CASE NO.
384
NORTHERN DISTRICT

RANCHO de FARWELL GRANT
JAMES WILLIAMS et al
CLAIMANT

LAND CASE 384 NB PAGES 99

651

Sep

TRANSCRIPT

OF THE

PROCEEDINGS

IN CASE

NO. 657

James Williams, et. al, CLAIMANTS.

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

Rancho de Farwell.

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 eighth day of Febry 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 James Williams, et al: for the Place named "Rancho de Farrell," was presented, and ordered to be filed and docketed with No. 651 and is as follows, to wit;

(Vide page 5 of this Transcript.)

Upon which Petition the following subsequent Proceedings were had in their chronological order, to wit;

San Francisco March 10th 1853.

In case no. 651, James Williams et al: for the place named "Rancho de Farrell", the deposition of John Bidwell, a witness in behalf of the claimants, taken before Commissioner Leland Hall, was filed;

(Vide page 7 of this Transcript.)

San Francisco Oct. 17th 1854.

In the same case the deposition of Thomas O. Larkin, a witness in behalf of the claimants, taken before Commissioner Alpheus Felch, with documents marked Exhibit No. 1 to 2. A. F. annexed thereto, was filed;

(Vide page 9 of this Transcript.)

San Francisco Oct. 23rd 1854

In the same case the deposition of Thomas

Fallon, a witness in behalf of the Claimants, taken before Commissioner Peter Sott, was filed;
(Vide page 7 of this Transcript.)

San Francisco January 2d 1855.
Case No. 651 was ordered to be placed at the foot of the 4th Class cases on the Trial docket.

San Francisco January 23 1855.
In the same case the deposition of Lindsey Carson, a witness in behalf of the claimants, taken before Commissioner Peter Sott, was filed;
(Vide page 12 of this Transcript.)

San Francisco January 29 1855.
In the same case the deposition of Henry S. Ford, a witness in behalf of the claimants, taken before Commissioner Peter Sott, was filed;
(Vide page 11 of this Transcript.)

San Francisco Feby 2 1855.
In the same case the deposition of Thomas O. Larkin, a witness in behalf of the claimants, taken before Commissioner Peter Sott, was filed;
(Vide page 14 of this Transcript.)

San Francisco February 9 1855.
In the same case the Counsel for the claimants filed the following Affidavit, to wit;
(Vide page 63 of this Transcript.)

In the same case the deposition of John Bidwell, a witness in behalf of the claimants taken before Commissioner Peter Sott, with documents marked "A. P. L. B. P. L. C. P. L. D. P. L. E. P. L. F. P. L.", annexed thereto, was filed;
(Vide page 15 of this Transcript.)

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San Francisco February 13 1855.

In the same case the Counsel for the claimants filed the following Motion and Supplemental Petition, viz:

(vide pages 39 & 77 of this Transcript.)

San Francisco February 20 1855.

In the same case Commissioner Alpheus Felch delivered the decision of the Board upon the motion heretofore filed, viz. on the 13 instant by the Counsel for the claimants, granting the same.

San Francisco March 13 1855.

Case no. 651 was submitted without argument and taken under advisement.

San Francisco August 28 1855.

In the same case Commissioner Alpheus Felch delivered the Opinion of the Board confirming the claim;

(vide page 79 of this Transcript.)

A. and the following order was made, viz:

(vide page 85 of this Transcript.)

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5 Petition

To the Hon'l. the Board of U. S. Land Commissioners to settle private Land claims in California.

The petition of James Williams in his own behalf and in behalf of the heirs and legal representatives of Edward A Fowell deceased respectfully represents:

That on about the 29th day of March 1844 Manuel Micheltorena then Governor of California in the name of the Mexican Nation by virtue of the Laws of Mexico then in force, the various Laws usages and customs of the Country affecting the granting of lands in California granted in full property unto Edward A Fowell the tract of Land and Rancho situated in the Sacramento Valley and bounded on the West by the Sacramento river and on the north by Checo Creek, containing five leagues of land (Seis de quinado Mayh) more particularly described and set forth in the papers and maps relating to said grant of land, a copy of said grant with a translation thereof being herewith filed as part of this petition. *

And your petitioner further shows that he is informed and believes that other Conveyances have been made of portions of said Rancho and lands but the deeds of Conveyance are not in possession of your petitioner at the present time, but your petitioner prays leave to file the same as part of this petition so soon as the same can be procured.

And your petitioner further states that the said lands and Rancho has been occupied cultivated and improved by said Fowell and those claiming under him from the date of said grant until the present time.

There is no Conflicting claim known to your petitioner

Your petitioner relies for support of this claim upon the records of this grant now in the archives in the Custody

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*And your petitioner further shows that on or about the 6th day of May 1845 said Fowell sold and Conveyed the One half of said Rancho and lands to your petitioner and John Williams the brother of your petitioner a Copy of said deed being herewith filed as part of this petition

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of the U. S Surveyor General for California, Original papers, Maps and documents to be filed, and the testimony of Witnesses to be produced before your Hon.r Board.

Your petitioner therefore prays that said grant may be confirmed to the extent of five square leagues as expressed in said grant to your petitioner and the heirs and legal representatives of said Edward A Fowler, the names of all of whom will be given in a supplemental petition hereafter to be filed as part of this petition.

All of which your petitioner respectfully submits for such action as the nature and justice of this Claim may require

E. O Crosby
Of Counsel

Filed in Office Feby 28. 1853
Geo. Fisher Secy

Recorded in Vol 2 of Petitions on pages 21. 22
Geo. F

Deposition of Jno. Bidwell

San Francisco March 10. 1853

On this day before Com. Alexander Hall came John Bidwell a Witness on the part of the Claimant James Williams et al Petition No. 651 and was duly sworn his Evidence being given in English

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The U. S Law Agent was present

In answer to enquiries by Counsel for Claimant the witness testified as follows.

My name is John Bidwell my age is thirty three years and I reside in Butte County I have resided in California over Eleven years

. I am acquainted with the Rancho granted to Edward A Farwell. It is situated in Butte County and is bounded on the West by the river Sacramento and on the North by the Chico river.
It was the first grant made in that vicinity. It was settled upon in July 1844 by said Farwell who built an adobe house and put stock on it and the house has been occupied by him & those claiming under him & the land also, from that time to the present.
I made a survey of the land for said Farwell in 1847

J. Bidwell

Sworn & subscribed before me
Alexander Hall Com

Filed in office March 10th 1853
Geo. Fisher Secy

Recorded in Rec. B Vol 2 p 642
Geo. Fisher Secy

Deposition of Thos. Fallon

United States of America
State of California } ss:
San Francisco Oct. 31. 1854

This day Came before Peter Lott Commissioner for taking testimony to be used before the Board of U. S Land Commissioners in said State Thomas Fallon, a witness on behalf of the Claimants, James Williams et al in Case No. 651 on the docket of said Board, and said Witness being sworn on Oath deposed as follows, to wit:

U. S. Law Agent is present
Questions by D. S. Gregory for claimant

1st Question. What is your name age and residence?

Answer. My name is Thomas Fallon my age 31 years, my residence in Santa Clara County California

2d Question. Do you know a tract of land in Butte County called Rancho de Farwell and Sometimes the Chico Ranch, if you state what you know of its Occupation.

Answer. I am acquainted with it. In June 1844 Eccleme A Farwell came to me and told he had obtained a grant of said tract from Gov. Michelleena, and that the condition of the grant required him to build a house on the place within one year and he asked me if I would go on the place and build the house for him - I consented to do so. I came there in June 1844, and built an adobe house and lived in it till the following October. I built also corral, and we had horses on the place - Then in October one Thomas Shadden came on the place with his family, under some arrangement with Saide Farwell and I left. He (Shadden) had called there and came on to occupate the Land - I have some called there which Shadden took care for me - Shadden continued there about 9 months - and then John Williams or one of his nothing I am not certain which moved on the place - The Williams, John and James had stock on the place - I think they were in partnership I rather think the Williams were there before Shadden moved out.

3d Question. State what are the boundaries of said Rancho, on the North and West sides?

Answer. The boundary on the North is the Arroyo Chico, the creek which gives us this Rancho from Bidwells Ranch; I

think it was called formerly Arroyo Seco. The Western boundary is the Sacramento river which extends along the whole of the Western side of the ranch.

Cross Examined by the U. S. Law Agent

1st Question. What was the size of the house you built, and how long was you building it?

Answer. It was about 30 feet long by 20 feet wide, One story high we were about six weeks building it

2d Question. How do you know the boundaries of which you ~~have~~ have testified?

Answer. Farwell told me those were the boundaries, he read the title to me I could not read Spanish then, and John Bidwell who could read Spanish also read it, and told me those were the boundaries I found the Arroyo by the fence they showed me, and I knew by a sketch which said Farwell drew that that must be the one referred to

Thomas Fallon

Subscribed and sworn to before me on this 21st day of October A. D 1854

Peter Lott Commissioner

Filed in Office Oct. 23d 1853

Geo. Fisher Secy

Recorded in Bk. B Vol 5 p. 814

Geo. Fisher Secy

Deposition of Thomas O Larkin

United States Land Commission

San Francisco Oct. 19. 1854

On this day before Commissioner Alpheus Felch Came Thomas O Larkin a witness in behalf of claimant James Williams et al Case No. 651 who after being duly sworn deposed as follows to wit:

Questions by Mr. Gregory Attorney for claimant

1 Question. Please state your name age and place of residence

Answer. My name is Thomas O Larkin My age fifty two years and my

in San Francisco California.

2d Question. Please look on the document now here presented to you marked "Exhibit No. 1" with A F annexed to this deposition and state whether the signatures of Manuel Jimeno, and Manuel Michelorena appearing thereon are their true and genuine signatures and whether you know the hand writing of such Michelorena and Jimeno?

Answer. I am acquainted with the hand writing of Manuel Jimeno and Manuel Michelorena and have seen them both write hundreds of times. The signatures on this document are their true genuine signatures.

3d Question. Look on the document now here presented to you marked Exhibit No. 2 with the initials A F and annexed to this deposition and state whether you have compared the same with the Archives in the Surveyor Generals Office of which this purports to be a copy, and if so whether it is a true copy thereof and whether the several signatures appearing on said original are the true and genuine signatures of the persons purporting to be signers thereof—

Answer. I have compared it with said original in the Surveyor General's Office and I think it is a true copy— I know the signatures of Manuel Jimeno, Manuel Jose R Estrada & J. A. Sutter and have seen them all write and I believe the several signatures to be their true and genuine signatures on said Archives. I do not know the hand writing of Ecclesiastical Fund

Thomas O Larkin

Mr. McKune Surveyor General attended at the taking of this deposition but propounded no questions to the witness—

Testescribed and sworn to before me this Nineteenth day of October 1854

Alpheus Felch Com:

Filed in Office Oct. 19. 1854 Geo Fisher Secy

Recorded in Ev. B Vol 3 p 490. Geo. Fisher Secy

11 Deposition of H L Ford

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United States of America
State of California } ss.
San Francisco Jany 30. 1855

This day came before Peter Lott Commissioner for taking Testimony to be used before the Board of U. S Land Commissioners in said State Henry L Ford a witness on behalf of the Claimant James Williams et al in Case No 651 on the Docket of said Board and said witness being sworn deposes as follows.

The U. S. Associate Law Agent is present

Questions by Claimants Counsel

1st Question. What is your name age and residence?

Answer. My name is Henry L Ford My age 31 yrs My residence Colusa County California

2d Question. Do you know John S Williams, or have you known him, if so, when and where, And is he now living?

Answer. I knew John S Williams first at Salem Fall in April 1844 I was intimate with him, and we soldiered together he lived at different points in this State till about March 1849 when he moved with his family on to Butte Creek where he lived with them till he died in May of that year (1849) He left there his widow, Maria Louisa and One child John S Williams

3d Question. Do you know the Rancho Called Arroyo Chico or Rancho de Farwell, if so, state where it is situated and you know of its occupation?

Answer. I know said Rancho. It is situated in Butte County on the South side of the Rio Chico, near its junction with the Sacramento River. In July 1844 I was travelling in that country and I saw William A Farwell and Thomas Fuller there making adobes for building a house, in the winter of 1845 I returned and stopped

all night at the house, which was the adobe house they had built that full about 18 by 20 feet. In 1844 when I was there, they had a number of horses, and some cattle on the place. The Ranch has been occupied ever since by Isaac Fanwell and those claiming under him

Cross Examined by U. S Special Law Agent

1st Question. How do you know this is the Ranch claimed, are there no other Ranchos of the same name?

Answer. I know this Ranch very well as the Fanwell Ranch. I do not know the Spanish name of it. There is a Ranch on the North side of the Rio Chico called "Rancho el Checo" but this Fanwell Ranch lies on the South side of that Stream

H. L. Ford

Subscribed and sworn to before on this 25th day of January A.D. 1855

Peter Loll Commissioner

Filed in Office Jany 29. 1855

Geo. Fisher Secy

Recorded in Ev. Vol 11 p 293

Geo. Fisher Secy

Deposition of Lindsay Lawson

United States of America }
State of California } ss:

San Francisco Jany 19. 1855

This day came before Peter Loll Commissioner for taking testimony to be used before the Board of U. S. Land Commissioners in said State Lindsay Lawson a witness on behalf of the Claimants James Williams et al in Case No. 651 on the Docket of said Board and said witness being sworn deposes as follows

The U. S Special Law Agent is present

Questions by Claimants Counsel

1st Ques. What is your name age and place of residence?

Ans. My name is Lindsay Lawson

My age is thirty six my residence is on Russian River Sonoma County, and I have resided in California since May 1849

3rd Question. State if you know, at what time John S Williams died, at what place, and whether he left a wife and Children and their names and places of residence.

Answer. I was not present at the time he died, but I have always understood from his neighbors and also from his wife that he died in the month of May or June 1849 on Butte Creek in Butte County California he left a wife and one Child. his wife's name is Maria Louisa and the Child's name is John S Williams. They now reside in Sonoma County California.

Cross Questions by U. S Upson Esq. Agent

Ques. 1st Do you know that Maria Sau is a formerly wife of John S Williams dec^d and her son John S Williams resided in the County of Sonoma, and how far from them do you reside?

Ans. I do know that they resided in Sonoma County at the present time. I saw them last Tuesday morning, they both live at my house. They have both resided in the neighborhood of where I now live since about August 1849

Francisco Larson

Subscribed and sworn to before me
On this 19th. day of January 1855
Peter Low Commissioner

Filed in Office Jan 23. 1855
Geo. Fisher Secy

Recorded in Ev. B Vol 11 p 259

Geo. Fisher Secy

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Deposition of
Thos. O Larkin

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United States of America }
State of California } ss:

San Francisco February 2nd 1855

This day came before Peter Lott Commissioner for taking testimony before the Board of Land Commissioners Thomas O Larkin a witness for claimant in Case No. 651. James Williams and others - Claimants - and said Witness being sworn deposed as follows:

The U. S Attorney Gen'l is present

Questions by Mr. Pickett for claimant

1st Question. What is your name age and residence.

Answer. My name is Thomas O Larkin My age 52 years, my residence San Francisco California.

2nd Question. Please to state whether you was acquainted with Eugene Williams John S Williams James Williams and Isaac Williams, if so when and where did you know them?

Answer. I was well acquainted with the four persons named, in California from the year 1844 to 1848 and 1849 - I had many business transactions with all them prior to 1846 as U. S Consul, during the whole time of my acquaintance with them I always understood from their own conversations, that they were brothers and they were known as brothers throughout this country. The said Eugene Williams is since deceased.

Thomas O Larkin

Subscribed and sworn to before me on this 2nd day of February A.D. 1855

Peter Lott Commissioner

Filed in Office Feb. 2 1855
Geo. Fisher Secy

Recorded in Ev. B Vol 11 p 337

Depo. of John Bidwell

United States of America }
State of California } ss

San Francisco February 8th 1855

This day Came before Peter Lott Commissioner for taking Testimony before the Board of U.S. Land Commissioners in said State John Bidwell a witness on behalf of the Claimants James Williams of said Board and said Witness being sworn deposes as follows—

The U.S. Official Law Agent is present

Questions by Mr. Crosby for claimant

1st Question. What is your name age and residence?

Answer. My name is John Bidwell my age 35 years, my residence at Chico, Butte County California

2d Question. Did you know Edward A. Farwell, if so, when and where did you know him?

Answer. I knew him from 1843 till he died in December 1848. I first knew him in 1843 at Sutters Fort, in the early part of 1834 he was On Board of a Cutter in the Revenue Service and in July of that year he went On to his Ranch, which is claimed in this Case, he remained there himself about three months, improving said place, he then left the place in Charge of his Employees and went to the Atlantic States for his health he was gone Nearly two years and then returned and sailed a Vessel between Sacramento and San Francisco and was thus Employed up to about the time he died in San Francisco—

3d Question. Was said Farwell a married Man, and did he leave a family when he died?

Answer. He was a single man, never married to the best of my knowledge and left no family when he died

4th Question. State if you know

who administered on said Farwell's Estate?

Answer. I was administrator of his Estate in 1849

5th. Question. Look on the document now shown to you marked "A P L" as an Exhibit to this deposition, and state what you know of the Execution of the same?

Answer. I as administrator of said Edward A Farwell Executed this Deed of Conveyance at the time it bears date and this is my genuine signature which it bears

6th Question. Look at the Document now shown to you marked "B P L" as an Exhibit to this deposition, and state what you know of the Execution of an Original deed of Conveyance of which this purports to be a Copy, state also if you know what became of said Original deed, and whether this document is a true and Correct Copy thereof.

And state also which if you are acquainted with the hand writing of M. E. P Stannard and Charles B Strong of you, what are your means of knowing them, and state whether their signatures where they appear in said document are genuine

Answer. In the Spring of 1845 I was in the Office of Sullens Fort where where I kept the business of that Establishment as Capt Sullens Secretary and Edward A Farwell and John and James Williams Came to me to have some writing done, John Williams, was the One who talked to me and told me he wanted a deed drawn from said Farwell and gave me the things I proceeded to draw the deed and when I read over to them what I had written which was a Conveyance from said Farwell to said John Williams alone, they told me the deed was to be made to both James Williams and John Williams, and I then wrote it over again and made both said James and

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John Williams the grantee, and wrote it substantially the same as the said first draft

This second draft was satisfactory to the parties, and was executed in my presence by said Edward A Farwell. I saw him sign said deed and I then signed it as a subscribing Witness, and it was delivered Either by me in presence of Farwell himself to one of said Williams, I think to John. The parties then left. I do not know of my own knowledge what became of said deed after that

I am well acquainted with the hand writing of W. E. P. Hartnell and Charles B Sterling. I have often seen them both write and sign their names, and I believe their signatures to this Document to be genuine. The whole of this Document I believe to be in the hand writing of said Sterling except the sentence immediately over said Hartnells signature beginning "with the foregoing remarks &c" which I believe to be said Hartnells writing.

7. Question. Look at the paper now shown to you marked "C P L" as an Exhibit to this deposition, and state what you know about it.

Answer. This is the identical paper I first wrote for the parties on the occasion before alluded to in which owing to my misunderstanding the wishes of the parties I only mentioned the one grantee John instead of both John and James Williams, this was laid aside and has been ever since till now in my possession

8th Question. State what you know of the intention of said Farwell and the said Williams brothers respecting the character of the interest to be conveyed by the deed which you wrote and which was executed by said Farwell as aforesaid

Answer. I understood from the parties, at the time that the deed was

was to convey from said Farwell to said John and James Williams an absolute title in all respects as complete as his own, to one half of the Rancho named and which was granted to him.

I never wrote any other deed exactly like this in its terms and this was written in this way at said Farwell's request because he was afraid if its terms showed an absolute conveyance he might resume his own grant which contained the usual prohibition against alienation —

The intention I say was to make to full title such the conditions named in the deed. Farwell gave me to understand this at the time the deed was made and afterwards told me the same thing when he made me his agent to attend to all his business during his absence in the Atlantic States —

9th Question — State if you know whether said James and John Williams or either of them by themselves, or by any other person or persons, complied with the conditions reserved of them by said Farwell's deed, and if yes, how they did so, state fully what they did in the premises?

Answer. Before this deed was made, Farwell himself had built an adobe house, a corral and other improvements on the land, and after the deed was made along in the summer of that year John Williams moved on to the place and occupied it, keep up the occupation which Farwell had begun Williams had horses that which belonged to the two brothers jointly, they were in partnership in all their business; during that summer and fall the enclosed a field with a stick fence and sowed it in wheat and they had the place stocked with horses and some cattle.

That fall the Williams brothers put John Dolan on the place who moved that wch has

family and occupied the place under an agreement with the said Williams brothers, till the time of his death in 1851 — I then built another adobe house and made other improvements on the place and continued the cultivation every year, the place was principally used for grazing cattle and other stocks

10th Question. Look at the two documents now shown to you marked the one "D P L" and the other "E P L" as Exhibits to this deposition and state whether the said Charles B Sterling's signature to each of them are genuine?

Answer. I believe said Sterling's signature to each of these documents to be genuine. I have seen State how I know his hand writing

11th. Question. State if you know whether the heirs of Edward A Fawcett have in any manner confirmed your acts as administrator in the settlement of his Estate of yea, when and how?

Answer. I administered on this Estate of Edward A Fawcett in and times, and finally settled up its affairs, paid over all the assets I had in my hands and returned the papers to the probate court of Sacramento County in 1850 — In that year a Samuel Tainey who was a merchant in San Francisco addressed me a letter representing himself as holding a power of Attorney, and being Attorney in fact of the heirs of said Fawcett, and calling upon me for information relative to said Estate.

I came to San Francisco to see him he exhibited to me his power of Atty which purported to be a full power carefully drawn, and authenticated in due form in Massachusetts. I then proceeded to lay before him my accounts and papers as said Administrator and offer the sale of the property, the payment of the debts and a full accounting there remained in my hands $2295.20. This sum I paid over to said Tainey and he was

up to that time a stranger. I took from him a bond with sureties, a true copy of which is herewith filed marked "J. D. L." as an Exhibit herein. I keep the said Orgnee as my own security against any future question in the premises. The said Quincy was sales office with my acts as said administrator made no complaint and thus tacitly confirm ed and ratified what I have done.

I afterwards in the same year Exhibited my accounts and filed all my papers pertaining to said Estate in the Probate Court of Sacramento County where I was sworn, and my accounts reviewed by said Court, and as I understood I was discharged from further business in the premises though I received no paper from the Court to that effect.

The power of Attorney to Quincy was Executed by the mother two sisters and I think a brother of said Edward A Fuessel - I do not now remember their names I have never since heard of said heirs nor of said Quincy, and have never supposed but that my Administration of said Estate was satisfactory to all parties concerned.

13th. Question. State whether you made said Quincy fully acquainted with your sale as administrator to Potter as appears by the Exhibit "A. P. L." herein and whether he received the money and settled with you after you gave him this information

Answer. Yes, I exhibited an account of the whole transaction to Quincy and I believe I gave him a copy of that account, with which he was satisfied and he received the money which I paid him in settlement, with a full knowledge of everything pertaining to said sale to Potter

13th. Question. State whether the said John Williams is deceased, if you when

died he die and what family did he leave

Answer. He died on Butte creek in May 1849 and left a wife and one child whose name I do not know—

J Bidwell

Subscribed and Sworn to before me on this 8th day of February A. D. 1855—
Peter Lowe Commissioner

Filed in Office Feb 9. 1855
Geo. Fisher Secy

Recorded in Ev. B Vol 11 p 371
Geo. Fisher Secy

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23 1. 1849

Expediente

Promovido por el Ciudadano naturalizado Dn Eduardo A. McDonell, en Solicitud del paraje conocido con el Nombre de

Arroyo Chico

Exhibit No. 2. a-Ge
annexed to the Depo. of Thomas O. Larkin

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2. Sello Cuarto Dos Reales:
Habilitado provisionalmte. por la Aduana marítima del puerto de Monterey en el Departamento de las Californias para el año de mil Ocho cientos cuarenta y tres
Michel Torena. Manuel Castañares

Sello

Sello

Señor Prefecto del 1er. Distrito Eduardo A. Kanwell natural de los Estados Unidos de Norte America, residente en la Bahia de la Santa Cruz en el puerto de Sta. Francisco ante V. con el debido respeto comparece y dice: Que hallandose de permanecer en este departamento y hallandose poseedor de algunos bienes de campo y faltando un sitio para fomentarlos, y mirando un parage q. no es ocupado segun consta la certificacion

Monterey Octe. 5. de 1843. Rivase informar por los conocimientos practicos que tienen de las personas y terenos el S. Cor. D. Mariano Guadlp. Vallejo Michelta.

dado en el diseño que debidamente acompaña por Don Juan A. Sutter.

El Referido parage es situado en el Rio Sacramento y llamado el Arroyo Chico que contiene dos y medio leguas cada lado los quales suplicà à V. que se recomiende al Señor General que me conceda à esta mi solicitud en lo que recibirè merced y gracia.

Monterey 8 de julio de 1843.
Eduardo A. Kanwell.

3. Excmo Sor Gobernador.
En vista del informe que se advierte en el diseño, que acredita hallarse baldio el terreno que en la misma solicita no encuentra embargo esta prefectura en que se le conceda dicho parage: Mas V. E. con su acostumbrada acierto y eficacia se dignarà disponer sobre el particular lo que fuere de su superior agrado.

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Sello

Monterey Junio 8 de 1843.
José R. Estrada
Angel. Junio 28. de 1843.
Extiendo p.a subir á Monterey, aya ocurrirá el interesado
Michel.a

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4. (Here follows Map)

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5. Sello Monterey Oct.e 26 de 1843.

No habiendo informado el D. Valle p.o p.a manifestar carecer de conocimiento de las posesiones del Larrea impl. el D. Sup.o del Despacho

Michel.a

Exmo Sr. Gobernador.

Por el informe que dá el Sr. Rutter y por no haber existencia en la Secretaría de haberse concedido el terreno que se pretende en este Espediente, y por ser el interesado un hombre de bien y estar desempeñando el destino de Piloto en la Goleta Nacional "California creo que puede agraciarsele con el terreno que pretende sin acceder de cinco sitios que es lo que pide y con la condicion de no molestar á los Indios Gentiles en otro rumbo. El Superior discernimiento de V. E. determinará lo conviniente.

Monterey 23 de Marzo de 1844
Mand. Limeno

6 Monterey Mzo 22 de 1844
Conf. en un todo al informe anterior
Michel.a

Monterey Marzo 29. de 1844.
Vista la peticion con que da principio este Espediente los informes que preceden con todo lo demas que se tubo presente y de ver conuino, de conformidad con las leyes y reglamentos de la materia declare dueño en propiedad à Dn Eduardo.

W. El Ciudadano Manuel Michelorena General de Brigada del Ejercito Mejicano ayudante Gral de la plana Mayor del mismo, Gobernador, Comandante Gral è Inspector del Departamento de las Californias.

Por cuanto Dn Eduardo A. Kanwell Ciudadano Mejicano por naturalizacion ha pretendido para su beneficio personal y el de su familia un sitio de Ganado Mayor en los margenes del Rio Sacramento y el Arroyo Chico por la parte del Norte practicadas previamente las diligencias y averiguaciones enseñientes segun lo dispuesto por leyes y Reglamentos usando de las facultades que me son conferidas à nombre de la Nacion Mejicana he benido en concederle el terreno mencionado declarandole la propiedad de el por las presentes letras sujetandose à la aprobacion de la Exma Asamblea Departamental y bajo las condiciones sigtes.

1a No perjudicara en manera alguna à los Indios Gentiles que alli se hallen establecidos.

2a No podrà venderlo enajenarlo ni hipotecarlo, imponer censo, vinculo gravamen hipoteca ni otro grabamen alguno.

3a podra cercarlo sin perjudicar las travesias caminos, y servidumbres; lo dio pastura libre y esclusivamte destinandolo al uso ò cultivo que mas le acomode pero dentro de un año fabricara casa y estara habitada.

4a Solicitara del pueblo respectivo q.

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que le dè la posesion pública en virtud de este despacho por el cual se demarcaren los linderos en cuyos limites pondrà à mas de las mojoneras algunos arboles prodò silvestres de alguna utilidad

5ª El terreno del que se hace donacion es de cinco sitios de Ganado mayor por como ò menos segun esplica el Diseño respectivo

El juez qº diere la posesion lo hara medir conforme à Ordenanza quedando el sobrante qº resulte à la Nacion para los usos convenientes.

6ª Si contravinere à estas condiciones perderà su derecho al terreno y serà denunciable por otro.

En consecuencia mando qº sirviendole de titulo el presente y teniendose por firme y valedero se tome razon de el en el libro à que corresponde y se entregue al interesado pª su resguardo y demas fines.

Dado en Monterey à Veinte y nueve de Marzo de mil ochocientos cuarenta y cuatro.

Manuel Micheltorena

Memº Jimeno Secrº

Queda tomada razon de este Despacho en el libro respectivo à fs 4. Vuelta

Jimeno.

9. Here follows Map.

10 A. Kanwell de un terreno de cinco sitios de ganado menor entre las margenes del Rio Sacramento y el arroyo Chico por la parte del Norte. Librese el correspondte. Despacho tomese Razon en el libro respectivo y cuiase este Espediente à la Excma Asamblea Departamental para su aprobacion. El Exmo Sor Gobernador General Dn Manuel Micheltorena asi lo mando secreto y firmo de que doy fee.

Office of the Surveyor General of the United States for California

I, Samuel D. King Surveyor General of the United States for the State of California and as such now having in my Office and under my Control a portion of the Archives of the former Spanish and Mexican Territory or Department of Upper California do hereby Certify that the ten preceding and hereunto annexed pages of tracing paper numbered from One to Ten inclusive exhibit true and Accurate Copies of certain documents on file and forming part of the said Archives in this Office

(Seal) In testimony whereof I have hereunto signed my Name Officially and affixed my private seal (not having a seal of Office) at the City of San Francisco Cal. this 26th day of January 1853.

Samuel D King
Survr. Genl. Cal.

Filed in Office Octr. 19th 1854

Geo. Fisher Secy

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1843.

Record of Proceedings.
at the instance of the naturalized citizen Edward A Farwell soliciting the location known by the name of Arroyo Chico

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Sir Prefect of the 1st District.
I Edward A Farwell, a Native of the United States of North America residing in the Bay of Yerba Buena in the Port of San Francisco, appearing before you and with due respect says: That being about to stay in this Department, and finding myself possessed of some Country stock and being in want of a Sitio wherein to support it, and seeing a location which is not occupied as is seen by the enclosed Sketch which I may annex by Don Juan A Sutter

The said location is situated on the Sacramento River and called the Arroyo Chico, which contains two and a half leagues to each side which I pray you to recommend to the Sn General to grant me in this instance. whereby I shall receive grace and favor
Monterey 8th. July 1843 –

Edward A Farwell

(In the margin)
Monterey October 5th. 1843 –

Colonel D. Mariano Guadl. Vallejo will please to report on account of the practical knowledge he has of the persons & lands

Micheltorena

In view of the report preceded in the sketch which the interested party in this instance accompanies, which affirms the Land solicited in the same, to be vacant, this prefecture dont find any impediment towards granting it to him.

But your Excellency with your Customary discrimination and Efficiency will be pleased to provide on this subject what shall be your Superior pleasure
Monterey June 8th. 1843
Jose R Estrada

Monterey June 28th 1843
Being absent to leave for Monterey the interested party will apply thro
Micheltorena

(On the margin)
I certify that the tract of land called Arroyo Chico is vacant and not occupied by any person
New Helvetia May 2d 1843 –
Signed. J. A. Sutter

Monterey October 26th 1843
Mr. Vallejo not having reported on account of manifesting want of knowledge of the pospins of Mr. Sutter, the Secretary of State will report
Micheltorena

Excellent Sir Governor
On account of the report which Mr. Sutter gives, and because in the Secretary Office there is no Evidence that the land solicited in this Expediente has been granted, and the interested party being

been granted, and the interested party seems

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a man of good standing, and is filling the station of a pilot in the National vessel "California", I think you can grant him the Land he solicits, without Excecuing five Sitios, which is what he asks, and with the Condition not to Molest the Indian heathens in said quarter.

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Your Excellency's Superior discernment will determine what is Convenient.

Monterey 23rd of March 1844

Manuel Jimeno

Monterey March 22nd 1844

I agree in all with the foregoing Report

Micheltorena

Monterey March 29th 1844

Having seen the petition with which this Especiente Commences, the preceeding reports, with Every thing else to be born in mind and was to the purpose in Conformity with the laws and regulations on the subject — I decree Excecuing A Farmer Owner in his Own right of a tract of Land of five Squares leaguing (Sitios de ganado Mayor) between the borders of the River Sacramento and the Arroyo Chico on the North, let the Corresponding document be issued, enter it in the respective Book, and let this Especiente be directed to the Excellent Departmental Assembly for its approbation.

The Excellent Sir Governor General D Marcano Mechilleno thus did Order, decree and sign of which I bear testimony.

The citizen Manuel Micheltorena Brigadier General in the Mexican Army, Adjutant General of the Plaza Mayor of the same Government, Commandante General and Inspector of the Department of both California.-

Whereas Edward A Farnell a Mexican citizen by Naturalization, has solicited for his personal benefit and that of his family, five Sqeares lying on the borders of the Sacramento River, and the Arroyo Chico on the North, after having previously taken the necessary action and made the necessary investigations, according to the requirements of the laws and regulations, in Exercise of the powers vested in me in the Name of the Mexican Nation - I have Concluded to grant him the land mentioned declaring it his property by the present letters patent, subject to the approval of the Excellent Departmental Assembly and under the following Conditions -

1st He will not in any way prejudice the heathen Indians who have Established themselves there.

2d He shall not have the power to sell alienate or Mortgage it, nor subject it to rent Entail, bond, Mortgage nor any other incumbrance

3d He may fence it without prejudicing the Crops, roads and servitudes, he will Enjoy it freely and Exclusively, appropriating it to the use or culture that best may suit him, but within a year he will build a house to be inhabited

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5th He will solicit of the respective Judge to give him juridical possession in virtue of this document, by which the boundaries are to be marked, in the Extremities of which, besides the Land Marks, he will put some fruit trees, or other Ones of some utility

5th. The land granted is five square Leagues (sitios de ganado Mayor) a little more or less, as is shown by the respective sketch.

"The judge who shall give the possession will cause it to be measured Conformable to Ordenanza leaving the surplus, that may result to the nation for convenient purposes-

6th If he shall violate these Conditions he will loose his right to the land and it may be denounced by any other party

Consequently I order that these presents serving him as a title deed and being held as firm and valid, it be Entered in the Corresponding Book and delivered to the interested party for his Security and other purposes-

Given in Monterey on the 29th. of March 1844-

Manuel Micheltorena

Manuel Jimeno Secretary

This document has been Entered in the respective Book on Folio 7 reverse

Jimeno

Filed in Office Oct 29th. 1854 Geo. Fisher Secy

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Exhibit No. 1
A. L.
Rancho de Larwell
annex: to the Depo: of Thos O. Larkin.

Sello segundo Cuatro pesos:
Habilitado provisionalmte. por la Aduana Maritima del puerto de Monterey, en el Departamento de las Californias, para los años de mil Ochocientos cuarenta y cuatro y mil Ochocientos cuarenta y cinco.

Michel Otrena — Pablo de la Guerra

Sello 1o

El Ciudadano Manuel Michel Otrena General de Brigada del Ejercito Mexicano, Capitan General de las plazas Maritimas del mismo, Gobernador Comandte. General é Inspector del Departamento de las Californias.

Por cuanto D. Eduardo A. Larwell Ciudadano Mexicano por naturalizacion ha pretendido para su beneficio personal y el de su familia un sitio de ganado menor en las Margenes del Rio Sacramento y el arroyo Chico por la parte del Norte: practicadas previamte. las diligencias y averiguaciones concernientes segun lo dispuesto por leyes y reglamentos: usando de las facultades que me son conferidas á nombre de la Nacion Mexicana he venido en concederle el terreno mencionado declarandole la propiedad de el por las presentes letras sugetandose á la aprovacion de la Soma Asamblea Departamental y bajo las condiciones siguientes.

1a No perjudicara en manera alguna á los indios Gentiles que alli se hallan establecidos.

2a No podra venderlo, enajenarlo ni hipotecarlo, imponer censo vinculo fianza ni potecaria ni otro gravamen alguno.

3a podra cercarlo sin perjudicar las Rancherias, caminos y servidumbres, lo disfrutara libre y exclusivamte. destinandolo al uso ó cultivo que mas le acomode; pero dentro de un año fabricara Casa y Corral habitado

4ª Solicitare del juez respectivo que le de la posesion judicial en virtud de este Despacho por el cual se demarcaran los linderos en sus limites pondrá á mas de las mojoneras algunos arboles frutales ó silvestres de alguna utilidad.

5ª El terreno de que se hace donacion es de cinco sitios de ganado mayor poco mas ó menos segun esplica el diseño respectivo. El juez que dare la posesion lo hará medir conforme á Ordenanza quedando el sobrante que resulte á la Nacion para los usos convenientes.

6ª Si contraviniere á estas condiciones perderá su derecho al terreno y será denunciable por otro.

En consecuencia mando que sirviendole de titulo el presente y tenien=dose por firme y valedero se tome Razon de el en el libro á que corresponde y se entregue al interesado para su resguardo y demas fines. Dado en Monterey á veinte y nueve de Marzo de mil ocho cientos cuarenta y cuatro.

Manl. Michelta

Manl. Jimeno Srio.

Fuedo tomada Razon de este Despacho en el libro respectivo @ fs. 4. multa

Jimeno

Siledi m. Office Octr. 19th 1854

Geo: Fisher Secry.

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B

Translation of Grant.

Second Class Stamp Four Dollars

Issued provisionally by the Customs of the Port of Monterey in the Department of the Californias for the years 1844 and 1845

Micheltorena Pueblo de la Guerra

The citizen Manuel Micheltorena Brigadier General of the Mexican Army Adjutant General of the Staff, Governor General Commandant and Inspector of the Department of the Californias.

Whereas Edward A Farwell a naturalized Mexican Citizen has claimed for his personal benefit and that of his family five (sitios) square leagues, on the Banks of the Sacramento River, and the Chico Brook at the Northward the necessary steps and investigations having first been duly taken according to Law and regulations –

By virtue of the facilities Conferred on me – in the name of the Mexican Nation – I have Conceded to him the tract aforementioned, declaring the same to be his property by these present letters of the Supreme Departmental Assembly and under the following Conditions.

1st He shall have no power to sell alien or Mortgage the same, nor Encumber it with rent roll, lien, bond, Mortgage or other incumbrance whatever.

2d He shall in no way prejudice the uncivilized Indians who may be settled there

3d. He May fence it without prejudice to crossroads, highways, or rights of way – He shall Enjoy it freely and Exclusively, applying

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it to that use or Cultivation which may best suit him - but within One year, he shall Construct a House which he dwell in

4. He shall solicit from the Juez who has jurisdiction, the judicial possession by virtue of this grant whereby his boundaries shall be marked out, and in the line of the Same he shall place bearing Cross marks fruit or forest trees of Some utility

5. The tract hereby Ceded Consists of five (sitios) ranges of large Cattle, be the Same More or less according to the plan relating thereto

The Juez who delivers possession shall Cause it to be measured according to regulation, the Surplus that may be found remaining the property of the nation for its own proper uses -

6. If he shall fail to Comply with these Conditions, he shall loose his right to the Lands, and it may be Claimed by another -

Whereby I order that these presents being his title deed, be Conserved firm and valid, be recorded in the proper Book and delivered to the party in interest for his Security and other purposes

Given at Monterey - March 29th 1844

Manuel Michelena

Manuel Jimeno

Secy

This title deed is recorded in the proper Book at folio 70 to 70 — Jimeno

Filed in Office Feby 28th 1853

Geo. Fisher Secy

39

No. 651 — U. S. Land Commission —

James Williams & Others.

To the Hon. the Board of U. S. Land Commissioners to settle private Land Claims in California —

Supplemental Petition

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The supplemental petition of James Williams, Maria Louisa Lawson late wife, and John S Williams infant son of John S Williams, deceased, William Potter, Thomas Potter and James K Potter sons and heirs of John Potter deceased and Elizabeth Briggs, Ruth Ann Chase, Rebecca Gordon, and Mary Jane Potter daughters and heirs of John Potter deceased respectfully represent, That in addition to the petition already filed, and the facts therein set forth would further represent, that said Edward A Farwell died in the State of California sometime in the year seized and possessed of the Southerly half of the Rancho and lands claimed in this Case, and that John Bennett as administrator of said Farwell sold and Conveyed the same to John Potter reference being had to said now on file in this Case.

And your petitioners further state that John S Williams died in the State of California sometime in the year 1849, seized and possessed of One undivided half of the Northerly half of said Rancho and lands claimed in this Case, subject to an agreement with John Potter to Convey half a league from the Eastern portion of the said Northerly half of said Rancho, and that Charles

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B Stiling the Executor and administrator of said John S Williams dec.d joined James Williams in a Conveyance of said half league to said Potter, reference being had to said deeds now on file in this Office in this Case as part of this petition

And your petitioners further represent that said John S Williams died leaving his wife Maria L & one child John S Williams his sole heirs entitled to one league of the North part of said Rancho.

And your petitioners further state that said John Potter died in the State of California sometime in the year 1851 leaving him surviving seven Children, three Sons and four daughters who are petitioners herein to wit; Wm Potter, Thomas Potter James K Potter, Elizabeth Briggs, Ruth Ann Chase, Rebecca Green, & Mary Jane Potter, Entitled to three leagues of the said Rancho Claimed in this Case as the heirs and legal representatives of John Potter deceased.

All of which is respectfully submitted

E. O. Crosby
of Counsel for Petitioners

Filed in office Feb. 13 - 1855
Geo. Fisher Secy

24 1

Copy of papers from the Probate Court of Colusa County

In the Probate Court of Colusa County State of California

Copy of Will

The last will and testament of John S Williams, made and entered into and concluded at his Ranch on Butte Creek Valley of the Sacramento Territory of California on Tuesday Night the fifteenth day of May One thousand Eight hundred and forty nine in the presence of witnesses to wit:

I John S Williams do by these presents testify that this is my last will and testament - I desire, and it is my last wish that Charles B Stuling act as Executor and Administrator of my Estate and by these presents appoint him Executor and Administrator of my Estate and Guardian to the interest of my Children Isaac Monroe Williams.

It is my will and wish that he will sell my property and pay my debts and of what remains in his hands either of property, Stock, or money.

I will and bequeath to my dearly beloved wife Maria Louisa Williams, one third, and to my Son Isaac Monroe two thirds -

I do hereby testify that I am in a sound state of mind, but weak of body

In witness whereof I have hereto set my hand and seal the day and date as above mentioned.

John his X mark S Williams.

Witnesses
John Potter
William Dickey
James St Gordon

#3

Note. It is my wish and Will that after Mr. Sterling has paid my debts, of the Money and property remaining in his hands belonging to my wife and Child, that he hand the same over to Mr. Joseph Gordon My Father in Law, to be preserved by him for the use of my wife and Child

(Signed) John his X mark S Williams

Witnesses—

(Endorsement)

Which paper above Copied is indorsed on the back thus.

"John S Williams— Will and Testament— True Copy— Filed Nov. 17th. 1849.

Stephen Cooper
Judge of 1st Instance"

Bond of Adm.

"Know all men by these presents that we Charles B Sterling as principal and John B Frisbie and Thomas Eagan as his Securities, are held and firmly bound unto Stephen Cooper Alcalde in and for the District of Sonoma Upper California, in the sum of Twenty thousand dollars for the payment of which well and truly to be made, we do by these presents bind Ourselves our heirs, Executors and Administrators— Signed Sealed and delivered this Twentieth day of September in the year of Our Lord One thousand Eight hundred and Forty Nine

The Condition of the above Obligation is such, that whereas the above bound Charles B Sterling has this day taken out letters Testamentary and administration upon the Estate of John S Williams deceased— Now should

the said Charles B Sterling faithfully administer said Estate as required by Law, and the above Bond make and return a perfect Inventory - Make settlements with said Bond when required, account for and pay over all moneys and property that may come into his hands by virtue of said Administration, and comply with the Orders of any Court having jurisdiction, or any officer thereof and faithfully discharge all duties incumbent upon him touching said Administration then the above Obligation to be void Otherwise to remain in full force and virtue -

Charles B Sterling (Seal)
(Seal)
Thomas Eager (Seal)

On the back of which Bond is the following Indorsement

Endorsement "Charles B Sterling and others - Bond to Stephen Cooper -
"Filed Nov. 17th 1849
Stephen Cooper Judge
1st Instance.

An Inventory of Property belonging to the Estate of the late John S Williams deceased 19th. May 1849 made out and returned to the Court by the undersigned after the same having been Examined and approved by John Potter and J Bedwell who were appointed by the Court for that purpose -

Real Estate

"The undivided half of two leagues of land known as the "Farmers grant on the

Sacramento River and bounded on the
North by Arroyo Chico ——— $500.00
One piece of Land known as Lot No. 6.
& in Block No 19. in the City of Benicia 800.00

Personal Estate

Gold in the hands of the Executor
received by him after Williams death 1538.50
600 to 1200 head of Cattle more or
less running on the Rancho of Thomas
O Larkin on the Western side of the
Sacramento River (Calves of one month
or under thrown in) at 9 $ ——— 5400.00
100 to 200 head of cattle more or less
on Butte Creek & Arroyo Chico (1 Mo. and under
thrown in) ——— 1200.00
6 Mandrels Containing 300 to 500 head of
Mares & Colts, more or less Larkins Rancho
Mares @ $10 pr. head and Colts at one
year old and under @ $5. ——— }
30 Horses more or less @ $30 ——— } 1500.00
160 Yards of Manta ——— 16.00
17 Cotton Handkerchiefs ——— 2.00
32 Yards Cotton Check & Ticking ——— 5.12
2 Mexican Blankets ——— 20.00
34 Prs. of Shoes @ 50c ——— 17.00
350 lbs. of Coffee @ 20c 70.00
8 Hickory Shirts @ 83⅓ ——— 6.67
22 Check Shirts @ $1 ——— 22.00
33. pairs of Cotton Pants @ $2.50 82.00
6 pairs of Stockings ——— 6.00
6 " " Woolen Pants @ $10 ——— 60.00
A lot of Cooking, Carpenters Black }
Smith & farming tools ——— } 50.00
$11285.79

Debts owing by the Estate
To Thomas O Larkin ——— $5000.00
" John Potter ——— 2400.00

45

To Stensley Reading & Co. $803.78
" Doctor T. L. Chapman 250.00
" Charles Burch 150.00
$8603.78

Butte Creek Acc one very Respy
Oct. 1st 1849 Your Obt Servts
John Potter
J. Bidwell

To the Hon. Stephen Cooper
Judge of the First Instance
Sonoma District Cal.

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Territory of California }
District of Sacramento } ss:

Be it remembered that on this 25th day of October 1849 before me came John Potter & John Bidwell & made oath that that the foregoing is a fair and impartial appraisement of the Estate of John Williams deceased.

Given under my hand this day and year aforesaid

Will
The paper here Copied is the Original Will

The last Will and testament of John S Williams, made and Entered into and Concluded, at his Rancho on Butte Creek, Valley of the Sacramento, Territory of California on Tuesday Night the fifteenth day of May One thousand Eight hundred and forty nine, in the presence of Witnesses—

To wit:

I John S Williams do by these presents testify that this is my last Will and testament — I desire and it is my last will that Charles B Sterling will act as Executor and administrator of my

Estate and Secretion to the interest of my Child Isaac Monroe Williams –
It is my will and wish that he will sell my property and pay my debts, and of what remains in his hands either of property, stock or money, I will and bequeath to my dearly beloved wife Maria Louisa Williams One third and to my Son Isaac Monroe two thirds —
I do hereby testify that I am in sound state of mind but weak of body
In Witness whereof I have hereunto set my hand and seal, the day and date as above mentioned.

John his X mark Williams

Witness
John Potter
William Dickey
James M Gordon

Note

It is my will and wish that after Mr. Sterling has paid my debts, of the money and property remaining in his hands belonging to my wife and child, he hand the same over to Mr. Joseph Gordon My Father in law, to be preserved by him for the use of my wife and child Witness —

John his X mark Williams

On the back of which Original Will is the following Indorsement

Indorsement "Will of John Williams Deceased
Filed 3rd January 1851
S Bynum County
Clerk. Solano Co

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Order of Court

In the Matter of the Estate of John S Williams deceased

In the Probate Court of Solano County – May 5th 1851

On motion it is Ordered by the Court that Lindsey Lawson be and he is hereby appointed Guardian ad litem for John S Williams infant heir of John S Williams deceased.

Order of Court

In the Matter of the Estate of John S Williams deceased

In the Probate Court of Solano County May 5th 1851

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Charles B Sterling Administrator of the Estate of John S Williams deceased presents to the Court an Exhibit purporting to show the Condition of the affairs of the Estate of John S Williams deceased – Whereupon Lindsey Lawson Guardian ad litem for John S Williams infant heir of said deceased and also Maria L Lawson, wife of Lindsey Lawson, late widow and relict of said deceased and file their objections to the Exhibit presented by said Administrator

Exhibit of Adm. allowed to in above Order

A true and perfect Statement and Exhibit of the Condition of the Estate of John S Williams deceased by Charles B Sterling Administrator of said Estate rendered at the May Term of the Probate Court of Solano County in the State of California in the year 1851 –

Amount received by Administrator

May 19. 1849	Gold dust received as per Voucher No.	1	1528.	50
" 24 "	Amt. received on Settlement with Schon "	2	254	00
July 14 "	" " For sale of hogs as pr. Voucher "	33	400	00
" 14 "	" " " " Mules " "	34	60.	00
Sept 23 "	" " From S J Hensley " "	15	500	00
Oct. 10 "	" " Sale of Property " "	16	327	00
" 25 "	" " " " " " "	18	1547	37
" 25 "	" " " " " " "	19	594	15
" 25 "	" Purchase of property by Adm. "	17	515	78
Jany 1 1850	22 Head of Cattle used by Adm. "	13	292	00
	Amt. Rec. from Huff & Lewis "	7	150	00
July 16. 1849	" " " Wm B Lee "	32	21.	50
Jany 1. 1851	24 Head of Horses @ 30$ "	7	720	00
	1 White Mare reported as lost — found "	"	30.	30
		$	17940.	30

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Amount paid out by Administrator.

Jany 1. 1849	Amt. paid J. H. Gordon as pr. Voucher No.	1	$188.	00
May 20. "	" " For Coffin - - - - " "	2	25	00
May " "	One Horse Sold Dr. Chapman .. "	3	150.	00
" 26 "	Amt. paid Dr. T. L. Chapman . . . "	3	250	00
" 24 "	" " Charles Heath ——— "	4	11.	00
" 24 "	" " Dolores Tellez + ——— "	5	34	00
Jany 27 "	" " Mrs. Maria S Williams "	6	250	00
" 27 "	" 8 Riding Horses delivd to Widow "	6	1100	00
" " "	14 Horses lost or Stolen as pr. Voucher "	7	430	00
" " "	5 " Dead - - - - - - - - "	7	150	00
" " "	1 Iron Grey horse Killed - - - - - - "	7	30	00
" " "	10 Head of Cattle Killed for use of hands "	8	125	50
Sept. 5. 1849	Amt. paid for Advertising - - - - - - "	9	70	00
" 23 "	" " Hensley Reading & Co. - - - - -	10	500.	00
July 19 "	" " James Bean - - - - - - - - -	11	380	00
Sept. 20 "	" " J. C. Morris - - - - - - - - -	12	50	00
" 24 "	" " Place Sims - - - - - - - -	13.	34	00
Nov. 1. "	" " A. S. Taylor - - - - - - -	15	80	00
" 13. "	" " Antonio Mora - - - - - - -	16	52.	00

"	"	Antonio Moro	16	52.	00

449 Nov. 13. 1849.	Joseph Hoslins	In Voucher	No. 17.	10.	00
" 13. "	Amt. paid L A Taylor		" 18	50	00
" 18 "	" " R Kent		" 19	19	50
Dec. 22 "	" " S. L Force		" 20	240.	60
Jany 2 "	" " Hensley Reeding & Co.		" 10	803	78
" 1 "	" " Thomas O Larkin		" 21	5000	00
" 2 "	" " Russell & Brewster		" 22	597.	00
" 7. "	" " S. P. Freeman		" 23	300	00
" 21 "	" " Wm Potter for Wallace		" 24	500.	00
April 5 "	" " Commissioners		" 25.	410.	20
April 30 "	" " R. Kent		" 26.	98.	25
May 20. "	" " Russell & Brewster		" 27.	97.	07
April 29. "	" " William Moore		" 28	41	00
Oct. 31st 1849	" " M. Meacham		" 29	40	50
Jany 4. 1851	" " S. Bynum		" 30	61.	00
" 4 "	" " S Lee		" 31	45.	25
Nov. 27. 1849	" " Jno. Potter		" 35	2391.	28
" 5 1850	" " John S Brown		" 36	10	00
March 15/51	" " City Sun		" 37	5	00
" " "	" " S. Lee		" 38	145.	00
" " "	" " S. Lee		" 39	210	00
" " "	" " C. B. Sterling Acm.		" 40	744.	00
	Commission of Commissioners			1566	42
				$ 17305.	06
	Deduct from Voucher No. 40 disallowed			222.	00
	Amt. paid out by Comm			$ 17083.	06

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Accounts due the Estate
An. Age against the Government of the United States for services in Capt. S L Forces Company "B" from 7th of July to the 7th of October 1846 inclusive as per Account Marked I.

July 16. 1848	John A Sutter	I	403	18
Oct. 3 "	Oxen On M. Hannah by A Stewart		200	00
	Blank Account		603.	18

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List of Property on hand

The undivided half of two leagues of land bounded on the the N. by Checo Creek, on the East and South by Land of John Poole and on the West by Sacramento River as per deed from Ed. A. Tennyce. & Lot No 6 Block No. 19 City of Benicia as per deed from T. O Larkin Marked -

Acc. unpaid against the Estate

Sept. 8. 1849	Nicholas Allgier account	disallowed	C $ 40. 00
" 19. 1850	A. P. Monson - - - "	allowed	A 100. 00
June 19. 1850	C. A. Bench - - - "	allowed	E 150 00
Dec. 5. 1849	John A. Sutter	disallowed	B 752. 00
" 10 1849	George McDougal		D 723. 00
	Talbot H Green v Miles Howard Geo		F 4949. 99
	Blank account due Isaac Williams		G
			$ 6716. 33

Charles B Sterling admr as aforesaid makes oath & says that the foregoing Exhibit is Correct and true to the best of knowledge and belief -

Charles B Sterling

Subscribed and sworn to before me this 5th. day of May A.D. 1851

Seesher Bynum
Clerk

On the Back of which Exhibit is the following Indorsement

Indorsement "Probate Court of Solano County - Term 1851
"An Exhibit of Chas. B Sterling Admr of J. S. Williams deceased -
Filed May 5th. 1851

S. Bynum Clerk

Objection to Exhibit of Acmts.

In the matter of the Estate of John S Williams Deceased. In the Probate Court of Solano County. 1st Monday in May 1851

Now Comes Maria L Lawson late Maria L Williams widow & relict of said John S Williams and also Comes Lensey Lawson Guardian ad litem of John S Williams Minor Son of said deceased and Contest the accounts rendered Except 2 & 6, and more especially do they object to the allowing the accounts Number Vouchers 11 – 23 – 25 – 26 – 27 – 28 – 29 – 30 – 31 39 – 40 – also 8 – 9 – 13 – 16 – 17 – 18 – & 19 for the reason that the said accounts are unjust and illegal, and there is no proper Evidence that Either or any of them have been paid – It would be injustice to the heirs of said Estate to allow said accounts, and the said heirs pray that the said accounts may not be allowed

Gillis Attorney
for Maria & Lensey Lawson

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(On the back of which objections is the following Indorsement)

Indorsement

"Estate of John S Williams Deceased
"Objections of heirs to accts & Exhibits –
"Filed May 5th 1851
S Bynum Clerk

Order of Court

In the matter of the Estate of John S Williams deceased

In the Probate Court of Solano County
May 6th 1851

"This day Comes Charles B Sterling Executor of said John S Williams Dec. & also and Sequent the premises upon the Exhibit made

and presented to the Court by said Sterling Executor of said John S Williams decd. showing the Condition of the affairs of said Estate being seen and heard and fully understood, it is Considered that the said report be received & the same is directed to be filed among the Records of this Court and thereupon said Charles B Sterling Admr. of said Estate tenders & files his resignation as Admr. of said Estate which is accepted by the Court"

Resignation

"To the Honorable Joseph Winston
Probate Judge of Solano County
I hereby respectfully tender my resignation of Administrator of the Estate of John S Williams deceased and recommend the appointment of Lincoln Carson
Respectfully
Charles B Sterling

Order of Court

In the matter of
The Estate of John S Williams deceased
In the Probate Court of Solano County October 2nd. 1859

This day Comes Charles B Sterling administrator of the Estate of said John S Williams deceased & makes application to make a final settlement as Administrator of said Estate & makes proof in open Court of having given Notice of his application as the law prescribes — Whereupon the said Charles B Sterling admr. as aforesaid presents and renders to the Court the Exhibit filed by him said Administrator On the 5th day of May 1851 showing the Condition of the Estate of the said John S Williams

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deed & accepted by the Court; and asks that the said Exhibit be received & accepted by the Court as the final settlement of the said Charles B Sterling as administrator of the Estate of John S Williams deceased —

It is therefore Ordered by the Court that said Exhibit filed by said Charles B Sterling Adm. of John S Williams decd. on the 5th day of May 1851 now presented by him to this Court be, & the same is received & approved as a final settlement of said Charles B Sterling as Adm. of the Estate of John S Williams decd. And it is further Ordered by the Court that the said Charles B Sterling be discharged as, administrator of said Estate"

State of California }
County of Solano } ss

I Joseph P Vaughn County Clerk of Solano County and Ex officio Clerk of the Probate Court in & for said County do hereby certify that the foregoing fourteen pages and the first line on this the fifteenth page contain a true and perfect transcript of all the papers & Orders of said Probate Court therein set forth relative to the administration of the Estate of John S Williams deceased, the Original of said papers & Orders being now on file & record among the records of said Probate Court in my Office in said County of Solano.

In Witness whereof I have hereunto set my hand

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Sep my Name and affix my Official Seal of said Court at Office in Seneca in said County on the 24th day of January A.D. 1855

Joseph P Vaughn Clerk
Jr. Sunshine Brymer Dep. Clerk

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Filed in Office March 9th. 1855
Geo Fisher Secy

B. P. L. Exhibit to deposition of John Bidwell Feby. 8 - 1855

Know all men by these presents that I Edward A Farwell of New Helvetia, have given, granted, and Conveyed and by these presents do give, grant and Convey unto John Williams and James Williams, their heirs Executors administrators and assigns the use of right to settle and to occupy, and all the benefits arising from occupancy, two leagues and a half of land, the same being a part of the tract of Land granted unto me by the Mexican Government and bounded as follows: On the North by Arroyo Chico, On the East by a line running parallel with the general course of the Sacramento river, and two and a half leagues from it, On the South by the Land petitioned for by Sebastian Kayser, and known by the name of Llano Seco and on the West by the Sacramento River — To have and to hold the use of, the right to settle and to occupy and all the benefits arising therefrom, the said part of the aforementioned tract of Land, unto the said John Williams and James Williams, their heirs, Executors administrators and assigns forever, and in Consideration of the above grant or privilege the said John and James Williams, their heirs, Executors administrators or assigns are bound to occupy and to commence improving the said tract by or before the first day of September, next ensuing the date hereof, and from thenceforth, the same as I myself am bound to do, in order to secure the same from becoming Unavoidable through neglect of occupancy by another person The said John and James Williams

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their heirs, Executors, administrators or assigns are further bound, in case they or any of them shall wish to sell leave or give up their part of the said tract of land or his right and privilege to the same part of the said tract of land; to sell leave or give up the same to me; my heirs, Executors administrators or assigns, but in case the said John and James Williams their heirs Executors administrators or assigns and I my heirs, Executors, administrators or assigns could not agree upon the price of the said right or privilege, then the same shall be left to three impartial persons chosen or agreed upon by ourselves. Should the said John and James Williams neglect to occupy, or to have occupied as before expressed and required, then they shall forfeit all right and privilege to the land granted to them by this document, which if not xlawfully x complied with remains null and void

In Witness whereof I hereunto set my hand and seal in New Helvetia, on the sixth day of May, in the year of our Lord One thousand Eight hundred and forty five

(Signed) Edward A Farwell

Signed sealed and delivered in the presence of

(Signed) J. Bidwell

xx This word is in existence in the original but have every reason to believe it should legally or lawfully as the part of the word remaining visible ends fully, or ably —

remaining visible ones fully, or ably —

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With the foregoing remark, I certify this to be a true Copy of the Original Monterey Cth. September 1849

W. E. P. Hartnell
Govt Translator

I do hereby certify that John S Williams Complied with the Conditions of the Written Deed from Edward A Farwell to himself and James Williams in full by Employing John Potter to live on Said Land, Said Potter built an Adobe house Made a Corral and ditched in a field, and had Charge of Cattle for Williams previous to the 1st of September 1845 —

Sacramento July 18th. 1849

Charles B Sterling

Endorsed.

Deed of Land from Edward A Farwell to John and James Williams 6th May 1849

A Correct Copy

C B Sterling

Recorded in Registry Oct. 29th. 1849 and duly recorded in Book A pages 304 & 46 —

(No 303) Henry A Schoolcraft. Recorder Sec. City California; per Geo. S Fisher Deply

Fees $10 — paid

Filed in Office Feby 8. 1855

Geo Fisher Secy

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C

Copy Deed of Farwell to Williams

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Know all men by these presents that I Edward A Farwell, have given granted and Conveyed and by these presents do give grant and Convey unto John Williams and James Williams, their heirs Executors, administrators and assigns, the use of, right to settle and occupy and all the benefits arising from occupancy two leagues and a half of Land, the same being a part of the tract of Land granted unto me by the Mexican Government, and bounded as follows, On the North by Arroyo Chico On the East by a line running parallel with the general Course of the Sacramento river and two and a half Leagues from it - On the South by the land pertaining to Sebastian Keyser, and known by the name of Llano Seco, and on the West by the Sacramento River, to have and to hold the use of, the right to settle and to occupy, and all the benefits arising therefrom, the said part of the aforementioned tract of Land unto the said John Williams and James Williams their heirs Executors administrators and assigns forever, and in Consideration of the above grant or privilege the said John and James Williams their heirs Executors administrators or assigns are bounded to to occupy and to Commence improving the said tract of Land by a before the first day of September next Ensuing the date hereof, and from thence forth the same as I myself am bounded to do, in order to secure the same from becoming annexable through neglect of occupancy by another person, the said John and James

Williams, their heirs, Executors, administrators or assigns are further bound in Case they or any of them should wish to sell lease or give up their or his right and privilege to the said part of said tract of Land, to sell lease or give up the same to me my heirs Executors administrators or assigns, but in Case John and James Williams then being Executors administrators or assigns, and I, my heirs Executors administrators or assigns could not agree upon the price of the said right or privilege then the same shall be left to three impartial persons Chosen or agreed upon by Ourselves - Should the said John and James Williams, neglect to occupy or to have occupied as before Expressed and required, then they shall forfeit all right and privilege to the Land granted to them by this document, which if not fully and xlawfully x Complied with remains null and void - In Witness whereof I hereunto set my hand and seal in New Orleans on the Sixth day of May in the year of Our Lord, One thousand Eight hundred and forty five

Signed Sealed & (Signed) Edward A Farrow
delivered in the presence of
(Signed) L Bennett

xx "This word is indistinct in the Original, but have every reason to believe it should read legally or lawfully - as the part of the word remaining resembles Ends - fully - or ally -

"Filed in Office
"Feby. 28. 1853
Geo. "Fisher Sec

With the foregoing remark I certify this to be a true copy of the of the Original Monterey 6th Sept. 1849 - W E P Hartnell - Govt "Translator

Sept. 1849 — U.S. Petitioner — Port Francisco

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No. 651

U S Land Commission

James Williams & others

Rancho de Tamales

Motion

It is moved by the Claimants Counsel that leave be granted to file the accompanying supplemental petition of James Williams, William Polen & others in the above Entitled Case

E. A. Crosby of Counsel for Claimants

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Filed in Office Feb. 13 — 1855
Geo. Fisher
Sec'y

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Affidavit James Wilson et al
vs
The United States

Before the Board of U.S. Land Commissioners, to ascertain and settle the private Land claims in the state of California

State of California
San Francisco County

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Before me Peter Lott Commissioner for taking testimony before the above Commission this day personally came James Williams who being by me duly sworn deposes and says that he is one of the claimants in the above entitled cause; for the tract of land thereon claimed and known as Rancho de Farwell & situated in Butte County California. Deponent further says that on the 6th day of May A.D. 1845 Edward A. Farwell the original grantee of the said Land Executed and delivered to him, deponent, and to his brother John S. Williams, an original deed for two & a half leagues, being a part of said tract of Land, a paper purporting to be a copy of which said original deed is herewith filed and marked B.P.L. as an Exhibit in this affidavit and also in the deposition of John Bidwell in case

And deponent further says that said original Deed is not in his possession nor under his control, that he is ignorant as to where it is, and that he is unable to produce the same.

Deposition

Deponent says, he has diligently searched among his papers, and has caused frequent search to be made for such deed, among the papers of the said John S. Williams, now deceased, and also in other places where he thought it was most likely, to be found, but without any success. Deponent further says, he believes that the said original deed has been lost or mislaid.

James Williams

Sworn to and subscribed before me this 8th of February A. D. 1855
Peter Lott
Commissioner

Filed in Office Feby 9. 1855
Geo Fisher Secy

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"A.P.L." Exhibit to the depo. of John Bidwell Feby 8. 1855

This Deed made and entered into this 25th Oct 1857. Between John Bidwell Admtr of the estate of Edward A. Farwell and John Potter each of Sacramento District Upper California - Witnesseth. that for and in consideration of the sum of Twelve hundred & fifty dollars the receipt whereof is hereby acknowledged the party of the first part bargains, sells and conveys to the party of the second part all the right and title of the Sd Edward A. Farwell to the following described Lands at the time of the Sd Farwells demise, viz. Bounded on the North West by the tract of Land 2½ square leagues formerly granted by the Sd Ed A. Farwell late deceased, unto John S. & James Williams, On the North East, by the tract of Land of Samil J. Hensley, On the South East by part of said land of Sd. Hensley, and the tract of Land granted by the Mexican Government to Sebastian Keyser, containing 2½ square leagues, Sd 2½ square leagues being the south half of 5 square leagues granted to the Sd Edward A. Farwell by the Mexican Government, On the west by the Sacramento River - Sd party of the second part, to have and to hold Sd lands with all appurtenances thereunto belonging to his heirs and assigns and against the claims of all others by or through the party of the first part.

In witness where of the party of the first part has hereunto set his hand and seal the day and

year aforesaid,

J. Bidwell (Seal)
Administrator of Edward A. Pasnell

Witness
J. V. Thomas
Presley Douglas

Territory of California }
District of Sacramento } ss.

Be it remembered that on this 27th day of October 1849 before me came J. Bidwell whose name is subscribed to the within and foregoing deed as having executed the same, and acknowledged the same to be his free act and deed for the purposes therein mentioned.
Given my hand and seal the day and year aforesaid.

J. V. Thomas Judge &c (Seal)
Sac Dist. California

Filed in Office Feby 9, 1855
Geo Wishes
Secy

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"D. P. L."
Exhibit to
deposition of
Jno Bidwell
Feb 8. 1855

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Whereas on the sixth day of May, one thousand eight hundred and forty five Edward A. Farwell granted and gave to John S. Williams of Santa Cruz, and James Williams his brother their heirs, executors, administrators and assigns, the use of, right to settle and to occupy and all the benefits arising from occupancy, two (2) leagues and a half of land, the same being a part of the tract of land granted to the said E. A. Farwell by the Mexican Government & bounded as follows; on the North by Arroyo Chico; on the East by a line running parallel with the general course of the Sacramento River, and two & a half leagues from it; on the South by the land petitioned for by Sebastian Kayser and known by the name of Llano Seco, & on the west by the Sacramento River, with many conditions as regards settling occupying, improving, and finally the manner in which this property is to be disposed of. The title of which I now have in my possession, and is to be seen at any time on application to me. Now let it be known to all concerned that at the time the said John S. Williams & James Williams received this deed of gift of two & a half leagues of land, they were poor & had to struggle in many ways to make a living and it was not convenient for them to settle and improve said land, they therefore employed John Potter an emigrant from the United States

to reside on said tract of Land & to make improvements &c.
The contract between said Potter & John S. Williams was verbal, and it amounted to this, viz; that said Potter was to build an Adobe House & coral on arroyo Chico, at any place that he may find suitable, and to put cattle & horses on said tract of land, & it was further agreed that said Potter's sons were to take care of cattle for said John S. Williams, all of which conditions were and are now fulfilled to my knowledge — 2d I. S. Williams on his part was to give said Potter one half of the increase of all stock that he may have in charge, and in addition to give said John Potter one half of a league of land, embracing that portion on which said Potter has built his house & made his improvements, provided the land on which said improvements have been made belong to the tract granted to said John S. Williams by said E. A. Vanwell.
Now know all men by these presents that I Chas B. Stirling of Monterey Calª was by appointment of John S. Williams prior to his death, requested and desired to attend to his business, & as can be shown by Will of the said Williams was duly appointed administrator & executor on the Estate of said John S. Williams; by this authority vested in me, & in view of the above facts & in accordance with the wish of said John S. Williams

I have given, granted & conveyed & by these presents do give grant & convey unto John Potter his heirs & assigns the use of right to settle & occupy and all the benefits arising from occupancy to maintain and to hold the one half of a league of Land, with all the improvements he has made on it, to wit; Beginning at the N. E. corner of Williams claim on arroyo Chico from thence running Southerly one league Spanish joining the boundary of Land supposed to belong to Saml Hensley - From thence running Westerly one half league Spanish to arroyo Chico, from thence following the course of Arroyo Chico one half Spanish league to the place of beginning. To have and to hold the use of the right to settle and to occupy & all the benefits arising therefrom the said part of the aforementioned tract of land unto the said John Potter his heirs and assigns forever.

In witness whereof I hereunto set my hand & seal at "Potters Farm" Arroyo Chico, On the eighteenth day of July, One thousand eight hundred and forty nine.

Witness
Harman Bay -

Charles B. Stirling
Administrator & Executor
on the Estate of
John S. Williams dec'd

Filed in Office Feb. 9. 1855
Geo. Fisher Sec'y

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"E.P.L."

Know all men by these presents that we Charles B. Sterling, Executor on the estate of John S. Williams, deceased, in the County of Butte and James Williams of the County of Santa Cruz, all of the State of California, in consideration of building an adobe house and making a corral and taking care of stock since the year 1855, all of which service was performed by John Potter of Butte County We do hereby, give grant and convey the right to settle and to occupy and all the benefits assising from occupancy to maintain and to hold the one half of a league of land with all the buildings and improvements he has made on it, to wit; Beginning at the N.E. corner of Williams claims on assnyo Chico, from thence running southerly one half league Spanish, joining the boundary of Land supposed to belong to Samuel Hansley, from thence running Westerly one half league Spanish, from thence running Northerly one half league Spanish to the assnyo Chico; from thence following the course of the assnyo Chico to the place of beginning.

The title to which is derived by deed dated 6th of May 1855, from Edward A. Boswell, to said John S. and James Williams.

To have and to hold the use of the right to settle and to occupy and all the benefits arising therefrom, unto the said John Potter his heirs

and assigns forever

In witness whereof we have hereunto set our hands and seals at Larkin Ranch Colusi County Cal.a on the seventeenth day of January 1851

Witnesses
David C. Hereford
P. Warwick Brooks

Charles B. Stirling (Seal)
Administrator & executor on the Estate of John S. Williams

Isaac Williams (Seal)
Atty for James Williams

Know all men by these presents that I James Williams in satisfaction of the foregoing conveyance executed by my brother Isaac Williams as my attorney in fact do hereby re-execute the same this day, hereby satisfying all the said Isaac Williams has done in the premises, and I further state that the boundaries of the land in this deed showed have been as follows. to wit; Beginning at the N. E. corner of Williams claim on Arroyo Chico, from thence running southerly, one league Spanish, joining the boundary of land supposed to belong to Daniel Hensley, from thence running Westerly one half league Spanish, from thence running Northerly one league Spanish to Arroyo Chico, from thence following the course of arroyo Chico one half league Spanish to the place of beginning, and being the same lands described in a certain instrument in writing dated at Potters Farm Arroyo Chico on the eighteenth

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day of July one thousand eight hundred and forty nine, and executed by Chas B. Stebbing, administrator and executor on the Estate of John S. Williams decd to and in favor of John Potter.

This deed now executed by me, describes only one half the land intended to be conveyed, and should describe the one half league as described in the deed of July 18th 1849, above set forth, it being my intention to convey the same land so described; the said half league of land being owned by said John Williams in his lifetime & myself jointly & undivided and being a part of the same land conveyed to us by Edward A. Pascoe May 7th 1845.

In witness whereof I have hereunto set my hand and seal this twenty seventh day of January One thousand eight hundred and fifty five.

In presence of } James Williams
Frank Pirsh }

State of California }
County of San Francisco } ss.

On this 31st day of January A.D. One thousand eight hundred and fifty five before me Frank Pirsh a Notary Public in & for said county personally appeared James Williams to me known to be the individual described in and who executed the annexed instrument & acknowledged that he executed the same freely & voluntarily and for the uses and purposes therein

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mentioned.

In witness whereof I have hereunto set my hand and affixed my official seal, the day and year first above written

Seal

Frank Bush
Notary Public

Filed in Office Feby 9. 1855
Geo Fisher
Sec'y

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"F.P.L."
Exhibit to
deposition of
Jno. Bidwell
Feb 8, 1855

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Know all men by these presents that I Samuel Quincey Jr principal & Thomas G. Wells and Lucien Skinner as sureties acknowledge ourselves to owe and be indebted to J. Bidwell in the sum of four thousand dollars for the payment of which, well and truly to be made we hereby jointly severally & firmly bind ourselves our heirs, executors, administrators and assigns - Conditioned however as follows. Whereas said Bidwell has administered the estate of Edward A. Farwell deceased, & made settlement of the same in the Probate Court of Sacramento County in the State of California, and on such settlement it having been found that the sum of two thousand, two hundred and ninety five & 20/100 dollars in the hands of said Bidwell administrator & the Court having made an order for the same to be distributed among the heirs according to Law which said sum is at the delivery of these presents by said Bidwell as such administrator paid into the hands of the said Samuel Quincey Jr for the of being by him distributed among the heirs of said Farwell deceased, in pursuance of the order of said Court & according to law the said Quincey being authorized by power of Attorney to receive the same.

Now if the said Quincy shall well and truly pay over to said heirs the said sum in accordance with the said order of Court and shall

fully discharge and save harmless the said Bidwell from and on account of the said sum of money & every part thereof & in every manner so that he shall never at any time hereafter be or become liable for the same or any part thereof to any person or persons then this Bond shall be null & void otherwise to be and remain in full force and effect.

In witness whereof we have hereunto set our hands and affixed our seals this 15th day of May A. D. 1850, at Sacramento City in said State.

Samuel Quincy Jr (Seal)

Attest
Ambrose Hopping
Edward Byrne

Thomas G. Wells (Seal)

Lucien Skinner (Seal)

Copy

Filed in Office Feby 9. 1855
Geo Kisher Secy

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Motion

U. S. Land Commission

James Williams & others

Rancho de Rasvell.

It is moved by Claimants Counsel that leave be granted to file the accompanying supplemental petition of James Williams, William Potter & others in the above entitled case.

E. O. Crosby of Counsel
for Claimants

Filed in Office Feby 13 - 1855
Geo Fisher
Secy

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Opinion of Boone by Com. Felch

James Williams et al
vs
The United States } For the place called Rancho de Funwell in Butte County containing five square leagues of Land.

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The evidence in the case fully sustains the allegations in the petition of a grant of the land claimed to Edward A Funwell, which was made by Governor Micheltorena and is dated March 29. 1844 – The proof shows that the grantee went on the premises built a house and made improvements thereon within a year from the issuing of the grant –

The land is located in the junction of the Sacramento River which bounds it on the West, and the arroyo Chico which forms its Northern boundary –

By the aid of the map which constitutes a part of the Expediente filed in the case, and which is referred to in the grant as exhibiting the Land Conceded there can be no difficulty in making a survey of the premises – The title of Funwell is thus in my Opinion fully sustained.

The original petition to the Commission was filed on behalf of James Williams and the heirs and legal representatives of said Edward A Funwell, who died in 1848 –

By a supplemental petition, naming new parties the land is claimed in three several interests, to wit, by James Williams, who claims title by deed from the Original grantee by Marco

Louisa Cuson and John S Williams the Widow and Son of John S Williams deceased who also claim under a Conveyance from said grantee and by William Potter and his brothers and sisters, Children and heirs of John Potter deceased, who is alleged to have become the owner of the Southerly half of said Rancho by deed of Conveyance executed to him by John Bidwell as administrator on the Estate of said Fauwell and of one half a square league of land, part of the North half of said Rancho, by Conveyance from James Williams, and the Executor of John S Williams deceased to said Potter—

Evidence tending to show a Conveyance of the North half of said Rancho by said Eddward A Fauwell to James Williams and John Williams is filed in the Case. The Conveyance itself it is shown cannot be found and proof of its due Execution, delivery and Contents is presented. Its date was May 6th 1845. This instrument, the Original draft of which Conforming in all its Natural features as to terms is produced, is peculiar in its character, but we are of Opinion that its legal operation is to Convey the premises to the grantees therein named, and the more Especially is this so as the proof shows that the Condition of Settlement on the land specified in the instrument as the Consideration thereof is shown to have been performed by the grantees.

By virtue of this Conveyance then the petitioner James Williams has shown himself entitled to a Confirmation

of one equal undivided half of the North half of said Rancho — John S Williams the other grantee having deceased, the other undivided half which was conveyed to him, became the property of his widow and only Child, who are also petitioners in this Case and will be confirmed to them. Both these decrees of Confirmation will however be Entered with the reservation of One half a square league of land selected in the the North East Corner of said rancho of which John Potter became the Owner by Conveyances from said John S Williams and the Executor of John S Williams deceased. These conveyances are given in Evidence and their validity in the transfer of title to said Potter is recognized in the petition to this Commission, and thus admitted upon the record by said James Williams and the legal representatives of said John S Williams deceased. The death of Potter is proved, and his heirs are made parties in the Case — They are Entitled to a decree in their favor for the premises as described in the Conveyance to their Ancestor.

The title to the South half the rancho was in said Farwell the grantee at the time of his death This also is claimed by the heirs of John Potter in proof of whose title a deed is given in Evidence made to him by John Bedwell as the administrator of the Estate of said Edward A Farwell deceased bearing date October 25. 1849 —

There is no legal proof in the Case

to show any authority in Bedwell to convey title to the land, no evidence of his administration or in any other manner connected with the settlement of the Estate of said deceased being given.

No title was conveyed to Potter then by this deed and the heirs at law of said Farwell appear by the proofs in the case to be still the owners of the South half of the Rancho—

In the first petition the heirs at law of said Farwell are stated to be parties in whose favor it is filed, and I think are properly to be regarded as petitioners, and having shown themselves to be the owners of the property a decree for this portion of the Rancho will be entered in their favor

Filed in Office August 28. 1855

Geo. Fisher Secy

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Decree of Confirmation

James Williams et al
vs
The United States

In this case on hearing the proofs and allegations, it is adjudged by the Commission that the claim of the said petitioners is valid, and it is therefore hereby decreed that the premises hereinafter described be confirmed to them in the manner and to hold in the respective shares herein after mentioned.

The entire premises of which confirmation is hereby made are known by the name of Rancho de Tanwell situated in Butte County and described as follows, to wit

Lying and being in the junction of the Arroyo Chico and the river Sacramento and bounded on the North by said Arroyo Chico, and on the West by the Sacramento River, on the East by a line drawn parallel with said Sacramento River and on the South by a line parallel with said Arroyo Chico, said two last mentioned lines drawn at such distance from said River and Arroyo as with the same to enclose five square leagues of land and no more, said two last mentioned lines to be of equal length; being the same land granted to Edward R. Tanwell and delineated on a map attached to the Expediente, a tracing copy of which is filed in the Case and to which reference is to be made

Of the premises above described there is Confirmed as follows viz

"To James Williams the Equal undivided half of the North half of said premises with the Exception and reservation of One half a Square league of Land, part thereof which is hereinafter described and Confirmed to William Potter and the other heirs at law of John Potter deceased.

"To Maria Louisa Lawson the widow, and John S Williams the only Son of John S Williams deceased the Other Equal undivided half of the portion above described with the same reservation

"To hold the same in the shares and proportions to which they are respectively Entitled by Law to the Estate of said deceased as such widow and Son.

"To William Potter and the other heirs at law of John Potter deceased, One half league of land situated in the North East Corner of the above described and bounded as follows, to wit; Beginning at the North East Corner of said tract above described On the Arroyo Chico, from thence running Southerly along the East line thereof One league Spanish; from thence running West nearly One half league Spanish; from thence running Northerly One league Spanish to Arroyo Chico; from thence following the Course of Arroyo Chico One half league Spanish to the place of beginning—

"To the heirs at law of Edward A Farwell deceased the

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South half of the entire premises first above described

And it is further adjudged by the Commission that the claim of said William Potter and the other heirs at law of John Potter deceased to the South half of the premises first above described is not valid, and it is decreed that the same be rejected.

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Alpheus Felch
R. Aug. Thompson
S. B. Farwell
Commissioners

Filed in Office Aug. 28. 1855
Geo. Fisher Secy

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 hereby Ordered that two Transcripts of the proceedings and decision 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 District Court of the United States for the Northern Judicial 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 Eighty five — pages, numbered from 1 to 85, 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. 651 on the Docket of the said Board, wherein James Williams, et, al, are — the Claimant against the United States, for the place known by the name of Rancho de Farwell.

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 eighth day of December A. D. 1855, and of the Independence of the United States of America the ~~seventy~~ eighteenth.

Geo: Fisher.

Sec.

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U. S. DISTRICT COURT,

Northern District of California.

No. 384 384

THE UNITED STATES,

vs.

James D. Williams, et al

TRANSCRIPT OF THE RECORD

FROM THE

BOARD OF U. S. LAND COMMISSIONERS,

In Case No. 657

Filed, January 15, 1856

J. A. Monroe,

Clerk

Office of the Attorney General of the United States,

Washington, 11 Feby, 1856.

651.) "Ranchs de Farnell"

James Williams et al Claimants

You will please take notice that in the above case, decided by the Commissioners to ascertain and settle private land claims in the State of California in favor of the claimant, and a transcript of the proceedings in which was received in this office on the 17th day of January, 1856, the appeal in the district court of the United States for the Northern district of California will be prosecuted by the United States.

Cushing

Attorney General.

No 384

United States

— ads —

James Williams

— et al

Appeal Notice

No. 651 —

Filed April 4. 1856.

Chas.

Deputy

In the Dist Court of the U. States
for the Northern Dist of Cala

The United States
v.
Ira Williams et al
} D.C. 384 : L.C. 651.

The appellees affirm the validity of the claim denied in the petition of the appellants, and pray that the decision of the U. S. Land Commission be affirmed, and said claim be decreed valid.

San Francisco Feb 13, 1857
E O Crosby & D. S. Gregory
Attys for Appellees

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U. S. Dist Court

The United States

v

Ira Williams et al

Answer

Filed February 13, 1857.
M. H. Chevers,
Deputy.

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D. S. Gregory
atty appeles

To the Hon Dist Court of the U. S. in & for the Northern Dist of Cala.

The United States
v
Jas Williams et al

D. C. 384: L. C. 651.

The petition of the United States by their attorney represents that this cause is an application for a review of the decision of the U. S. Land Commission whereby the claim of the appellees was confirmed, as appears by reference to the records in the case: That a transcript of said record was filed in this Court on the 15th day of January 1856; that a notice of appeal was filed on the 4 day of April 1856 and that the land claimed lies in the said District - That the said claim is invalid.

Wherefore appellants pray that the said decree of the Commission be reversed and that this Court decree the said claim invalid

San Francisco Jy 13/57

Blanding
U.S.A.

384

U. S. Dist Court

The United States

v

Jas Williams et al

Petition

Filed Feby 13. 1857.
W. H. Chenis,
Deputy.

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Blanding & Pa

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 FRANCISCO, on Saturday the 21st day of March in the year of our Lord one thousand eight hundred and fifty-seven.

Present:

The Honorable OGDEN HOFFMAN, *District Judge.*

The United States
v
James Williams et al

D. C. 384: L. C. 151.

The Attorney General of the United States having given notice that appeal will not be prosecuted in this case, and a stipulation to that effect having been entered into by the U. S. Attorney:

On motion of the District Attorney it is hereby Ordered adjudged and decreed that claimants have leave to proceed under the decree of this Court heretofore rendered in their favor, as under Final Decree.

Ogden Hoffman
U. S. Dist Judge

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United States District Court, Northern District of California.

The United States

vs.

James Williams et al

ORDER.

Final Decree

Filed March 21 1857

John A. Monroe,

CLERK.

By W. H. Chevers

DEPUTY.

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California Land Claims.
Attorney General's Office
9 Febry 1857.

Sir:

In the case of the claim of James Williams, et al: confirmed to the claimant by the Commissioners, Case no. Six hundred and fifty-one (651), appeal will not be prosecuted by the United States.

I am
Respectfully,
[signature]

Wm Blanding Esq
U. S. Attorney
San Francisco.

In the District Court of the U. S.
for the Northern District of California

The United States
v
James Williams et al

D. C. 384 : L. C. 651.

In pursuance of a notice from the U. S. Attorney General, hereunto annexed it is hereby stipulated and agreed that no further appeal be taken in this case on the part of the United States, and that claimants have leave to proceed under the decree of this Court heretofore rendered in their favor, as under Final Decree,

San Francisco March 21st — 1857

Wm Blanding
Dist Atty
E. O. Crosby Atty for Clmts.

2 384
654

U. S. District Court

The United States

v

Jas Williams et al

Stipulation

Filed March 21. 1857.
W. H. Chevers.
Deputy.

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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 FRANCISCO, on Tuesday the 15th day of June in the year of our Lord one thousand eight hundred and fifty-~~seven.~~ eight

Present:

The Honorable OGDEN HOFFMAN, *District Judge.*

The United States
v.
James Williams et al
} No. 384.

It appearing to the Court that appeal in this case from the decree of the Board of U. S. Land Commissioners was dismissed by the U. S. Attorney General and that on such dismissal a stipulation and order were entered making the decree of this Court final herein; and it further appearing that this case has never been adjudicated by this Court and that said stipulation and order should have been made upon the decree of the said Board;

On motion of P. Della Torre Esq, U. S. Attorney, it is ordered that a decree of confirmation, affirming the decision of said Board be entered herein nunc pro tunc as of 21st March, 1859

Ogden Hoffman
U. S. Dist Judge

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United States District Court, Northern District of California.

The United States

vs.

Jas Williams et al

ORDER.

to enter decree nunc pro tunc as of 21st March 1857.

Filed June 15. 1858

W. H. Chevers.
CLERK.

By

DEPUTY.

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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 FRANCISCO, on Thursday the 15th day of June in the year of our Lord one thousand eight hundred and fifty ~~seven~~ eight.

Present:

The Honorable OGDEN HOFFMAN, *District Judge.*

The United States
v.
James Williams, et al.

No. 384: L. C. 157.

This cause came on to be heard on appeal from the final decision of the Board of Commissioners to ascertain and settle the private land claims in the State of California, under the act of Congress approved on the 3d March, 1851, upon the transcript of the proceedings and decision of the said Board of Commissioners and the papers and evidence on which the said decision was founded; and it appearing to the Court that the said transcript has been duly filed according to law; and the cause having regularly come to a hearing, it is by the Court hereby Ordered Adjudged and Decreed that there is no error in the said decision and that the same be, and hereby is, in all things affirmed: that the claim of the appellees is valid, and that the premises hereinafter described is hereby confirmed to them in the manner, and to hold the respective shares hereinafter mentioned. The entire premises of which confirmation is hereby made are known by the name of "Rancho de Farwell," situated in Butte County, and described as follows, to wit:

Lying and being in the junction of the Arroyo Chico and the River Sacramento, and bounded on the

Lying and being in the junction of the Arroyo Chico and the River Sacramento, and bounded on the North by said Arroyo Chico and on the west by the Sacramento River; on the East by a line drawn parallel with said Sacramento River, and on the South by a line parallel with said Arroyo Chico; said two last mentioned lines drawn at such distance from said river and arroyo as with the same to enclose five square leagues of land and no more: said two last mentioned lines to be of equal length — being the same land granted to Edward A. Farwell, and delineated on a map attached to the Expediente, a traced copy of which is filed in the case, and to which reference is to be made.

Of the premises above described, there is confirmed as follows, viz:

To James Williams, the equal undivided half of the north half of said premises, with the exception and reservation of one half a square league of land, part thereof which is hereinafter described and confirmed to William Potter and the other heirs at law of John Potter, deceased.

To Maria Louisa Carson, the widow, and John S. Williams the only son of John S. Williams, deceased, the other equal undivided half of the portion above described, with the same reservation. To hold the same in the shares and proportions to which they are respectively entitled by law to the estate of said deceased, as such widow and son.

To William Potter and the other heirs at law of John Potter, deceased, one half league of land, situated in the northeast corner of the above described, and bounded as follows, to wit: Beginning at the northeast corner of the said tract above described on the Arroyo Chico, from thence running southwardly along the east line thereof one league Spanish;

from thence running westwardly, one half league Spanish; from thence running northerly, one league Spanish to Arroyo Chico; from thence, following course of Arroyo Chico, one half league Spanish, to the place of beginning.

To the heirs at law of Edward A. Farwell, deceased, the south half of the entire premises first above described.

And it is further ordered, adjudged and decreed by the Court, in accordance with the said decision of the said Board, that the claim of said William Potter and the other heirs at law of John Potter, deceased, to the south half of the premises first above described, is not valid, and that the same be, and hereby is, rejected.

Ogden Hoffman
U. S. Dist Judge

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United States District Court, Northern District of California.

The United States

vs.

Jas Williams, et al

ORDER.

Decree Confirming Claim.

Filed June 15th 1858
Nunc pro tunc as of
21st of March 1857.
N. H. Chevers CLERK.

By

DEPUTY.

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Office of the Surveyor General of the United States,
FOR CALIFORNIA.

I, J. W. MANDEVILLE, *United States Surveyor General, for the State of California, do hereby certify that the Rancho* de Farwell

confirmed to James Williams et al

has been surveyed by this office, and that the survey and plat was approved by the U. S. Surveyor General, on the third *day of* September 1859 *186* ; *that I have caused to be published, once a week, for four weeks successively, in two newspapers, to wit: the* "Butte Democrat" *published in the County of* Butte, State of California *being the newspaper published nearest to where the said Rancho is located, the first publication being on the* Sixth *day of* October *1860, and the last, on* third *day of* November *1860* ; *also, in the* San Francisco Herald" *a newspaper published in the* City and County of San Francisco State aforesaid, *the first publication being on the* Fifth *day of* September *1860, and the last on the* twenty Sixth *day of* September *1860*, *a notice that the said land had been surveyed, and a plat made thereof, and the survey and plat approved by me. And I do further certify, that the said survey and plat were retained in my office during all of said four weeks, and until the expiration thereof, subject to inspection; and I further certify, that no order for the return thereof to the U. S. District Court, has been served upon me.*

In Testimony Whereof, I have hereunto signed my name officially, and caused my Seal of office to be affixed, at the City of San Francisco, this Thirtieth *day of* November *186 0*

J. W. Mandeville
U. S. Surveyor General for California.

I hereby certify the foregoing to be a full true & correct copy of a record found in Page No. 5 of a book entitled Certificates - Advertised Surveys - 1860-61 now on file in this office.

U. S. Surveyor General's Office
San Francisco February 1st 1865

L Upson
U. S. Sur. Gen. Cal.

No. 584.

U. S. Dist: Court
Nor: Dist: of California

The United States

-vs.-

James Williams
et al.

Certificate of publication
of survey by U. S.
Surveyor General

Filed February 1. 1865
W. H. Chevers,
Clk

Office of the Board of Commissioners,

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

San Francisco, Dec. 28th 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. 657 on the Docket of the said Board, wherein James Williams, et. al. are the Claimants against the United States, for the place known by the name of Rancho de Farwell.

and request your receipt for the same.

I am, Respectfully,
Your Obt Servant,
Geo. Fisher.

Sec.