

CASE No.

369

NORTHERN DISTRICT

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TOWN OF SUTTER GRANT

JOHN A. SUTTER

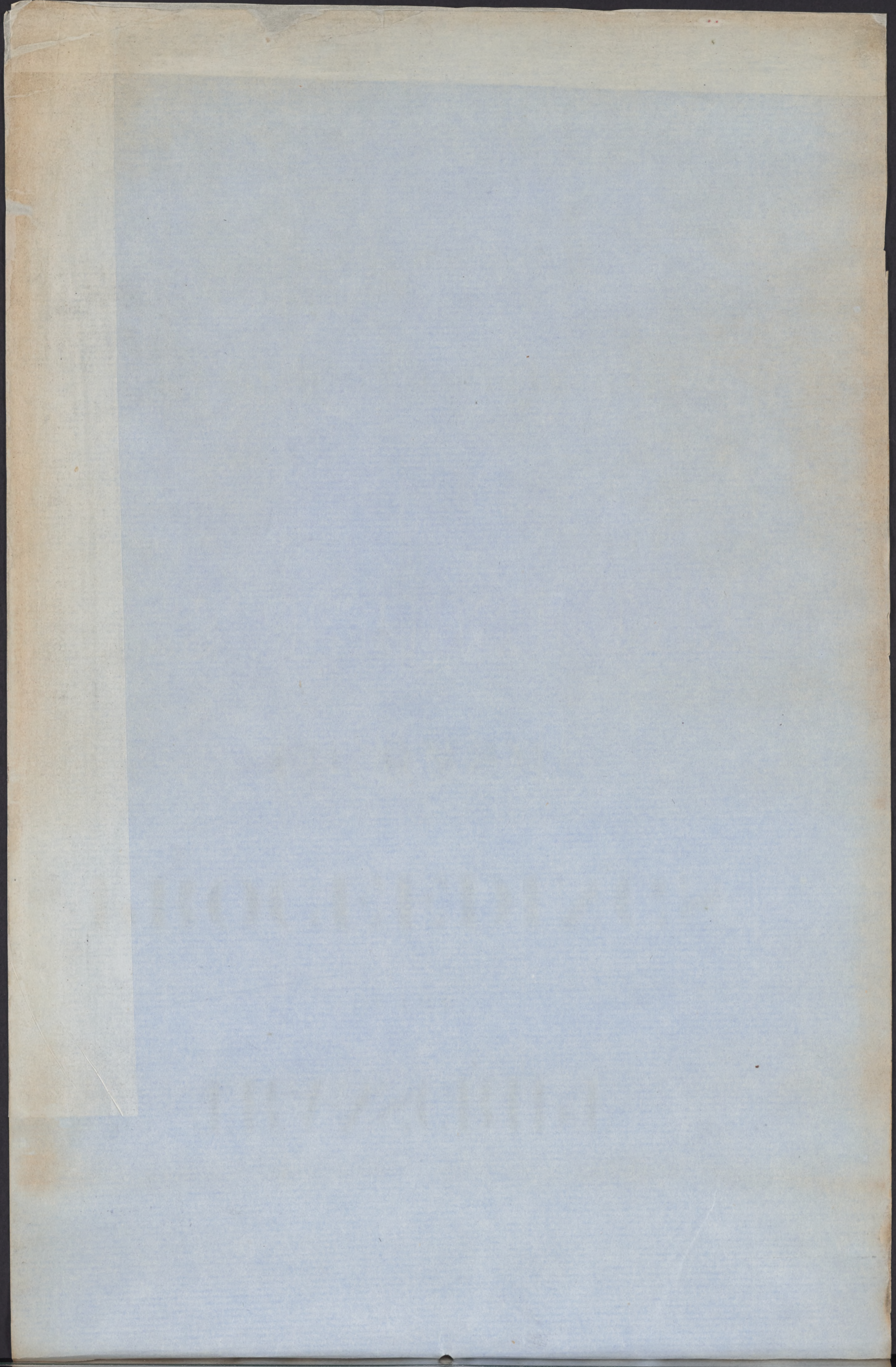
CLAIMANT

DEC 18 1962

U.S.A.  
25% COTTON FIBER  
FLOWER BOND  
Crown

159

Sup



TRANSCRIPT  
OF THE  
PROCEEDINGS

IN CASE

NO. 759

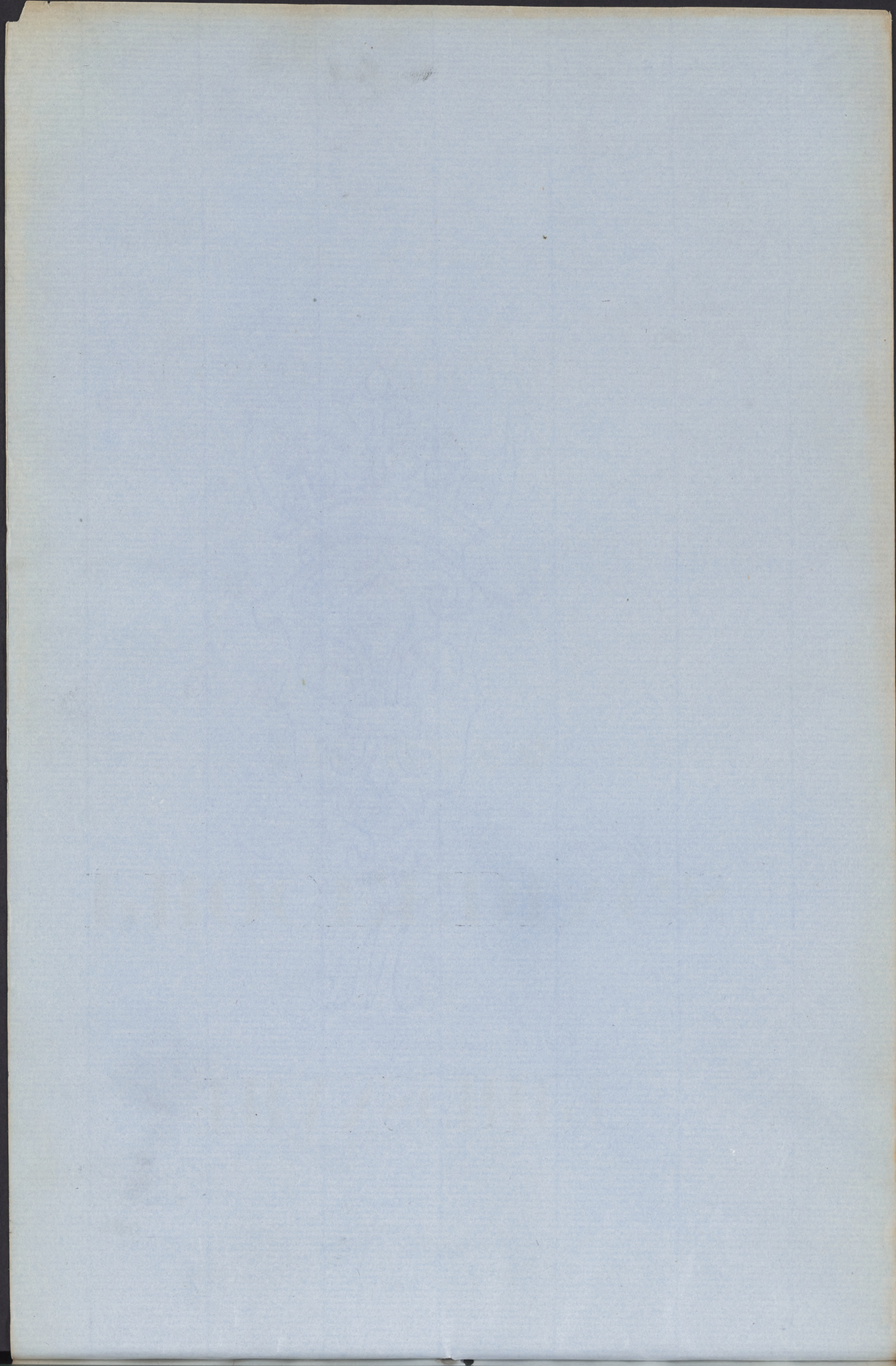
*John A. Sutter* CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

*Town of Sutter.*



Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

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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;

The Petition of John A. Sutter, for the Place named Town of Sutter, was presented, and ordered to be filed and docketed with No. 759 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<sup>th</sup> 1855.  
Case no. 759, John A. Sutter for the town of Sutter was ordered to be placed at the foot of the 4<sup>th</sup> class cases on the trial docket.

San Francisco, January 23<sup>rd</sup> 1855.  
Case no. 759 was submitted under the Rule of 21<sup>st</sup> March 1854.

San Francisco, July 17<sup>th</sup> 1855.  
In the same case Commissioner S. B. Farwell delivered the Opinion of the Board rejecting the claim;  
(Vide page 5 of this Transcript.)

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

1844

*[Faint handwriting from the reverse side of the page, including the word "land"]*



789 To the Commissioners appointed to investigate and settle land claims in California

Petition

John A. Sutter represents

That the town of Sutter situated upon the Sacramento river within the limits of the present county of Sacramento was laid out upon lands claimed by him under a grant from the former government of California and conveyed by him to and by him laid out said town that all the holders and owners of lots in said town, claim under him and that the said town existed on the 7th day of July, 1846

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That the limits of said town are as follows:

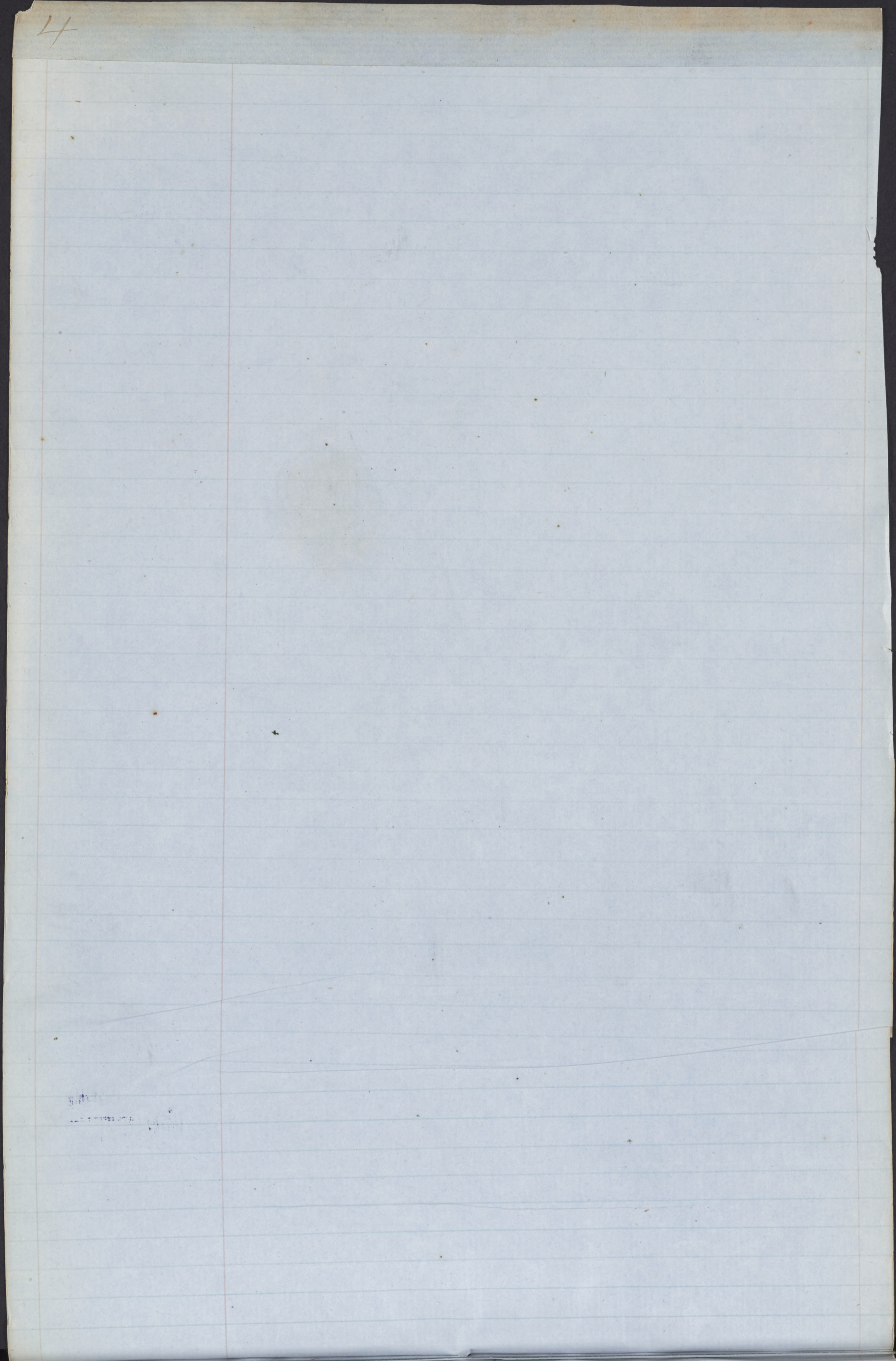
Commencing at a point on the east bank of the Sacramento river, about five miles and a half below the mouth of the American river at the middle of main street as laid down on the plan of said town, near a large Sycamore tree, standing immediately on the bank of said Sacramento river, thence running down said river in a southerly direction one half mile; thence at right angles in an easterly direction one mile; thence at right angles to said last mentioned line in a northerly direction two miles; thence at right angles to said last line in a westerly direction to the bank of said river; thence down said river to the place of beginning; the said lines being shown on the map of said town which will be presented.

We know of no other claim to any part of the tract of land herein described. We pray that the title thereto be confirmed in his name for the use and benefit of the lot holders in said town claiming under him.

Crutcher Sage & Martin  
attys pro claimants

Filed in office March 2, 1853

(Signed) Geo. Fisher Secy



*Faint handwritten text at the bottom edge of the page, possibly including the date 'July 15' and some illegible words.*

759 John A. Sutter  
The United States

For the town of Sutter in  
Sacramento County

Opinion

This case is entirely without  
proof and will therefore be rejected

Rejected

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PAGE 4

Filed in office July 17, 1855

(Signed) Geo. Fisher Jewey

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759 John A. Sutter  
The United States

Decision

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

A. Aug Thompson  
S. B. Barrows  
Comrs

Filed in office July 17, 1855

(Signed) Geo. Fisher Jewey

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Order

And it appearing to the satisfaction of the Board, that the land hereby adjudicated is situated in the Northern district of California it is Ordered that the transcripts of the proceedings and the decision in this case, and of the papers and evidence upon which the same is 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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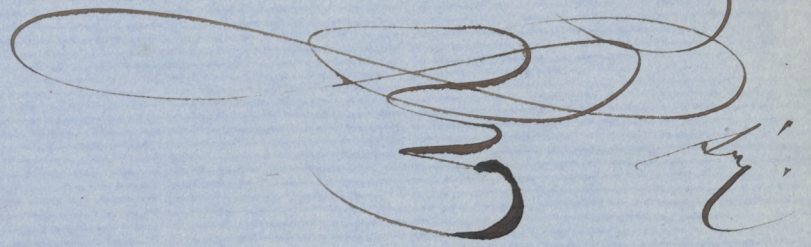
Office of the Board of Commissioners,

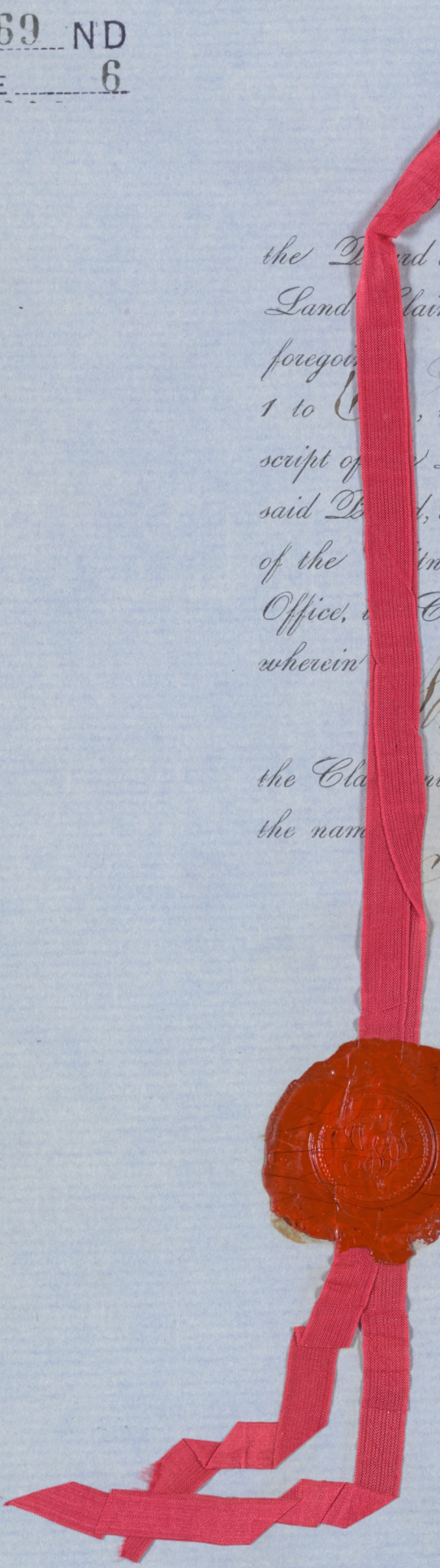
To ascertain and settle the Private Land Claims in the State of California.

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 Six pages, numbered from  
1 to 6, 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, Case No. 739 on the Docket of the said Board,  
wherein

Wm. A. Sutter is  
the Claimant against the United States, for the place known by  
the name of Town of Sutter.

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 December  
A. D. 1855, and of the Independence of the  
United States of America the ~~seventy~~ eightyth.

Geo. Fisher  




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U. S. DISTRICT COURT,  
*Northern* District of California.

No. 369-

369

THE UNITED STATES,

vs.

*John A. Sutter*

TRANSCRIPT OF THE RECORD

FROM THE  
BOARD OF U. S. LAND COMMISSIONERS,

In Case No. *759*

Filed, *December 24* 185*5*

*J. A. Moore*  
Clerk.



At a stated Term of the District Court  
of the United States of America for the  
Northern District of California held at  
the Court Room in the City of San Fran-  
cisco on Monday the twenty third day  
of February in the Year of our Lord  
One thousand eight hundred & fifty seven.

Present:

The Hon Ogden Hoffman, District Judge.

The United States  
vs  
John A. Sutter

D.C. 369; L.C. 759

It appearing to the satis-  
faction of this Court that the Transcript  
in this case has been filed in this Court  
more than six months; that the Board of  
Commissioners to ascertain and settle the private  
land claims in the State of California, from  
which this case is appealed to this Court  
rejected the claim set up therein by the  
Claimant, and that the proper notice of  
intervention to appeal has not been filed in  
this cause within the time specified by  
Law: This, therefore, on motion of the U.S.  
Attorney, ordered that this case be dismissed  
and struck from the docket of this Court.

369.  
L.C. 759

U. S. Dist Court

The United States

vs

Jno A. Tubber

Order

Filed Feb 23, 1857,  
W. H. Cheves,  
Deputy.

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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, Dec. 10<sup>th</sup> 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. 759 on the Docket of the said Board, wherein

*John A. Butter* is \_\_\_\_\_  
 the Claimant against the United States, for the place known by the name of "*Town of Butter*." \_\_\_\_\_

and request your receipt for the same.

I am, Respectfully,

Your Obedt Servant,

*Geo. Fisher*  
