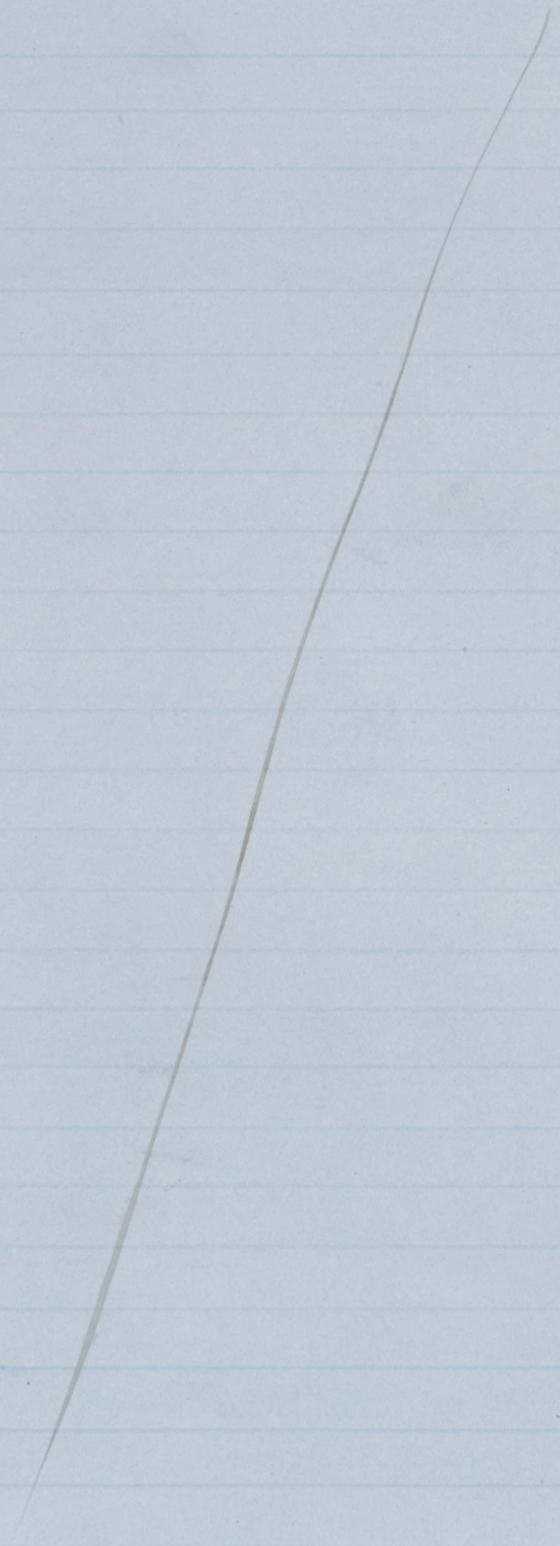
Witness my hand this 7<sup>th</sup> day of October A.D. 1854.

Geo. Fisher. Secy.

Filed in office. Oct. 7. 1854.

Geo. Fisher. Secy.

8



19

L. S. de L

249 ND  
PAGE 9

1839.

Expediente promovido por Don Sal-  
vador Vallejo en pretension del  
paraje nombrado de Xapa.

200.

11

L2. S. D. K. 1

Sonoma. Jun<sup>o</sup>. 2 de 1837.  
 Se concede al interesado  
 en esta instancia el terreno  
 que solicita p<sup>a</sup> ser Valerio  
 y no reconoce propiedad  
 particular conforme las lin-  
 -deas que se demarcan, p<sup>u</sup>d  
 -siendo formalizar sus doc-  
 -umentos ante el Gobierno  
 Político, emprendiendo cuando  
 le convenga cualquiera  
 clase de cultivo. L. de.  
 Vallejo.

Sr. Comand<sup>te</sup> de la Frontera.  
 Salvador Vallejo vecino con  
 residencia en esta frontera  
 ante V. en la mejor forma  
 que sus derechos convenga  
 exponer: que siendo poseedor  
 de un numero considerable  
 de ganado vacuno y caballo  
 tener todo lo que pueda  
 conducir al perfecto cultivo  
 de un terreno productivo  
 y careciendo del p<sup>r</sup>. el  
 objeto indicado, solicito

249 ND  
 PAGE 10

que V. se sirva concederme, interin solicito del Gobierno  
 el titulo de propiedad, el enciolo con el nombre de  
 Xapa colindante con el del C. Nicolas G<sup>o</sup> (al sur) y  
 con el C. Jorge Gont (al norte) cuyo terreno es baldio  
 aunque antes de ahora los indigenos de ese rumbo  
 tubieron el ganado que se les dio, al secularizarse esta en-  
 -terada a V. mismo se cuenta que todo el ganado lo  
 mataron, corriendo igualmente suerte el lanar y  
 caballo p<sup>r</sup> lo cual causa los recursos. V. mismo a comun-  
 -idad. Por estas causas y las que he referido arriba  
 A. V. suplico se sirva atender mi solicitud y decretar  
 en mi favor si lo hagase justo.

L3. S. D. K. 1

Sonoma. Mayo 10 de 1837.

Salvador Vallejo.

Sr. Com. Sor.

L4. S. D. K. 1

La comision de terrenos baldios se ha dispuesto de com-  
 -misionante del Especifico promovido por el C<sup>o</sup> Salvador  
 Vallejo y no ha encontrado en el, noticia alguna que  
 pueda iluminar la en la aclaracion de la extension  
 de que se compone el parage de Xapa que el Gobierno  
 concedio a Mo. Sr. Vallejo, pues aun que es de suponerse  
 que el maximum no excederia de las once citias asignadas  
 a cada colono por el reglamento de 21 de Noviembre  
 de 1828 con todo como la Comision en fuerza del conve-  
 -niente que tiene adquirido en este punto sabe que  
 por la general, los solicitantes de terrenos baldios muy  
 raras veces piden el maximum concebible, y como ni  
 en la instancia del solicitante, ni el dibujo q. aparece  
 del tal parage, ni el decreto de concesion, aparece  
 la extension del terreno concedido, la comision cree  
 como la medida mas prudente que para venir

concedido por el Gobierno al Sr. Vallejo (una media...



2. 11 [G.S.D.K.] venir en conocimiento. de la estension de tierras con-  
cedidas por el Gobierno al Sr. Vallejo (unico medio  
que la Comision cree conducente para que la Istua  
Asamblea emita con pleno conocimiento su aprobacion)  
se soliciten los documentos que comprueben la estension  
del terreno de Napa: en consecuencia la comision  
somete a la deliberacion de V.E. la proposicion siguiente.

249 ND  
PAGE 11

Mientras tanto el interesado no remita copia  
fehaciente del titulo de concesion del parage de  
Napa y un plano correcto con su correspondiente  
escuela se suspena la aprobacion hecha en su  
favor por el Gobierno.

Sala de Comisiones. Angeles.

Octubre 7 de 1845.

Francisco de la Guerra. Narciso Botello.

Angeles. Octubre 8 de 1845. En sesion de hoy  
se aprobó por la Istua Asamblea Departamental  
la proposicion del dictamen antecedente mandando  
se devuelva el expediente al E. S. Gobernador para los  
fines convenientes.

Piv. Pres. Presidente. Agustin Olvera. Sng.

[G.S.D.K.] Se comunicó por la Secretaria de Gobierno a la parte  
de Dn Salvador Vallejo la ultima disposicion de la  
Asamblea.

Here follows the plat marked (G.S.D.K.)  
Sr. Gobernador.

Salvador Vallejo vecino de esta frontera ante V. E.  
en debida forma espone: que habiendolo solicitado  
del Sr. Comandante de estos puntos el parage de Napa  
comprendido desde el arroyo de este nombre que divide  
al Ciudadano Nicolas Higuera de alguna parte del  
terreno que tiene al mismo nombre de Napa hacia  
el Sur y al Norte con el Ciudadano Jorge Yount por  
establecer sus bienes, rpires y servidumbres se fue concedido  
provisionalmente en los terrenos que expresa el documento  
No 1.º q. debidamente acompaño, asi como el dictamen  
que indica su estension. . . . P. A. N. V. E. Suplica

se sirva estender el titulo de propiedad en los  
terrenos de estilo en yendo la presente en papel  
del sello correspondiente por no haberlo en este lugar

Louanna. Ibre. 28 de 1838.

Salvador Vallejo.

Monterrey. Enero 4º de 1839.

Vista la peticion con que dá principio

este Expediente la Proviencia que aparece al Margen

[7.5.84]

[8.5.84]

Here follows a map or plan.

249 ND  
PAGE 12

[9.5.84]

[10.5.84]

con fecha 2. de Junio de 1837 del comandante del a frontera de Sonora con todo lo demas que se tuvo presente y por convenio de conformidad con lo dispuesto por las leyes y reglamentos de la materia con especialidad con la ley de 18 de agosto de 1828 y reglamento de 21 de Noviembre de 1828 se declara a D<sup>o</sup> Salvador Vallejo dueño en propiedad del paraje conocido con el nombre de Napa, con la estension y linderos que demuestra el diseño que corre agregado a este Expediente con las condiciones que expresa el título librese el despacho correspondiente al interesado, tomare razon en el libro respectivo y reseñare este Expediente para la debida aprobacion de la Sexta Junta Departamental; asi el señor D<sup>o</sup> Juan B. Alvarado Gobernador del Departamento lo mandó, decretó y firmó de que doy fe. Alvarado.

Angeles. Octubre 3 de 1845.

Dada cuenta en Sesion de hoy con este Expediente a la S. A. D. se mandó pasar a la Comision de terrenos baldios.

Pio Pico.

Agustin Olvera.

Presidente.

Secretario.

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 former Spanish and Mexican Territory or Department of Upper California do hereby certify that the ten preceding and hereto annexed pages of tracing paper numbered from one to ten inclusive and each of which is verified by my initials (S.D.K.) exhibit

and forming part of the said archives in this office.

13

True and accurate copies of certain documents on file and forming 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. the twenty sixth day of January 1853.

Samuel D King Surveyor G. California.  
Endorsed.

c 8<sup>o</sup> 579. Johnson Howell. For 240 acres of land in Salvador Rancho. Napu County - "A" Copy original Grant.

Filed in office. February. 11<sup>th</sup> 1853.  
Geo. Fisher. Secy.

249 ND  
PAGE 13

577-

I George Fisher Secretary to the Board of the United States Land Commission for ascertaining and settling Private Land claims in the State of California Do hereby certify that the foregoing is a true and correct copy of a facsimile or Spanish document purporting to be an expediente authenticated by Samuel D King Esq<sup>re</sup> lately U. S. Land Surveyor General for the said State of California filed in case c<sup>o</sup> 579 on the docket of the said Board now in this Office.

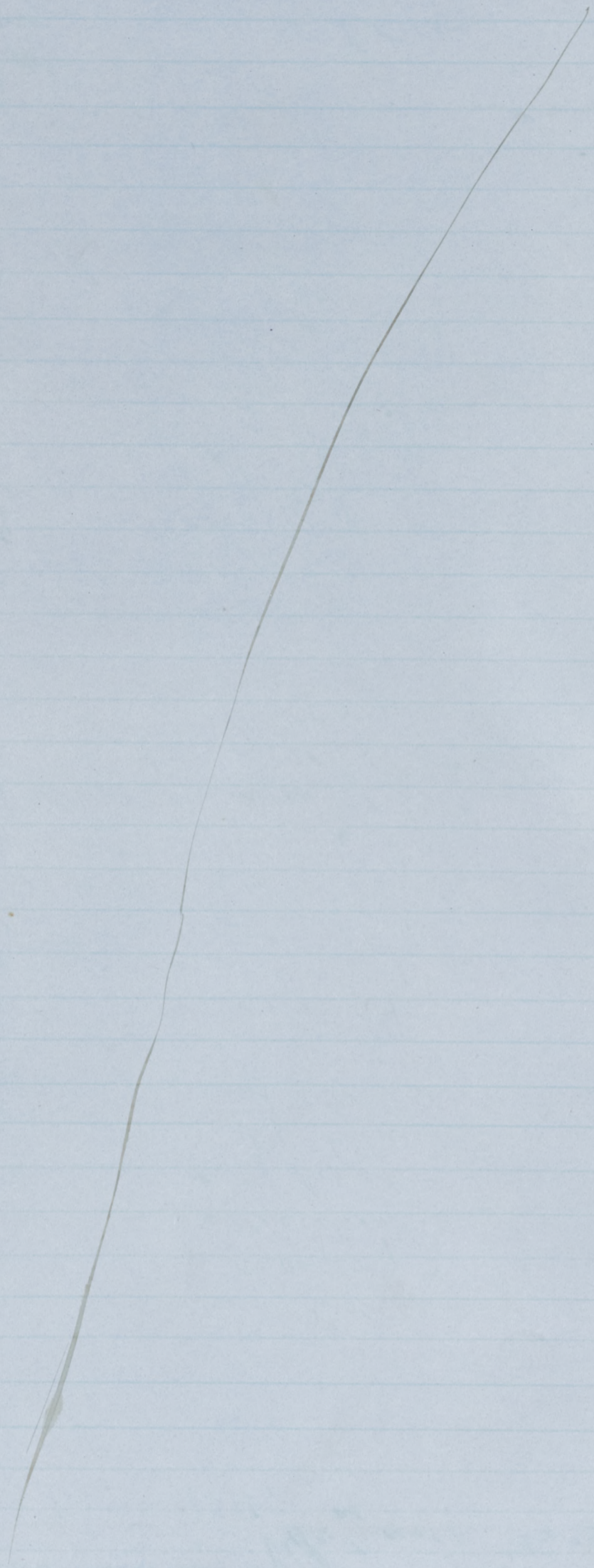
In testimony whereof I have hereunto subscribed my name, Office of the Secretary of said Commission San Francisco State of California aforesaid this 23<sup>rd</sup> day of October A.D. 1854.

Geo. Fisher. Secy.

Filed in office. October. 23<sup>rd</sup> 1854.

Geo. Fisher. Secy.

14



15<sup>th</sup> Translation of  
Expediente

1839

Expediente instituted by Don Salvador  
"Vallejo in Solicitation of the place named  
"Napa"

200.

Senor Commandant of the Frontier  
Salvador Vallejo a  
resident citizen in this Frontier appears  
before you and in the best form of laws  
represents:

That being the owner of a  
considerable number of Cattle and horses and  
possessing everything necessary for the perfect  
cultivation of a productive tract of land  
and being in need of such for said purpose  
he prays you to grant him, meanwhile his  
petition the Government the title of Ownership  
that known by the name of "Napa" bounded  
On the South by Ignacio Niquera, and on  
the North by Citizen Jorge Ybanez which land  
is vacant; and although the Indians in  
that direction formally kept (threw) the cattle  
which were given to them upon the Decree  
of this Ex Mission, it is known to you  
and that they killed all the cattle, sheep  
and horses; from this cause the reasons

you to the Community. In these and the  
above going reasons he prays you to take under  
consideration his petition and decree in  
his favor of you should deem it best

Sonoma May 1<sup>st</sup> 1837

Salvador Vallejo

(Marginal decree)

Sonoma June 2<sup>o</sup> 1837

There is hereby granted to the party interested  
in this instance the land that he solicited  
(it being vacant and not recognized as  
private property) in conformity with the laws  
and laws that he states. He can formalize  
his documents before the Political Government  
whenever he shall think fit to cultivate it  
Vallejo

249 ND  
PAGE 14

16

Most Excellent Sir

249 ND  
PAGE 15

The Commission of Vacancies have been detained in examining the Expediente sought for by the Catezo Salo and Vallejo and they have not met in it any advice where by they might be enlightened of the extent of the "paraje de Napa" that the Government granted to the said Mr. Vallejo though it might be supposed that the Maximum would not exceed the "One Saca de ganado Mayor" assigned to each Colony by the Regulation of 31<sup>st</sup> November 1828 in that the Commission is aware from the knowledge that it has acquired in this respect, they know that petitioners for Vacancies very seldom ask for the quantity that can be granted, and wish for neither neither in the petition of the petitioner, nor in the plan of said "paraje" nor in the decree of Conception does the extent of the land granted appear.

It appears to the Commission as a measure most prudent that the extent of the land granted be made known to the Government by Mr. Vallejo (it being the only means this Commission believes whereby the Most Excellent Assembly would give its approbation) The documents call for the deliberation of Your Excellency the following proposition.

Until the party interested sends a correct copy of the title of Concession of the "paraje de Napa" and an exact plan with its corresponding seals the approbation in this favor made by the Government is hereby despatched

Commissions Seal

Angeles October 7. 1845

(Signed) Fran<sup>co</sup> de los Rios  
 ( " ) Narciso Botello

the Most Excellent Departmental Assembly

17  
Angeles Oct. 8. 1845

At a Session of this day  
the Most Excellent Departmental Assembly  
approved the proposition being the follow-  
ing opinion, and Commanded that the  
Expediente should be returned to the Most  
Excellent Governor for his purposes  
(Signed) Pio Pico President  
(Signed) Gregorio Olvera  
Secretary

249 ND  
PAGE 16

The Secretary of the Government Communicated  
to Don. Salvador Vallejo the final disposition  
of the Assembly

Don Governor  
Salvador Vallejo a resident  
of this Jurisdiction and Frontier Comes before  
Your Excellency in due form and States:  
That having solicited of the Commandant  
of these points the "punto de Napa" Com-  
prise from the creek of this name, that  
divides it from the land of the citizen  
Nicolás Herrera (who owns a part of  
the land called "Napa") towards the South  
and by the North with that of the citizen  
George Young he requested to establish upon  
it his property both movable and  
immovable -

It was granted to him provis-  
ionally in the terms expressed in the Docum-  
ent No. 1 duly seen paying this as also  
the map that points out its extension

Wherefore I supplicate that your  
Excellency will attend to me the title of  
Ownership in the usual form - This is  
not done upon stamped paper there being  
none that corresponds in this place

Sonoma Feb 28. 1838

(Signed) Salvador Vallejo

Montrey January 1 1839

Having seen the  
petition at the beginning of this "Expediente"  
the Certificate that appears at the margin

18

Decree June 3<sup>rd</sup> 1837 of the Commandant of  
 the Frontier of Sonoma and all other neces-  
 sary requisites according to the provisions of the  
 Law of August 18. 1824 and the regulation  
 of November 21. 1828 I hereby declare Don.  
 Salvador Vallejo sole proprietor of the place  
 called by the name of Napa with the  
 extension and boundaries set forth in the plan  
 annexed to this Expediente and with the  
 Conventions Expense paid in the title. I am  
 the corresponding despatch to the party  
 interested - See be recorded in the  
 respective Register & Reserve this Expediente  
 for the due appropriation of the Most Excel-  
 lent Departmental Assembly. Thus I am  
 Don Juan B Alvarado Governor of the  
 Departmental Assembly Commandant decreed  
 and signed - To which I give faith  
 (Signed) Alvarado

249 ND  
 PAGE 17

Angeles Oct 3. 1845  
 Informed of at a session  
 of this day of this despatch to the Most  
 Excellent Departmental Assembly and it  
 ordered that he should be laid before  
 the Commission upon vacant lands  
 (Signed) Pio Pico President  
 (Signed) Augustin Obena Secretary

I hereby certify the foregoing to be a true  
 and correct translation of a Spanish  
 document in Case No. 277 now on file  
 in this Office - Witness my official  
 Signature  
 This 23<sup>rd</sup> day of October A.D. 1854  
 Geo. Fisher Secy

Filed in Office October 23<sup>rd</sup> 1854  
 Geo. Fisher Secy

Eighteen hundred and fifty seven Salvador Vallejo



19

249 ND  
PAGE 18  
A.

copy conveyance.

This Indenture made the seventh day of March A. D. Eighteen hundred and Fifty between Salvador Vallejo of the town of Sonoma Cal. and Ma. Lu Carrillo his wife of the first part and Benjamin McCombes of Napa City Cal. of the second part Witnesseth. that the parties of the first part for and in consideration of the sum of Four hundred dollars to them in hand paid by the said McCombe the receipt whereof is hereby acknowledged, have granted bargained sold and conveyed and by these presents do grant, bargain sell and convey unto the said Mc. Combe his heirs and assigns, a certain piece of land in Pueblo Salvador, Napa Valley, Cal. and known on the Map of said Pueblo as copied in the Record Book "D" page 132 in the Office of William M. Fuller, Alcalde of Sonoma as lot number five (5) containing forty acres (±) more or less together with all the privileges and appurtenances to said land in any wise appertaining and belonging to the same.

To have and to hold the above granted premises unto the said McCombs, his heirs and assigns for and to his and their use and behoof forever and the parties of the first part for themselves their heirs, executors and administrators do covenant with the said McCombs his heirs and assigns. To warrant and defend the same forever against the lawful claims or demands of all persons. In testimony whereof the parties of the first part have hereunto set their hands and seals the day and date first above mentioned

Signed sealed and delivered in presence of  
 Salvador Vallejo  
 Ma de la Luz Carrillo.  
 George Kane.

Secretary of California }  
 District of Sonoma. }  
 March 8<sup>th</sup> 1850.  
 I have examined the above named Salvador Vallejo who acknowledged the foregoing to be his true act and deed and the said wife being separately examined acknowledged that she executed said deed of her own act and free will.  
 before me. Wm. M. Fuller. Alcalde.

Recorded August 3<sup>d</sup> 1850 at 10. Minutes part 8. 16.  
 State of California }  
 County of Napa. }  
 County of Napa, State of California do hereby certify that the foregoing is a true and correct copy of the Record of a deed from Salvador Vallejo and

20

and made la sus Corvillo his wife to Benjamin Mc  
Combs as Recorded in Book A. page 73 in the Records  
of said Napa County.

Witness my hand and official Seal at  
Napa City this 26<sup>th</sup> day of January A.D. 1853.  
John H. Seawell. Recorder.

249 ND  
PAGE 19

Filed in office. Feby. 11<sup>th</sup> 1853.

Geo. Fisher. Secy.

Valley and Maria sus Corvillo Valley of the

L. 249 ND

PAGE B

20

Copy of conveyance.

Know all men by these presents that we Salvador Vallejo and Maria Luz Carrillo Vallejo of the County of Napa and State of California in consideration of the Sum of Eight thousand dollars to me in hand paid by Josiah Howell of the County and State aforesaid, the receipt whereof we do hereby acknowledged have granted bargained and sold and conveyed and by these presents do grant, bargain and sell and convey unto the same Josiah Howell his heirs and assigns all the foregoing described Real Estate, being situate in Napa County and State of California to wit: Commencing at a point in the Northern line of the Pueblo de Salvador where the Eastern line of S. H. Mite touches the Pueblo line, thence running with Streets line North  $32^{\circ} 06'$  West 68 chains and 5 links to a Stake, thence North  $55^{\circ} 19'$  East 105 chains and fifty links to a Stake on the Bank of Napa River. thence following the meanders of said River to a point where the West line of Eugenia Benegas land touches said River. thence along said line of Benegas South twenty six chains and ninety five links to a Stake thence South  $58^{\circ} 30'$  West twenty five chains and eighty links to an oak tree scotched on four sides. thence South  $12^{\circ} 0'$  East to a Stake on the line of the Pueblo de Salvador thence following said line South  $87^{\circ} 30'$  West forty six chains and sixty links to the place of beginning.

To have and to hold the above granted premises with the appurtenances thereto belonging or in any way appertaining unto the said Johana Howell his heirs and assigns to his heirs their only proper use benefit and behoof forever and we the said Salvador Vallejo and Maria de Luz Carrillo Vallejo for ourselves our heirs, executors and administrators and also even and with the said Johana Howell his heirs and assigns that at and the emending and delivery of these presents we well signed of the aforesaid premises and as of a good and indefeasible estate in fee simple and have good right to bargain and sell the same in manner and form aforesaid and that the same is free from all encumbrances whatsoever. And further we do by these presents bind ourselves our heirs, executors and administrators to warrant and defend the above granted premises to the same Johana Howell his heirs and assigns against all claims and demands

Whiteren - In witness whereof we have hereunto set  
our hands and seals this 19<sup>th</sup> day of January A.D. 1852.  
Witness. F. D. Bailey. Salvador Vallesjo.  
State of California. { No<sup>a</sup> Luz Carrillo.  
Napa County. { Personally appeared before the  
Undersigned Notary Public, Salvador Vallesjo and Maria  
de Luz Carrillo Vallesjo known to me to be the persons  
who executed the within deed of conveyance and acknow-  
ledged that they executed the same for the uses and  
purposes therein expressed and contained that the said  
Maria Luz Carrillo Vallesjo being by me examined  
separate and apart from and without the hearing  
of her said husband & the contents and purports  
of said deed being first made known & explained to  
her. She declared that she signed the same of her own  
free will and accord without fear or compulsion  
on the part of her said husband. In testimony  
whereof I have this twenty first day of January A.D.  
1852 set my hand and private seal having contained  
Seal. Sol<sup>o</sup>. M<sup>o</sup> Farrey. Notary Public.

249 ND  
PAGE 21

Filed for record Jan 22. 1852. at 10<sup>1/2</sup> o'clock A.M.

State of California. { J. John H. Seawell Recorder  
County of Napa St. { in and for the County of Napa  
and State of California hereby certify that the foregoing  
is a full, true and accurate copy of a deed from  
Salvador Vallesjo & wife to Johana Howell as rec-  
orded in book "B" pages 117 & 118. in the archives  
of said Napa County.  
Witness my hand and Official Seal at Office  
Napa City this 10<sup>th</sup> day of January A.D. 1852.  
John H Seawell. Recorder  
By C. S. Coffinbury Depy Recorder.

The within copy of a deed is admitted in evidence in proof  
of the matter therein set out with the same effect  
as though the original were duly proved and filed.  
J. H. McHune.  
U.S. Law Agent.  
Filed in office. Feby. 11. 1853.  
Geo. Fisher. Levy.

in consideration of the sum of one thousand Dollars  
to me in hand paid by Maria Luz Carrillo Vallesjo of the

249 ND  
PAGE 22

C.  
Copy Courageance.

Know all men by these presents that I Johnson  
 Howell of the County of Napa and State of California  
 in consideration of the sum of one thousand Dollars  
 to me in hand paid by Benjamin Mc Combs of the  
 County and State aforesaid the receipt whereof I do  
 hereby acknowledge have granted, bargained and sell  
 by these presents do grant bargain, sell and convey  
 unto the said A. Benjamin Mc Combs to his heirs  
 and assigns all the foregoing described real estate  
 (to wit) Commencing at a point on Stats North Eastern  
 line, where the North Eastern line of John Blakes  
 land touches said line and running on Stats North  
 - eastern line North 32° 06. West only thirty six (36)  
 chains and thirteen (13) links (thence North 55° 19'  
 East twenty seven (27) chains and twenty six (26)  
 links. thence South 32° 06 East thirty seven chains  
 thirty six (36) links to John Blakes line. thence South  
 57° 52' west twenty seven (chains) and twenty three  
 links to the place of beginning: Containing One hundred  
 acres of land being situate in the County of Napa and  
 State of California. to have and to hold the said  
 real estate hereby sold and conveyed unto the said  
 Benjamin Mc Combs his heirs and assigns forever and  
 I the said Johnson Howell do hereby covenant and  
 agree with the said Benjamin Mc Combs his heirs  
 and assigns that I will warrant and defend the  
 same against the lawful demands of all persons  
 claiming title to the same. through or by me my  
 heirs or assigns. In testimony whereof I have hereunto  
 set my hand and seal this 20th day of January  
 A.D. 1853. Signed sealed and delivered in  
 presence of James G. Howell. C. S. Coffinburry. =  
 John Howell. =

State of California } On this 21<sup>th</sup> day of January  
 } County of Napa. } A.D. 1853 personally appeared  
 before me County Recorder in and for said County  
 Johnson Howell known to me to be the person who  
 executed the same freely and voluntarily and for  
 the uses and purposes therein mentioned.  
 Witness my hand and official seal at Sapa  
 City the day and year above written.  
 Jno. H. Sewell Recorder.  
 By C. S. Coffinburry Dpy Recorder.

24

(Enclosure) Received for record. Yang. 24<sup>th</sup> 1853. at 3 o'clock P.M.

State of California. I John H. Sewell County Recorder  
County of Napa. N. in and for the County of Napa  
and State of California hereby certify that the foregoing  
is a full true and correct copy of a deed and the endorse-  
ment thereon from Johnson Howell to Benjamin  
Mc Combs received in my office for record on the 24<sup>th</sup>  
day of January 1853 at 3 o'clock P.M. and now on file.

249 ND  
PAGE 23

Witness my hand & official seal this 24<sup>th</sup> day of Yang  
1853.

John H. Sewell. Recorder.

Wm C. Coffinbury. Deputy Recorder.

Filed in Office. Feby. 11. 1853.

Geo. Fisher. Sy.

...eration of the sum of one thousand dollars to me

249 ND  
PAGE 24

Johnson Howell  
to  
Benjamin Mc Combs.  
Copy of Decd.

Know all men by these presents that I Johnson Howell of the County of Napa and State of California in consideration of the sum of one thousand dollars to me in hand paid by Benjamin Mc Combs of the County and State aforesaid, the receipt whereof I do hereby acknowledge, have granted bargained and sold and by these presents do grant bargain sell and convey unto the said Benjamin Mc Combs his heirs and assigns all the following described real estate (to wit) Commencing at a point on Mats North Eastern line where the North Western line of John Blakes land touches said line, and running on Mats North East North 33° 06' West thirty six chains and thirteen links (13) thence North 51° 19' East twenty seven chains (27) and twenty six links (26) thence South 30° 06' East, thirty seven, chains (37) thirty six links (36) to John Blakes line, thence South 57° 24' West twenty seven chains (27) and twenty three links (23) to the place of beginning, containing one hundred acres of land, being Situate in the County of Napa and State of California. To have and to hold the said real estate hereby sold and conveyed unto the said Benjamin Mc Combs his heirs and assigns forever and I the said Johnson Howell do hereby covenant and agree with the said Benjamin Mc Combs his heirs and assigns that I will and warrant the same against the lawful demands of all persons, claiming title to the same through or by me my heirs and assigns. In testimony whereof I have hereunto set my hand and seal this 24<sup>th</sup> day of January 1853. Signed sealed and delivered in presence of James H Howell.

E. S. Coffinbury. } Johnson Howell.

State of California } on this 24<sup>th</sup> day of January  
Napa County ss } A.D. 1853. Personally appeared  
before me County Recorder in and for said County  
Johnson Howell known to me to be the person  
described in and who executed the foregoing instrument  
to be acknowledged to me that he executed the same  
freely voluntarily and for the uses and purposes  
therein mentioned. Witness my hand  
and official seal at Napa City the day and  
year above written. Jno H. Sewell. Recorder

By C. S. Coffinberry. Dpy. Recorder.  
(Endorsement) Received for Record. Jan. 21<sup>th</sup>. 1853.  
at 3 o'clock. P.M.

249 ND  
PAGE 25

State of California } I John H. Sewell County  
County of Napa. S. } Recorder in and for the County  
of Napa and State of California, hereby certify that  
the foregoing endorsement thereon from Johnson Howell  
to Benjamin McCombs, received in my office for  
Record on the 21<sup>st</sup> day of January 1853 at 3 o'clock.  
P.M. and now on file for record.

Witness my hand and official seal this  
21<sup>st</sup> day of January A.D. 1853. J. H. Sewell.

Recorder. By C. S. Coffinberry.  
Dpy. Recorder.

(Seal)



1. 27

Deed.

Salvador Vallejo and wife to Benjamin Mc Combs  
Filed for Record July 30<sup>th</sup> at 3 o'clk. P. M.

249 ND  
PAGE 26

Salvador Vallejo  
de wife. To  
Benjamin Mc Combs.

This Indenture made this the seventh day of March  
A.D. Eighteen hundred and fifty between Salvador  
Vallejo of the town of Sonoma Cal. and Mrs. Sus Carrillo  
his wife of the first part and Benjamin Mc Combs of  
Napa City. Cal. of the second part witnesseth: That  
the parties of the first part for and in consideration  
of the sum of four hundred dollars to them paid by  
the said Mc Combs, the receipt whereof acknowledged  
have granted, bargained, sold and conveyed and  
by these presents do grant bargain sell and convey  
unto the said Mc Combs his heirs and assigns, a  
certain piece of land in Pueblo Salvador, Napa Valley  
Cal. and known on the Map of said Pueblo as copied  
in Record book D. page 132 in the office of William  
M. Fuller, alcalde of Sonoma as lot no. 5 (five)  
containing forty acres (two) more or less together with  
all the privileges and appurtenances to the said land  
in any wise appertaining and belonging to the same  
To have and to hold the above granted premises  
unto the said Mc Combs his heirs and assigns for and  
to his and their use and behoof forever and the parties  
of the first part for themselves, their heirs and executors  
and administrators do covenant with the said Mc Combs  
his heirs and assigns, to warrant and defend the same  
forever against the lawful claims or demands of all  
persons. In Testimony whereof the parties of the first  
part have hereunto set their hands and seals the  
day and date first above mentioned. Signed sealed  
and delivered in presence of.

Salvador Vallejo.

Mrs. Sus Carrillo.

George Peace.

Territory of California } March 8<sup>th</sup> 1850.  
District of Sonoma. }  
Then came the  
above named Salvador Vallejo who acknowledged  
the foregoing to be his true act and deed. And the  
said wife being separately examined acknowledged  
that she executed said deed of her own act and  
free will before me.

Wm. M. Fuller.  
alcalde

Recorded Aug<sup>t</sup> 3<sup>d</sup> 1850. at 10. Minutes past 8 o'clk.  
P.M.

249 ND  
PAGE 21

State of California } I John H. Seawell County Recorder  
County of Napa. } in and for the County of Napa  
and State of California do hereby certify that the  
foregoing is a full, true and correct copy of the Record  
of a Deed from Salvador Valijo and Ma de la Luz  
Carrillo his wife to Benjamin Mc. Combes as recorded  
in Book A. Page 93 in the Records of said Napa County.

Witness my hand and Official Seal  
at Napa City this 26<sup>th</sup> day of January A.D. 1853.  
John H. Seawell. Recorder.

Benjamin Mc Combes

4. 29

N<sup>o</sup> 544.

Board of Land Commissioners.

Benjamin M<sup>e</sup> Combs

vs.

The United States.

It is hereby agreed and stipulated that the deposition of Jose de la Rosa taken in case n<sup>o</sup> 500 may be deemed taken and read in evidence in this cause with the same force and effect as if the original was taken in this case by claimant fixing a copy of said deposition with the papers in this case.

249 ND  
PAGE 28  
Stipulation.

J. M. Kane.

Law Agent.

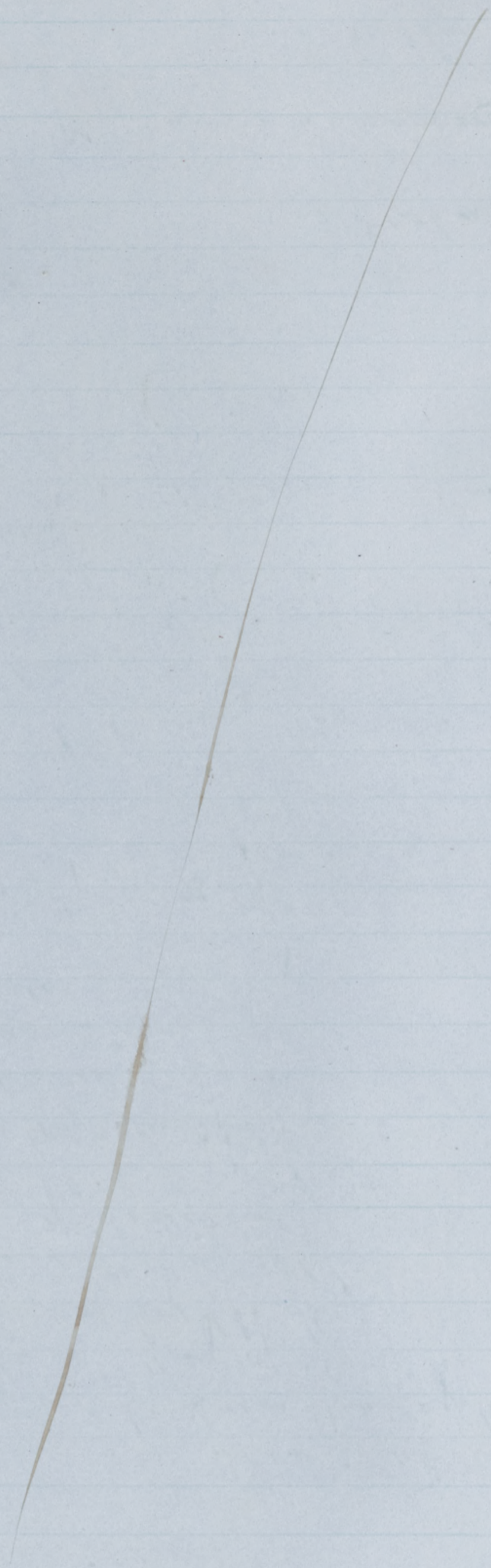
Johnson Howell. Atty for claimant.

Filed in office. Oct. 4. 1854.

Geo. Fisher. Secy.

Recorded in Journal Vol. 4. pages 58.

30



1881

31

Benjamin M Combes

vs  
The United States

For 140 acres of land  
part of the piece  
called Napa in Napa County

The land claimed is alleged to be a portion of  
the Rancho called Napa originally granted  
to Salvador Vallejo.

249 ND  
PAGE 29

Opinion

By written depositions  
filed in the Case certain Testimony and docu-  
ments filed in Cases No. 500 and 582 are  
made evidence herein. These establish the  
issue of the grant to David Vallejo by Governor  
Alvarado on the 31<sup>st</sup> day of December 1834,  
the approval thereof by the Departmental  
Assembly on the 23<sup>rd</sup> day of the same month  
and the giving of judicial possession of the  
premises on the 8<sup>th</sup> day of February 1844.

Proof also is made of the occupancy of  
the premises David granted and the celebra-  
tion of portions of the land in compliance  
with the conditions of his grant.

The claimant  
claims title to forty acres of the land described  
in his petition by Deed made to him by David  
Salvador Vallejo and wife on the 7<sup>th</sup> day  
of March 1850, and to the remaining one  
hundred acres by conveyance thereof from  
David Vallejo and wife to Johnson Howell  
dated January 19. 1852 and from David  
Howell to David M Combes on the 24<sup>th</sup>  
day of January 1853.

A decree of Confirmation  
will be entered.

Confirmed

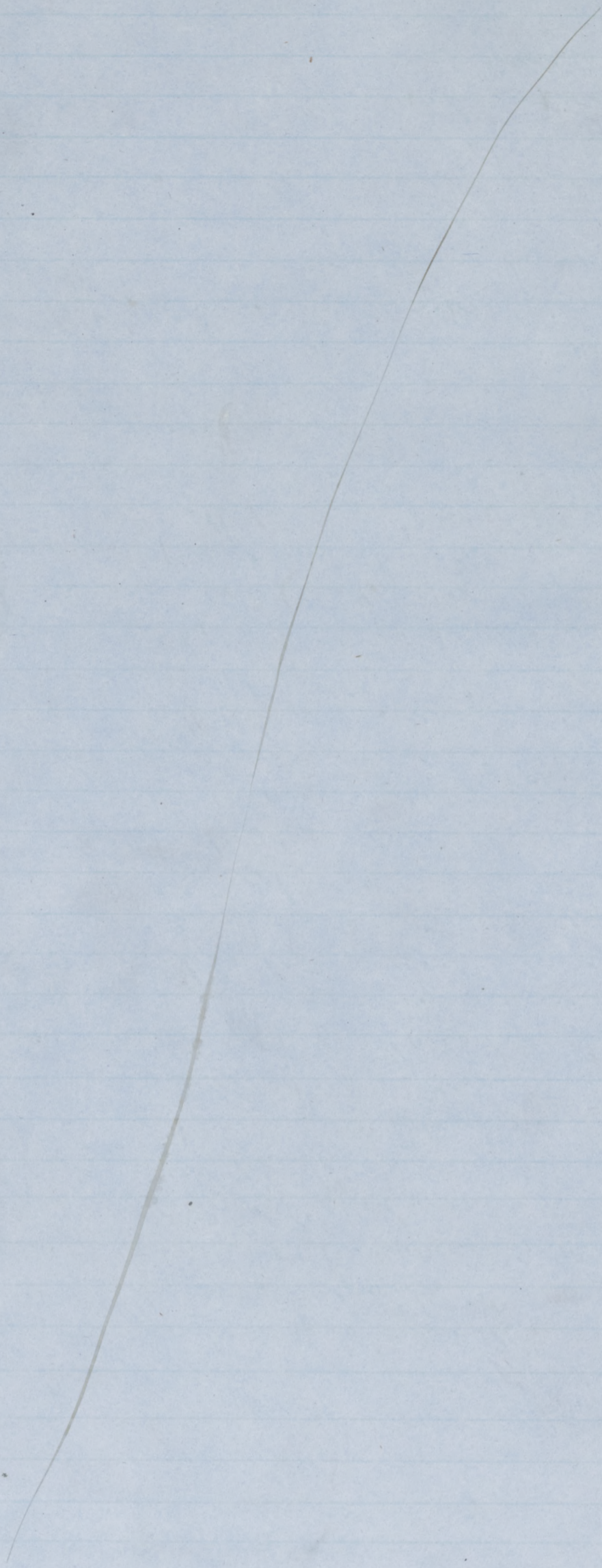
Filed in Office Dec. 26. 1854

Geo. Fisher Secy

Recorded in Record of Decisions Vol. 2  
page 439c

Geo. Fisher Secy

82



Benjamin McCombes  
 of the United States

Decree

1 - 249 ND  
 PAGE 30

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

The lands of which Confirmation is hereby made are a part of the place known by the name of Napa in Napa County which was granted to Salvador Vallejo which place is bounded and described as follows, to-wit, Commencing on the Arroyo of Napa at the boundary of Nicolas Medina, thence following a Southward direction to the lower part of the lower part of the Arroyo de los Carnas six thousand varas to a pile of stones; thence towards the North west along the Arroyo six thousand varas, to the upper road which goes to Napa; thence along the same Arroyo, North North West to the upper road which goes to the Rancho of Yocumth four thousand and six hundred varas; thence continuing on the same course to the boundary of said Yocumth by Estimation ten thousand varas; thence towards the North North East three thousand two hundred and fifty varas to the River Napa; thence down the same river course South east to the Arroyo of Napa fifteen thousand one hundred and seventy five varas; and thence following the same Arroyo Westwardly two thousand six hundred varas to the place of beginning containing four square leagues of land, agreeably to the grant to said Vallejo and the preceding measurements thereof.

That portion of the above described premises of which Confirmation is hereby made is described as follows, to-wit, a certain piece of Land in Pueblo Salvador Napa Valley Cal. and known on the map

of said Tracts as copied in Record book  
20 page 133. in the Office of William M  
Fuller Alcalde of Sonoma as Lot No. five  
(5) containing forty acres more or less,  
being the same land conveyed by Solomon  
Walleys and wife to Benjamin McCombs  
aforesaid by Deed dated March 7th  
A.D. 1830.

249 ND  
PAGE 31

Also One other portion of the above  
described premises, bounded and described  
as follows to wit, Commencing at a point  
on Stees North Eastern line, where the  
North Western line of John Blake's land  
touches said line, and running on Stees  
North Eastern line North 33° 6 West, that  
six (36) chains and thirteen links (13) thence  
North 55.19 East twenty seven chains (27)  
and twenty six links (26) thence South  
30° 06 East that seven (37) chains, that  
six links (36) to John Blake's line, thence  
South 57° 54 West twenty seven chains  
(27) twenty three links (23) to the place  
of beginning, containing one hundred acres  
or less, being the same land conveyed  
by John M. Howell to Benjamin McCombs  
by Deed dated January 14th. A.D. 1853

Alpheus Selch }  
R. Beech Thompson }  
S. B. Fairwell }  
Commissaries

Filed in Office Dec. 26, 1854  
Geo. Fisher Secy

Recorded in Record of decisions Vol. 2  
page 439  
Geo. Fisher Secy



4-249 ND  
PAGE 32

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



Office of the Board of Commissioners,

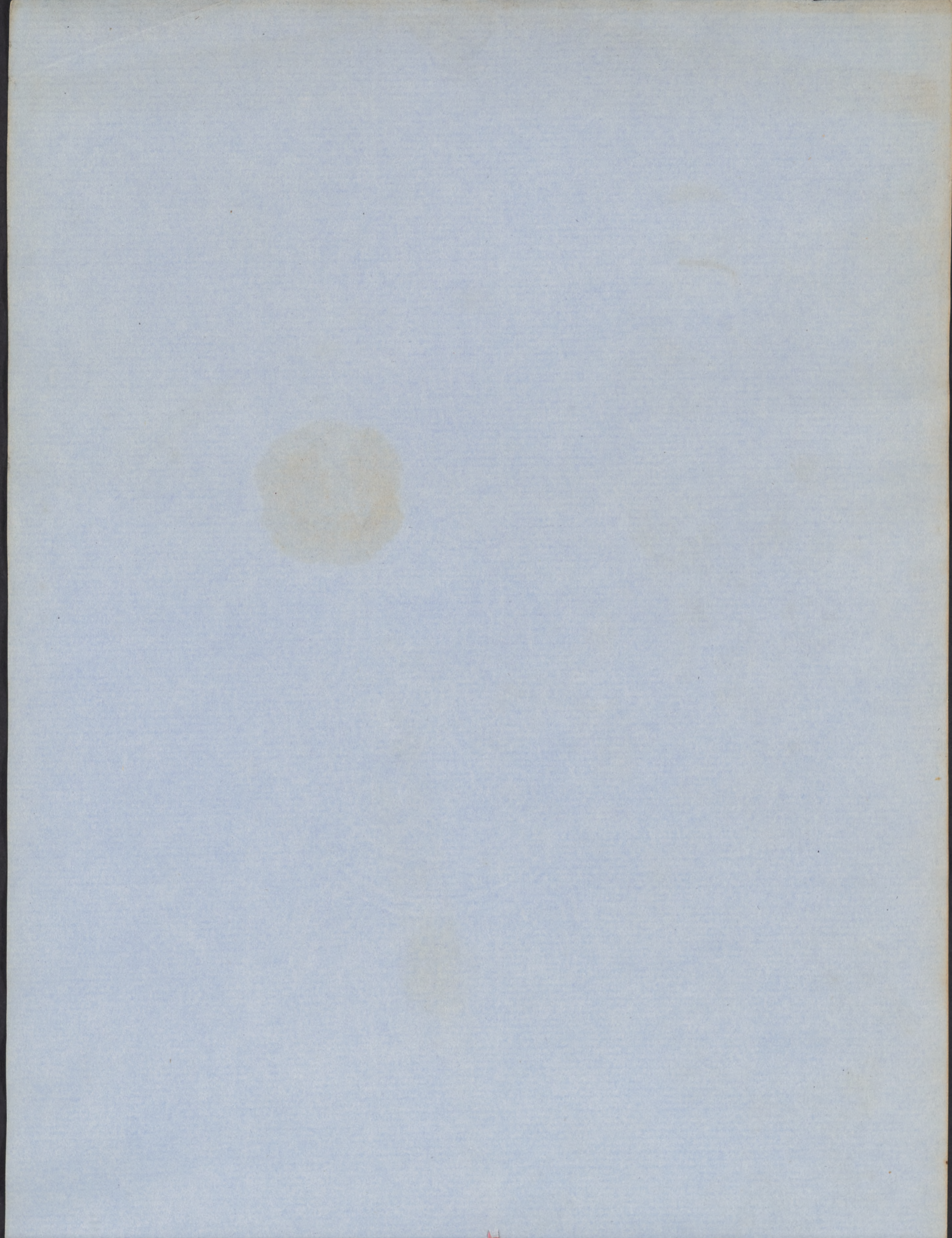
To ascertain and settle the Private Land Claims in the State of California.

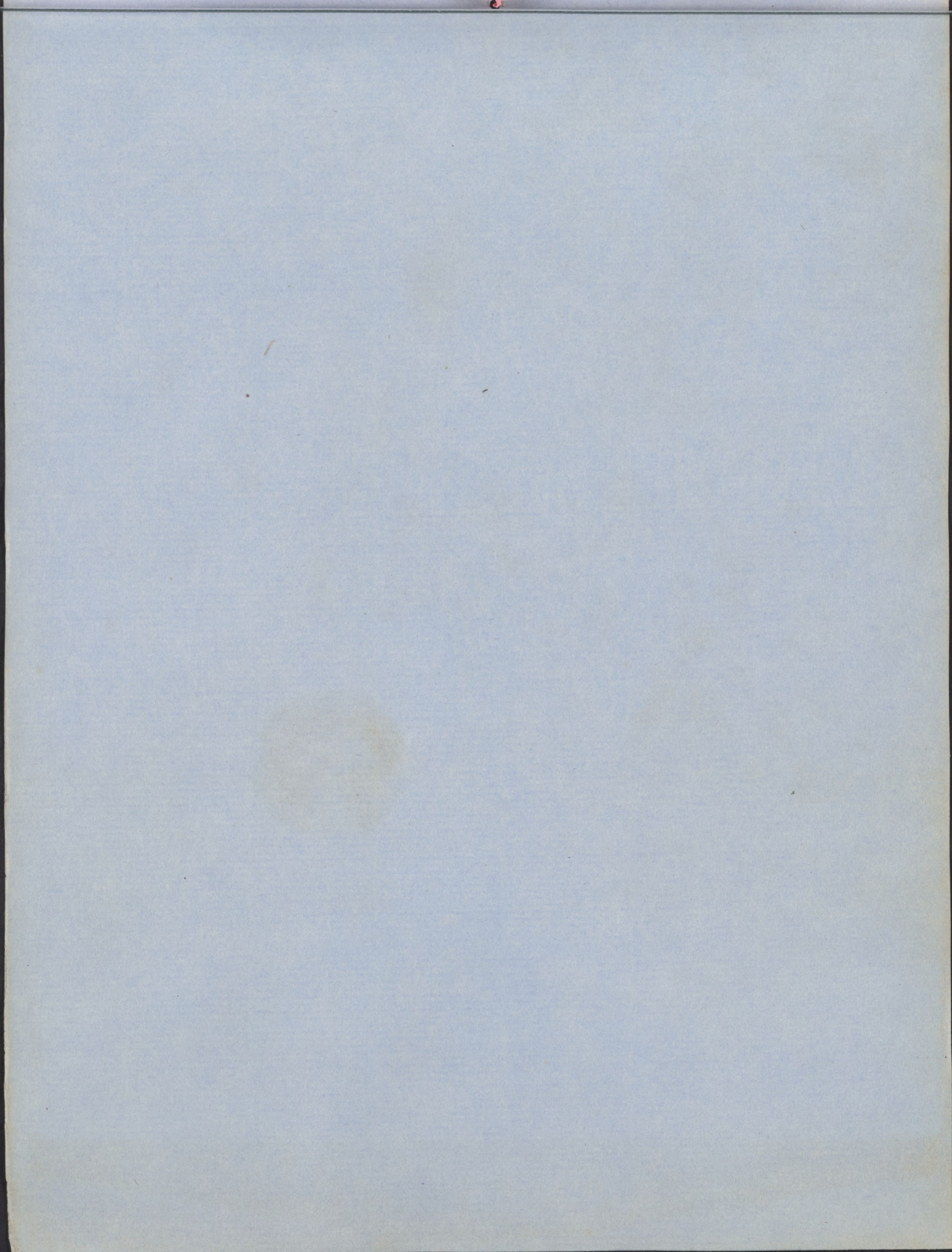
George Fisher — Secretary to  
 the Board of Commissioners to ascertain and settle the Private  
 Land Claims in the State of California, do hereby certify the  
 foregoing *Thirty five* — pages, numbered from  
 1 to 35, both inclusive, to contain a true, correct and full Tran-  
 scription of the Record 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. 57 on the Docket of the said Board,  
 wherein *Benjamin M. Combs is* —  
 the Claimant against the United States, for the place known by  
 the name of *Salvador's Rancho* —

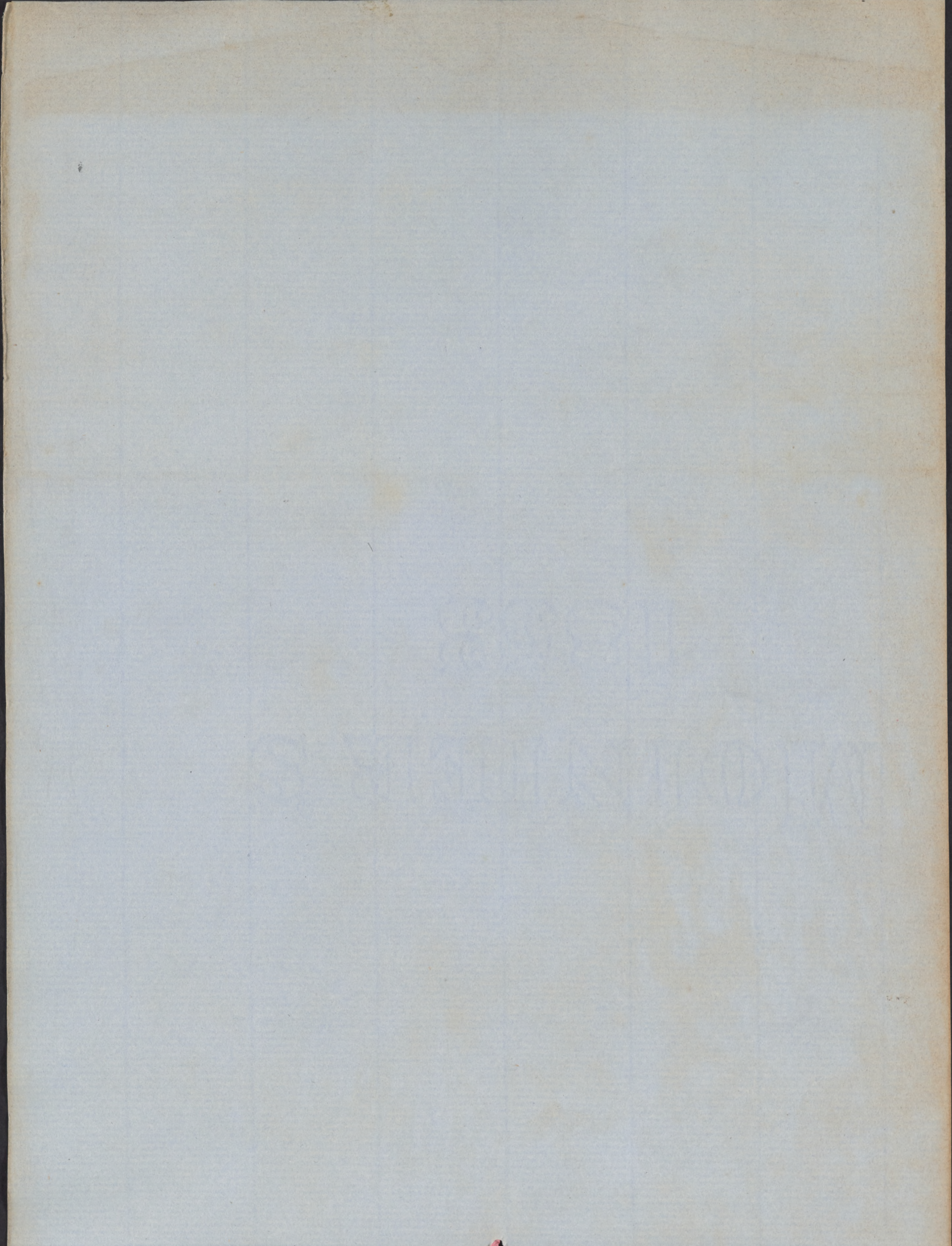


In Testimony Whereof, I hereunto set my hand  
 and affix my private Seal (not having a Seal  
 of Office) at San Francisco, California, this  
*Twenty first* — day of *July*  
 A. D. 1855, and of the Independence of the  
 United States of America the ~~seventy~~ *eightieth*.

Geo. Fisher







U. S. DISTRICT COURT,

*Northern* District of California.

No. *249* - **249**

THE UNITED STATES,

vs.

**ND**

*Benjamin McCombs.*

TRANSCRIPT OF THE RECORD

FROM THE

BOARD OF U. S. LAND COMMISSIONERS,

In Case No. *577*

Filed,

*July 21<sup>st</sup>* 1855

*J. A. Moore,*  
Clerk

*76-5118*





Office of the Attorney General of the United States,

Washington, 10. October, 1855.

577) "Part of Salvador's Ranches -"

Benjamin Mc Combs, Claimant.

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 14<sup>th</sup> day of August 1855, the appeal in the district court of the United States for the Northern district of California will be prosecuted by the United States.

Cushing

Attorney General.

No. 249,

W. S. District Court  
Northern Dist. of Cal<sup>a</sup>,

United States  
vs  
Benj. M. Coombs,

Notice of Appeal in  
Case no. 597,

Filed Nov: 22, 1855,  
J. Chivers  
Deputy.

249 ND  
PAGE 35

To the Honorable District Court of the  
U. S. in and for the Northern District  
of California.

249 ND  
PAGE 36

The United States }  
v } No 249.  
Benj. W. Coombs }

The petition of the United States by their Attorney represents that this cause is an application for a review of the decision of the United States Land Commission, whereby the claim of the appellee was confirmed, as appears by reference to the records in the case. That a transcript of the said Records was filed in this Court on the 21<sup>st</sup> day of July 1855: that a notice of appeal was filed on the 22<sup>d</sup> day of November 1855, and that the land claimed lies in said District, That the said claim is invalid.

Wherefore appellants pray that the said decision of the Land Commission be reversed and that this Court decree the said title invalid

San Francisco, Feb 10. 1857

Wm Blanding  
Dist Atty

249

U. S. District Court

The United States

v  
Benj McCombs

---

Petition

---

Filed Feby 10. 1857,  
W. G. Chivers,  
Deputy.

F 249 ND  
PAGE 37

---

Wm Blanding  
W. S. Atty.

At a Stated Term of the  
District Court of the United States  
for the District of California, held  
at the Court Rooms of said Court in  
the City of San Francisco on the 21<sup>st</sup>  
day of ~~December~~ <sup>January</sup> A. D. ~~1879~~ 1880

Present Hon. Ogden Hoffman - Judge

The United States } No. 249-  
vs } Decree of Confirmation  
Benjamin Mc Combs } Part of Mapa

It appearing to the Court  
upon inspecting the minutes and entries in  
the Register of the Clerk on the 23<sup>rd</sup> day of  
February - A. D. 1857, that an order was made  
by the Court affirming the decree of the Board  
of Land Commissioners made in the above  
cause and confirming to the claimant therein  
the lands set forth and described in said  
decree. It further appearing that said order  
of confirmation was made on an appeal duly  
taken from the decision of the said Board of  
Land Commissioners and was made with  
the consent of the District Attorney in open

court: and it further appearing to the court that by neglect or omission of the claimant's Attorney, no formal decree of confirmation was presented to the court for signature, and that no such decree has been signed by the Judge or filed of record, and it being suggested to the court by Philip Seare Esquire, United States Attorney, that the Surveyor General has informed him that it was necessary for the prosecution of public Surveys, that a decree in the said cause, describing and defining the boundaries of the land so confirmed as aforesaid, should be entered, and it further appearing to the court, from statements of the District Attorney that no objection exists to the entry of the decree of confirmation of the said lands of claimant, hunc pro hunc, as of the day when said order of confirmation was made as shown by the entry in the minutes and in the Register of the clerk.

Now therefore on the motion of Philip Seare, District Attorney, it is ordered that a decree of confirmation in said cause, be entered, hunc pro hunc, as of said day.

Wherefore in consideration of

the premises, it is hereby ordered adjudged and decreed that the said decree is hereby affirmed, and it is further ordered adjudged and decreed, that the claim of the said appellee is a good and valid claim and the same is hereby confirmed

The lands of which confirmation is hereby made are a part of the place know by the name of Napa in Napa County, which was granted to Salvador Vallijo, which place is bounded and described as follows, to wit:

Commencing on the Arroyo of Napa at the boundary of Nicolas Figuera thence following a southerly direction to the lower part of the Arroyo de los Carneros six thousand varas to a pile of stones, thence toward the North West along the Arroyo, six thousand varas to the upper road which goes to Napa, thence along the same Arroyo North North West, to the upper road which goes to the Rancho of Smith - four thousand and six hundred varas thence continuing on the same course to the boundary of said Smith by estimation, ten thousand varas, thence toward the North North East, three

249 ND  
PAGE 41  
thousand two hundred and fifty varas to the river Napa, thence down the same river course South East to the arroyo of Napa, fifteen thousand one hundred and seventy five varas and thence following the same Arroyo, westwardly two thousand six hundred varas to the place of beginning, containing four square leagues of land, agreeable to the grant to said Vallijo and the Juridical Measurement thereof.

That portion of the above described premises of which confirmation is hereby made is described as follows to wit: a certain piece of land in the Pueblo of Salvador, Napa Valley, Cal. and known on the map of said Pueblo as copied in the Record book D. page 132 in the office of Wm. M. Fuller Alcalde of Sonoma, as lot No. 5, containing 40 acres, more or less, being the same land conveyed by Salvador Vallijo and wife to Benjamin M<sup>c</sup> Coombs aforesaid, by deed dated March 7<sup>th</sup> A.D. 1850, also one other portion of above described premises, bounded and described as follows, to wit: commencing at a point on ~~Steele's~~ North Eastern line when the



North Western line of John Blakes  
land touches said line and running  
on Steele's, North East line North  $32^{\circ}$   
 $06'$  West 36 chains and 13 links, thence  
North  $55^{\circ} 19'$  East, 27 chains and 26  
links, thence South  $32^{\circ} 06'$  East 37 chains  
36 links to John Blakes line, thence  
South  $57^{\circ} 54'$  West, 27 chains 23 links  
to the place of beginning, containing  
100 acres of land, being the same land  
conveyed by Johnson Horrell to Ben-  
jamin M<sup>c</sup> Coombs, by deed dated Jan-  
uary 24<sup>th</sup> A.D. 1853.

Edwin Hoffman  
Dist. Judge

Steele in head sheet

No 249

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

The United States

vs.

Benjamin M Coombs

249 ND  
PAGE 43

Decree of Confirmation

Filed January 21st AD 1880  
as of February 23rd AD 1857  
nunc pro tunc.

Southard Hoffmann Clerk  
By W. Grimwood  
Deputy Clerk

Recorded in Bk 2 Judgment  
Recus at p. 274

Lodged in Clerk Office U.S.  
District Court, District of  
California January 6<sup>th</sup> 1880  
Southard Hoffmann Clerk  
By W. Grimwood  
Deputy Clerk

249 ND  
PAGE 44

Office of the Board of Commissioners,

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

San Francisco, July 21<sup>st</sup> 1855

J. A. Munroe Esq.

Clerk of the U. S. District Court for the

Northern District of California.

Sir;

I herewith transmit you, pursuant to the requirements of the Act of Congress, approved August 31st, 1852, a Transcript of the Record of the Proceedings and of the Decision of this Board, of the Documentary Evidence and of the Testimony of the witnesses upon which the same is founded, in Case No. 577 on the Docket of the said Board, wherein

Benjamin McCombs is the Claimant against the United States, for the place known by the name of "Part of Salvador's Rancho."

and request your receipt for the same.

I am, Respectfully,

Your Obt Servant,

Geo. Fisher.