

CASE No.

274

NORTHERN DISTRICT

CORPORATION LANDS OF 

SACRAMENTO CITY
THE MAYOR AND COMMON COUNCIL
OF THE CITY OF SACRAMENTO

CLAIMANT:

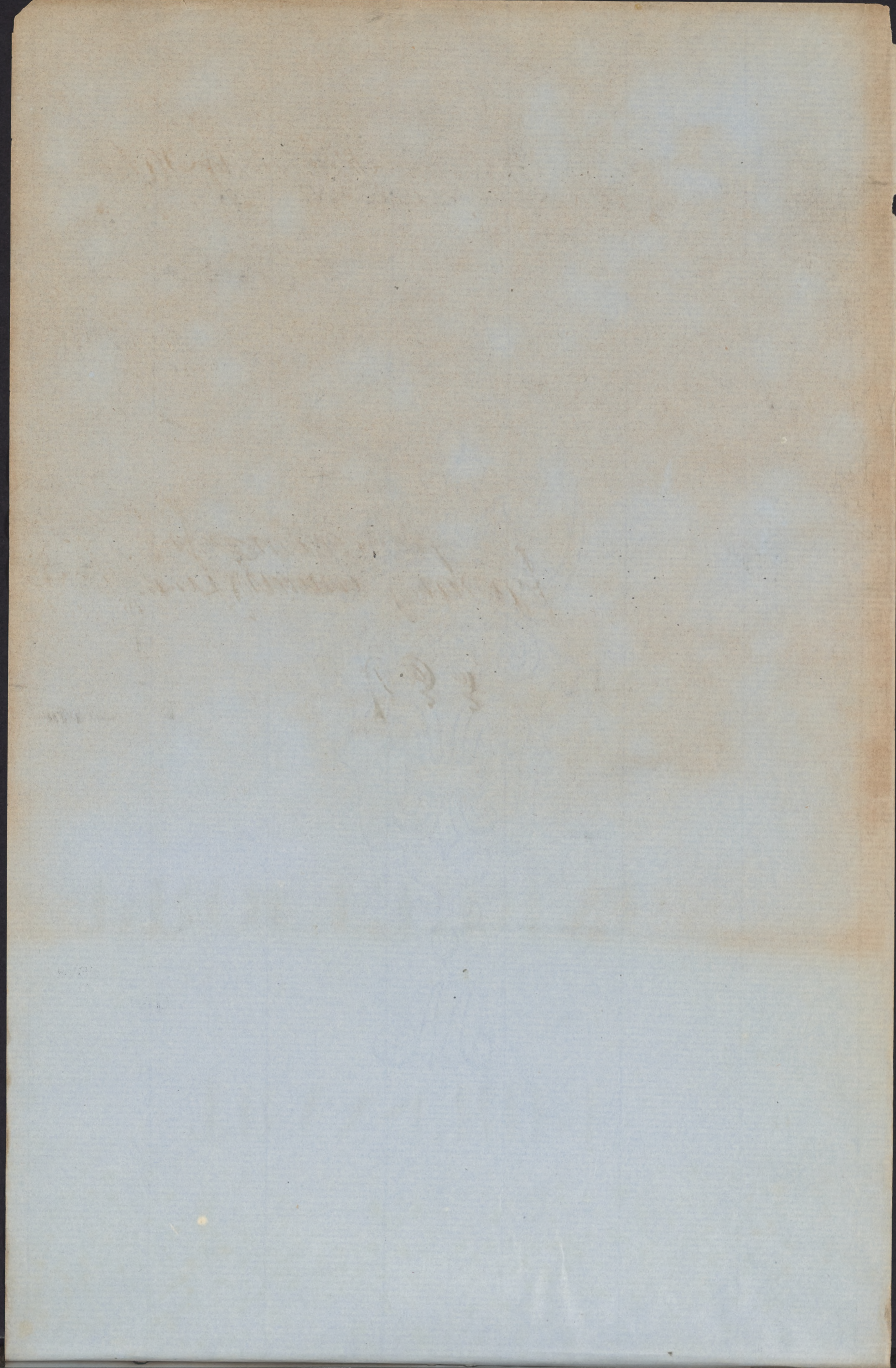
LAND CASE 274 ND PAGES 10

NOV 12 1962

PLUMMER BOARD
58% COTTON FIBER
U.S.A.

633

Dup



TRANSCRIPT

274 ND
PAGE 1

OF THE

PROCEEDINGS

IN CASE

NO.

633

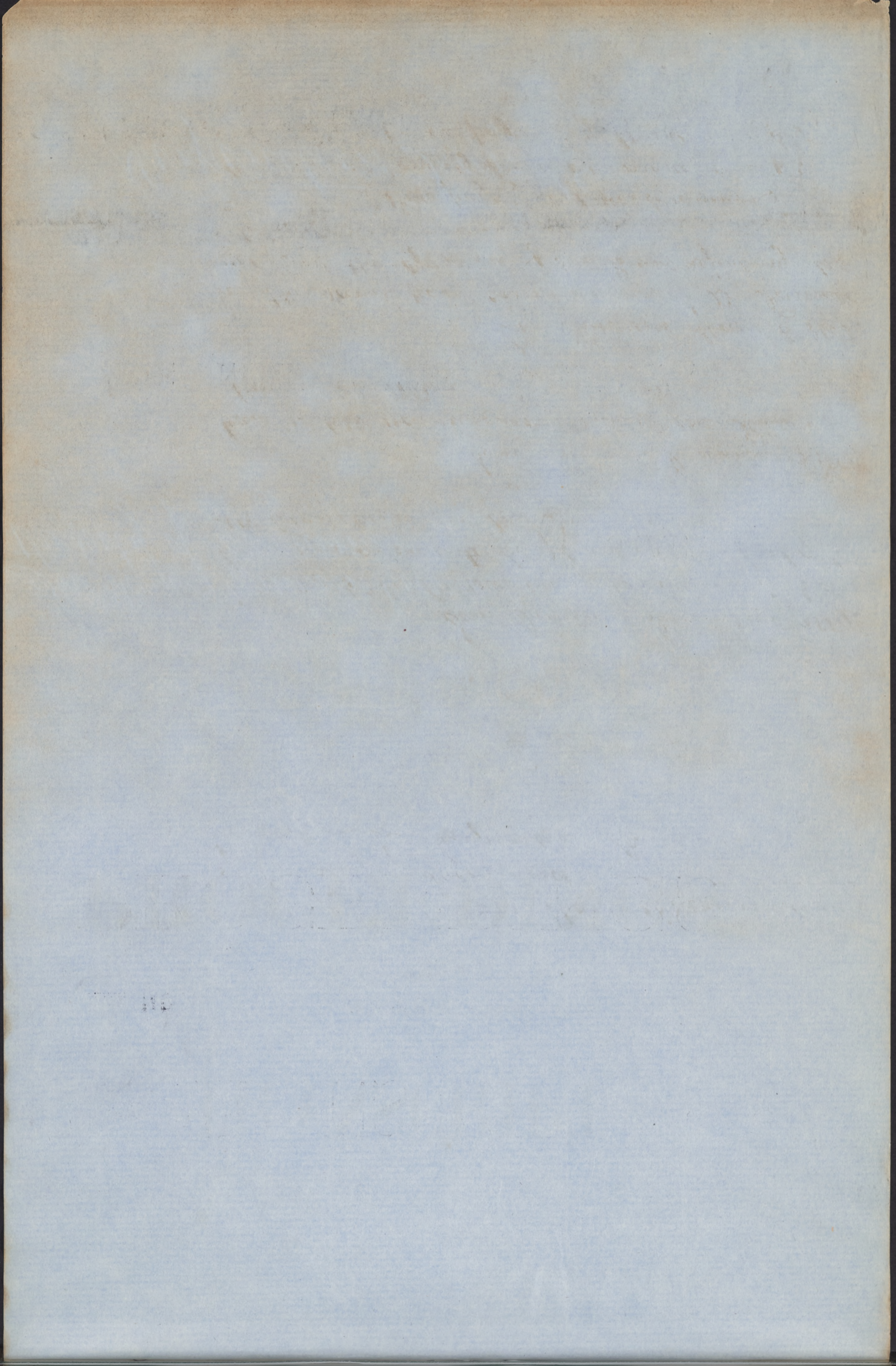
*The Mayor & Common Council of
the City of Sacramento* CLAIMANT &

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

Corporation Lands.



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 twenty fifth day of Feby,
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;

274 ND
PAGE 2

The Petition of The Mayor & Common Council
of the City of Sacramento for the Place named
Corporation Lands.
was presented, and ordered to be filed and docketed with No. 633 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 December 5 1854.
Case No. 633, Authorities of Sacramento for City
lands was ordered to be placed at the foot of the
3d class cases on the Trial Docket.

San Francisco, December 19 1854.
Case No. 633 was submitted under the Rule of
March 21 1854.

San Francisco, March 6 1855.
In the same case Commissioner S. B. Farwell
delivered the Opinion of the Board rejecting the
claim:

(Vide page 7 of this Transcript.)

And the following order was made, to wit:

(Vide page 11 of this Transcript.)

2

MD

3
Petition

To the Commissioners for settling Private
land claims in California

The Mayor and Common Council
the Corporate authorities of the City of Sac-
ramento State of California would respect-
fully represent unto your Honorable body
that the City of Sacramento was upon and
previous to the 3^d day of March A.D. 1851
and now is an incorporate City within the
State of California, that the boundaries of
said city embrace the following described
tract of land to wit Beginning at the
junction of the American Fork with the
Sacramento River thence running Southwesterly
following the course of said Sacramento
River two miles, thence running Easterly two
miles thence running Northerly in a strai-
ght line to the American Fork thence along
the American Fork to the place of beginning
said boundaries extending to the middle of
said Sacramento River and American
Fork

Your Petitioners further show that their
claim to said tract of land is derived the
Mexican Government in manner following to wit

1st The said Mexican Government did
on or about the 18th day of June 1841 grant
unto one J. A. Sutter certain lands in the
then territory of California of which said
lands the tract heretofore referred to
constitutes a portion.

2^d The said John A. Sutter did by
his deed bearing date the 18th day of November
A.D. 1848 duly assign unto his son John A.
Sutter

274 ND

PAGE 3

Sutter for the lands granted as aforesaid unto
 him by the Mexican Government.

3^d The said John A Sutter Jr did
 by his deed convey unto the inhabitants of
 Sacramento City (by which name the tract
 of land aforesaid was then known) the tract
 of land in question which said deed bears
 date 2^d January 1849.

Petitioners further show that said
 John A Sutter has made application to
 Your Honorable body to grant unto him
 confirmation of his claim to the lands men-
 tioned and described in the grant made
 by the Mexican Government unto him as
 before set forth and that all documentary
 evidence touching said Grant is now before
 Your Honorable body or in possession
 of said John A Sutter his agents and
 Attorneys and not in possession of or under
 the control of your petitioners.

Your Petitioners therefore basing
 their claim upon the evidence produced
 and to be produced before Your Hon-
 orable body in relation to the claim of
 John A Sutter aforesaid as also upon
 the provisions of the laws of the United
 States in such case made and provided
 and also upon such rights as may accrue
 unto them by virtue of the City of Sac-
 ramento having been an incorporate city
 in existence at the time of the passage
 of a certain Act of the United States
 entitled An Act to ascertain and settle
 the Private land claims in the State
 of California, Approved March 3^d
 1851 do respectfully request your Honorable
 Board

274 ND
 PAGE 4

PAGE ND

Board to grant unto them confirmation of

5-
Board to grant unto them confirmation of
their claim unto all the lands lying and
being and contained within the tract of
land aforesaid and known as the City
of Sacramento and Your Petitioners ever
will pray &c

February 23rd 1853

274 ND
PAGE 5

Filed in Office Feb^y 25th 1853

(signed) Geo. Fisher
J. J.

6

ON

7
Opinion

The Mayor and Council
of the City of Sacramento
vs
The United States

Claim for the
lands claimed
within the City

274 ND
PAGE 6

In this case the Claimant has
filed a petition but has not furnished
the Board with any evidence whatever
of any right to the land, we are
therefore of the opinion that the claim
is invalid and a decree adverse to
the claim will be entered

Rejected

Filed in Office March 6th 1855
(signed) Geo. Fisher
Fisher

8

ON

9

Decree

Mayer and Common Council
of the City of Sacramento
vs
The United States

Claim for
city lands

274 ND
PAGE 7

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

(Signed) Alpheus Felch
(Signed) N. Hag Thompson
(Signed) S. B. Farwell
Com

Filed in Office March 6th 1855
(Signed) Geo. Parker

10

1885
10

11
Order

It appearing to the satisfaction of this Board that the land 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.

274 ND
PAGE 8

1885

MD

Office of the Board of Commissioners,

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

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 *Eleven* pages, numbered from

1 to *11*, both inclusive, to contain a true, correct and full Transcript 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. *133* on the Docket of the said Board, wherein

The Mayor & Common Council of the City of Sacramento are the Claimant, against the United States, for the place known by the name of "*Corporation Lands*"

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

Geo. Fisher

274 ND

PAGE 9

U. S. DISTRICT COURT,

Northern District of California.

No. ~~274~~ 274

THE UNITED STATES,

vs.

ND

*The Mayor & Common
Council of the City of Sacra-
mento.*

TRANSCRIPT OF THE RECORD

FROM THE

BOARD OF U. S. LAND COMMISSIONERS,

In Case No. *633*

Filed, *October 1* 1855

*J. A. Moursve,
Clerk.*



274 ND
PAGE 10

Office of the Board of Commissioners,

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

San Francisco, August 21st 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. 133 on the Docket of the said Board, wherein The Mayor and Common Council of the City of Sacramento are the Claimant against the United States, for the place known by the name of "Corporation Lands" and request your receipt for the same.

I am, Respectfully,

Your Obedt Servant,

Geo. Fisher

