

CASE No.

267

NORTHERN DISTRICT

—
SOCOYOLLOME GRANT

JOHN CONN

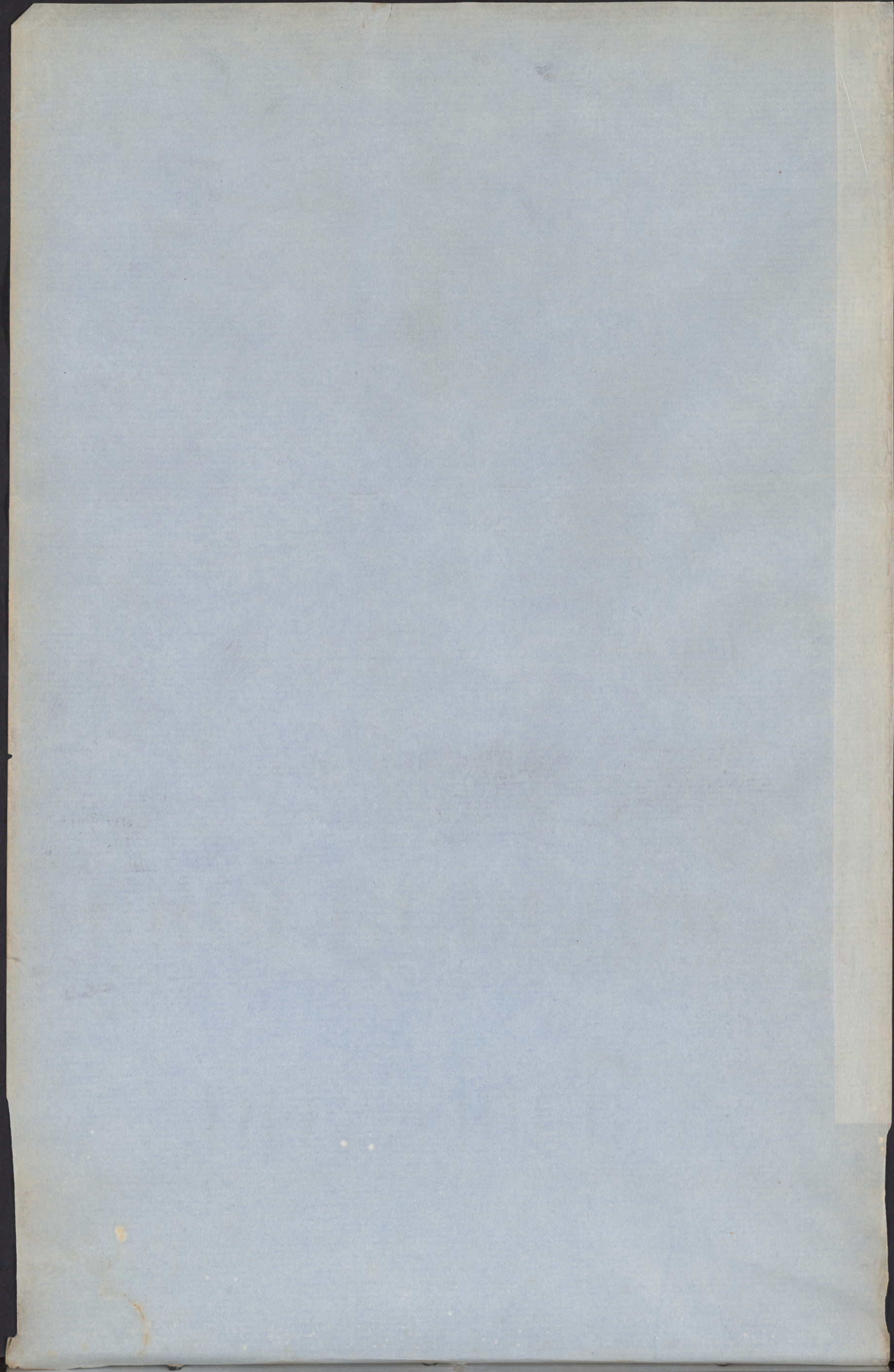
CLAIMANT:

LAND CASE 267 ND 15 pgs.

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PLASTER BOARD
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TRANSCRIPT

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OF THE

PROCEEDINGS

IN CASE

NO. 804

John Corn

CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

Sucyollone

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 *third 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 *John Conn*,
for the Place named
"*Socoyollome*"
was presented, and ordered to be filed and docketed with No. 804 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 July 29th 1853.

In case no. 804, John Conn for the place named "Socoyollome", the deposition of J. P. Seere, a witness in behalf of the claimant, taken before Commissioner Alpheus Felch, was filed, with document marked A. F. Exhibit A. annexed thereto;

(Vide page 4 of this Transcript.)

San Francisco January 26th 1854.

In the same case the deposition of Manuel Edward McIntosh a witness in behalf of the claimant, taken before Commissioner Thompson Campbell, with a map marked "J. C. No. 1," annexed thereto, was filed;

(Vide page 6 of this Transcript.)

San Francisco January 9th 1855.

Case no. 804, was ordered to be placed at the foot of the 4th class Cases on the Trial Docket,

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San Francisco January 23rd 1855.
Case no. 814 was submitted under the Rule of March
21st 1854.

San Francisco February 6th 1855.

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

(Vide page 13 of this Transcript.)

And the following order was made, to wit:

(Vide page 14 of this Transcript.)

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To the Honorable the Board of Land
Commissioners of the United States

3
To the Honorable the Board of Land
Commissioners of the United States—

Your petitioner John Gunn of the County of Napa respectfully represents that he has been a resident of California since 1843, that in 1845 John Rainsford a naturalized citizen of Mexico, and a friend and countryman of your petitioner, applied to Don C. Borraya, then Alcalde of the District of Sonoma, for a grant of two leagues of land, now situated in the County of Napa, known and called Socoyellome, adjoining the lands of George Mount and Maria Ygnacia de Bales. That your petitioner had made application and in the manner required by the laws of Mexico he became a naturalized citizen of that Republic, the proceedings for that purpose had not been perfected, and for that reason the said Rainsford made said application in writing for conveyance of said lands in behalf of your petitioner, that said Borraya, as such Alcalde made and issued to said Rainsford a paper writing now lost, in effect giving said Rainsford the right to take and occupy said land, and that the petitioner for said conveyance was approved by said Borraya, and forwarded by William Woolfskale to the then Governor of California at Los Angeles for approval and action thereon, a few days before the commencement of hostilities between the Government of Mexico and the United States, and for that reason solely, no decision was made in relation to said application by the said Governor. That under the decision direction of the public authorities of California, your petitioner took quiet possession of said lands, erected a house, and built a corral thereon and made other valuable improvements and has continued to occupy & possess

Petition

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the same until the present time as the equitable owner thereof, - that said Reinsford died in 1846, and that in that year new papers for said lands were made and issued to your petitioner by J. H. Nash then Alcalde of said district of Sonoma.

Your petitioner therefore respectfully prays that he may be permitted to make proof of the several matters herein stated, and that therefore his possession of title to said land may be confirmed.

John Coon
By Rod N. Morrison.
his Atty -

Filed in Office March 3 1853.
Geo: Fisher.
Deey -

Depositions
of J. P. Seese.

Office of the Board of Land
Commissioners for California -
San Francisco July 28th 1853.

This day before me Alphus Felch, one of the Commissioners to ascertain and settle the private land claims in the state of California, came J. P. Seese a witness produced in behalf of claimant John Coon (being No 804 on the docket of the Commissioners) and being first duly sworn, deposed as follows -

Questions by Judge Morrison Attorney for the claimant -

1 Question.
Look on the paper now here

shown to you, marked Exhibit A. with the

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show to you, marked Exhibit A. with the initials A. F. and words attached purporting to be the application of the John Conn for citizenship dated April 6th 1846 and words attached, and state whether you are acquainted with the signature of E. T. Bale words attached?

Answer.

I am acquainted with his signature, and believe the signature to the paper to be his hand writing -

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2 Question.

Look on the paper now presented to you marked Exhibit B. with the initials A. F. purporting to be an application of John Conn for a grant of two leagues of land in the valley of Socoyollome, dated August 24th 1846, and say whether you recognize the signature of John H. Nash subscribed thereto to be his genuine signature?

Answer.

I believe it to be his.
(Mr Howard, Law Agent, objects to the last question and answer, as irrelevant to the case, and also to the paper referred to therein.)

3 Question.

Did you know John Conn?

Answer.

I did. I have known him since 1846.

4 Question.

Do you know of his taking possession of any land in Socoyollome valley?

Answer.

I know of his taking possession of some land in company with John Randolph. This was in the year 1845 -

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think in the spring of that year or possibly
1844, in the fall. The land of which he
took possession and claimed is on the north-
east side of Mr George Hunt and E. T. Bales
land. It is at the foot of the mountains and
is rolling land. I do not know whether he
made any improvements on the land or
not

Question. Did John H. Nash hold any
office under the Mexican Government in
1846, and if so, what office?
Answer.

He held the office at that time of
Alcalde of Sonoma under appointment
from Capt. Montgomery of the United
States Army. He held no office under
the Mexican Government.

J. P. Seese.

Mr Howard, San Agent
was present at the taking of
this deposition but profoun-
ded no questions to the
witness -

Sworn and subscribed before
me at San Francisco, this twenty eighth
day of July A. D. 1853.

Alphus Felch.
Commissioner.

Filed in Office July 28th 1853.

Geo: Fisher,
Secy.

Deposition
of Manuel
Edward Mc
Intosh -

United States Land Commission
San Francisco, Jan. 20 1854.

On this day before Commissioner Thompson

Campbell, came Manuel Edward Mc Intosh
a witness in the case of

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Campbell, came Manuel Edward M. Intesth, a witness in behalf of claimant John Conn, case No 804, who, after being duly sworn, deposed as follows -

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

Answer. My name is Edward M. Intesth, I am sixty seven years of age, and I reside at Bodiega.

2 Quest. Do you know the valley called Socoydome?

Ans. I know the situation of the valley which John Conn applied for, but I don't know it by that name -

3 Quest. What do you know, if any thing, of the occupation of said valley by John Conn, state all you know in regard to it?

Ans. I know that when John Rainford staked a title for said valley, he and John Conn were partners - Rainford by his will transferred all his interest in said place to John Conn - The said Rainford was a naturalized citizen - I signed a paper, verifying his Catholic faith to the Governor. Rainford died some time during the war between the Government of Mexico and the United States - The title to which I have referred as staked by Rainford, was in his own name, but it was understood to be for their joint benefit - Before the war broke out Rainford and Conn occupied

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said place jointly, but when the war broke out, they both left it, and came into Sonoma - where they enlisted themselves under the American Government - There was a house and corral built on said place by Rainford and Coan, at which time they had some horses there, and I now recollect that they bought some stock, which they also placed there, they also cultivated, by fencing, planting potatoes &c - There is a stream of water passing through the valley.

4th Quest.

Are you acquainted with the hand writing of John Rainford, and if so, state your means of knowledge!

Ans.

I am acquainted with his hand writing, having frequently seen him write, and having corresponded with him -

5th Quest.

Look on the paper now shown you and marked T. C. N. 1. and purporting to be a map of the place called Rancho de Suckoname, and state whether the writing on said paper is in the hand writing of the said John Rainford?

Ans.

I have examined said paper, and I think the writing on the same is the genuine hand writing of John Rainford.

Associate Saw Agent present -

Mannal E. McIntosh.

Filed in Office
Jan. 20 1854

Exam to and subscribed
Geo. Fisher before me this 20th of
Dec. January A. D. 1854.

Thompson Campbell.
Comr.

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Cachibit
a. A. G.

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Señor Sub. Prefecto del 2º Distrito
Quem como Irlandés por nacimiento y de
Religion Católica ante V. con el debido res-
pecto y como mas haya lugar se presenta
y espone. Que habiendo sido por el termino
de dos años residente en este Departamto
y teniendo intereses de Valor y fin cis en
compañia con un Ciudadano y habiendo
varios testigos de su buena conducta.
es deseoso á ser admitido como Ciudadano
de la Republica Mexicana y gozar los pri-
vilegios correspondientes. habiendo deter-
minado quedara en este.

Suplico de V. que se digne mandar esten-
der una carta de naturalizacion conforme
la ley en que recibe gracia jurando de no
ser de malicia pero lo necesario.

Diriendose recibir mi peticion en papel
comun siendo imposible procurar del
sellado correspondiente

Terba Buena Abril 6. 1846
John Com^o

por su apoderado.
E. O. Pales.

Yulearni Office July 28th 1853

Geo. Fisher Secy

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BYE
MD

John Green has this day given information to me John H. Nicks a

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Exhibit B.
A. F.

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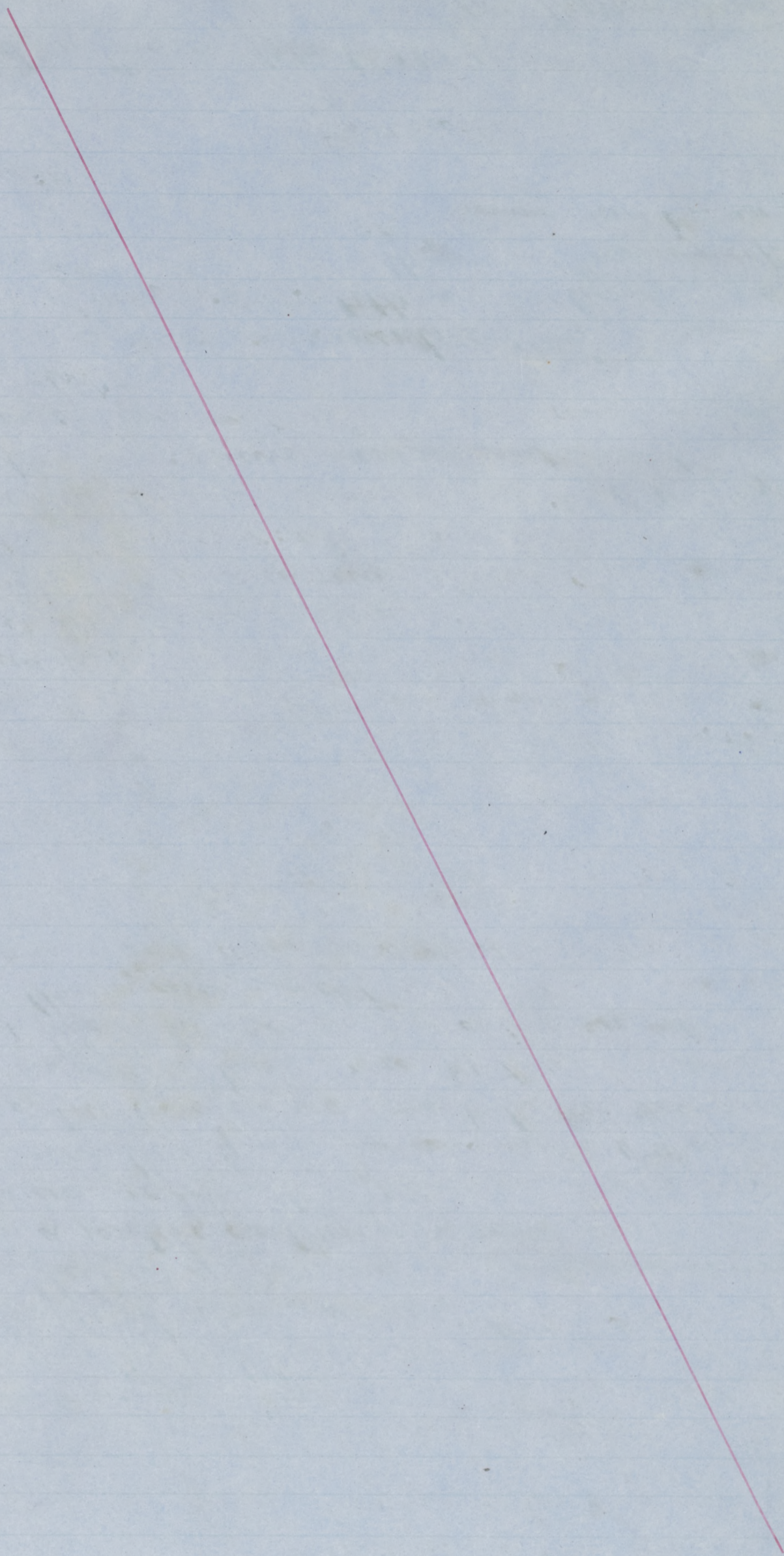
John Conn has this day given information to me John H. Nash, an acting Justice of the Peace in and for the Military District of the Post of Sonoma, N. California, that he the said Conn is now in possession and has been in possession of the following described tract or parcel of land, ever since the first day of October last past, viz:— Embracing the valley called by the name of Loconoma, lying and being north east of Napa valley, separated from said valley by a range of hills, being some ten miles in width and being in a north east direction from Dr Edward Bayl's residence. It being in the form of an oblong square, and containing two leagues of land. The said Conn says that he held joint possession of said tract of land, until very recently with one John Rainsford, who has since died, that on the decease of said Rainsford he of right became sole occupant of said land; and that during the life time of said Rainsford, he the said Rainsford had obtained an inchoate title to said land from the Mexican Government; and that he has good reason to believe and does verily believe, he would have received at an early period a perfect title to the same, had there not a change of government taken place—

Given under my hand this the 24th day August A. D. 1846.

John H. Nash. J. P.

Filed in Office July 18th 1853.

Geo: Fisher.
Secy.



John Conn

vs
The United States.

For the place called Socoy-
 3 ollome in Napa County,
 containing two square
 leagues of land —

In his petition the claimant al-
 l^{eg}ed that in 1845 one John Rainford, in
 Board delivered to the petitioner, who was not then a
 by Conn. naturalized citizen, applied to the Alcalde of
 Felch. the District of Sonoma and obtained from
 him a writing authorizing said Rainford to
 take and occupy the premises; that a peti-
 tion was then prepared and with the appro-
 val of the Alcalde was sent to the Governor
 in order to obtain a grant; that this was
 just before the occupation of the country by
 the Americans, and the grant was never
 made; that Rainford died in 1846 and
 that newspapers for said land were issued
 in that year to the petitioner by the then
 Alcalde of said District —

The document said to have been
 issued by the Alcalde to Rainford is neither
 presented nor proved, and that subsequently
 issued by a Justice of the Peace to Conn, in
 1846, is a mere statement that Conn had
 appeared before him and alleged that Rain-
 ford had an inchoate title to the land,
 which he (Conn) claimed and that he believed
 a title would have been received from the Gov-
 ernor, if there had not been a change of Gov-
 ernment.

These documents establish no sim-
 ilarity of any right or title in the land derived
 from the Spanish or Mexican Government,
 and a decree rejecting the claim must conse-
 quently be entered.

Rejected.

Filed in Office Feb 6 '1853.

Genl. Fisher. Secy.

John Comu
 vs
 The United States.

Deceit

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In this case on hearing the proofs and allegations it is adjudged by the Commission that the claim of the said petitioner is not valid, and it is therefore decreed that his application for a confirmation thereof be denied.

Alpheus Felch. }
 R. Aug. Thompson. } Commissioners.

Filed in Office Feby 6th 1855

Geo: Fisher.
 Secy.

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 securities 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.

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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 *Fifteen* pages, numbered from
1 to *14*, both inclusive, to contain a true, correct and full Tran-
script 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. *8114*, on the Docket of the said Board,
wherein

John Connors

the Claimant against the United States, for the place known by
the name of "*Socoyollome*"

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 August
A. D. 1855, and of the Independence of the
United States of America the *seventy-eighth*.

G. Fisher
G. Fisher

U. S. DISTRICT COURT,

Northern District of California.

No. *267*

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THE UNITED STATES,

ND

vs.

John Conn.

TRANSCRIPT OF THE RECORD

FROM THE

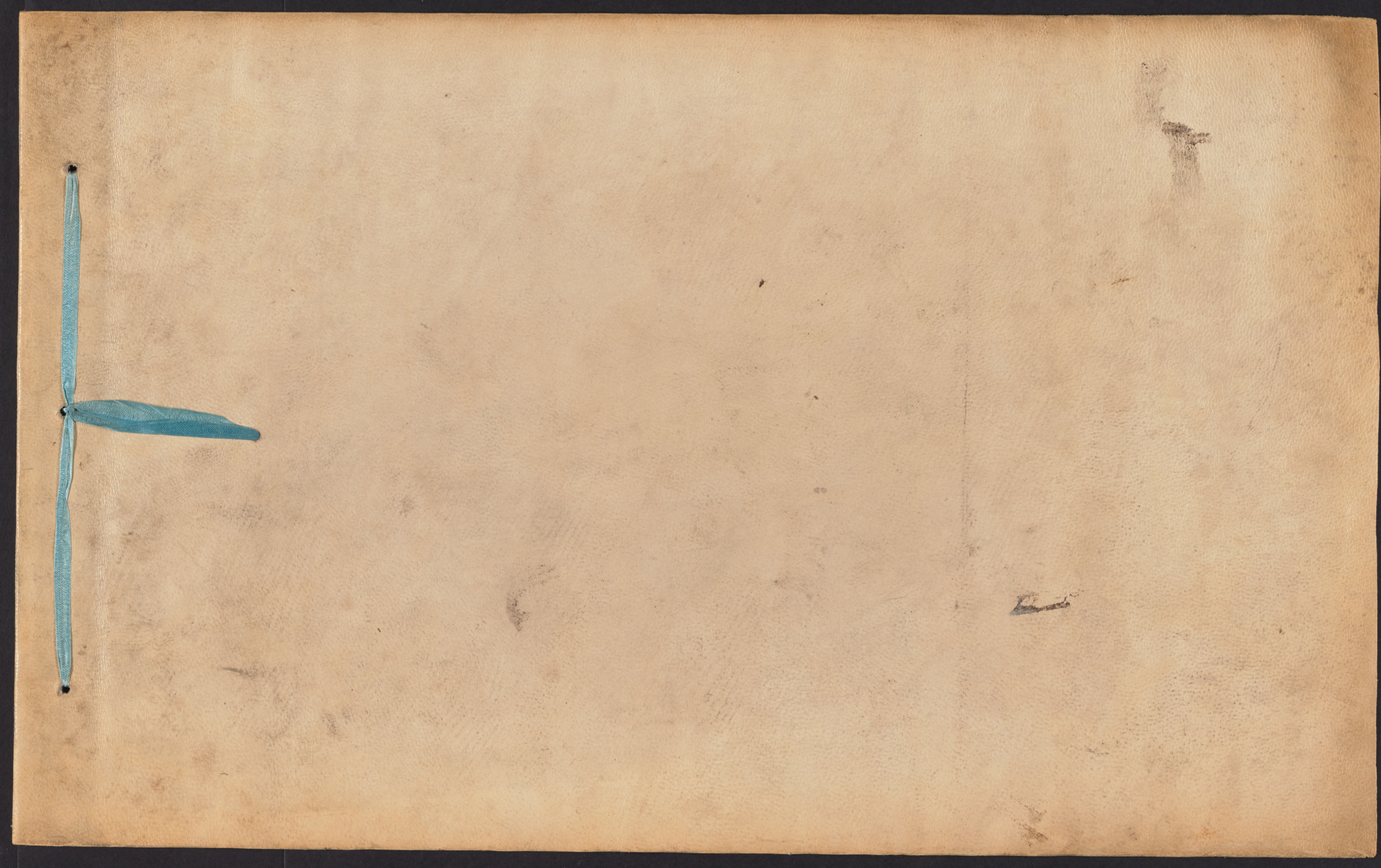
BOARD OF U. S. LAND COMMISSIONERS,

In Case No. *804.*

Filed, *August 11* 185*8*

J. A. Monroe,
Clerk

No 804.



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

San Francisco, Aug. 10th 1855.

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. 84 on the Docket of the said Board, wherein

John Gunn is

the Claimant against the United States, for the place known by the name of "Goeyollome"

and request your receipt for the same.

I am, Respectfully,
Your Obt Servant,

Geo. Fisher.
[Signature]