

CASE No.

260

NORTHERN DISTRICT

PART of ENTRE NAPA GRANT

ROBERT HOPKINS

CLAIMANT:

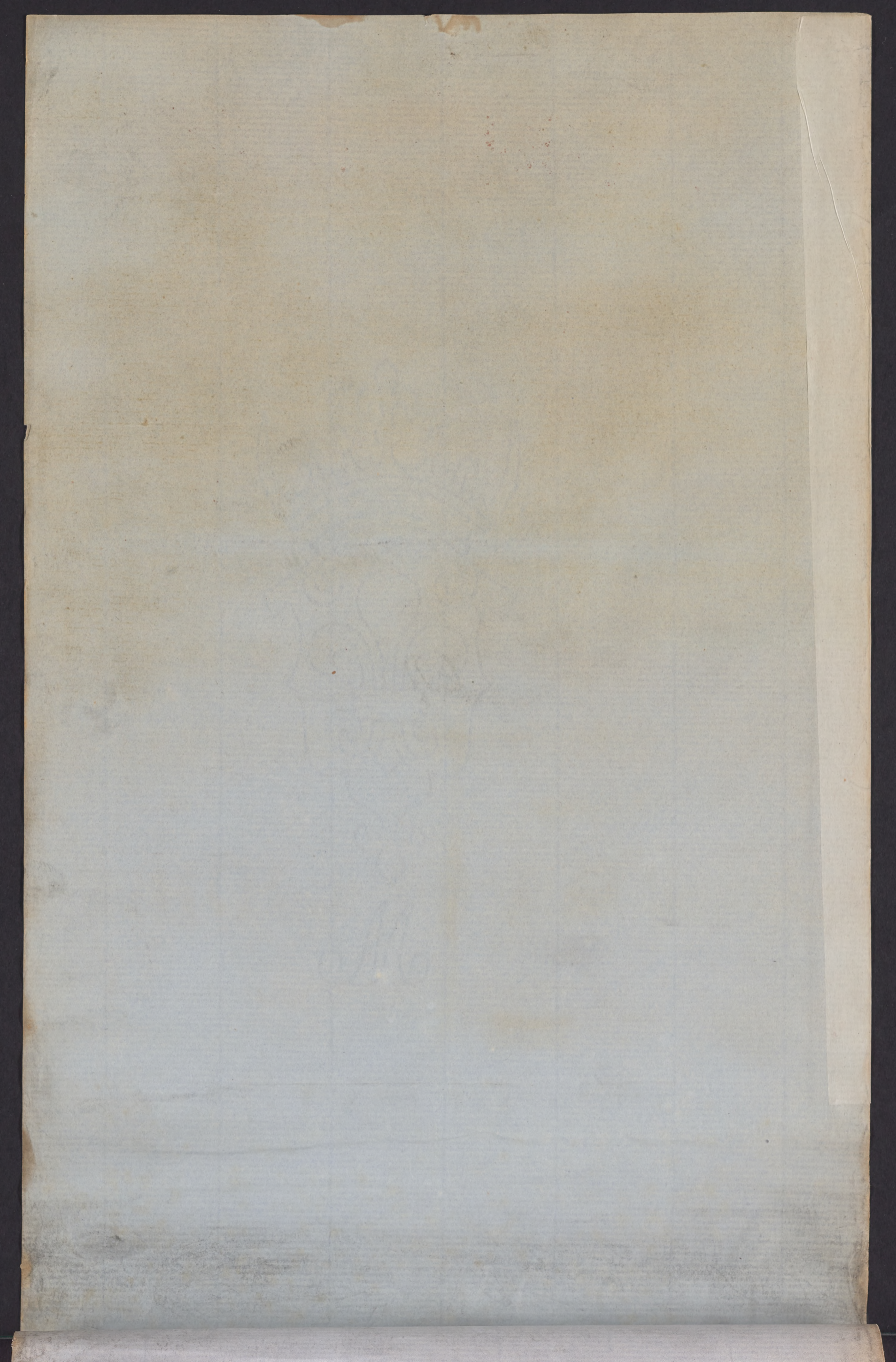
LAND CASE 269 ND 10 pgs.

NOV 11 1962

PLOVER BOND
55% COTTON FIBER
U.S.A.

761

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TRANSCRIPT

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PAGE 10

OF THE

PROCEEDINGS

IN CASE

NO. 761.

Robert Hopkins

CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

A part of
FOR THE PLACE NAMED

"Entre Napa."

20

Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

Be it Remembered, that on this *Second day of March*, 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;

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The Petition of *Robert Hopkins*,
for the Place named
"Entre Napa"
was presented, and ordered to be filed and docketed with No. 761 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 January 9 1855.
Case no. 761, Robert Hopkins for part of the place named "Entre Napa", was ordered to be placed at the foot of the 4th class Cases on the Trial Docket,

San Francisco January 23 1855.
Case no. 761 was submitted under the Rule of March 21st 1854.

San Francisco Jan. 30 1855.
In the same case Commissioner Stephen Felch delivered the Opinion of the Board respecting the claim;

(Vide page 7 of this Transcript.)

And the following order was made, to wit;

(Vide page 9 of this Transcript.)

To the Hon the Board of Commissioners
for ascertaining and settling private Land
claims in the State of California.

Your Petitioner Robert Hopkins of
the City of Sonoma in the County of Sonoma
and State of California respectfully represents
to your Hon Board that he claims a certain
tract of land called a part of Entre Rapa
containing eighty acres more or less,
situated in the County of Napa in
said State of California, that he claims the
same in fee, by virtue of a grant made to
Nicolas Heigues under the authority of
the Mexican Government by
Governor of California, bearing date May
the 9, A.D. 1836, as will fully appear
by the original Grant on file in case No
323 (three hundred twenty three) being the
claim of Julius Martin filed before your
Hon Board September 4, 1852, which
original grant your Petitioner is not
entitled to, and therefore prays that
copies of the same may be received
as evidence in this claim.

The said Grant was approved by the
Territorial Legislature on the

Your Petitioner further repre-
sents that the said Grantee on the
15. day of April A.D. 1850, transferred
all his right and interest in and
to the said Eighty Acres to John E. Brown
& John P. Walker as will appear by the
Original deed filed in the case of the
claim of Charles Nash, filed before your
Hon Board, and that on the 19. day of
April A.D. 1851, the said Walker
conveyed all his right in the same to

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Petition

H

To the said John E. Brown, as will appear by the Original Deed on file before your Honors in the said Case of the Claim of Charles Heath

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And that on the 28. day of October A.D. 1851 the said John E. Brown transferred all his rights in the said Land to your Petitioner as will appear by the Original filed herewith marked "A".

Your Petitioner further represents that Insidious possession of said Land was given to the said Grantee on the day of A.D. and the boundaries thereof designated and defined, and that he and those claiming under him, have been in the peaceable possession thereof ever since, and now are, and that he has no knowledge of any interfering claim.

Your Petitioner prays that the testimony given before your Honors in support of the Title of said Nicolas Heigueras, may be permitted to be used in this Case, and that your Honors will receive copies of all original papers, now in possession of your Petitioner as evidence in this Case.

Your Petitioner will present such further proofs of Title as your Board may deem proper.

Your Petitioner prays your Honorable Board to take into consideration his claim as bounded and described in the Deed marked "A" herewith filed and made a part of this Petition, and decree his Title to the said tract of land to be valid and confirm the same,

And your Petitioner will ever pray,

Robert Hopkins

In his proper person

Filed in Office March 2, 1853.

Geo. Parker Secy.

5-

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"A"

Deed

This Indenture made and entered into this 28. day of October A.D. 1851. by and between John E. Brown of the County of Sapa and State of California of one part, and Robert Hopkins of Sonoma and state aforesaid of the other part. Witnesseth that for and in Consideration of the sum of five hundred Dollars paid to said John E. Brown, by said Robert Hopkins, the receipt of which is hereby acknowledged, the said party of the first part hath hereby bargained, sold and conveyed, and by these presents doth hereby bargain, sell and convey unto the said party of the second part, his heirs and assigns forever all the right, title, interest and claim of the said John E. Brown, of in and to a certain piece or tract of land, situated in said County of Sapa bounded and described as follows, commencing at the South west corner of the land bought of Don Nicolas Hejnera by said John E. Brown and John Walker by deed bearing date April 15, 1850, duly recorded in Book page 1, of the Archives of said Sapa County, and running east along the south line of said land one hundred and sixty rods, thence north eighty rods, thence west one hundred and sixty rods and thence south eighty rods, containing eighty acres and known as lot No 10 of the Survey of said Walker & Brown of the Tract of land bought by them of Don Nicolas Hejnera as above described, To have and to hold the above described and bounded premises together with all the privileges and appurtenances thereto belonging to the only proper use & benefit

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of the said Robert Hopkins, his heirs and assigns forever. Witness my hand and seal the day and year aforesaid.

J^r E. Brown. Seal

In presence of
Ed McSweeney.

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State of California }
County of Inyo }

On this 28. day of October 1851, personally appeared before me, a Notary Public in and for said County, John E. Brown, known by me to be the person described in and who executed the foregoing instruments, who acknowledged to me that he executed the same, freely and voluntarily and for the uses and purposes therein mentioned.

Witness my hand and private seal this day and year above written having no Notarial seal

Edw McSweeney J.S.
Notary Public.

Filed in Office March 2, 1853,
Chas Fisher Secy.

Robert Hopkins

For eight Acres of land

7
Robert Hopkins
as
The United States } For eighty Acres of land,
"part of 'Entre Rapa' in
Rapa County

The claimant has failed to present the proof
of any grant from the former Government
to the individual to whom he alleges a concession
was made, or any title in himself derived
from that source.

An adverse decree must be entered.

Rejected.

Filed in Office
Gen. Fisher Secy.

Robert Hopkins
as
The United States }

In this case on hearing
the proofs and allegations it is adjudged by
the Commissioner that the claim of the said
Petitioner is not valid, and it is therefore
decreed that this application for a Confir-
mation thereof be denied.

Alpheus Felch
R. Aug. Thompson
Commissioner,

Filed in Office
Gen. Fisher Secy.

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Opinion by
Commissioner
Alpheus Felch

Decree

8

1908
NO

And it appearing to the satisfaction of this 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 decisions 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.

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Office of the Board of Commissioners,

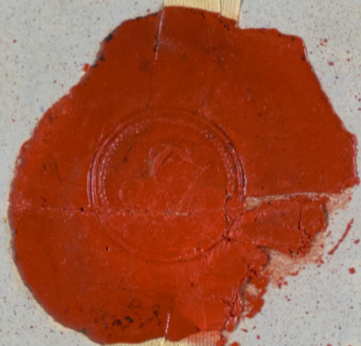
To ascertain and settle the Private Land Claims in the State of California.

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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
following *Nine* pages, numbered from
1 to *9*, both inclusive, to contain a true, correct and full Tran-
script of the Proceedings and of the Decision of the
Board, the Documentary Evidence and of the Testimony
the Witnesses, upon which the same is founded, on file in this
Office, in Case No. *761* on the Docket of the said Board,

Robert Hopkins is

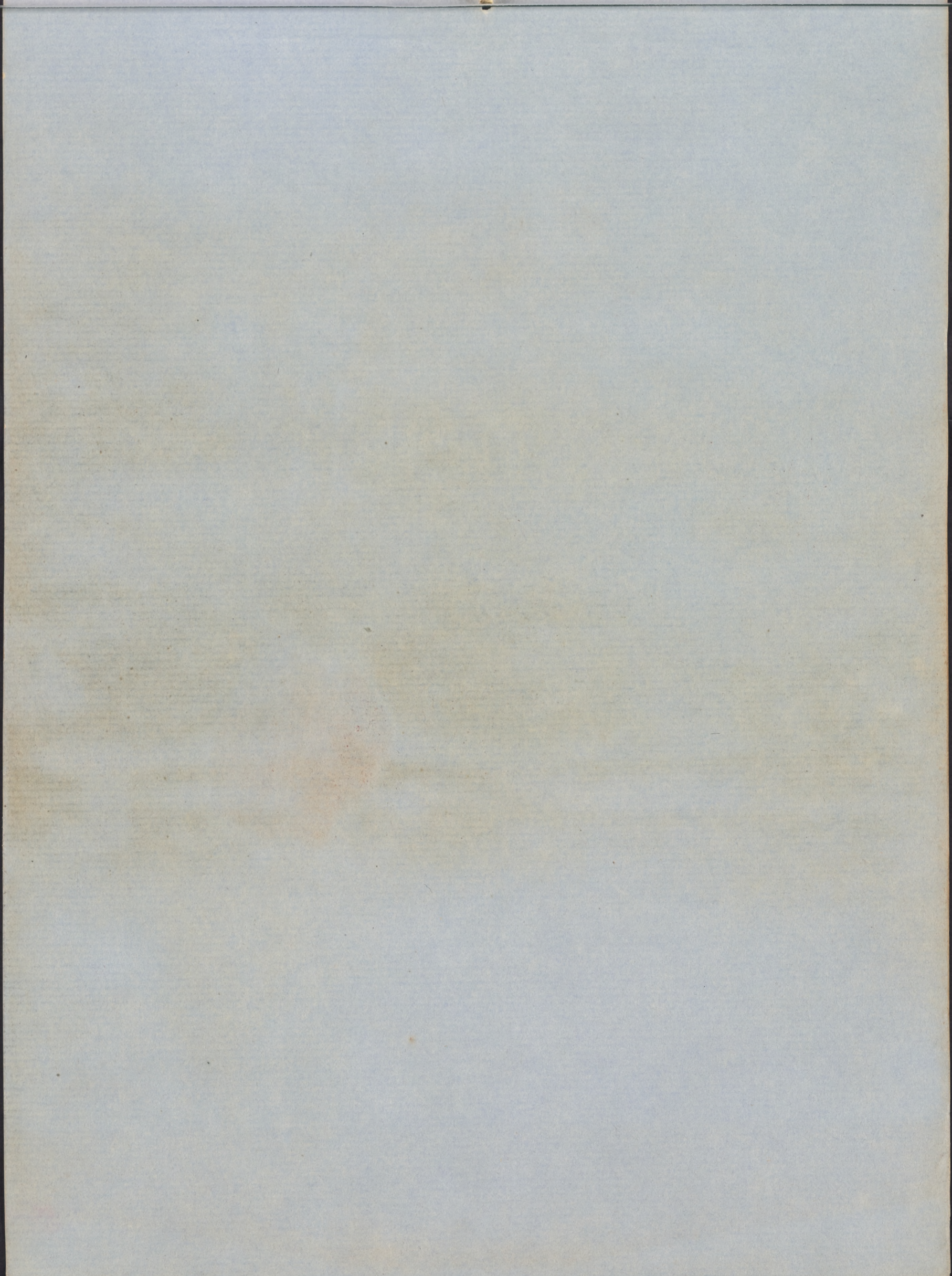
the Claimant, against the United States, for the place known by
the name of *Part of Entre Napa*

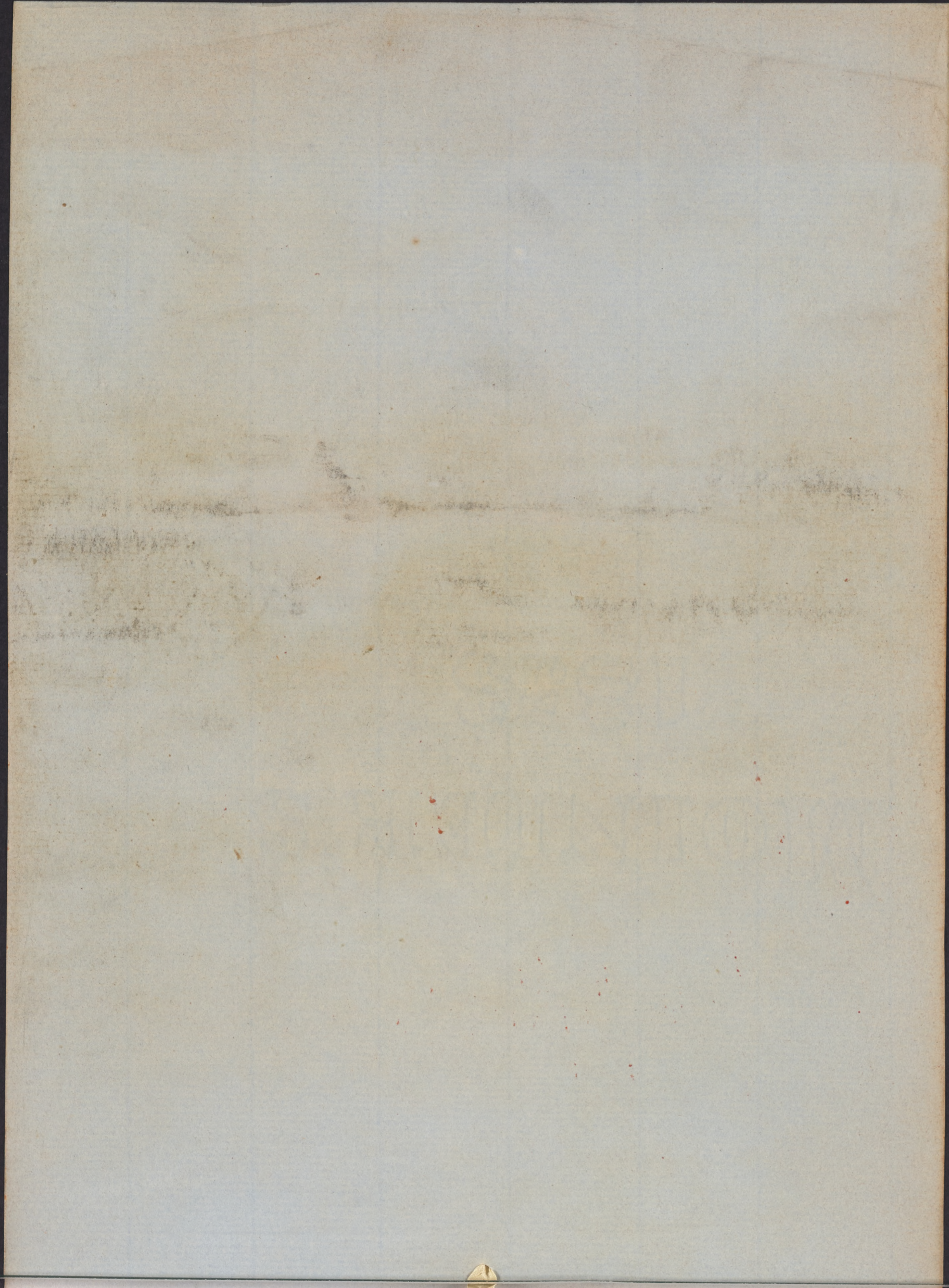


In Testimony Whereof, I hereunto set my hand
and affix my private Seal (not having a Seal
of Office) at San Francisco, California, this
Twenty first day of *July*
A. D. 1855, and of the Independence of the
United States of America the ~~seventy~~ *eightieth*.

Geo. Fisher
Geo. Fisher







U. S. DISTRICT COURT,

Northern District of California.

No. 260 - 260

THE UNITED STATES,

vs.

ND

Robert Hopkins.

TRANSCRIPT OF THE RECORD

FROM THE

BOARD OF U. S. LAND COMMISSIONERS,

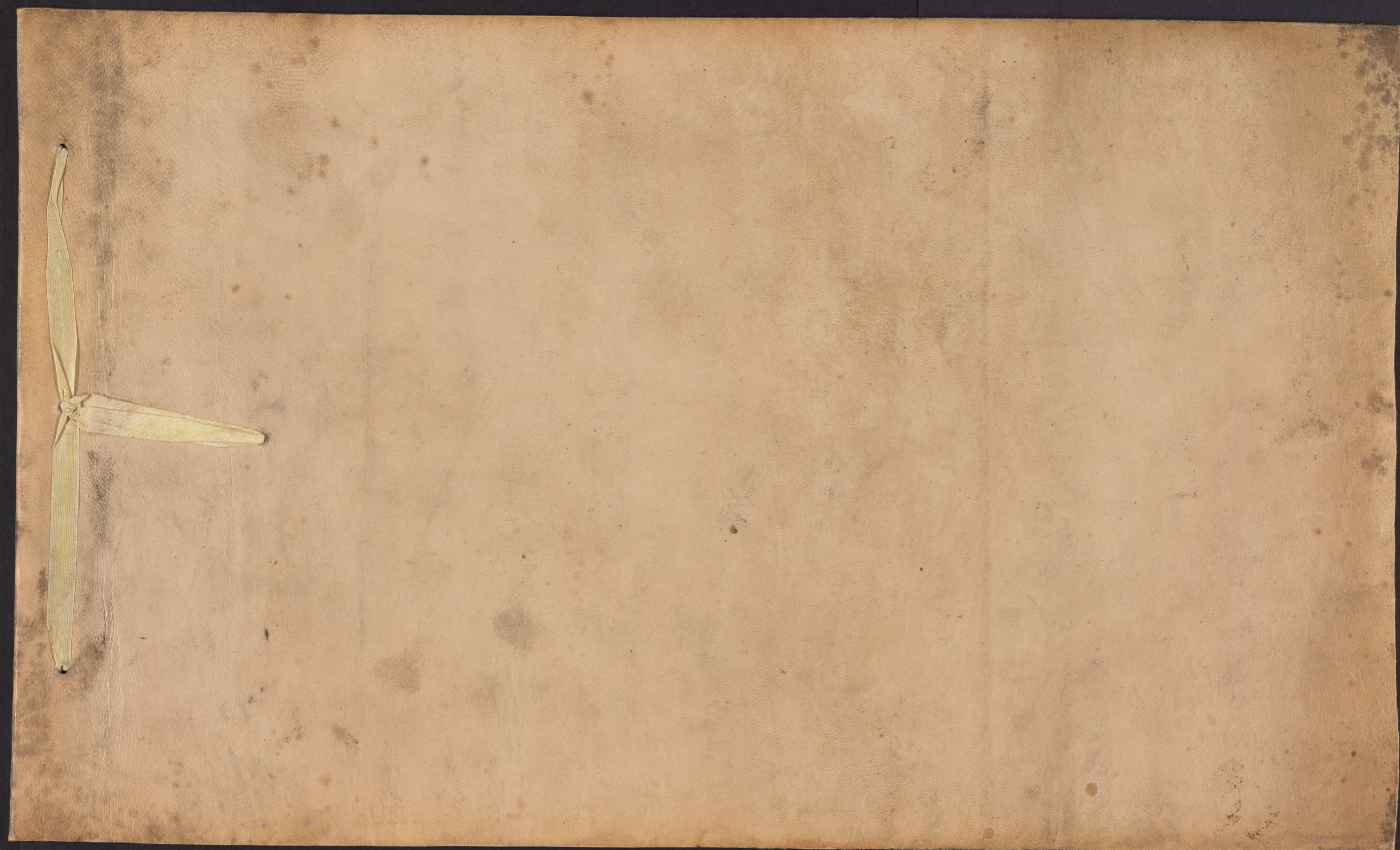
In Case No.

761

Filed,

July 21st 1855
J. A. Monroe,
Clk.

80761



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

San Francisco, July 21st 1855.

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J. A. Monroe 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. 701, on the Docket of the said Board, wherein

Robert Hopkins is
the Claimant against the United States, for the place known
by the name of "Part of Entre Nevas"

and request your receipt for the same.

I am, Respectfully,

Your Obedt Servant,

Geo. Fisher