

CASE No.

303

NORTHERN DISTRICT

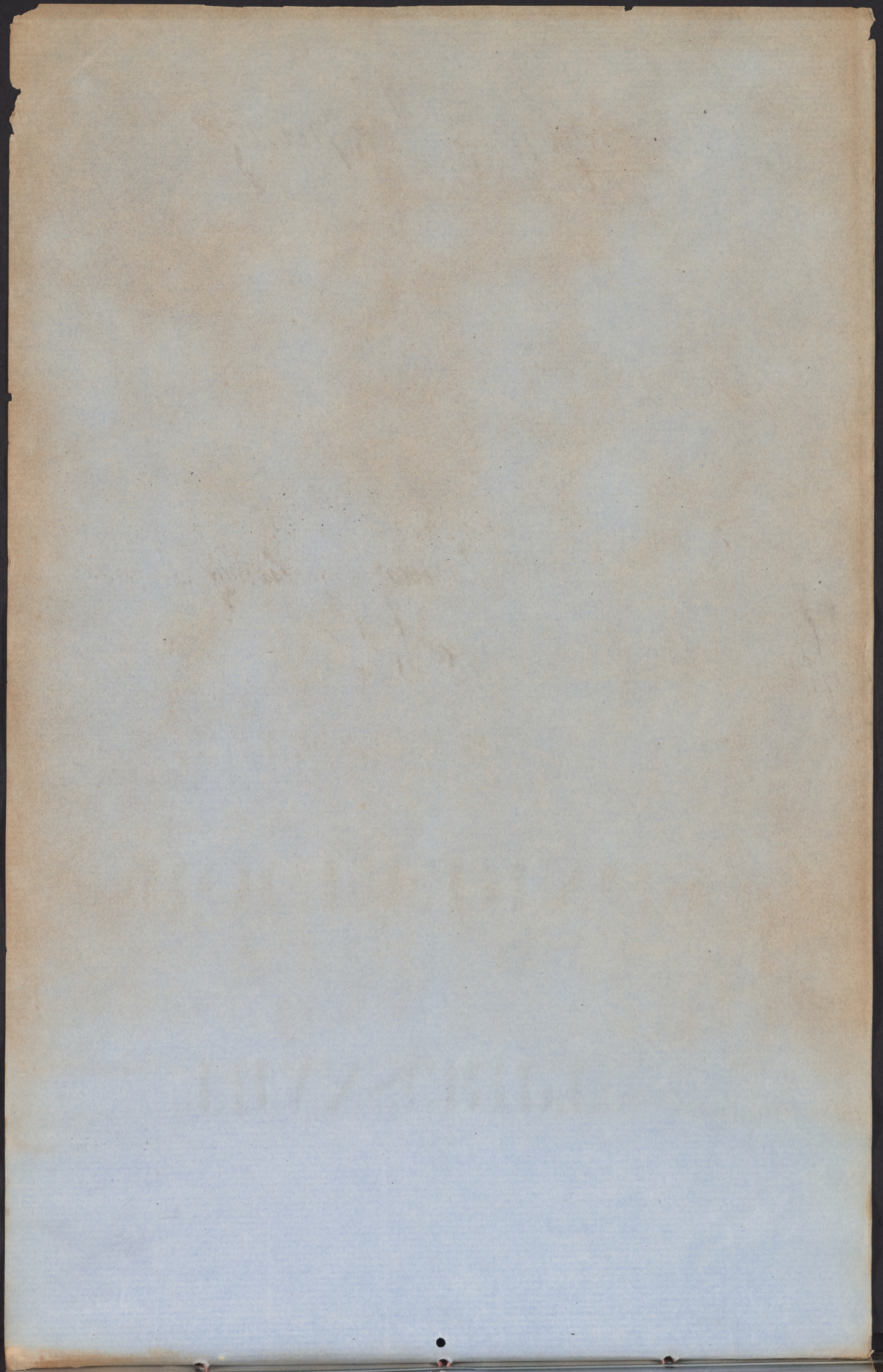
LANDS OF THE CITY GRANT
THE MAYOR AND COMON COUNCIL
OF THE
CITY OF SACRAMENTO
CLAIMANT:

LAND CASE 303 ND. 7 PAGES

NOV 23 1962

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TRANSCRIPT
OF THE
PROCEEDINGS

IN CASE

NO. 793

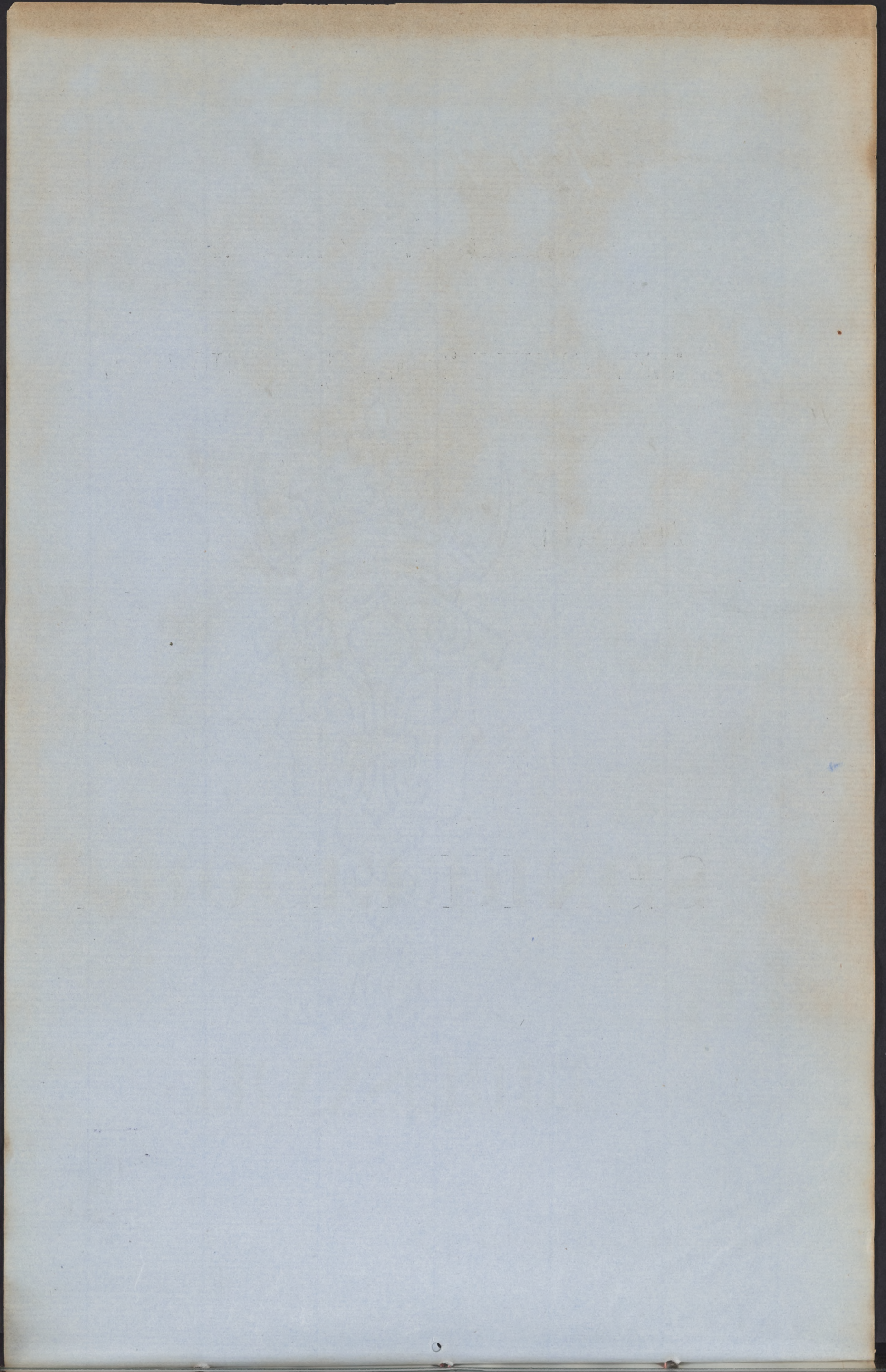
*The Mayor & Common Council
of the City of Sacramento* - CLAIMANT &

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"Lands of the City"



Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

303 ND

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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;

The Petition of The Mayor & Common Council of the City of Sacramento for the Place named lands of the city, was presented, and ordered to be filed and docketed with No. 793 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 4th 1855.
Case no. 793, Authorities of Sacramento City for the lands of the City, was ordered to be placed at the foot of the 4th class cases on the Trial Docket.

San Francisco January 23rd 1855.
Case no. 793 was submitted under the Rule of 21st March 1854.

San Francisco April 14th 1855.
In the same case Commissioner S. B. Farwell delivered the Opinion of the Board respecting the claim;
(Vide page 5 of this Transcript.)

And the following order was made, to wit;
(Vide page 6 of this Transcript.)

793 State of California }
San Francisco County }

Petition

To the Honorable, the Board of Commissioners sitting as a Court for the investigation and adjudication of land claims

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PAGE 3

The petition of the Mayor and Common Council of Sacramento City, constituting the corporate authorities of said City represent to your Honorable Board that at and before the time of the passage by the United States Congress of the Act entitled "an act to ascertain and settle the private land claims in the State of California" Sacramento City was established and incorporated within the boundaries following to-wit: All that tract of land lying within the limits and boundaries hereinafter mentioned, that is to say, beginning at the junction of the American Park with the Sacramento river, thence down said Sacramento river to Y street - (reference to the plan and survey of said city is hereunto made, being marked Exhibit A) as designated on the map or plan of Sacramento City on file in the Recorder's office in said city; thence along said Y street east, to the point where said Y street intersects Thirty-first street, as designated on said Map, thence along the said Thirty-first street until the same intersects the American Park, thence along the American Park to the place of beginning, the said boundaries extending to the middle of said Sacramento river and American Park, and known by the name of the "City of Sacramento".

The petition of your said petitioners prays that the claim of said city to the land described in said mentioned boundaries shall be established, confirmed and forever decreed to the Corporate authorities of said city and their successors in office, former and as in duty bound &c.

E. J. C. Kerren
Atty for Petitioners

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

Opinion of the Board
303 ND
PAGE 4

This case is entirely without proofs
of merit, and consequently rejected

Rejected

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

Decree

In this case after hearing the
proofs and allegations it is adjudged by the
Commission that the claim of the petitioner
is invalid, and it is therefore decreed that
his application for a confirmation thereof
be denied

A. Aug. Thompson

S. B. Farnell

Commissioners

Order

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And it appearing to the satisfaction of this Board, that the land here by 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.

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 *Five* pages, numbered from
 1 to *5*, 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. *793* 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 "*Lands of the City*"



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

Geo. Fisher
[Signature]

U. S. DISTRICT COURT,

Northern District of California.

No. 303-

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THE UNITED STATES,

vs.

411

*The Mayor and Common Council
of Sacramento City*

TRANSCRIPT OF THE RECORD

FROM THE

BOARD OF U. S. LAND COMMISSIONERS,

In Case No.

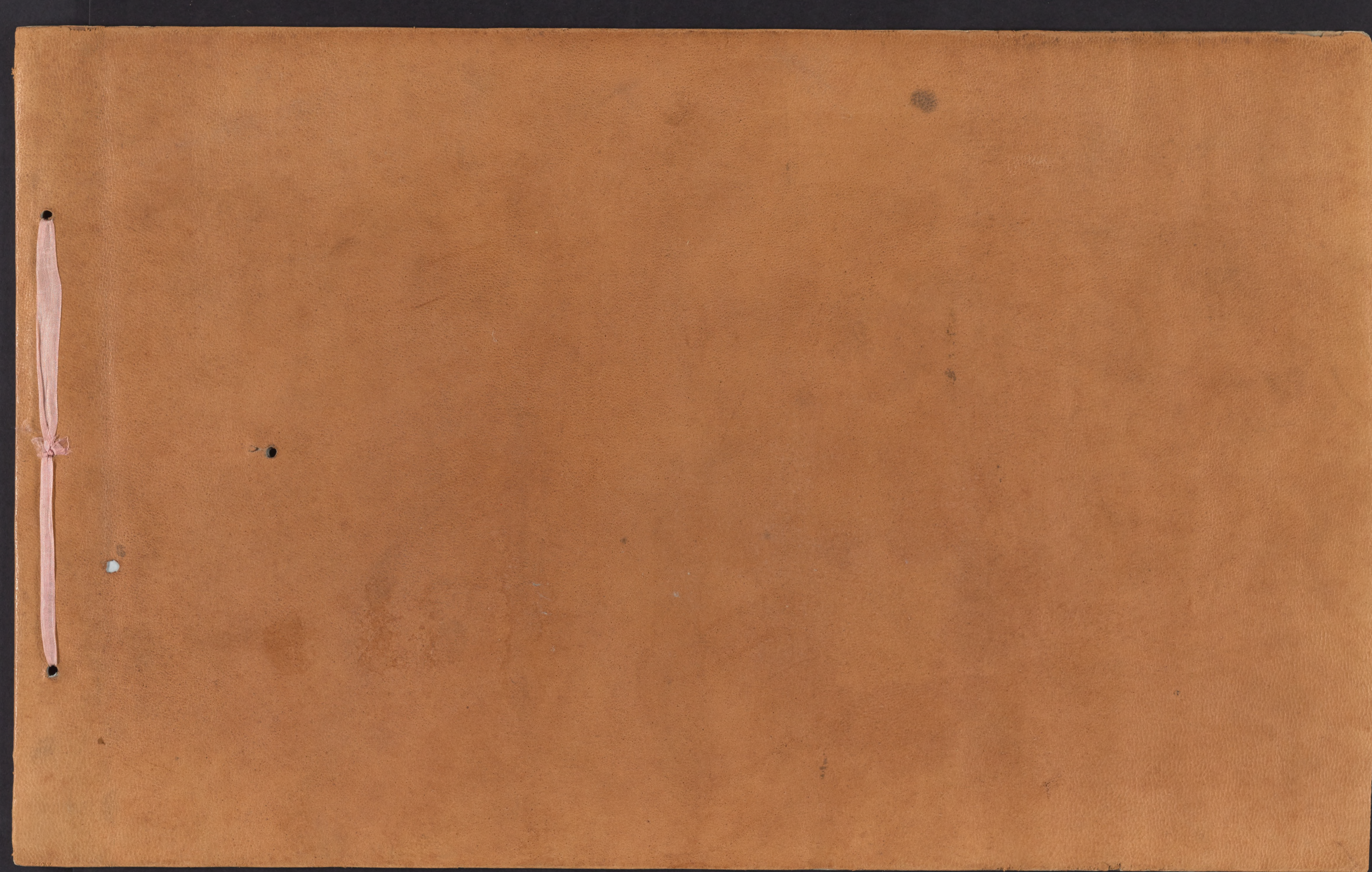
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Filed,

October 23 1855

J. A. Monroe,

Clk



Office of the Board of Commissioners,

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

San Francisco, Oct. 15th 1855.

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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. 793 on the Docket of the said Board, wherein The Mayor and Common Council of the City of Sacramento are the Claimants against the United States, for the place known by the name of "Lands of the City" and request your receipt for the same.

I am, Respectfully,

Your Obedt Servant,

Geo. Fisher.

