CASE NO.

13

NORTHERN DISTRICT

GUENOC GRANT

ARCHIBALD A. RITCHIE ET AL

CLAIMANT

TRANSCRIPT

OF THE

PROCEEDINGS

IN CASE

NO. 12

Archibald A. Ritchie et al CLAIMANTS

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"Guanoc"

1. 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 Tuesday January 27th. Anno Domini One Thousand Eight Hundred and fifty two 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 Petitions of Archibald A. Ritchie and Paul S. Forbes, Docketed No 12. and is as follows: viz.

Archibald A. Ritchie }
and Paul S. Forbes. }, Claimants —

vs

The United States, Defendants —

To the Honorable Commissioners to settle Private Land Claims in the State of California.

Petition. The petitioners Archibald A. Ritchie and Paul S. Forbes respectfully show:

That on the eight day of August A.D. one thousand eight hundred and forty five, Pio Pico, Governor of California, by virtue of the authority of his office, granted to George Rock the tract of land known by the

name of "Guenoc", situate in the then Jurisdiction of Sonoma, comprising within its known limits as described in the grant and designated in the respective map therein referred to, "Six Sitios de Ganado Mayor;" six square leagues, a little more or less;

That on the twenty six day of September A.D. one thousand eight hundred and forty five, the Departmental Assembly approved the said grant in due form of law; copies of which grant, Approval and Map are hereto annexed marked A. with translations marked B.

The petitioners further show that the said George Rock sold and conveyed the aforesaid tract of land to Jacob P. Leese by deeds of conveyance dated October 10th. A.D. 1845; and January 13th. A.D. 1847; copies of which deeds are hereto annexed marked C, with translations marked D.;

That on the 7th. day of September A.D. 1850, the said Jacob P. Leese and Rosalia his wife, sold and conveyed the aforesaid tract of land to the petitioners Archibald A. Ritchie and Paul S. Forbes, a copy of which deed of conveyance is hereto annexed marked E.

That the said George Rock and Jacob P. Leese during their possession and ownership and the petitioners since their possession and ownership, have done and performed in the due form of law all the requirements of said grant, necessary to make the grant aforesaid full, perfect and absolute.

That they know of no interfering claim; that the said tract of land has not been surveyed by the Surveyor-General of the United States, but that the position and bounds of the land are fully set forth and described in the grant and map aforesaid and are definite and well known.

The petitioners rely for confirmation of title upon the original papers, copies of which are hereto annexed, upon the documents and minutes concerning the same in the archives in the possession of the Surveyor-General, and such other proofs as they may be advised are necessary.

Wherefore they pray the commissioners to decide upon the validity of said grant to the said George Rock and to confirm the same to the petitioners.

Filed January 27th 1852.

J. B. Carr
Secy

Upon which petition the following subsequent proceedings were had in their chronological order to wit:

Saturday May 22nd 1852.

In Case No 12 Archibald A. Ritchie, et al the Deposition of Robert H. Waterman, a witness in behalf of the Claimant taken before Commissioner Harry I. Thornton was filed and is the words and figures as follows to wit: (Vid pages of this Transcript. 9 and 10.

Thursday, July 1st 1852.

In Case No 12, Archibald A. Ritchie, et al, "Guenoc," the Deposition of Jacob P. Leese, a witness in behalf of the Claimants, taken before Commissioner Harry I. Thornton, was filed, and is in the words and figures as follows, to wit: (Vide pages of this Transcript. 10. 11. and 12.

Saturday August 14th 1852.

In Case No 12. Archibald A. Ritchie, et al, for the place called Guenoc, the parties litigant filed an agreement relative to placing this Case on the Trial Docket, which is as follows, to wit:

Agreement: We agree that the above entitled cause be put upon the Trial Docket, with the Stipulation which is hereby entered into, that either the Law Agent or

the Claimant may introduce further testimony previous to the argument of the case.

Halleck, Peachy & Billings
Attys for Claimant.
Geo. W. Cooley
U. S. Law Agent.

The following cases were ordered to be placed on the Trial Docket subject to the Stipulations filed this day by the parties litigant, to wit:
No 2, Maria Soledad Ortega de Arguello et, al, "Las Pulgas".
No 12. Archibald A. Ritchie, et al, "Guenoc"

Saturday September 11th 1852.

In Case No 12. Archibald A. Ritchie, for the place called "Guenoc", the Counsel for the Claimant filed an authenticated copy of the Original Espediente on file in the Office of the Surveyor General of the United States for California, as Evidence in behalf of the Claimant, marked Exhibit "F", and the Translation thereof, marked Exhibit "G", are as, follows to wit; (Vid pages of this Transcript. 13.14.15.16.17.18.19.20.21.22.23.24.25.26.27.28.and 29.-

---

Friday October 8th 1852.

In Case No 12, Archibald A. Ritchie et al; for the placed named "Guenoc", the Deposition of Santiago Arguello, a witness in behalf of the Claimants taken before Commissioner James Wilson, with Document marked J. W. No 1, annexed thereto, was filed, and is in the words and figures as follows: to wit (Vide pages of this Transcript. 31 and 32.

Saturday October 9th 1852.

In Case No 12, Archibald, A. Ritchie, et al, for the place named "Guenoc", the Counsel for the Claimants presented a Supplemental Petition; ordered to be filed among the papers in this Case, and is as follows to wit; vide pages of this Transcript. 44 and 45.

Saturday December 13th 1852.

Case No 12, Archibald, A. Ritchie, et, al, for the place named "Guenoc", was called; The Counsel for the Claimants read the Petition and Evidence, and opened the argument; the U.S. Associate Law Agent answered; the Case was thereupon submitted, and the Board took the same under adjournment.

Thursday December 18th 1852.

In Case No 12, Archibald, A. Ritchie, et, al, for the place named "Guenoc", Commissioner Harry I. Thornton delivered the opinion of the Board.

In the same Case, Commissioner Hiland Hall, delivered his opinion.

In the same Case, Commissioner Harry I. Thornton, delivered the decree of Final Confirmation of this Board.

Ordered, that the several opinions delivered this day, and the Decree of Final confirmation, of this

Board, also delivered this day, in this case, be re--corded on the Journal.

Which opinions and Decree are in the words and figures as follow, to wit;

Opinion delivered by Commissioner Harry S. Thornton.

Commission for ascertaining and setting Private Land Claims in California.
Session at San Francisco.

Archibald A. Ritchie, and Paul S. Forbes, assignees, &c; vs The United States, } Opinion of Commission-er H. S. Thornton. No 12, Guenoc.

The claim in this case presented is founded on a grant to George Rock, made and delivered to him, in virtue of the Decree of the Mexican Congress of the 18th August, 1824, and of the Executive Ordinance of the 21 st of November 1828, by Pio Pico, who was the Gov--ernor of California, on the 8 th of August, 1845, and approved by the Departmental Assembly on the 26 th of September, 1845; By various mean conveyances, the interest of the said orig--inal grantee, has been transferred to the pres--ent claimants, Possession of the land, and residence thereon, has been continuous, in the grantee, and those claiming under him, at least from the date of the grant. There is no doubt suggested either of the genuineness of the grant, or of the authority of the grantor. The documen--tary evidence regularly authenticated, and in--troduced from the archives of the former Govern--ment, and other testimony in the case, establish those facts. It does not appear that the land granted is within the the ten litoral, or twenty border leagues, and of course no objection as to its locality arises in the case. The other grounds of

objection, as the want of judicial possession, &c, have all been considered, and held to be untenable, for the reasons given by this Board in the case of Cruz Cervantes, No 56, in the opinion on file in that case.

For the reasons above suggested we are of opinion that the claim in this case is valid and ought to be confirmed to the claimants, to the extent of six square leagues, but to that quantity only, the terms, "a little more or less", used in the grant, not being considered by the Board, as destroying the grant for uncertainty, nor as enlarging it, beyond the quantity expressly named, for the reasons assigned in the opinion heretofore delivered and on file, in the case of John Keys, assignee, No 222, In the result above announced Commissioner Hall concurs.

(Signed) Harry I. Thornton.

Opinion of Commissioner Hiland Hall

No 12, A. A. Ritchie and P. S. Forbes, claimants.

I agree that the opinion of Commissioner Thornton, given in this Case, furnishes sufficient reasons for the confirmation of the claim, though I do not concur in a portion of them.

(Signed) Hiland Hall,
Commissioner

No 12.
Decree of Final Confirmation.

Archibald A. Ritchie, & Paul S. Forbes, assignees, vs The United States. } No 12. Guenoc. Final Decree of Confirmation.

This Board upon full consideration of the various grounds affecting the validity of the said claim, having come to the conclusion that the claim is valid, therefore now proceeds to make, and does hereby make the following

8.

CASE 13 ND
PAGE 9

decree or report of final confirmation, viz.; It is decreed that the said claim be confirmed to the extent and quantity of six square leagues, or sitios de ganado mayor, and for no more; being the same land described in the grant, and expediente referred to therein, and of which the possession is proved to have been had, by the grantee and the claimants, Provided, that the said quantity of land granted, and now here confirmed, be contained within the boundaries called for in the said grant, and map to which the grant refers; and if there be less than the said above named quantity, within the said bounds, then we confirm to the claimants, that less quantity, it being apparent that said quantity exceeds the minimum of two hundred varas, as prescribed by the Ordinance of the 21st November 1828.

(Signed) Hiland Hall,
(") Harry I. Thornton) Commissioners

9.

CASE 13 ND
PAGE 10

Office of the Board of Land Commissioners for California.
San Francisco May 22d 1852.

On this day before me Harry S. Thornton one of the Commissioners for ascertaining and settling private Land claims in California; came Robert H. Waterman, a witness produced in behalf of the claimants A. A. Ritchie and P. S. Forbes, whose petition is No 12, on the Docket of said Commissioners, and after being duly sworn testified as follows; The Law Agent of the United States was notified and attended:

Questions by claimants.

Deposition
R. H. Waterman

1st Question. What is your name, age and place of residence?
Answer. My name is Robert H. Waterman; my age is 44 years; I now reside on the Guenoc Rancho, about 45 miles North East from Napa City California.
2d Question. What do you know about the possession and present occupation of the Rancho of Guenoc claimed by the claimants in this case?
Answer: I have resided on this Rancho since January last in the employ of the claimants A. A. Ritchie, and P. S. Forbes, and have occupied it ever since as their tenant. There is a house on the Rancho, and over a hundred horses belonging to the claimants. The house has been built many years; I now live in it. I don't know when it was built. The land lies about 80 or 90 miles from the sea coast. It is occupied as a stock ranch; there is a small garden cultivated and about 30 acres of barley. ——

R. H. Watterman.

10.

The Law Agent present.

Sworn to, and subscribed before me
this 22d of May 1852.

Harry I. Thornton.
Com.r &c

CASE 13 ND
PAGE 11

Filed in Office May 22d 1852.
(Signed) Geo Fisher.
Sec'y.

No 12, Claim of A. A. Ritchie and P. G. Forbes.

Office of the Board of Land
Commissioners for California
San Francisco June 30th 1852.

On this day before me Harry I. Thornton one of the Commissioners for ascertaining and settling private Land Claims, in California, came Jacob P. Leese, a witness produced in behalf of the claimants, A. A. Ritchie, and P. G. Forbes, being No 12, in the Docket of the said Commission, and after being duly sworn testified as follows: The U. S. Law Agent was notified and attended;

Deposition
J. P. Leese.

Questions by claimant.

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

11.

CASE 13 ND
PAGE 12

Answer: My name is Jacob P. Leese, my age is 45 years; I now reside in Monterey, and have resided in California 14 years.

2d Question. Are you acquainted with the Rancho called "Guenoc," and if so, say where it is situated, and what you know about its occupation?

Answer: I am acquainted with the Rancho called "Guenoc," it is situate about 70 miles north of the city of Sonoma. In December 1844 I, as first Alcalde of Sonoma, gave possession to George Rock to occupy said Rancho, of which he received a grant in 1845. George Rock built a house on this Rancho in 1845. He also occupied it with cattle and horses about the same time. At first it was stocked with about 300 head of cattle and 25 horses. A part of the land was cultivated; I think he had about 50 acres in wheat, barley, corn and melons. He sold a part of this Rancho to me in 1845, and another part in 1847. I occupied it from the time I purchased it until I sold it to the present claimants. A. A. Ritchie, and Paul S. Forbes, in 1850.

3d Question. What do you know about judicial possession of this Rancho?

Answer: George Rock asked me for juridical possession while I was Alcalde in 1845 but I did not consider it necessary, as I had given him permission to occupy it in 1844, and as it was surrounded by public lands, and there was no question about the boundaries.

J. P. Leese.

I acknowledged notice in the above case, and decline to cross-examine the witness.

Geo W. Cooley U. S. Law Agent.

12.

CASE 13 ND
PAGE 13

Sworn to, and subscribed before me
this 30th of June 1852.

Harry J. Thornton.
Com.r &c.

Filed in Office July 1st 1852.
(Signed) Geo Fisher.
Sec'y.

"B" 2.

1. S. D. King

13.

CASE 13 ND
PAGE 14

Juzgado 1.a de Sonoma.

Espedte. Instruido de Seis Citos de Ganado Mayor en el Rancho de Guenoc, al Co. George Rock.

Decembre 10
de
1844.

462.

2. S. D. K.
14.
Expediente
F.

CASE 13 ND
PAGE 15

Sello Quinto medio Real

Habilitado provisionalmente por la Adu=
=ana maritima del puerto de Monterey,
en el Departamento de las California
para los años de mil ochocientos cuarenta
y cuatro y mil ochocientos cuarenta y
cinco.

Michiltorena. Pablo de la Guerra

Excmo. Sor. Gobr.

Sor.

Jorge Rock original de Canada y vecino de
esta jurisdiccion, y Mejicano naturalisado,
ante la Alta justificacion de V. E. como mejor
halla lugar y con el debido respeto pa=
=resco y digo, q. teniendo un numero considerable
de ganado bacuno y Caballar, y careciendo
de un terreno para establecerme, solicito de
V. E. se digne concederme el terreno conocido
con el nombre de Guenoc: en estencion
de seis Sitios de ganado Mayor poco mas
ó menos; se demuestra el dueño q. ad=
=junto colindando por el Poniente con el
rancho de Locoyayomi por el Norte con
la Sierra de Logiomi; por el oriente con
la gentilidad y por el Sur, con la Sierra
del Piojo esperando de V. E. q. cooperara
á la seguridad de mis intereses y mi
bien estar.

Por tanto á V. E. suplico se digne acce=
=der á mi solicitud de quien esperaré
gracia y merced, jurando lo necesario.

Sonoma Abril 4 de 1844.

George Rock.

3. S. D. K.

15.

CASE 13 ND
PAGE 16

Sello Quinto Medio Real

Habilitado provisionalmente 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.

Micheltorena. Pablo de la Guerra

Sor Alcalde de 1a nominacion de Sonoma

Sor.

Juzgado de 1a Nominacion.

En vista de la presente instancia q. presenta el interesado hice las informaciones necesarias y ilegales por el unico Colindante D. Roberto Ridley sobre el terreno q. solicita el interesado y estando seguro de no pertenecer a pueblo ni propiedad particular ninguna le concedo la licencia de ocuparlo interinamente; pero se sugetara el interesado a solicitar los documentos correspondientes dentro de un año y de no verificarlo sera denunciable el dho. terreno por otro cualquiera individuo.

Sonoma, Decimbre 8 de 1844.

Jacob P. Leese

Jorge Rock, original de Canada, vecino de esta jurisdiccion, ante la recta justificacion de V. como mas halla lugar paresco y digo: q. teniendome grande numero de ganado bacuno y Caballar, y no teniendo terreno alguno para establecerme y siendo vecino de este lugar hace diez años, me es preciso suplicar á la venevolencia de V. se sirva concederme la gracia de dar un informe circunstanciado al Excmo Sor. Gobernador del Departamento, sobre la instancia del terreno q. pido; para cuyo fin adjunto el diezmo sirviendose V. evitarme las grandes vejaciones q. se me pueden ocasionar haciendo los viages precisos hta. la Capital; y haviendose interpuesto las circunstancias

16.

CASE 13 ND
PAGE 17

por la guerra intestina del pais, solicito de V. se sirva concederme la licencia de ocu=
=parlo provicionalmente mientras se establece el Gobierno para solicitar los documentos correspondientes y procede en propiedad.

Por tanto á V. suplico se sirva acceder á mi solicitud de q. recibiré gracia.

Sonoma Dbre 8 de 1844.

George Rock

4. S.D.K.

Angeles Agosto 8. de 1845.

Vista la peticion con que da principio este espediente, la providencia que aparece del Sor. Alcalde 1.º de Sonoma de 8 de Diciembre de 1844, con lo demas que se tubo presente y ver convino; de conformidad con lo dispuesto en la ley de 18 de Agosto de 1824, y reglamento de 21 de Noviembre de 1828, se declara á Dn. Jorge Rock dueño in propiedad del parage conocido con el nombre de Guenoc con la estencion y lin=
=deros que demuestra el diseño que consta agregado á este espediente; librese el titulo correspondiente al interesado y sometase esta concesion á la aprobacion de la Exma. Asamblea Departamental.

Pio Pico Gobernador interino del De=
=partamento de las Californias, así lo mande decrete y firmé de que doy fé.

Pico.

Jose Mª Covarrubio

6. L. D. K.

19.

CASE 13 ND
PAGE 18

Pio Pico Gobernador interino del Departamento de las Californias.

Por cuanto Dn Jorge Rock, ha pretendido para su beneficio personal y el de su familia, el terreno conocido con el nombre de Guevoc, colindando al Norte con la tierra de Logueme, al Este con la Gentilidad, al Sur con la Sierra del Diablo, el Oeste con el rancho de Locoyayomi; practicadas previamente las averiguaciones convenientes segun lo dispuesto por leyes y reglamentos, usando de las facultades que me son conferidas á nombre de la Nacion Mejicana, he venido en decreto de este dia en concederle el expresado terreno, declarandole la propiedad de el por las presentes letras, entendiendose dicha concesion de entera conformidad con las leyes, a reserva de la aprobacion de la Excma. Asamblea Departamental y bajo las condiciones siguientes.

7. L. D. K.

1ª Podra cercarlo sin perjudicar los caminos y servidumbres; lo disfrutara libre y esclusivamente destinandolo al uso y cultivo que mas le acomode.

2ª Solicitara del Juez respectivo le dé la posesion jurídica en virtud de este despacho, por el cual se demarcara los linderos con las mojoneras necesarias.

3ª El terreno de que se le hace donacion es de Seis Sitios de ganado mayor poco mas ó menos segun espresa el diseño que obra en el espediente. El Juez que diere la posesion lo hara medir con arreglo á ordenanza quedando el sobrante que resulte de la Nacion para los usos que convengan.

Queda reservado

20.

En consecuencia mando que teniendose el presente titulo por firme y valedero se tome razon de él en el libro respectivo y se entregue al interesado para su res= =guardo. y demas fines. Dado en la Ciudad de los Angeles á ocho de.... Agosto de mil ochocientos cuarenta y cinco.

P. P. = J. M. C. Srio.

8. S. D. R.

Angeles Agosto 13 de 1845.

Dado cuenta á la Excma. Asem= =blea Departamental en sesion de hoy con este espediente se mando pasar á la Comi= =sion de terrenos baldios.

Pio Pico
Presidte.

Agustin Olvera
Srio.

9. S. D. R.

Excmo. Sor.

La Comision de terrenos baldios se ha hecho cargo del espediente promovido por el Ciud.o Mejicano por naturalizacion George Rock en solicitud de terreno conoci= =do con el nombre de Guenoc; y persua= =dido de q. las diligencias q. constan en dicho espediente fueron bastantes para que el Superior Gobierno de Departam.to le hubiese concedido el referido terreno, pone á la deliberacion de V. E. la pro= =posicion q. sigue.

Se aprueva la concesion hecha por el Superior Gobierno del Departamento en titulo librado con fecha 8 de Agosto del corriente año en favor del Ciud.o Mejicano por naturalizacion George Rock del terreno conocido con el nombre de Gue= =noc dentro de los limites de la jurisdiccion

21.

CASE 13 ND
PAGE 20

de Sonoma en estension de seis sitios de ganado mayor de conformidad con la ley de 18 de Agosto de 1824 y el articulo 5º del reglamento de 21 de Noviembre de 1828.

Sala de Comisiones en la Ciudad de los Angeles Setiembre 23 de 1845.

Franco de la Guerra

Narciso Botello

10. S.D.K.

Angeles Setiembre 26 de 1845.

En sesion de hoy se aprobó por la E. Asamblea Departamental la proposicion del dictamen antecedente, mandando se devuelva el espediente original al E. S. Gobernador para los fines convenientes.

Pio Pico

Agustin Olvera
Secro.

En la fha. se libro á la parte la copia respectiva.

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 custody a portion of the Archives of the former Spanish and Mexican Territory or Department of Upper California do hereby certify that the ten preceeding and hereunto annexed pages of tracing paper, numbered from one to ten inclusive, and each of which is verified by my initials (S. D. K.) exhibit true and accurate copies of certain papers on file and forming part of the said Archives in this Office.

In testimony whereof I have

22.

CASE 13 ND
PAGE 21

hereunto signed my name officially, and affixed my private Seal (not having a Seal of Office) at the City of San Francisco, Cal. this 19th day of August 1852.

Saml. D. King
Survr. Genl. Cal.

Filed in Office Septr. 11th 1852.
Geo: Fisher
Secy.

23.

CASE 13 ND
PAGE 22

Translation of Expediente.

1st Magistrates Office No 12.
of
Sonoma.

Proceedings had at the instance of Citizen George Rock for six square leagues of land in the Rancho of Guenoc. December 10 1844.

462.

Provisionally authorised by the Maritime Custom House of the port of Monterey in the Department of the Californias for the years eighteen hundred and forty four and forty five:
Fd. Michelorena. Fd. Pablo de la Guerra.

Your Excy the Governor
Sir,

George Rock, originally from Canada now resident of this jurisdiction, and a naturalised Mexican, before the high justification of your Excellancy as in duty bound, and with due respect, appears and says; That having a considerable number of cattle (horses and cows) and being destitute of land on which to establish myself, I solicit your Excellency to be pleased to concede me the ground known by the name of Guenoc, in extent six "sitios de ganado mayor" a little more or less, as appears by the map which I annex hereto, bounded on the west by the ranche of Locoyomo; on the north by the mountains of Logiuno; on the east by the "gentilidad", and on the south by the mountains of the Piojo; Hoping that your Excellancy will co-operate in the security of my interests, and in my well being. To which effect I beg your Excy; will condescend to accede to my solicitation for which I await your grace and mercy, swearing what is necessary.

Sonoma April 4th 1844.
(Signed) George Rock.

Fifth Seal. 1/2 real.

Provissionally authorised by the Maritime Custom House of the port of Monterey, in the Department of the Californias, for the years Eighteen hundred and forty four, and Eighteen

hundred and forty five.
Jd. Micheltorena. Jd. Pablo de la Guerra.

Court of 1st nomination

In view of the present solicitation offered by the party interested, I made the necessary & legal enquiries of the only person in the neighborhood of the land, Don Roberto Ridley in relation to the land solicited, and being certain that it does not belong to any town or particular property, I concede to him the license to occupy it for the time being, but the party interested subject to himself to solicit the corresponding documents within one year, failing to do which the said land may be denounced

The Alcalde of the 1st nomination of Sonoma; Sir:

George Rock, native of Canada, a resident of this jurisdiction before the right justification of your worship, in due form, appears and says: That having a great number of cattle, (horses and cows) and having no land on which to establish myself, and having resided in this place for ten years; it becomes necessary for me to entreat for your benevolence that you will concede me the favor of giving to his Excellency the Governor a circumstantial account of the position of the land, which I ask, to which end I annex the map, kindly enabling me to avoid the inconveniences to which I should be subjected by the necessary visits to the Capital, and having in view the circumstances of the internal war in the country, I beg that you will concede me the privilege of occupying the ground provisionally whilst the government is being established when I will solicit the corresponding documents and possess it in proper form.
In virtue of which I beg you to accede to my request, for which I will remain grateful.

Sonoma, December 8th, 1844.
(Signed) George Rock.

Angeles, August 8th 1845.

In view of the petition at the commencement of this expediente, the action thereon of the Alcalde of Sonoma under date of the 8th. December 1844, with the other circumstances; In conformity with the provissions of the law of the 18th August 1824, and the regulation of the 21st November 1828, Mr George Rock is declared the entire and proper owner of the spot known by the name of Guenoc, with the

by any person.
Sonoma,
Dec. 8. 1844.
Jn. Jacob. P. Leese.

extent and boundaries exhibited by the map which is attached to this expediente: Extend to him (the interested party) the corresponding title, and submit this concession to the approval of the Excellent Departmental Assembly: Pio Pico, provisional governor of the Department of the Californias: that I ordered, decreed and signed, which I confirm.

Signed) "Pico".
Signed) José Mª. Covarrubias.
(Secy.)

Pio Pico, provisional governor of the department of the Californias.

In as much Don George Rock has demanded for his personal benefit and that of his family the ground known by the name of Guenoc, bounded on the north by the land of Loquino, on the east by the "gentilidad", on the south by the mountains of the Piojo, on the west by the rancho of Locoyayme, the necessary enquiries being personally instituted in accordance with the provisions of laws and regulations; availing of the faculties conferred upon me in the name of the Mexican Nation, I have decided in decree of this day, to concede to him the ground named, declaring it his own property by the present letters, with the understanding that this concession is in entire conformity with the laws, subject to the approbation of the Excellent Departmental Assembly, and under the following conditions:

1st. He may fence it without prejudice to the roads and paths, enjoying it freely and exclusively, devoting it to the use and cultivation most convenient to him.

27.

CASE 13 ND
PAGE 26

2d. He will solicit from the competent Judge to be placed in juridical possession in virtue of this despatch, by whom the boundaries must be defined by the necessary landmarks.
3d. The ground which is given to him is in extent six "sitios de ganado mayor," a little more or less, as is expressed in the map which figures in the expediente.
The Judge who may give such possession will cause the land to be measured with reference to the ordinance, and the superfluity resulting will remain to the Nation for the uses that may be convenient.
In consequence, I order that holding the present title as firm and valid due note be taken of it in the respective book, delivering it to the party interested for his security and other ends. Given in the City of Los Angeles the 8th of August, one thousand eight hundred & forty five.

P. P. ——— J. M. C. Secy.

This copy agrees with the original

Angeles, August 13th 1845.
Reference being made to the Excellent Departmental Assembly in session of to day, with this expediente, it was ordered to be passed to the Committee on Vacant Lands.
(Signed) Pio Pico.
President.
(Signed) Agustin Olvera
Secy.

Your Excellency:
The Committee on Vacant Lands having taken charge of the expediente forwarded by the naturalized Mexican Citizen George Rock, soliciting the land known by the name of Guenoc, and being persuaded that the enquiries set on foot and the steps taken as appears in said expediente were sufficient

28.

CASE 13 ND
PAGE 27

to have obtained from the superior government of the Department the concession of the ground referred to, places before the consideration of your Excellency the following proposition.

Approved the concession made by the superior government of the Department under a title issued on the 8th August of the current year in favor of the naturalised Mexican Citizen George Rock, of the ground known by the name of Guenoc, within the limits of the jurisdiction of Sonoma to the extent of six "sitios de ganado mayor", in conformity with the law of the 18th August 1824, and the 5th article of the regulations of the 21st November, 1828.

Committee Hall in the City of Los Angeles, September 23d. 1845.

(Signed) Francc. de la Guerra.

(Signed) Narciso Boletto.

Angeles, September 26th 1845.

In session of to day the Excellent Departmental Assembly approved the proposition contained in the preceding report, and ordered the return of the original expediente to His Excellency the Governor for the necessary purposes.

(Signed) Pio Pico.—

(Signed) Augustin Olvera.
Secy.

On this date was issued to the party the respective Copy.—

I, certify the foregoing to be a true and correct

29.

Translation of the Spanish document on file in this Office in Case No 12, Archibald A. Ritchie, for the place named "Guenoc".

(Signed) Geo Fisher.

Secy.

"B"

31.

CASE 13 ND
PAGE 29

Office of the U. S. Land Commission.
Los Angeles October 8th, 1852.

On this day before James Wilson one of the Commissioners for ascertaining and settling private land claims in California, came S. Arguello, a witness produced in behalf of the claimants Archibald A. Ritchie et. al. whose petition is No 12, on the Docket of the Board and was duly sworn. His evidence being given in Spanish, was interpreted by the Secretary.

The Law Agent by R. Greenhow Esq was present and did not object.

Deposition of S. Arguello.

1st Question. What is your name, age, and place of residence?
Answer. My name is Santiago Arguello, my age is sixty years, I reside near the port of San Diego, and have lived in California all my life.
2nd Question. Examine the paper before you marked J. W. No 1, and say whether you are acquainted with the signatures, and whether the document is genuine?
Answer. I have examined the paper marked J. W. No 1, and am acquainted with the signatures of Pio Pico, and José Maria Covarrubias; their signatures to this document are genuine, and the document itself, to the best of my knowledge and belief, is also genuine.

S. Arguello.

October 8th 1852.
Subscribed and sworn to
Before me James Wilson. Commissioner

32.

CASE 13 ND
PAGE 30

Filed in Office October 8th 1852.
Geo. Fisher.
Secy.

33.
Document
"J. W. N°. 1.

J. W. N°. 1.

Sello Primero Ocho Pesos

Habilitado provisionalmente por la Aduana marítima 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 Lorena — Pablo de la Guerra

ADA. MARITA. DE MONTRY (Place of Eagle)

Pio Pico Gobernador interino del Departamento de las Californias.

Por cuanto Dn. George Rock ha pretendido para su beneficio personal y el de su familia el terreno conocido con el nombre de Guenóc, colindando al Norte con la Sierra de Loyumí, al Este con la gentilidad, al Sur con la Sierra del Diojo, y al Oeste con el rancho de Locoyaimé; practicadas previamente las averiguaciones concernientes segun lo dispuesto por leyes y reglamentos, usando de las facultades que me son conferidas á nombre de la Nacion Mejicana, he venido en decreto de este dia en concederle el espresado terreno, declarandole la propiedad de él por las presentes letras, entendiendose dicha concesion de entera conformidad con las leyes, á reserva de la aprobacion de la Escma Asamblea Departamental y bajo las condiciones siguientes.

1a. Podrá cercarlo sin perjudicar los caminos y servidumbres; lo disfrutará libre y esclusivamente destinandolo al uso y cultivo que mas le acomode.

2a. Solicitará del Juez respectivo le dé la posesion juridica en virtud de este despacho por el cual se demarcarán los linderos con las mojoneras necesarias.

3a. El terreno de que se le hace donacion es de seis sitios de ganado mayor poco mas ó menos segun espresa el diseño que obra en el espediente.

El Juez

que diere la posecion lo hará medir con arreglo á ordenanza, quedando el Sobrante que resulte á la Nacion para los usos convenientes.—

En consecuencia mando que teniendose el presente titulo por firme y valedero, se tome razon de él en el libro respectivo y se entregue al interesado para su resguardo y demas fines.— Dado en la Ciudad de los Angeles á ocho de Agosto de mil ochocientos cuarenta y cinco.—

Pio Pico.—

José Mª Covarrubias
Srio.—

Queda tomada razon de este titulo en el libro respectivo.—

Angeles fecha ut supra
Covarrubias

J. W.

Sello Quinto Medio Real

Habilitado provicionalmente por la Aduana marítima 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.—

Michelltorena Pablo de la Guerra

12/2

37.

El que suscribe Secretario del Despacho de Gobierno.
Certifica: que el presente diseño es copia fiel sacada del original que obra en el espediente promovido por Dn. Jeorge Rock en pretension del parage conocido con el nombre de Guenoc.
Angeles Agosto 8 de 1845.

José Mª Covarrubias

Pio Pico Gobernador Interino del Departamento de las Californias —

La Exma Asamblea Departamental en sesion de hoy ha acordado lo siguiente —

" Se aprueba la concesion hecha por el Superior Gobierno del Departamento en titulo librado con fha 8. de Agosto del corriente año en favor del Ciudadano Mejicano por naturalizacion George Rock del terreno conocido con el nombre de Guenoc dentro de los limites de la Jurisdiccion de Sonoma en estencion de seis sitios de ganado mayor de conformidad con la ley de 18. de Agosto de 1824 y el articulo 5º del reglamento de 21. de Nbre. de 1828" —

Y para resguardo de la parte de Dn George Rock, lo hago asi saber. Dado en la Ciudad de los Angeles en este papel comun por falta de sellado á veinteseis de Setiembre de mil ochocientos cuarenta y cinco —

Pio Pico —

José Mª Covarrubias
Srio —

Filed in office Octr 8th 1852 —
Geo: Fisher
Sec.y

Translation of Title.
39.

13.

CASE 13 ND
PAGE 35

Stamp First. Eight Dollars.

Provisionally authorised by the Maritime Custom House of the Port of Monterey in the Department of the Californias, for the years one thousand eight hundred and forty four and one thousand eight hundred and forty five.

(Signed) Michaltorena. (Signed) Pablo de la Guerra

Maritime Custom House of Monterey

Pio Pico Governor ad interim of the Department of the Californias.

Whereas Don George Rock, has, for his own personal benefit and that of his family, asked for the land known by the name of "Guenoc", bounded on the north by the "Sierra of Loquinni", on the east by the lands of the wild Indians, on the south by the "Sierra del Piojo", and on the west by the Rancho of Locoyaimi"; the proper examinations covering it having previously been made as required by the laws and regulations, by virtue of the authority in me vested in the name of the Mexican Nation, I have by a decree of this day granted him the said land, declaring to him the ownership of it by these presents, provided said grant shall be in entire conformity with the laws and subject to the approbation of the Most Excellent Departmental Assembly, and under the following conditions;

1st. He may enclose it without prejudice to the roads, (crossroads) and servitudes; enjoy it freely and exclusively, making such use and cultivation of it as he may see fit.

2nd. He will ask the proper or competent magistrate to give him juridical possession of it in virtue of this decree, by whom the boundaries will be marked by the proper marks.

3rd. The land hereby granted is six "sitios de ganado Mayor", (six square leagues) a little more or less, as shown by the map which goes

41.

with this record of proceedings. The magistrate who may give the possession will have it measured conformably to Ordinance, leaving the surplus to the nation for its own convenient uses.

Wherefore I order that, the present title being held as firm and valid, note of it be taken in the proper corresponding book, and that it be delivered to the party interested for his security and other purposes. Given in Los Angeles, the eight day of August, one thousand eight hundred and forty five.

(Signed) Pio Pico.

(Signed) Jose Maria Covarrubias
Secretary.

Note has been taken of this title in the corresponding book.

Angeles, date as above.

(Signed) Covarrubias

Pio Pico, Governor ad interim of the Department of the Californias.

The Most Excellent Departmental Assembly in session this day has passed the following:

13.

"Approved the grant made by the supreme "government of the Department by title issued "the 8th of August of the present year in favor "of the Mexican citizen by naturalization, George "Rock, of the land known by the name of "Guenoc" "within the limits of the Jurisdiction of So-"noma, in extent six" sitios de (Ganado Mayor) "in conformity to the law of the 18th of August "1824, and article 5th of the Regulation of the "21st of November 1828."

And for the security of the party, Don George Rock, I thus make it known.

42. Given in the city of Los Angeles on this common paper, there being none stamped, this twenty sixth day of September one thousand eight hundred and forty five.

(Signed) Pio Pico.

(Signed) José Maria Covarrubias.

Secretary —

The above translations as amended by me are correct.

Carr.

Filed in Office January 27th, 1852.

Geo Fisher.

Secy.

"D"

44
Supplementary Petition.

CASE 13 ND
PAGE 38

To the Honorable Commissioners to settle Private Land Claims in California.

The petitioners, Archibald A. Ritchie, and Paul S. Forbes, in this their supplementary petition, respectfully show:

That on the 8th day of August A.D. one thousand eight hundred and forty five, Pio Pico, Governor of California, by virtue of the authority of his office, granted to George Rock, the tract of land known by the name of "Guenoc", situate in the then jurisdiction of Sonoma, comprising within its known limits as described in the grant and designated in the respective map therein referred to, six "sitios de ganado mayor," six square leagues, a little more or less;

That on the twenty sixth day of September A.D. one thousand eight hundred and forty five, the Departmental Assembly approved the said grant in due form of law, copies of which grant, approval, and map are filed herewith marked "A." with translations marked "B."

The petitioners further show that the said George Rock sold and conveyed the aforesaid tract of land to Jacob P. Leese by deeds of conveyance dated October 10th A.D. 1845, and January 13th A.D. 1847; copies of which deeds are filed herewith and marked "C", with translations marked "D";

That on the 7th day of September A.D. 1850, the said Jacob P. Leese, and Rosalia his wife, sold and conveyed the aforesaid tract of land to the petitioners, Archibald A. Ritchie and Paul S. Forbes, saving and excepting one square league of land which had previously been sold and conveyed by said Leese to Nathan Spear, a copy of which conveyance to said Ritchie and Forbes is filed herewith, and marked "E";

And the petitioners further represent that on the 11th day of December A.D. 1846, the said

Jacob P. Leese, sold and conveyed to Nathan Spear one square league of the said tract of land called "Guenoc," as shown by his deed of conveyance, a certified copy of which is filed herewith marked "F";
That on the 18th day of October A.D. 1849, the said Nathan Spear sold and conveyed the aforesaid square league of land to Stephen Reynolds, a certified copy of which conveyance is filed herewith marked "G";
That on the 26th day of July A.D. 1852, the said Stephen Reynolds, by his Attorney-in-fact, sold and conveyed the aforesaid one square league of land to one of the petitioners, Archibald A. Ritchie, certified copies of which conveyance and powers-of-attorney are filed herewith marked "H", "I", & "J".
That the said George Rock and Jacob P. Leese, during their possession and ownership, and the petitioners since their possession and ownership, have done and performed in the due form of law all the requirements of said grant, necessary to make the grant aforesaid, full, perfect, and absolute.
That they know of no interfering claim; that the said tract of land, has not been surveyed by the Surveyor General of the United States, but that the position and bounds of the land are fully set forth and described in the grant and map aforesaid, and are definite and well known.
The petitioners rely for confirmation of title upon the original papers, copies of which are filed herewith, upon the documents and minutes concerning the same in the archives in the possession of the Surveyor General, and such other proofs as they may be advised are necessary.

Wherefore they pray the Commissioners to decide upon the validity of said grant to the said George Rock, and to confirm the same to the petitioners according to the aforesaid deed of conveyance.

Halleck, Peachy & Billings
Attys for Claimants.

Filed in Office Oct 9th, 1852. Geo Fisher
Secy.

Tuesday January 10th 1854.

46.

In Case No 12, Archibald A. Ritchie et, al, for the place named "Guenoc," the Counsel for the Claimants moved, that the stipulation entered into between the Claimants and the U. S. Law Agent whereby certain "Mesne conveyances," were agreed to be filed as evidence in this cause without any further proof of their legal execution, and which stipulation and Mesne conveyances therein mentioned were submitted to the Board on the day of hearing the said cause, to wit; on the 13th December 1852, and considered by the Board, and reference thereto made in its opinion in adjudicating the cause on the 18th of the same month, altho' no Record of their submission having been made; the said Stipulation and Mesne Conveyances not having been regularly filed with the Secretary in due time, to that effect be now filed and made a part of the Record in this cause. Motion sustained, and wherefore it is ordered, that the said papers be filed "nunc pro tunc", and made a part of the Record in this cause — and are as follows to wit; (vide pages of this Transcript.

CASE 13 ND
PAGE 40

No 12.

Agreement.

Before the U. S. Land Commission.

In the claim of A. A. Ritchie and Paul I. Forbes, to

Guenoc.

The Law Agent on the part of the United States, admits without further proof, the due execution of the following papers filed in this case, viz;

47.

CASE 13 ND
PAGE 41

1. Deeds from George Rock to I. P. Leese, dated October 10' 1845 and January 13' 1847.
2. Deed from I. P. Leese and wife to A. A. Ritchie and P. G. Forbes.
3. Deed from I. P. Leese to Nathan Spear, dated December 11' 1846.
4. Deed from Nathan Spear to Stephen Reynolds, dated October 18' 1849.
5. Deed from Stephen Reynolds to A. A. Ritchie dated July 26' 1852.
6. Letter of Attorney from S. Reynolds, to W. H. Davis dated December 5' 1851.
7. Substitution of H. P. Hepburn for W. H. Davis, dated May 13' 1852.

Robert Greenhow
Ass't. Law Agent U.S.

Filed in Office January 10th 1854.

Esc. 9

12/1

48.
Conveyance
G. Rock
to
J. P. Leese

CASE 13 ND
PAGE 42

Escritura de Vento que hace George Rock en favor de Jacobo Leese del terreno llamado "Guenoc"

Sonoma 10 de Octubre de 1845.

Juzgado 1º de Sonoma

En el pueblo de Sonoma de la Alta California á los diez dias del mes de Octre de mil ochocientos cuarenta y cinco, ante mi José de la Rosa Alcalde 1º Constitucional de Sonoma, actuando por receptoria por falta de escribano publico, se presentó Jorge Rock, y dijo: que por si, y en nombre de sus hijos herederos, sucesores, y de quien de ellos hubiere tituto voz y causa de cualquiera manera, vende y dá en venta real, y enagenacion perpetua por juro de heredad para siempre jamas, á Dn Jacobo Primo Leese vecino de este mismo pueblo y á los suyos el terreno de Güenoc, en cantidad de seis sitios de ganado mayor segun aparece en el titulo y deseño correspondiente, colindante al norte con la siena de loquimi, al este, con la gentilidad, al Sur, con la siena del piojo, y al Weste con el rancho de Loco-yallomi, de pertinencia q. adjunta esta escritura, por los cuales, corresponde en posecion y propiedad al otorgante, al cual declaro no tenerla vendida ni empeñada; y que está libre de tributo, memoria, capellania, vinculo, patronato, y fianza; y otro gravamen, perpetuo, temporal, tacito, y espreso; y como tal se lo vende, con todas sus entradas, salidas fabricas, usos, constumbres, regalias, servidumbres y demas cosas anexas que há tenido y tiene segun derecho, por trecientos pesos y tres mil varas de tierra de largo, y mil setecientas varas de ancho segun consta por documento q. tiene recebido y el mismo confieza; y renuncia la ley nueve del

tituto 1º

partida 5.ª: asi mismo declara que el justo precio y verdadero valor del referido terreno, son los trescientos pesos tres mil varas de tierra de largo y mil setecientas varas de ancho; y que no vale mas, ni hallo quien tanto le hálla dado por el, y si mas vale ó valer pudiera del exceso en poca ó mucha suma, hace á favor del comprador y de sus herederos y sucesores, gracia y donacion pura perfecta é irrevocable en sanidad y demas firmezas legales, y renuncia la ley 2.ª titulo 1.º libro diez, nueva recopilacion q. trata de los contratos de venta, trueque y de otros en q.l hay lesion en mas ó menos de la mitad del justo precio; y desde hoy en adelante para siempre se desapodera, desiste, quita, y aparta á sus herederos y sucesores del dominio, ó propiedad, titulo voz, recurso y otro derecho q. le compete al enunciado terreno Quinoc lo cede renuncia y traspasa con las acciones reales, personales, utiles, mixtas, directas y ejecutivas en el comprador; y en quien la suya represente, para q.l lo posée goze, cambie, enagene, y disponga de él á su eleccion como de cosa suya con legitima y justo titulo, y le confiere poder irrevocable, con libre, franca y general administracion, y constituye procurador actor su propria causa para que de su autoridad entre y se apodere del nominado terreno, y presinde la real tenencia y posesion q. por derecho le compete; y para q.l no necesite tomarlo me pide q. le dé copia autorizada de esta escritura con la cual a de ser visto haverla tomado, aprehendido y transferidole, y en el interim se constituye su inquilino, tenedor, y precario poseedor, en legal forma; y se obliga, á q. dho terreno, será cierto seguro y efectivo al comprador y nadie le inquietará ni movera pleito sobre su propiedad, ni contra el aparecerá gravamen alguno; y si le inquietare moviere ó apareciere, luego q. el otorgante, sus herederos, y sucesores sean requeridos conforme á derecho saldrá á su defensa, y lo seguirán á sus expensas en todas instancias y tribunales, hasta dejarlo al

Comprador

50.

y á los suyos en su libre uso, quieta y pacifica posesion; y no pudiendo conseguirlo, le darán otro igual en valor de fabrica, sitio, renta, y comodidades; y en su defecto le restituiran la cantidad q.e á desembolsado: las mejoras, utiles, precisas y voluntarias q. á la sazon tenga, al mayor valor y estimacion q. con el tiempo adquiera, y todas las costas, gastos, daños, intereses, ó menoscabo que se le siguieren — por todo lo cual, se les a dado poder ejecutar en virtud de esta escritura, y juramento del q. la posea; ó de quien le represente en quien difiere su importe q. le rebaba de otra prueba — y á la observancia de todo lo referido, obliga su persona y bienes habidos y por haber, y confiere amplio poder a los Tres Jueces y tribunales de la nacion q de este negocio deben conocer conforme á derecho para q. lo apremien á su cumplimiento como por sentencia definitiva de juez competente, pasada en autoridad de cosa juzgada y consentida q por tal lo recibe —

José de la Rosa — Jorge Rock
assa — assa.
Nasario Berellesa — Jose Berreyesa

Yo el infracrito doy fé con los de asistencia de haverse estendido la antecedente escritura en papel comun por no haver en este lugar del sello que corresponde, fha ut supra —

José de la Rosa
assa — assa.
Nasario Berellesa — Jose Berreyesa

George Rock to Jacob P. Leese Deed
Filed for record Aug 17th 1850 at 9 o'clock A.M.
Recorded in Book A of Deeds Pages 93 & 94 on the 17th Augt 1850 at 10 o'clock A.M.

H. H. Laurence
Deputy Recorder of Napa County State of California

Fees Paid Recording 10.00
Filing 2.00
$ 12.00

57.

The like in English

CASE 13 ND
PAGE 45

Know all men by these presents, That I George Rock of this Jurisdiction of Sonoma, and Territory of Upper California for and in the consideration of the sum of $300 Dollars. — Say Three hundred Dollars. to me in hand paid by Jacob P. Leese of this Same Jurisdiction ra at and before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, hav granted bargained, sold, released, and confirmed; and by these presents, do grant, bargain, sell, release, and confirm unto the said Jacob P. Leese, his heirs and assigns all my estate, right, title, interest, property, claim, and demand, whatsoever of, in, to, or out of a certain tract or parcel of land, known by the name of Guenoc according to the original Title Granted to me by the Mexican Government on the Eighth Day of August 1845 and the same trasferde to Jacob P. Leese, in presence of the Justice of the peac of this place all in lawful form excepting one peac of the same land containing the amount of Three thousand vares, long and one thousand seventeen hundred wide, which I hav this day granted, bargained, sold, released, and confirmed; and by these presents do grant, bargain, sell, release and confirm into the said Jacob P. Leese, his hairs and assigns, all my estate right title, interest, property claim, and demand — whatsoever of in, to, or out of the tract of land known by the name of Guenoc, situated on the head of the River known by the name of the Collote. Together with all and singular the rights, members, and appurtainances, there unto belonging; and the reversions and remainders, rents, issues, and profits, thereof; and together do warrants all benefit and advantage thereof to hav and to hold the said tract of land, and premises, hereby bargained and sold or mentioned or intended so to be, with the

appurtenances

52.

unto the said Jacob P. Leese his hairs and assignes to the only proper use and behoof of the said J. P. Leese his hairs and assigns for ever: And the said George Rock and his hairs the said hereby granted premises unto the said J. P. Leese his hairs and assigns, against him the said George Rock and his hairs and against all and every other person and persons whomsoever, lawfully claiming or to claim by for, or under him them, or any of them shall and will warrant, and for ever defend by these presents, before the chief Magistrate of Sonoma and to be maid of record in the archieves of said Magistracy. In testimony whereof I have hereunto set my hand and seal this thirteenth day of January A. D. 1847.

Witness
Richard Fowler
Andrew Kalppeness

George his X mark Rock

Personally appeared before me John H. Nash a Justice of the Peace in and for the District of Sonoma and Territory of California George Rock who acknowledges that he signed, sealed, and delivered the deed herein written to Jacob P. Lease on the day and the year therein mentioned and for the purposes therein set forth.

Given under my hand and seal at office at the town of Sonoma this thirteenth day of January A. D. 1847.

John H. Nash J. P. (L.S.)

Rec.d at office January thirteenth 1847 and recorded by me John H. Nash a Justice of the Pease & having no clerk, in book A. on pages numbered 22. & 23 on the same day.

John H. Nash J. P.

53.

54.
Translation of Deed to Jacob P. Leese.

CASE 13 ND
PAGE 47

First Magistrates Office of Sonoma.

In the Pueblo of Sonoma of Alta California, on the tenth day of the month of October, one thousand eight hundred and forty five, before me, José de la Rosa, 1st constitutional Alcalde of Sonoma, acting by virtue of my office for want of a Notary Public, appeared George Rock and said that for himself and in the name of his children, heirs, successors, and of whosoever of them may have title, claim or cause in any manner, he sells and delivers, and alienates forever with the right of inheritance, forever to Don Jacob Primo Leese, resident of this same Pueblo, and to his (heirs & successors), the land of "Guenoc", in extent six "sitios de (Ganado Mayor") as appears in the title and corresponding map, bounded on the north by the "Sierra de Loquinni", on the east by the lands of the wild Indians, on the south by the "Sierra del piojo," and on the westley the rancho of Locoyallomie; which title papers are annexed to this conveyance, and by which said land belongs in possession and ownership to the present grantor, who declares that he neither sold nor pledged, and that it is free from tribute, religious, or charitable tax, entail, pious contribution, and mortgage, and other incumbrance, perpetual, temporary, tacit and expressed, and as such he sells it, with all its rights of ingress and egress, privileges, structures, uses, customs, servitudes, and other appurtenances which have belonged and now belongs to it of right, for three hundred dollars, and a piece of land three thousand varas long and one thousand seven hundred varas wide, as shown by a document which he holds and acknowledges; and he renounces Law 9. Title 1. Partida 5; and he also declares the just price and value

of the said land to be the three hundred dollars, and the piece of land three thousand varas long and one thousand seven hundred varas wide; and that it is worth no more and that he has found nobody willing to give so much for it; and if it is worth more or may be worth more, of the excess, be it little or great, he makes to the purchaser, and his heirs and successors, gift and donation pure, perfect and irrevocable, in good faith, and legal form, and he renounces Law 2d, Title 1, Book 10, Nueva Recopilacion, which treats of contracts of sale, exchange, and others, in which there is lesion in more or less than one half of the just price; and henceforth forever, he, for himself, and for his heirs and successors gives up the possession, desists, leaves and retires from the dominion and ownership, title, claim, recourse, and other rights which belong to the aforesaid land of Guenoc, which he grants, renounces and transfers, with the actions, real, personal, useful, mixed, direct and executive to the purchaser and his representatives, in order that he may possess, enjoy, exchange, alienate, and dispose of it at his pleasure, as his own acquired by just title, and he confers upon him irrevocable power, with free, frank, and general administration, and constitutes him his attorney-in-fact, in order that of his own authority he may enter upon and hold the aforesaid land, and take to himself the real tenure and possession which of right belongs to him, and that it may not be necessary for him to take it, he asks me to give him the vendee an authenticated copy of this writing, by which it may be seen to have been taken, seized and transferred to him (the vendee); and in the mean time he makes himself the tenent and temporary holder for the vendee in legal form;

56.

and he binds himself that said land shall certainly, securely and effectually belong to the purchaser, and that no one shall molest him, or bring suit for the ownership, and that no incumbrance shall appear, and should he be molested, suit be brought, or incumbrance appear, immediately that the vendor, his heirs and successors are required according to law, they shall appear in his defence and pursue it at their own expense in all the courts and tribunals, until they obtain judgement in his favor, and leave the purchaser and his heirs and successors in its free use, and quiet and peaceable possession; and if they should not be able to accom-plish this they shall give him another equal in value, tenements, extent, rents, and appurtenan-ces, and in default of this they shall restore to him the money he has expended, with the im-provements, useful, necessary, and voluntary which at that time there may be (on the ranchos), the increased value (which in time it may ac-quire, and all the costs, expences, damages) which may accrue; all of which may be executed in virtue of this writing, and the oath of him who posses it or of his representative, to whom he leaves it to fix the value and relieves him from other proof: and for the observance of all the fore-going he binds his person and property, acquired or to be acquired, and confers ample power on the <u>Magistrates and tribunals of the Nation</u> who according to law have jurisdiction of this matter to compel him to comply with it, as by a final judgement of a competent Judge, having the force of res judicata and consented to, and as such he receives it. (Signed) George his + mark Rock

(Signed) José de la Rosa.

Assisting Witnesses.

(Signed) Nocario Berrellesa.

(Signed) José Berreyesa.

I, the undesigned certify, with the assisting wit-nesses, that I have written out the foregoing

57.

instrument on common paper, there being none in this place of the proper stamp.

(Signed) Jose de la Rosa.

Assisting Witnesses.

(Signed) Nocario Berellesa.

(Signed) José Berreyesa.

CASE 13 ND
PAGE 50

The above, with the marginal and other emendations made by me, is a correct translation.

Carr.

Filed in Office January 27th 1852.

Geo Fisher.

Secy.

Deed from J. P. Leese To Nathan Spear

This indenture made this eleventh day of December in the year of our Lord one thousand eight hundred and forty six — between Jacob P. Leese of the district of Sonoma of the first part and Nathan Spear of the same district of the second part: Witnesseth: that the said Jacob P. Leese of the first part for and in consideration of a full and entire release from the said Nathan Spear of the second part from all debts, dues, and demands, held by the party of the second part against the party of the first part, on account of the late firm or business connection of Nathan Spear and William S. Hinckley (deceased) and the surrender by the said party of the second part to the said party of the first part of a note of hand given by the said party of the first part to the said Spear and Hinckley at Monterey November 21st 1839, — for the sum of three thousand dollars, the surrender of which said

58.

note by the party of the second part is hereby ack-
-nowledged by the party of the first part - and
the full and entire settlement as aforesaid be-
-ing hereby acknowledged by the same party of the
second part. The said Jacob P. Leese or party of the
first part does hereby, grant, bargain, sell, con-
-firm and release unto the said Nathan Spear
or party of the second part a certain, desmene
tract or parcel of land now included in the
farm or Rancho known and to be known as
the "Guenoc Rancho". The said Desmene, tract,
or parcel of land being of the area of five thou-
-sand Spanish varas square, or "one sitio de
Ganado Mayor" commonly called a league -
the said five thousand Spanish varas square
to be measured on either of the east, west, or south,
of the lines of boundaries of said Rancho, and
to be measured in a square of five thousand
Spanish varas on each side of said square.
The whole of which described tract, thus set
off conveyed and confirmed or released by the
said party of the first part unto the said party
of the second part, is hereby released and con-
-firmed unto the said party of the second part his
heirs, executors, administrators and assigns
in fee simple forever, and the said party of
the first part for the full and entire or com-
-plete fulfilment of this deed of sale or trans-
-fer as aforesaid hereby binds himself, his heirs,
executors, administrators, and assigns, unto
the said party of the second part to fulfill all
the conditions of this said deed or transfer, and
never to claim or reclaim of the said party of
the second part, his heirs, executors, admini-
-trators, or assigns - this said five thousand
varas square of land herein described - and to
this end this instrument is signed, sealed, and
delivered by the said party of the first part and
acknowledged by the said party of the second
part, day, and date as aforesaid before the
Chief Magistrate of San Francisco and to

59.

be made of record in the archives of said Magis-
-tracy.

Jacob P. Leese.

CASE 13 ND
PAGE 52

Nathan Spear.

Witness to the }
Signing }

George Hyde.
E. P. Jones. Before me Wash.tn A. Bartlett.
Chief Magistrate.

The party of the first part in the above Deed is not to be held unto the party of the second part to warrant a fee simple title to the land con-
-veyed in said deed, should the government in-
-terfere to disposses the parties — but conveys the same under all the strength of title now held by the party of the first part — and will warrant and defend against any and all persons except the Government as aforesaid.

Attest. Jacob P. Leese.
E. P. Jones.
George Hyde. Nathan Spear.

Before me Wash.tn A. Bartlett. Magistrate.

Magistrates Office Yuba Buena
Decr. 10th 1846.

The within Deed of settlement done in Dupli-
-cate and delivered to both parties.

Wash.tn A. Bartlett.
Magistrate.

Recorded in Book A. Page 144. June 24 - 47 -
Ira C. Buchanan.
Municipal Clerk.

Filed in Office January 10' 1854.

Quit Claim Deed
C.O. From
Nathan Spear
To
Stephen Reynolds

CASE 13 ND
PAGE 53

Copy.

Know all men by these presents that I, Nathan Spear of the town of San Francisco California, in consid-
-eration of the sum of ten dollars to me in hand paid by Stephen Reynolds of the town of Honolulu, Island of Oahee the receipt whereof I hereby acknowledge and in consideration of a certain deed of Release bearing even date herewith to me executed and de-
-livered by the said Stephen Reynolds containing a full and entire discharge of and from all debts, demands, actions, and causes of action both at law and in equity, against me, on the part of the said Stephen Reynolds as fully mentioned speci-
-fied and set forth in the said deed of Release, have bargained, sold, and quit claimed, and by these presents do bargain, sell, and quit claim unto the said Stephen Reynolds and to his heirs and assigns forever, all my right, title, interest, estate claim and demand both at law and in equity and as well in possession as in expectancy of in and to all that certain demesne tract or parcel of Land now included in the Farm or "Rancho" known and to be known as the "Guercoc Rancho" the said demesne, tract or parcel of Land, being of the area of Five thousand Spanish varas Square or "one sitio de Ganado mayor" commonly called a league, the said Five thousand Spanish varas square to be measured on either of the east, west, or south of the lines of boundaries of said Rancho and to be measured in a square of Five thousand Span-
-ish varas on each side of said square being the same property mentioned and described in a certain deed of Indenture executed by and between Jacob P. Leese, of the first part, and the said Na-
-than Spear of the second part, bearing date on the eleventh day of December, in the year of our Lord one thousand eight hundred and forty six and recorded in the office of the Alcalde of San Francisco in Book A. of records page 144. on the twenty fourth day of January, one thousand eight hundred and forty seven, as by reference to said

61.

CASE 13 ND
PAGE 54

I-denture or record in the said office will more ful-
-ly appear together with all and singular the her-
-editaments and appurtenances thereunto belonging.
In witness whereof, I have hereunto set my hand
and seal this eighteenth day of October in the year
one thousand eight hundred and forty nine —

Sealed & delivered
in the presence of } Nathan Spear.
Geo W. Vincent
I. K. Rose.

Territory of California }
Dist of San Francisco ss }

On this nineteenth day
of October A.D. one thousand eight hundred and
forty nine, before me personally came I. K. Rose,
one of the subscribers witnesses to the foregoing con-
-veyance to me know who being duly sworn did
depose and say that he knew Nathan Spear the
individual described in & who executed the said convey-
-ance, that being present he saw the said Na-
-than Spear sign, seal and deliver the same
as his act and deed and that the said Nathan
Spear there acknowledged the execution thereof-
whereupon the said I. K. Rose, declared the sub-
-scribing witness thereto-.

Jno-W. Geary-
First Alcalde.

Recorded in the office of the Alcalde in Book
"H" pages 76 and 77 on the nineteenth day of
October A.D. one thousand eight hundred and
forty nine at 5 o'clock P.M. in San Francisco
U.C.

Nathan Spear to Joseph Henriques
Stephen Reynolds Recording Clerk.
Quit-Claim Deed. Filed for Record on the 19th Oct 1849. at 5 P.M.
Filed in Office Jany 18th 1854.

Conveyance from Leese & Wife to Ritchie & Forbes.

62.

Know all men by these presents, that we Jacob P. Leese and Rosalia his wife of Monterey California in consideration of Fourteen Thousand Dollars to us in hand paid by A. A. Ritchie and Paul S. Forbs, of Canton, China, the receipt whereof is hereby acknowledged, do hereby convey, remise, release, and forever quit claim unto the said A. A. Ritchie and Paul S. Forbs, their heirs and assigns, all those two tracts or parcels of Land situated in the District of Sonoma, California, and described as follows; to wit; First that known or called by the name of the "Colloyome" and containing three leagues of Land a little more or less, being the same premises heretofore granted to Robert Ridley, by the name of Robert Thomas Ridley, by Manuel Michetorena Governor of the Department of Californias, under the Government of Mexico, by a grant or patent dated Monterey the seventeenth day of June A. D. 1844, and properly recorded in the public archives; which said Grant was afterwards duly approved and confirmed by the Departmental Assembly of the said Department as appears by the certificate appended to said Grant dated the twenty sixth day of September A. D. 1845, and subsequently granted by the said Robert Ridley to the said Jacob P. Leese as appears by Deed bearing date the day of December A. D. 1849, to all of which papers and Records reference is hereby made. —

And second, all that tract or parcel of Land called or known by the name of "Guenoc" being the same premises granted to George Rock by Pio Pico, Governor of California, by a Grant or patent dated at Los Angels, the eight day of August A. D. 1845, and duly recorded in the public archives; which said Grant was afterward approved and confirmed by the Departmental Assembly, as appears by the certificate appended to the said Grant, dated the twenty sixth day of September A. D. 1845, which

said tract or parcel of Land contains six sitios, a little more or less, and was purchased by the said Jacob P. Leese, as appears by Deed of said George Rock dated October tenth A.D. 1845, and of January thirteenth A.D. 1847, to all which papers reference is hereby made; which said tract or parcel of Land is bounded as follows, to wit; on the north by the "Sierra Loquinni", on the east by the "Gentilidad", on the south by the "Sierra de Pinos", on the west by the Rancho of Robert Ridley "Locollyonne", with all the privileges and appurtenances thereto belonging: excepting however, so much of the above described tract or parcel of Land known by the name of "Guenoc," as has been granted by the said Jacob P. Leese to Nathan Spear as appears by Deed bearing date the eleventh day of December A.D. 1846, and described as follows, to wit; said desmene, tract or parcel of Land being of the area of five thousand spanish varas square or one sitio de ganada mayor, commonly called a league, – the said five thousand spanish varas square to be measured on either of the East, west or south of the lines of boundaries of said Rancho and to be measured in a square of five thousand spanish varas on each side of the square". —

To have and to hold the above released premises to the said A. A. Ritchie and Paul S. Forbes their heirs, and assigns and to their use and behoof forever. And we the said Jacob P. Leese and Rosalia his wife, for ourselves, our heirs, executors, and administrators do covenant with the said A. A. Ritchie and Paul S. Forbes, their heirs and assigns that the premises are free from all incumbrances made or suffered by us and that we will, and our heirs, executors, and administrators shall, warrant, and defend the said A. A. Ritchie and Paul S. Forbes

64.

their heirs and assigns forever against the lawful claims of all persons claiming by, through or under us, but against none other— In witness whereof we the said Jacob P. Leese and Rosalia his wife, have hereunto set our hands and seal this seventh day September A.D. 1850,

Witnesses } Jacob P. Leese. (S.S.)
W. T. Johnson } (signed)
D. R. Ashley } Rosalia Vallejo Leese (S.S.)

State of California, County of Monterey } ss.
On this 7th day of September A.D. 1850, personally appeared before me a Notary Public in and for said County, Jacob P. Leese and Rosalia his wife, known to me to be the persons described in and who executed the foregoing instrument who acknowledged to me that they executed the same freely and voluntarily and for the purposes and uses therein mentioned; and the said Rosalia wife of said J. P. Leese being made acquainted with the contents of the foregoing instrument, and being examined apart from her Husband and without his hearing, acknowledged that she executed the same freely, and voluntarily, without fear, compulsion, or undue influence of her Husband, and that she did not wish to retract the execution of the same.

(signed) D. R. Ashley.
(L.S.)

Filed for record April 21st, A.D. 1851, at 25 minutes past 11 o'clock, a.m. and recorded in Book A. pages 297, & 298, Archives of Napa County.
(signed) M. H. N. Kending. Recorder.
by Geo. N. Cornwell. Deputy.

Filed in Office January 27th, 1852.
Geo Fisher. Secy.

65.

Power of Attorney

Stephen Reynolds to William H. Davis

CASE 13 ND
PAGE 58

Know all men by these presents that I, Stephen Reynolds a citizen of the United States, residing in Honolulu in the Island of Oahu, have constituted and appointed, and by these presents do constitute and appoint William H. Davis of San Francisco, in the state of California, my true and lawful attorney, for me and in my name, place, and stead, to bargain and sell, convey and assure, to such person or persons, and for such sum or sums of money, and upon such terms and conditions of sale, as to him my said attorney shall seem proper and advantageous to me all that certain tract or parcel of land situated in County in said state of California, conveyed to me by Nathan Spear by deed bearing date on the eighteenth day of October A.D. 1849, and recorded in the office of the Alcalde of the District of San Francisco in Book H, pages 76, & 77, which said tract of land, was sold by Jacob P. Leese of California to the said Spear, by deed bearing date on the eleventh day of December, A.D. 1846, and recorded in the office of the Alcalde of San Francisco, in Book A, of records on the 24th day of January A.D. 1847, the said land being part of the Rancho in County in the state of California known as the "Guerioc Rancho", and being of the area of five thousand Spanish varas square, or one "sitio de ganado mayor" commonly called a league, to be measured on either of the east, west, or south lines of the boundaries of said Rancho, and to be measured in a square of five thousand Spanish varas, on each side of said square. And also for me and in my name as aforesaid to execute, acknowledge and deliver, unto the said purchaser or purchasers such usual and proper deeds, conveyances,

and assurances, thereof, with or without covenant or covenants, as to my said attorney shall seem
66. expedient and proper; and to accept, sue for, recover, and receive, any and all sum or sums of money which shall be coming to me on account of said sale or sales as aforesaid of said land, and upon the receipt of said sum or sums of money, for me and in my name, to sign, seal, and deliver good and sufficient receipts, acquittances, and dis--charges therefor. — Hereby giving and granting unto my said attorney full power and author--ity in and about the premises, and to use all due means, course, and process in law for the full, effectual and complete execution ——— of the business above described, and in my name to make and execute due acquittance and dis--charge; and for the premises to appear and the person of me the constituent to represent before any Governor, judes, justices, officers, and minis--ters of law whatsoever, in any Court or Courts of judicature and there on my behalf to answer, defend, and reply to all actions, causes, matters, and things whatsoever relating to the premises. Also to submit any matter in dispute respecting the premises to arbitration or otherwise with full power to make and substitute for the purposes aforesaid, one or more attorneys, under my said attorney, and the same again at pleasure to revoke. And generally to say, do, act, transact, determine, accomplish, and finish, all mat--ters and things whatsoever, relating to the prem--ises, as fully, amply, and effectually, to all in--tents and purposes as I the said constituent if present, ought, or might personally, although the matter should require more special authority, than is herein contained.

I the said constituent rati--fying, allowing, holding firm and valid all and whatsoever, my said attorney or his substi--tutes shall lawfully do, and cause to be done, in and about the premises, by virtue of these

presents.

In witness whereof, I have hereunto set my hand and seal this Fifth day of December A.D. One thousand eight hundred and fifty one.

Signed, sealed and delivered in presence of H. A. Patterson. } Stephen Reynolds. (Seal)

Consulate of the United States
Honolulu, Hawaiian Islands.

Before me Elisha H. Allen, Consul of the United States of America for Honolulu, Hawaiian Islands, on this third day of December A.D. 1851, personally appeared Stephen Reynolds, known to me to be the person described in, and who executed the foregoing Power of Attorney or Instrument in writing, and acknowledged to me that he executed the same, freely and voluntarily for the uses and purposes therein mentioned.

In testimony whereof, I have hereunto set my hand and the seal of this Consulate, this 5th day of December, A.D. 1851.

Elisha H. Allen, U. S. Consul.

Stephen Reynolds to William H. Davis. - Power of Attorney -. Filed for Record July 27th A.D. 1852, at 30 clock P.M. and recorded in Book A. of Powers of Attorney, Pages 26-7-8 & 9 of the Archives of Napa County.

John H. Seawell. Recdr

Fees for Recording $5.50 ¾ by D. M. Graham, D. R.

Filed in Office January 10' 1854 -

Substitution
Wm. H. Davis
68. to
H. P. Hepburn

CASE 13 ND
PAGE 61

Whereas by power of Attorney dated December fifth A.D. 1851, a certain Stephen Reynolds constituted Wm. H. Davis his attorney to make sale of and deliver a deed for certain real estate therein particularly described and generally to act in the premises in and for, and in the name of the said Reynolds; and whereas the said instrument contained a power of substitution: now this instrument witnesseth that the said William H. Davis by virtue of the authority so in him reposed hereby substitutes H. P. Hepburn of the city of San Francisco as the attorney of the said Reynolds in his the said Davis stead, with all the powers and authority conferred by the power of attorney aforesaid as fully as if the said power of attorney had been originally executed to him the said Hepburn by the said Reynolds.
In witness whereof the said Davis has hereunto set his hand and seal this thirteenth day of May A.D. 1852.

William H. Davis. (Seal)

State of California
County of San Francisco. ss.
Before me the subscriber a Notary Public duly appointed in and for the state and county aforesaid, personally appeared Wm. H. Davis known to me to be the person described in and who executed the foregoing instrument of writing and acknowledged to me that he executed the same freely and voluntarily for the uses and purposes therein mentioned.
In witness whereof, I have hereunto set my hand and seal this thirteenth day of May A.D. 1852.

David T. Bagley.

Notary Public.

DAVID T. BAGLEY NOTARY PUBLIC San Francisco Calif.

69. Substitution — Wm. H. Davis, to H. P. Hepburn.—

CASE 13 ND
PAGE 62

Filed for Record, July 27th A.D. 1852, at 3 o'clock P.M. and recorded in Book A. of Power of Atty Pages 29. 30. 31. Archives of Napa County.

John H. Seawell.
Clerk.

Fees for Recording $3.10.

Filed in Office January 10 1854.
(Signed) Geo Fisher.
Sec'y.

Deed
Stephen Reynolds
to
A. A. Ritchie.

This Indenture made this twenty sixth day of July A.D. 1852, between Stephen Reynolds of Honolulu in the Island of Oahu by H. P. Hepburn his attorney in fact of the first part, and Archibald A. Ritchie of New Castle in the State of Delaware of the second part.

Witnesseth that the said party of the first part for and in consideration of the sum of Three thousand dollars to him in hand paid by the said party of the second part at or before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, and sold and does hereby grant, bargain, and sell unto him the said party of the second part his heirs and assigns all that certain tract or parcel of land situated in Napa County in said state of California conveyed to the said party of the first part by Nathan Spear by deed bearing date

70.

CASE 13 ND
PAGE 63

on the eighteenth day of October A.D. 1849, and recorded in the office of the Alcalde of the dis-trict of San Francisco in Book H, pages 76, and 77. which said tract of land was, sold and conveyed by Jacob P. Leese of California to said Spear by deed bearing date the 11th day of De-cember A.D. 1846, and recorded in the office of the Alcalde of San Francisco aforesaid in Book A. of records on the 24th day of January A.D. 1847. The said land being part of the lands in Napa County, in said State of Cali-fornia known as the "Guenoc lands" or "Guenoc Ranchi", and being of the area of Five thou-sand Spanish varas, or one "sitio de ganado mayor" commonly called a league, to be measured on either of the East, West, or South lines of the boundaries of said Rancho, and to be measured in a square of Five thousand Spanish varas on each side of said square," together with all and singular the tenements, hereditaments, and appurtenances unto the same belonging or in any manner appertaining.

To have and to hold the premises unto and to the sole use, and behoof of him the said party of the second part his heirs and assigns for-ever, and the said party of the first part here-by covenants and agrees to and with the said party of the second part, his heirs and assigns that he the said party of the first part and his heirs the premises and every part thereof un-to the said party of the second part his heirs and assigns, and against any and all persons lawfully claiming the same by through or un-der the said party of the first part or his heirs shall and will warrant and forever defend.

In witness whereof, the said party of the first part by H. P. Hepburn his attorney in fact as aforesaid has hereunto set his hand and seal the day and year first hereinbefore written.

Witness.
Wm. Stanwood. } Stephen Reynolds (seal)
Geo. Comstock. } by his atty in fact H. P. Hepburn.

71.

CASE 13 ND
PAGE 64

State of California }
County of San Francisco. }

On this twenty sixth day of July A.D. 1852. before me a Notary Public in and for said County personally appeared H. P. Hepburn attorney in fact of Stephen Reynolds known to me to be such attorney and the person described in and by whom was executed the foregoing deed, who acknowledges the foregoing deed and that he and said Reynolds by him as attorney as aforesaid executed the same freely and voluntarily and for the uses and purposes therein mentioned.

Given under my hand Notarial Seal the day and year aforesaid.

Wm Stanwood.
Notary Public.

WILLIAM STANWOOD. NOTARY PUBLIC. SAN FRANCISCO.

Deed. — Stephen Reynolds to Archibald A. Ritchie. Filed for Record July 27th A.D. 1852. at 30 clock P.M. and recorded in Book B. Pages 182 and 183. of the archives of Napa County.

John H. Jewell. Recdr.
by D. M. Graham. D. R.

Fees for Recording $4 —

Filed in Office January 10 1854.
(Signed) Geo Fisher.
Secy.

CASE 13 ND
PAGE 85

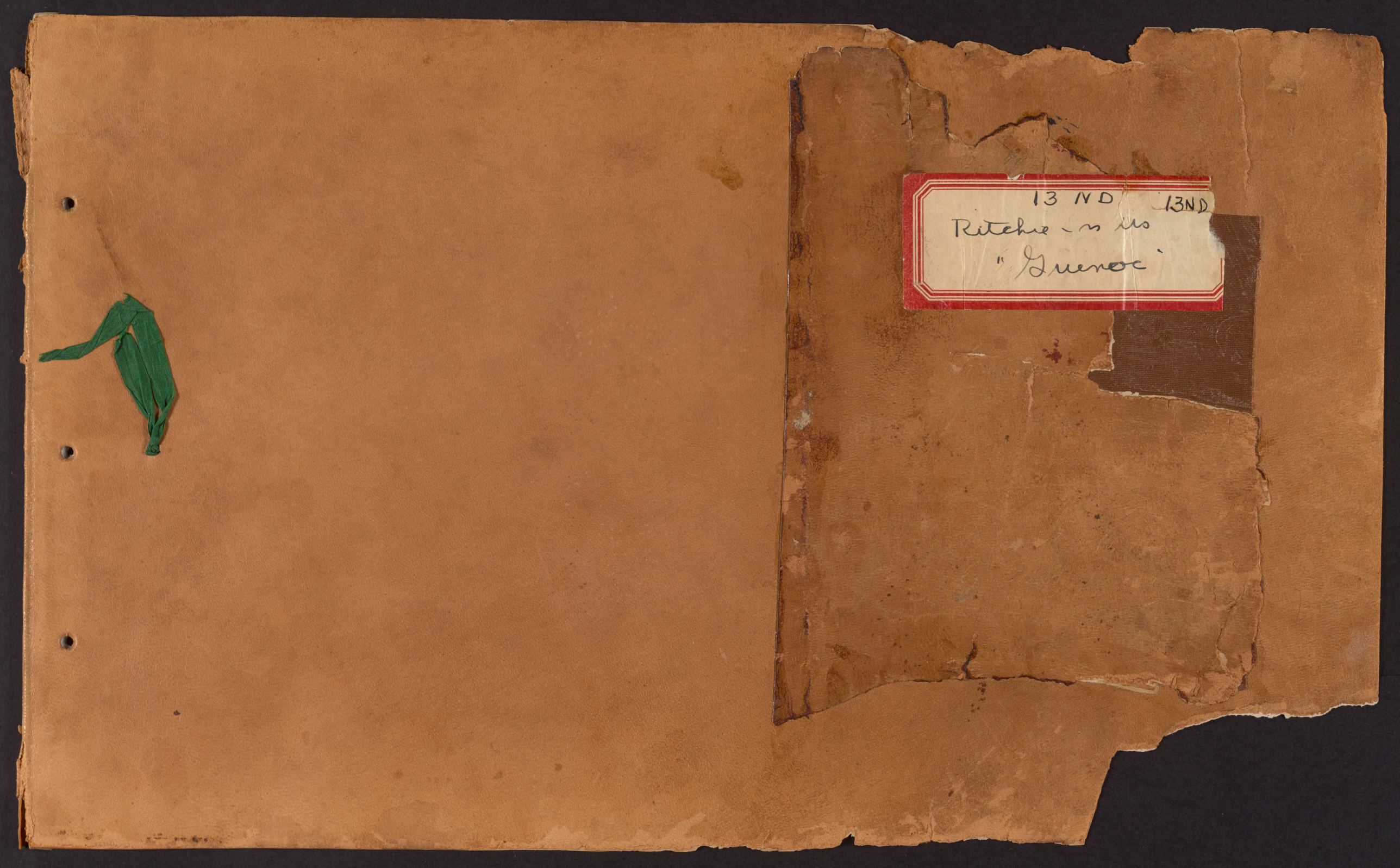
Office of the Board of Commissioners,

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 — Seventy one — pages, numbered from 1 to 71., 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. 12 on the Docket of the said Board, wherein Archibald, A. Ritchie, et, al, are the Claimants against the United States, for the place known by the name of

In Testimony Whereof, I hereunto set my hand and affix my private Seal (not having a Seal of Office,) at San Francisco, California, this — Sixth — day of February A. D. 185 , and of the Independence of the United States of America the seventy-eighth.

Geo: Fisher
Sec'y.


13 ND
13ND
Ritchie - 5 vols
"Guenoc"

Transcript of the Proceedings

in Case No "12"

Guenoc

Archibald A Ritchie et al, Claimants

vs

The United States, Defendant

CASE 13 ND
PAGE 67

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 Tuesday January 27 Anno Domini One thousand eight hundred and fifty two 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 and United States of America, the following proceedings were had to wit,

The Petitions of Archibald A Ritchie and Paul S Forbes, Docketted No 12 and are as follows viz

Archibald A Ritchie & Paul S Forbes, Claimants

vs

The United States, Defendants

To the Honorable Commissioners to ascertain and settle Private Land Claims in the State of California

The Petitioners Archibald A Ritchie and Paul S. Forbes respectfully show,

That on the Eight day of August One Thousand Eight hundred and forty five Pico Governor of California, by virtue of his Office granted to George Rock the tract of land known by the name of "Genoe" situate in the then juris dic-

-tion of Sonoma, comprising in its known limits as described in the grant and designated in the respective Map therein referred to, - "Sitios de ganado mayor" six square leagues a little more or less

That on the 26th day of September A.D. One Thousand eight hundred and forty five, the Departamental Asembly approved the grant in due form of law, copies of which Grant, Approval and Map are hereto annexed marked "A" with Translations marked "B"

The Petitioners further show that the said George Rock sold and conveyed the aforesaid Tract of land to Jacob P. Leese by Deeds of Conveyance dated Oct 16th A.D. 1845 and Jan 13 1847, copies of which Deeds are hereto annexed marked "C" with Translations marked "D"

That on the 7th day of Sept. A.D. 1850 the said Jacob P. Leese and Rosalia his wife, sold and conveyed the aforesaid tract of land to the Petitioners, Archibal A. Ritchie and Paul S. Forbes, a copy of which Deed of Conveyance is hereto annexed marked "E"

That the said George Rock and Jacob P. Leese during their possession and ownership and the Petitioners since their possession and ownership have done and performed in due form of law all the requirements of said grant, necessary to make the grant aforesaid full perfect and absolute

That they know of no interfering claim, That the said Tract of land has not been surveyed by the Surveyor General of the United States but that the position and bounds of the land are fully set forth and described in the grant and map aforesaid and are definite and well known

The Petitioners rely for Confirmation of title upon the original papers, copies of which are hereto annexed upon the Documents and minutes concerning the same in the Archives in the possession of the Surveyor General and such other proofs as they may be advised are necessary.

Wherefore they pray the Commissioners to de-

cide upon the validity of the said grant to the said George Rock to confirm the same to the Petitioners

Filed January 27th 1852

J Blair
Secty

CASE 13 ND
PAGE 69

Upon which Petition the following subsequent proceedings were had in their chronological order to wit

Saturday May 22d 1852

In Case No 12 Archibald A Ritchie et al the Deposition of Robert H Wallman a Witness in behalf of the Claimant taken before Commissioner Henry J Thornton was filed and is in the words and figures as follows to wit:

(Vide pages of this Transcript)

Thursday July 1st 1852

In Case No 12 Archibald A Ritchie for the place called "Grenoe" the Deposition of Jacob J Lane a witness in behalf of the Claimants taken before Commissioner Henry J Thornton was filed and is in the words and figures as follows to wit:

(Vide pages of this Transcript Nos,)

Saturday August 14th 1852

In Case No "12" Archibald A Ritchie et al for the place called "Grenoe", the parties litigant filed an agreement relative to placing this case upon the Trial Docket which is as follows to wit

Agreement

We agree that the above entitled Cause be put upon the Trial Docket, with the stipulation which is hereby entered into, that either the Law Agent or the Claimant may introduce further testimony pertaining to the argument of the case

Halleck, Peachy & Billings
Attys for Claimant
Geo W Cooley
U S Law Agent

The following Cases were ordered to be placed on the Trial Docket subject to the Stipulations filed this day by the parties litigant to wit

No "2" Maria Soledad Arrega de Argüello et al "Las Pulgas"
No "12" Archibald A Ritchie et al "Gnemoe"

Saturday September 11th 1852

In Case No 12 Archibald A Ritchie for the place called "Gnemoe" the Counsel for the Claimant filed an authenticated copy of the original Expedente on file in the Office of the Surveyor General of the United States for California as evidence in behalf of the Claimant marked Exhibit "H" and the Translations thereof marked Exhibit "I" are as follows, to wit; Vide pp of this Transcript Nos

Friday October 8th 1852

In case No "12" Archibald A Ritchie et al for the place called Gnemoe the Deposition of Santiago Argüello a witness in behalf of the Claimant taken before Commissioner James Wilson with document marked "H" No 1 annexed thereto was filed and is in the words and figures as follows, to wit;
(Vide pages of this Transcript Nos)

Saturday October 9th 1852

In case No 12 Archibald A Ritchie et al for the place called Grenoe the Counsel for the Claimants presented a Supplemental Petition ordered to be filed among the papers in this case and is as follows to wit

(Vide pages of this Transcript No

Saturday December 13th 1852

Case No 12 Archibald A Ritchie et al for the place called "Grenoe" was called, The Counsel for the Claimants read the Petition and evidence and opened the argument, The U S Assistant Law Agent answered, the case was thereupon Submitted and the Board took the same under advisement

---

Thursday Dec 18th 1852

In Case No 12 Archibald A Ritchie et al, for the place named "Grenoe" Commissioner Henry S Thornton delivered the opinion of the Board

---

In the same Case Commissioner Holland Hall delivered his opinion

---

In the same Case Commissioner Henry S Thornton delivered the Decree of Final Confirmation of this Board

---

Ordered that the several opinions delivered this day and the Decree of Final Confirmation of this Board also delivered this day in this Case be recorded on the Journal

Which opinions and decree are in the words and figures as follows to wit;

Opinion delivered by Commissioner, Harry I Thornton

Commission for ascertaining and settling Private Land Claims in the State of California

Session at San Francisco

Archibald A Ritchie & Paul T Forbes Assignees, &c. vs The United States

Opinion of Commissioner H I Thornton on case No 12, "Greene"

The claim in this case presented is founded upon a grant to George Rock, made and delivered to him in virtue of the Decree of the Mexican Congress of the 18th of August 1824 and of the Executive Ordinance of the 28th of November 1828 by Pio Pico who was Governor of California, on the 8th of August 1845 and approved by the Departmental Assembly the 26th of September 1845. By several mesne conveyances the interest of the said original grantee has been transferred to the present Claimants. Possession of the land and residence thereon has been continuous in the grantee and those claiming under him at least from the date of the grant. There is no doubt suggested either as to the genuineness of the grant or of the authority of the Grantor. The Documentary evidence regularly authenticated and introduced from the Archives of the former Government and other testimony in the case establish these facts. It does not appear that the land granted is within the twenty borderer Ten littoral leagues, and of course no objection as to its locality arises in the case. The other grounds of objection as the want of juridical possession have all been considered and held to be untenable for the reasons given by this Board in the case of Long Cervantes No 56 in the opinion on file in that case

For the reasons above sug-

=gested, we are of opinion that the claim in this case is valid and ought to be confirmed to the claimants to the extent of six square leagues but to that quantity only, the terms "a little more or less" used in the grant, not being considered by the Board as destroying the grant for uncertainty, nor as enlarging it beyond the quantity expressly named for the reasons heretofore assigned in the opinion delivered and on file in the Case of John Hayes Assignee No 222, In the result above announced Commissioner Heall concurs

(Sd) Henry S Thornton

Opinion of Commissioner Heland Heall

No 12. A A Ritchie & P S Forbes Claimants

I agree that the opinion of Commissioner Heall Thornton given in this case, furnishes sufficient reasons for the confirmation of the claim through. I do not concur in a portion of them

(Sd) Heland Heall
Commissioner

Decree of Final Confirmation

Archibald A Ritchie & Paul S Forbes, Assignees vs The United States } No 12, Gunnoe Final Decree of Confirmation

This Board upon full consideration of the various grounds affecting the validity of said claim, having come to the conclusion that the same is valid, therefore proceeds to make and does hereby make the following decree or Report of Final Confirmation, viz.

It is decreed that the said claim be confirmed to the extent of six square leagues or Sitios de ganado mayor, and for no more, being the same land described in the grant and expedente referred to therein and of which the possession has been

proved to have been had by the grantee and the claimants, Provided that the said quan-
-tity of land granted and now here confirmed be contained within the said boundaries bou-
-daries called for in the said grant and map to which the grant refers, and if there be less than the said above named quantity, within the said bounds then we confirm to the claimants that less quantity, it being apparent that said quan-
-tity exceeds the minimum of two hundred Varas as prescribed by the Ordinance of the 21st of November 1828

(Sd) Heiland Hall
(") Henry O. Thomson
Commissioners

CASE 13 ND
PAGE 75

Office of the Board of Land Commissioners for California

San Francisco May 22 1852

On this day before me Harry P Thomson one of the Commissioners for ascertaining and settling the Private Land Claims in the State of California came Robert H Waterman a Witness produced in behalf of the Claimants A A Ritchie and P S Forbes whose petition is No 12 on the Docket of said Commissioners and who being duly sworn testified as follows, The Law Agent of the United States was notified and attended

Questions by Claimants

Deposition of R H. Waterman

Question 1st What is your name, age and place of residence?

Answer My name is Robert H Waterman, my age is 44 years, I now reside on the Guenoc Rancho about 45 Miles North East from Napa City, California

Question 2 What do you know about the possession and present occupation of the Rancho of Guenoc claimed by the Claimants in this case?

Answer I have resided on the Rancho since January last in the employ of the Claimants A A Ritchie and P S Forbes and have occupied it ever since as their tenant, There is a house on the Rancho and over one hundred horses belonging to the Claimants The house has been built many years, I now live in it I dont know when it was built, The land lies about 80 or 90 miles from the Sea coast, It is occupied as a stock ranch, and there is a little garden cultivated and about 30 Acres of Barley

R H Waterman

The Law Agent present

Sworn to & subscribed
before me this 22d of May 1852

Henry S Thornton
Commissioner

Filed in Office May 22d 1852
Geo Pisher
Secty

No "12" Claim of A A Ritchie & P G Forbes

Office of the Board of
Land Commissioners for California
San Francisco June 30th 1852

On this day before me Henry S Thornton one of the Commissioners for ascertaining and settling Private Land Claims in California came Jacob P Leese a Witness produced in behalf of the Claimants A A Ritchie & P G Forbes whose petition is No "12" on the Docket of the Board and after being duly sworn testified as follows, The Law Agent of the U.S. was notified and attended

Deposition of J P Leese

Questions by Claimants

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

Answer My name is Jacob P Leese, my age is 40 years

and I now reside in Monterey and have resided in California 19 years

Question 2 Are you acquainted with the Rancho called "Guenoc" and if so, state where it is situated and what you know of its occupation

Answer I am acquainted with the Rancho of "Guenoc" it is situated about 70 miles north of the City of Sonoma In December 1844 I, as 1st Alcalde of Sonoma gave possession to George Rock to occupy said Rancho of which he received the grant in 1845 George Rock built a house on this Rancho in 1845, He also occupied it with cattle and horses about the same time, at first it was stocked with about 300 head of cattle and 125 horses, a part of the land was cultivated, I think he had about 50 acres of Wheat, Barley, Corn and Melons, He sold a part of this Rancho to one in 1845 and another part in 1847, I occupied it from the time I purchased it until I sold it to the present claimants A A Ritchie and Pane I Forbes in 1850

Question 3 What do you know about judicial possession of this Rancho?

Answer George Rock asked me for judicial possession while I was Alcalde in 1845, but I did not consider it necessary as I had given him permission to occupy it in 1844 and as it was surrounded by Public lands and there was no question about the boundaries

J P Leese

CASE 13 ND
PAGE 77

Acknowledged notice in the above lease and declined to cross examine the Witness

Geo N Cooley
U S Law Agent

Sworn to & subscribed before me this 30th June 1852

Henry I Thornton
Commissioner &c

Filed in Office July 1st 1852

Geo Fisher Secty

Juzgado 1r de Sonoma

Espedíe ynstruido de Seis Sitios de ganado mayor en el Ranch del Genve al Co George Rock

December 10 de

1844

'462'

Espediente

F

Sello Quinto, medio Real

Habilitado provisionalmente por la Aduana Maritima del Puerto de Monterey en el Departamento de las California para los años de mil ocho cientos cuarenta y cuatro y mil ochocientos cuarenta y cinco

Michel Torino. Pablo de la Guerra

Exmo Sor Gobr.

Sor

George Rock original de Canada y vecino de esta Jurisdiccion y Mejicano naturalizado ante la alta justificacion de V como mejor halla lugar y con el debido respeto parece y dijo que teniendo un numero considerable de ganado bacuno y caballar y careciendo de un terreno para establecerme solicito de VE se digne concederme el terreno conocido con el nombre de Guenoc, en estension de seis de ganado mayor poco mas o menos de demesia el diseno que adjunto colindando por el poniente con el Rancho de Geoyogomi por el Norte con el Sierra de Logmomi por el Oriente con la gentilidad y por el Sur con la Sierra de Pozo esperando de VE que cooperara a la seguridad de mis intereses y mi bien estar

Por tanto a VE suplico se digne accedera mi solicitud de quien espera gracia y merced, jurando lo necessario

Sonoma Abril 4 de 1844

George Rock

Sello Quinto, medio Real

Habilitado provisionalmente por la Aduana Maritima del Puerto de Monterey del Departamento de las California para los años de mil ochocientos cuarenta y cuatro y mil ochocientos

cuarenta y cinco

Michelorena Pablo de la Guerra

Sr Alcalde de 1ª Nominacion de Sonoma

Juzgado de 1ª Nominacion

En vista de la presente instancia que presenta el interesado hà lás informe=cuenos necessarios y legales por el mey ordinario D. Roberto Ridley, sobre el terreno que solicita el interesado y estando segurro de no pertenecer pueblo propiedad particular singuna le concede la licencia de ocupar interinamente pero se sugetará el interesado a solicitar los documentos correspondientes dentro de un año y de no verificarlo será denunciable el dho terreno por otro cualquiera ciudadano

Sonoma Diciembre 8 de 1844

Robert P. Ridley

Sr. Robert original de Lamadrid, vecino de esta jurisdiccion ante la recta justificacion de V como mas halla lugar parece y asi teniendose grande numero de ganado bacuno y caballar y no teniendo terreno alguno para establecerme y siendo vecino de este lugar hace diez años me es preciso suplicar a la Generalidad de V se sirva conceder me la gracia de dar un informe circunstanciado al Ex=mo Sr Gobernador del Departamento, sobre la instancia del terreno que pido para cuyo fin ajunto el diseño sirviendose V evitarme los grandes reparaciones que me se pueden ocasionar haciendo los vejenes previos pta la Capital y haviendose interpuesto las circunstancias por la guerra intestina a del pais solicito de V se sirven

Concedeme la licencia de ocupar provisionalmente entre se establece en Gobierno para solicitar los documentos correspondiente y proceder en propiedad.

Por tanto a V suplico se sirva acceder a mi solicitud de que recibiré gracia

Sonoma Dbre 8 de 1844

George Rock

Angelos Agosto 8 de 1845

Vista la peticion con que da principio este expediente la providencia que aparece del Sr Alcalde 1º de Sonoma de 8 de Diciembre de 1844 con lo demas que se tubo presente y ser conforme, de conformidad con lo dispuesto en la ley de 18 de Agosto de 1824 y reglamento de 27 de Noviembre de 1828 se declara a Dn George Rock dueño en propiedad el terreno concedido con el nombre de Buenos con la estension y linderos que demuestra el diseño que consta agregado a este espediente, librese el titulo, correspondiente al interesado y remitase esta concesion a la aprobacion de la Exma Asamblea Departamental

Pio Pico Gobernador interino del Departamento de las California asi lo mando, decreto, y firmo de que doy fe

Pico,

José Mª Covarrubias

RANCHO GUEMOC

Diseño [Duplicates 23R-1; B-24, B-25]

13 N.D

p. 82

"GUEMOC"

ARCHIBALD A. RITCHE et al, Clmts.

LAKE Co.

23-R

Pio Pico Gobernador interino del Departamento de las California

Por cuanto Dn George Rose ha pretendido para su beneficio y el de su familia el terreno conocido con el nombre de Genecobindante al Norte con la tierra de Siquiomi al Este con la Costilla al Sur con la Sierra del Toro el Oeste con el Rancho de Lorenzo Machadas previamente las averiguaciones convenientes segun lo dispuesto por leyes y reglamentos usando de las facultades que me son conferidas a nombre de la Nacion Mejicana he venido en decretar de este dia en consecuencia el expresado terreno, declarandole la propiedad de el por los presentes letras entendiendose esta concesion de entera conformidad con las leyes a reserva a la aprobacion de la Exma Asamblea Departamental y bajo las condiciones siguientes

1º Podra cercarlo sin perjudicar los caminos y servidumbres lo disfrutara libre y exclusivamente destinandolo al uso o cultivo que mas le acomode

2º Solicitara del Juez respectivo de la posesion juridica en virtud de este despacho por el cual se demarcaran los linderos con las mojoneras necesarias

3º El terreno de que se le hace donacion es de seis sitios de ganado mayor mas o menos segun lo dispuesto expresa el diseño que obra en el espediente El Juez que dere la posesion lo hara medir con arreglo a Ordenanza quedando el sobrante que resulte de la Nacion para los usos que convengan

En consecuencia mando que teniendose el presente titulo por firme y valedero se tome razon de el en el libro respectivo y se entregue al interesado para su resguardo para sus fines

fines.

Dado en la Ciudad de los Angelos a ocho de Agosto de mil ocho cientos cuarenta y cinco

J. P. D. M. C. Srio

CASE 13 ND
PAGE 84

Angelos Agosto 13 de 1845

Dado cuenta a la Exma Asamblea Departamental en sesion de hoy con este espediente se mando pasa a la Comision de terrenos baldios

Pio Pico
Presidente
Augustin Olvera
Srio.

Exmo Sr

La Comision de terrenos baldios se ha hecho cargo del espediente promovido por el Ciud.o Mejicano por naturalizacion, George Rock en solicitud de terreno conocido con el nombre de Guenoc y persuadido de que las diligencias que constan en dicho espediente fueron bastante para que el Supremo Gobierno de Departam.to le hubiese concedido el referido terreno pone a la deliberacion de V.E la proposicion que sigue,

Se aprueba la concesion hecha por el Gobierno Supremo del Departam.to en titulo librado con fecha 5 de Agosto que corriente mes, en favor del Ciud.o Mejicano por Naturalizacion George Rock del terreno conocido con el nombre de Guenoc y persuadido de que las diligencias que constan en dho espediente fueron bastantes para que el Supremo Gobierno de Departamento la hubiese concedido el referido terreno, pone a la deliberacion de V.E la proposicion que sigue.

Se aprueba la concesion hecha por el Superior Gobierno de Departamento en titulo librado con fha 8 de Agosto del corriente año en favor del Ciudadano Mejicano por naturalizacion George Rock del terreno conocido con el nombre de Guenoc, dentro de los limites de la jurisdiccion de Sonoma en estension de seis sitios de ganado mayor de conformidad con la ley de 18 de Agosto de 1824 y el articulo 5 del Reglam.to de Reglamento de 21 de Noviembre de 1828

Sala de Comisiones en la Ciudad de los Angelos Septiembre 23 de 1845

Franco de la Guerra
Narciso Botello

Angelos Septiembre 26 de 1845

En sesion de hoy se aprueba por la Ex Asamblea Departamental la proposicion del dictamen antecedente mandando se devuelva el espediente original al Ex Gobernador para los fines consiguientes

Pio Pico
Augustin Olvera
Secr.

En la fha se libro a la parte la copia respectiva

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 custody a portion of the Archives of the former Spanish and Mexican Territory of Department of Upper California do hereby certify that the ten preceding and hereunto annexed pages of tracing paper, numbered from

one to ten, inclusive, and each of which is signed by my initials (S.D.K.) exhibit true and accurate copies of certain papers on file and forming part of said archives in this Office

In testimony whereof I have hereunto set my hand and affixed my private seal (not having a seal of office) at the City of San Francisco California this 19th day of August 1852

Saml D. King
Sur Gen Cal.

Filed in Office Sept 11th 1852
Geo Fisher
Secty

Translation of Espediente

1st Magistrates Office (No 12
of
Sonoma

Proceedings had at the instance of Citizen George Rock for six square leagues of land in the Rancho of Guenoc
December 10th 1844

"462"

Provisionally authorized by the Maritime Custom house for the Monterey in the Department of the California for the years Eighteen hundred and forty four and Eighteen hundred and forty five

M Michelltorena Pablo de la Guerra

Your Excley The Governor

Sir

George Rock originally from Canada, now a resident of this jurisdiction and a naturalized Mexican Citizen, before the high justification of your Excellency as in duty bound and with due respect appears and says, That having a Considerable number of Cattle (horse & Cows) and being destitute of land on which to establish myself, I solicit your Excellency to be pleased to concede me the ground known by the name of Guenoc in extent "six sitios de ganado mayor", a little more or less, as appears by the Map which I annex hereto, bounded on the West by the Rancho of Lozoyjano on the North by the Mountains of Lopuzzio on the East by the "Entiedad" and on the South by the Mountains of the "Pozo" hoping that Your Excley will cooperate in the secuirity of my interests and in my well being, To which effect I beg Your Excy will condescend to my solicitation for which I await your grace and mercy, swearing what is necessary.

Sonoma April 4th 1844

(Sd) George Rock

Fifth Seal 12 Real

Provisionally authorized by the Maritime Custom House of the Port of Monterey in the Department of the California for the years Eighteen hundred and forty four and Eighteen hundred and forty five

Michelltorena Pablo de la Guerra

Court of First Nomination

CASE 13 ND
PAGE 89

The Alcalde of the first Nomination of Sonoma

Sir

George Rock, native of Canada, a resident of this jurisdiction before the right justification of Your Worship appears and says, in due form, that having a great number of Cattle (horses and Cows) and having no place on which to establish myself and having resided in this place for ten years, it becomes necessary for me to entreat for your benevolence, that you will concede to me the favor of giving to his Excelency the Governor a circumstantial account of the position of the land which I ask, to which end I annex the map kindly enabling me to avoid the inconvenences to which I should be subjected by the necessary visits to the Capitol and having in view the circumstances of the internal war in the Country I beg you will concede me the privilege of occupying the ground provisionally whilst the Government is being established, when I will solicit the corresponding documents and keep it in proper form

In virtue of which I beg of you to accede to my request for which I will remain grateful

Sonoma Dec 8th 1844

(Sd) Geo Rock

Angeles August 8th 1845

In view of the Petition at the commencement of this Expediente, the action thereon of the Alcalde of Sonoma under date of the 8th of December 1844 with the other circumstances in conforming with the provisions of the law of 18th of August 1824, and the Regulations of the 21st November 1828, Mr George Rock is declared the entire and proper owner of the spot known by the name of Genere, with the extent and boundaries exhibited by the Map which is attached to this Expediente. Extend to him (the interested party) the proper title and submit this expedien to the approval of the Excellent Departmen

=tal Asembly. Pio Pico provisional Governor of the Department of the California, thus ordered decreed and signed which I Conform

(Sd) Pico

(") José ma Covarrubias

CASE 13 ND
PAGE 90

Pio Pico provisional Governor of the Department of the California

In as much as George Rock has demanded for his personal benefit and that of his family, the ground known by the name of Genoe, bounded on the North by the land of Logomi on the West by the Rancho of Locoyomi, on the East by the "Gentilidad" on the South by the Mountains of the Pozo, the necessary inquiries being personally instituted in accordance with the provisions of laws and regulations enabling of the faculties conferred on me in the name of the Mexican Nation, I have decreed to him in Decree of this day to concede to him the ground named declaring it his own property by these present letters, with the understanding that this Concession is in entire conformity with the laws, subject to the entire approbation of the Excellent Departmental Asembly and under the following conditions

1st He may fence it, without prejudice to the roads and paths, enjoying it fully and exclusively devoting it to the use and cultivation most convenient to him

2d He will solicit from the Competent Judge to be placed in juridical possession in virtue of this Dispatch by whom the boundaries must be defined by the necessary land marks

3d The ground which is given to him is "seis sitios de ganado mayor" a little more or less in extent, as is expressed in the map which figures in the Expediente

The Judge who may give the possession will cause the same to be measured with reference to the ordinance and the superfluity resulting will remain to the Nation for the uses that may be convenient,

In consequence I order that holding the present title as firm and valid due note of it be taken in the respective Book, delivering it to the party interested for his security and other ends,

Given in the City of Los Angeles the 8th of August one Thousand Eight hundred and forty five

P.P. — J. Mel. — Secty

Angeles August 13th 1845

Reference being made to to the Excellent Departmental Assembly in session of to day with this Expediente it was ordered to be passed to the Committee on Vacant Lands

(Signed) Pico
President
(Signed) Agustin Olvera
Secty

Your Excelency

The Committee on Vacant Lands having taken proposion of the Expediente forwarded by the Naturalized Mexican Citizen George Rock soliciting the land known by the name of "Sanroe", and being persuaded that the enquiries set on foot and the steps taken as appears in said Expediente were sufficient to have obtained from the Superior Government of the Department, the Concession of the Ground referred to, places before the Consideration of your Excley the following proposition

Approved the concession made by the Government of the Department under a title issued on the 8th of August 1844 in favor of the Naturalized Mexican Citizen George Rock of the ground known by the name of Sanroe within the limits of the Jurisdiction of Sonoma to the extent of "dos sitios de ganado mayor" in conformity with the Law of August 1824 and the 5th Article of

the Regulations of the 24th November 1828.

Committee Hall in the City of Los Angeles Sept 23d 1845

(Sd) Francisco de la Guerra
(") Narciso Botello

Angeles Sept 26th 1845

In Sesion of to day the Excellent Departamental Assembly approved the proposition contained in the foregoing Report and ordered the return of the original Expediente to the Governor for the necessary purposes

(Sd) Pio Pico
(") Olvera
Secty

On this date was signed to the party the respective copy.

I certify the foregoing to be a true and correct translation of the Spanish Document on file in this office in Case No 92, Archibald A Ritchie for the place called "Genoa"

(Sd) George Fisher
Secty

CASE 13 ND
PAGE 93

Office of the U S Land Commission
Los Angeles October 8th 1852

Are this day before James Wilson one of the Commissioners for examining and settling the private Land Claims in California, came Santiago Argüello a witness produced on behalf of the Claimants Archibald A Ritchie et al whose Petition is No 19 on the Docket of the Board and was duly sworn, His evidence being given in Spanish and interpreted by the Secretary

The Law Agent was present by R W Greenhow and did not object

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

Answer My Name is Santiago Argüello, my age is sixty years, I reside near the Port of San Diego and have resided in California all my life

Question 2 Examine the papers before you marked No 1 and say whether you are acquainted with the signatures and whether the documents are genuine

Answer I have examined the paper marked No 1 and am acquainted with the signatures of Pio Pico and Jose Ma Covarrubias, their signatures to this document are genuine and the document itself to the best of my knowledge and belief is also genuine

S Argüello

Oct 8th 1852

Subscribed & Sworn to
Before me
James Wilson, Commissioner

Filed in Office Oct 8th 1852 (Sd) Geo Fisher
Secty

Document
D N No 1

CASE 13 ND
PAGE 94

D N No 1

Sello Primero, Ocho Pesos
Habilitado provisionalmente 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

Micheltorena Pablo de la Guerra

Pio Pico Gobernador interino del Departamento de las Californias

Por cuanto Dn George Rock ha pretendido para su beneficio personal y el de su familia el terreno conocido con el nombre de Jaenze colindante al Norte con la Suerte de Joquipi al este con la gentilidad de Sam con la Suerta del Pozo al Oeste con el Rancho de Locoyomi practicadas previamente las averiguaciones concernientes segun lo dispuesto por leyes y reglamentos mando de las facultades que me son conferidas a nombre de la Nacion Mejicana he tenido he acordado de este dia conceder el expresado terreno declarandole la propiedad de el por los presentes letras entendiendose dicha Concesion de entera Conformidad con las leyes a reserva de la aprobacion de la Exma Asamblea Departamental y bajo las condiciones siguientes

1º Podrar cercarlo sin perjudicar las caminos y servidumbres, lo disfrutara libre y exclusivamente destinandolo al uso o cultivo que mas le acomode

2º Solicitara del Juez respectivo se de la posesion judicial en virtud de este despacho por el cual se demarcaran los linderos con los mojoneras necesarias

3º El terreno de que se le hace donacion es de seis sitios de ganado mayor poco mas o menos segun espresa el disenso que obra en el expediente

El Juez que dere la posesion lo hara medir con arreglo a

ordenanza, quedando al sobrante que resulte a la Nacion para los usos convenientes

En consecuencia mando que teniendose el presente titulo por firme y valedero, se tome razon de el en el libro respectivo y se entregue al interesado para su resguardo y demas fines

Dado en la Ciudad de Los Angeles a ocho de agosto de mil ochocientos cuarenta y cinco

Pio Pico

Jose Mª Covarrubias
Srio

Quede tomada razon de este titulo en el libro respectivo

Angeles fecha ut supra
Covarrubias

S.N.

Sello Quinto, Medio Real

Habilitado provisoriamente por la Aduana Maritima del Puerto de Monterey en el Departamento de las California para los años de mil ochocientos cuarenta y cuatro y mil ochocientos cuarenta y cinco

Micheltorena, Pablo de la Guerra

RANCHO GUEMOC

DISEÑO

[Duplicate: 23R, B-24, B-25]

13 N.D.

p. 96

"GUEMOC"

ARCHIBALD A. RITCHIE, Clmt.

LAKE Co.

23R-1

CASE 13 ND
PAGE 97

El que suscribe Secretario del Despacho de Gobierno,

Certifica, que el presente diseño es copia fiel sacada del original que obra en el espediente promovido por Dn George Rock en pretencion del parage conocido con el nombre de Cuenca

Angeles Agosto 8 de 1845

José Mª Covarrubias

El Gobernador Interino del Departamento de las Californias

La Excma Asamblea Departamental en sesion de hoy ha acordado lo siguiente

Se aprueba la concession hecha por el Supremo Gobierno del Departamento en titulo librado con fha 8 de Agosto del corriente año en favor del Ciud.no Mejicano naturalizado George Rock del terreno conocido con el nombre de Sunne dentro de los limites de la jurisdiccion de Sonora en estension de seis sitios de ganado mayor poco mas o menos de conformidad con la ley de 18 de Agosto de 1824 y articulo 5 del reglamento de 21 de Noviembre de 1828.

Y para resguardo de la parte de Dn George Rock le hago asi saber, Dado en la Ciudad de Los Angeles en este papel comun por falta de sellado a veintiseis de Septiembre de mil ochocientos cuarenta y cinco

El Gob.no

José Mª Covarrubias

Srio

Filed in Office Oct 8th 1852
Geo Fisher
Secty

Translation of Title

CASE 13 ND
PAGE 99

Stamp First Eight Dollars

Provisionally authorized by the Maritime Cus=tom House of the Port of Monterey in the Depart=ment of the California for the years Eighteen hundred and forty four and Eighteen hundred and forty five

Michelltorena Pablo de la Guerra

Maritime Custom House of Monte Eagle

Pio Pico Governor ad interim of the Department of the California

Whereas Jm George Rock has for his own personal benefit and that of his family asked for the land known by the name of Guerve bounded on the North by the Sierra of Sequini, on the East by the lands of the Wild Indians on the South by the Sierra Pozo and on the West by the Ranchos of Sevayami, the proper examinations con=cerning it having previously been made, as required by the laws and regulations, by virtue of the au=thority in me vested in the name of the Mexican Nation I have by a decree of this day granted him the said land declaring to him the ownership of it by these presents provided said grant shall be in entire conformity with the laws and sub=ject to the approval of the Most Excellent Depart=mental Assembly and under the following con=ditions

1st. He may enclose it without prejudice to the roads (Corp roads and servitudes, enjoy it freely and exclusively, making such use and cultivation of it as he may see fit

2d He will ask the proper or competent Magistrate to give him juridical possession of it according to law in virtue of this Decree, by whom the boundaries will be marked by the proper marks

3d. The land hereby granted is six sitios de ganado mayor (six square leagues) a little more or less, as shown by the Map which goes with this Record of

Proceedings, The Magistrate who may give the possession will have it measured conformably to Ordinance leaving the surplus to the Nation for its own convenient uses.

Therefore I order that the present title being held as firm and valid, note of it be taken in the proper corresponding Book and that it be delivered to the party interested for his security and other purposes. Given in Los Angeles the Eighth day of August one thousand eight hundred and forty five

(Signed) Pio Pico

(Sd) Jose Maria Covarrubias
Secretary

Note has been taken of this Title in the Corresponding Book

Angeles date as above
(Sd) Covarrubias

Pio Pico Governor of the Department of the California,

The Most Excellent Departmental Assembly in Session this day has passed the following

Approved the Grant made by the Supreme Government of the Department by title issued the 8th of August the present year in favor of the Mexican Citizen by Naturalization George Rock of the land known by the name of "Guenoc" within the limits of the Jurisdiction of Sonoma in extent six sitios de ganado mayor) in conformity to the law of the 18th of August 1824 and Article 5th of the Regulations of November 21st 1828,

And for the security of the party Don George Rock I thus make it known

Given in the City of Los Angeles on this Common paper there being none stamped

this 21st day of September 1845
(Signed) Pio Pico

(Sd) Jose Maria Covarrubias
Secretary

The above translations as amended by me are correct

Carr

Filed in Office January 27th 1852
Geo Fisher
Secty

To the Honorable Commissioners to ascertain and settle Private Land Claims in California

Supplementary Petition

The Petitioners Archibald A Ritchie and Paul S Forbes in this their supplementary petition respectfully show

That on the 8th day of August A D 1845, Pio Pico Governor of California by order of his Office granted to George Rock the tract of land known by the name of Genove situate in the Partido of Sonoma, comprising within its known limits as described in the grant and designated in the respective map therein referred to, six sitios de ganado mayor (six square leagues) more or less.

That on the 26th day of September A D 1845, the Departmental Assembly approved the said grant in due form of law, copies of which grant, approval and map are filed herewith marked "A" with translations marked "B"

The Petitioners further show that the said George Rock sold and conveyed the aforesaid tract of land to Jacob P Leese by Deeds of Conveyance dated October 10th A D 1846 and January 13th A D 1847, copies of which Deeds are filed herewith marked "C" with translations marked "D"

That on the 7th day of Sept A D 1850, the said Jacob P Leese and Rosalia his wife sold and conveyed the aforesaid tract of land to the Petitioners Archibald A Ritchie and Paul S Forbes saving and excepting one square league of land which had previously been sold and conveyed by said Leese to Nathan Spear, a copy of which conveyance to said Ritchie and Forbes is filed herewith and marked "E"

And the Petitioners further represent that on the 11th day of December A D 1846 the said Jacob P Leese sold and conveyed to Nathan Spear one square league of the said tract of land called "Genove" as shown by his deed of Conveyance

a certified copy of which is filed herewith marked F
That on the 18th day of October 1849 the said Nathan Spear sold and Conveyed the said league of land to Stephen Reynolds a certified copy of which Conveyance is filed herewith marked "G", That on the 26th day of July AD 1852 the said Stephen Reynolds by his Attorney in fact sold and Conveyed the aforesaid one square league of land to one of the Petitioners Archibald A Ritchie, a certified copy of which Conveyance is filed herewith marked "H", I & J and also power of Attorney, That the said George Rock and Jacob P Leese during their possession and ownership and the Petitioners since their possession and ownership have done and performed in due form of law all the requirements of said Grant, necessary to make the grant aforesaid, full, perfect and absolute.

That they know of no intervening claim, that the said tract of land has not been surveyed by the Surveyor General of the United States but that the position and bounds of the land are fully set forth and described in the grant and map aforesaid and are definite and well known.

The Petitioners rely for confirmation of title upon the original papers, copies of which are filed herewith upon the documents and minutes concerning the same in the Archives in the possession of the Surveyor General and such other proofs as they may be advised are necessary.

Wherefore they pray the Commissioners to decide upon the validity of said grant to the said George Rock and to confirm the same to the Petitioners according to the aforesaid Deed of Conveyance

Halleck Peachy & Billings
attys for Claimants

Filed in Office Oct 9th 1852
Geo Fisher Secty

Tuesday January 11th 1854

In case No 12 Archibald A Ritchie et al for the place called Ingnoe the Counsel for the Claimants moved, that the stipulation entered into between the Claimants and the U S Law Agent whereby certain ancient conveyances were agreed to be filed as evidence in this cause without any further proof of their legal proof execution and which stipulation and ancient conveyances therein mentioned were submitted to the Board on the day of hearing the said cause to wit on the 13th day of September 1852 and considered by the Board and reference thereto made in its opinion in adjudicating the cause on the 15th of the same month, Although no record of their submission having been made the said stipulation and ancient conveyances not having been regularly filed with the Secretary in due time, to that effect be now filed and made a part of the Record in this cause Motion sustained and whereupon it is ordered that the said papers be filed "nunc pro tunc" and made a part of the Record in this cause and as are as follows to wit:

No 12 - Agreement

Before the U S Land Commission

In the Claim of AA Ritchie and Pane S Forbes to

"Ingnoe"

The Law Agent on the part of the U S, admits on the part of the U S without further proof the due execution of the following papers filed in this Case viz

1st Deeds from George Rock to J P Leased dated October 10th 1845 and January 14th 1847 -

CASE 13 ND
PAGE 105

2d Deeds from J P Leese and wife to A A Ritchie and P G Forbes,

3d Deed from J P Leese to Nathan Spear dated December 11th 1846

4th Deed from Nathan Spear to Stephen Reynolds dated October 18th 1849.

5th Deed from Stephen Reynolds to A A Ritchie, dated July 26th 1852

6th Letter of Attorney from S Reynolds to W H Davis, dated December 5th 1851

7th Substitution of H P Heaphan for W H Davis, dated May 13th 1852

Robert Greenhow,
Apt Law Agent

Filed in Office January 10th 1854

Conveyance
George Rock
to
Jacob P. Leese

CASE 13 ND
PAGE 106

Escritura de Venta que hace
George Rock en favor de
Jacobo Leese del terreno llamado "Huenoc"

Sonoma 10 de Octubre de 1845

Juzgado 1to
de Sonoma

En el Pueblo de Sonoma de la Alta Cal-
-ifornia a los diez dias del mes de Octu de mil ocho-
-cientos cuarenta y cinco ante mi Jose de la
Rosa Alcalde 1o Constitucional de Sonoma ac-
-tuando por receptoria por falta de escribano
publico se presento George Rock y dijo, que podi
y en nombre de sus hijos herederos, sucesores y
de quien de ellos hubiere titulos, voz, y causa en
cualquiera manera, vende y da en venta real
y enagenacion perpetua por juro de heredad
para siempre jamas a Dn Jacobo Pomio Leese
vecino de este mismo Pueblo y a los suyos el sitio
-no de Huenoc en cantidad de seis sitios de gana
-do mayor segun aparece en el titulo y disen
-cones fondegite, colindante al Norte con la
Sierra de Sogomi, al Oeste, con la Gentilidad
al Sur con la Sierra del Bajo y al Este con el
Rancho de Sorgallomi de pertenencia y ad-
-junta esta escritura, por los cuales, corresponde
en propiedad al otorgante al cual
declara no tenerla vendida ni empenada y que
esta libre de tributos memoria, capellanea, cui
-cula, patronato y fianza, y los gravamen
perpetuo, o temporal, tanto y respecto, y co-
-mo tal se lo vende con todas sus entradas sal
-idas fabricas, usos costumbres, regalias, servi
-dumbres, y demas cosas anexas que ha teni
-do y tiene segun, derecho, por trecientos pesos
y tres mil varas de tierra de largo y mil seis
-cientas varas de ancho, segun consta por Dre

mento y tiene recibido y el mismo confiesa y
renuncia la ley nueve del título 1º del partida 5ª
asi mismo declara que el justo precio y verdadero
valor del referido terreno, son los tres cientos pesos
tres mil varas de tierra de largo y mil setenta
varas de ancho, y que no vale mas, ni hallo quien
tanto le haga dado por el y de mas vale o valor
pudiera el exceso en poca o mucha suma, hace
a favor del comprador y de sus herederos y
sucesores, gracia y donacion pura perfecta y ir-
revocable en sanidad y demas formalidades legales
y renuncia la ley 2º titulo 1 libro diez, nueva recopila-
cion que trata de los contratos de venta bueno
y de obra en que hay lesion mas o menos de la
mitad del justo precio y desde hoy en adelante
para siempre se desapodera desiste, quita y
aparta a sus herederos y sucesores de dominio
o propiedad, titulo, voz, recurso y otro derecho
que le competia al enunciado terreno Guenoc, lo
cede renuncia y traspasa con las acciones reales
personales utiles mixtas directas y ejecutorias en el
comprador y en quien la suya, represente para
que lo posedazer, cambie enagene y disponga
de el a su eleccion como de cosa suyo, con le-
gitima y justo titulo, y le confiere poder, irrevo-
cable con libre franca y general administracion
y constituye procurador actor su propia causa
para que de su autoridad entre y se apodere
del nominado terreno y presida la real tenencia
y posesion por derecho, le compete y para que
no necesite tomarlo me pide que le de copia
autorizada de esta escritura con la cual a de
ser vista haciendo tomada, aprehendose y trans-
firidole y en el interin se constituye su in-
quilino tenedor y precario poseedor en legal forma
y se obliga al que dicho terreno sera cierto seguro
y efectivo al comprador y nunca le inquietara ni
movera pleito sobre su propiedad ni contra el
aparecera gravamen, alguno, y de que la inquiet-
ase moviere o apareciere luego que el otorgante
sus herederos y sucesores sean requeridos conforme
a derecho saldra a su defensa y la seguira para ex-

-pensas en todas instancias y tribunales hasta
dejarlo hal y a los suyos en su libro uso, quieta
y pacifica posesion y sin pudiendo conseguido
le daran otro igual en valor de fabrica, sitio
renta y comodidades y en su defecto le restituiran
la cantidad que a desembolsado las mejoras
utiles precisas y voluntarias que a la sazon
tenga el mayor valor y estimacion y con el tiempo
adquiera y todos los costas gastos, danos, interes
o menoscabos que se le siguieron por todo lo cual
se les a dado poder ejecutivo en virtud de esta es-
-critura y pramento del que la posea o de
quien le represente le quien despues su importe
que le pelleba de otra prueba y a la observancia
de todo lo referido, obligo su persona y bienes hab-
-idos y por haber y confiere amplio poder a los
Jueces y tribunales de la Nacion que de este
negocio, deben conocer conforme a derecho para
que lo apremien a su cumplimiento como por
sentencia definitiva de Juez competente pasada
en autoridad de cosa juzgada y consentida
que por tal recibe

Jose de la Rosa — Jorge Rock
Apa — Apa
Nasario Berellesa — José Borreyesa

Yo el infrascrito doy fe con los de assistencia de
haverse estendido la la antecedente escritura en pa-
-pel comun por no haber en este lugar del sello
que corresponde, fhant supra

Jose de la Rosa
Apa — Apa
Nasario Berellesa — Jose Borreyesa

George Rock to Jacob P Leese, Deed
filed for Record Aug 17th 1850 at 9 o'clock am

Recorded in Book "A" of Deeds, pages
93 & 94 on the 17th August 1850 at 10 o'clock am
H H Lawrence
Deputy Recorder of Napa County State of California
Fees paid Recording $10
Filing 2

The like in English

Know all men by these presents that I George Rock of this Jurisdiction of Sonora and Territory of Upper California, for and in consideration of the sum of Three hundred dollars ($300.) to me in hand paid by Jacob P Leese of the same jurisdiction and before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, have granted bargained sold released and confirmed, and by these presents do bargain grant release sell and confirm unto the said Jacob P Leese, his heirs and assigns all my estate right, title, interest, claim and demand or demand whatsoever, in to, or out of a certain tract or parcel of land, known by the name of Guenoc out of the original title granted to me by the Mexican Government on the 8th day of August 1845 and the same transferred to Jacob P Leese in presence of the Justice of the peace of this place, in lawful form, excepting one peace of said land containing Three Thousand Varas long and One Thousand seventeen hundred wide, which I have this day granted bargained, sold released and confirmed, and by these presents do grant bargain sell release and confirm unto the said Jacob P Leese his heirs and assigns, all my estate right title and interest, property claim and demand, whatsoever, of in or out of the tract of land known by the name of Guenoc, situated on the head of the River known by the name of the Collote, Together with all and singular the rights and appurtenances thereunto belonging and the reversions and remainders, rents issues and profits thereof, together to warrants, all benefit and advantage thereof, to have and to hold the said tract of land and premises hereby bargained and sold, or mentioned or intended so to be with the appurtenances unto the said Jacob P Leese his heirs and assigns, to the only proper use and behoof of the said Jacob P Leese his heirs and assigns, and the said George Rock and his heirs; the said hereby granted premises unto the said Jacob P Leese his heirs and assigns, against him the said George Rock, his heirs, and against all and every other person or persons whomsoever, lawfully

claiming or to claim by, for or under him them or any of them shall and will warrant and forever defend by these presents before the Chief Magistrate of Sonoma and to be made of record in the archives of said Magistracy. In testimony whereof I have hereunto set my hand and seal this Fifteenth day of January AD 1847

Witness
Richard Fowler
Andrew Kalfpenap

George his x mark Rock

Personally appeared before me John H Nash a Justice of the Peace in and for the District of Sonoma and Territory of California, George Rock who acknowledged that he signed sealed and delivered the deed herein written to Jacob P Leese on the day and year therein mentioned, and for the purposes therein set forth.

Given under my hand and seal at Office at the Town of Sonoma this Fifteenth day of January AD 1847

John H Nash J P (L S)

Recorded at Office January Fifteenth 1847 and received in Office by me John H Nash a Justice of the Peace, having no Clerk in Book 'A' on pages numbered 22 & 23 on the same day

John H Nash J.P.

Foundation of Deed by Jacob P Leese

CASE 13 ND
PAGE 111

First Magistrate's Office of Sonoma

In the Pueblo of Sonoma of Alta California on the Ninth day of the month of October One thousand Eight hundred and forty five before me Jose de la Rosa 1st Constitutional Alcalde of Sonoma acting by virtue of my Office, as a Notary Public, appeared George Rock and said that for himself and in the name of his children heirs and successors and whomsoever of them may have title claim or cause in any manner he sells, delivers and alienates forever with the right of inheritance forever to Don Jacob Primo Leese, resident of this same Pueblo and to his heirs and successors, the land Suerte in extent six sitios de ganado mayor, as appears on the title and corresponding Map, bounded on the North by the Sierra de Loquami, on the East by the lands of the Wild Indians, on the South by the Sierra de Pojo and on the West by the Rancho of Locollayomi which title papers are annexed to this Conveyance and by which said land belongs in propertion and ownership to the present grantor, who declares that he neither sold nor pledged and that it is free from tribute religious or Charitable law, entail pious contribution and Mortgage and other incumbrance perpetual temporary tacit and expressed and as such he sells it with all the rights of ingress and egress privileges directures and usages, customs, services and other appurtenances which have belonged and now belong to it of right for three hundred dollars and a piece of land three thousand varas long and one thousand seven hundred varas wide as shown by a Document which he holds and acknowledges, and he also declares the just price and value of the said land to be Three hundred dollars and the piece of land Three Thousand varas long and One Thousand varas wide and seven hundred – and that it is worth no more and that he has found nobody willing to give so much for it, and if it is worth more or may be worth more, of the excess be it little or great, he makes to the purchaser and his heirs and successors gift and donation pure perfect and irrevocable, in

good faith and legal form, and he renounces Law 2, Titu
1, Book 10, Nueva Recopilacion which treats of contracts of sale
exchange and others, in which there is a lesion in more
or less than the just price, and henceforth for himself his
heirs and successors gives up the possession, desists, leaves
and relinquishes from the dominion and ownership, title claim
recourse and other rights which belong to the aforesaid
land of Guenoc which he renounces, grants and trans-
=fers, with the actions, real, personal, useful mixed, di-
=rect and executive, to the purchaser and his representa-
=tives, in order that he may properly enjoy exchange
alienate and dispose of it at his pleasure as his
own acquired by just title, and he confers upon
him irrevocable power, with free grants and general
administration, and constitutes him his attorney in
fact, in order that of his own authority he may
enter upon and hold the aforesaid land and
take to himself the real tenure and possession
which of right belongs to him and that it may not
be necessary for him to take it, he asked of me
the Vendor to give him an authenticated copy
of this writing, by which it may have been seen to
have been taken possessed and seized to him (the
Vendee) and in the mean time he makes himself the
tenant and temporary holder for the Vendee in
legal form, and he binds himself that said land
shall certainly securely and effectually belong to the
purchaser and that no one shall molest him or bring
suit for the ownership and that no incumbrance shall
appear, and should he be molested, suit be brought
or incumbrance appear, immediately that the vendor
his heirs and successors are required according to law
they shall appear in his defence and shall prosecute it
at their own expense in all the Courts of Law and
tribunals until they obtain judgment in his favor
and leave the purchaser or his heirs and successors in
its free use, and quiet and peaceable possession, and
if they shall not be able to accomplish this they shall
give him another equal in value, tenements extent
and appurtenances, and in default of this they
shall restore to him the amount of money which he
has expended together with the improvements useful

necessary and voluntary which at that time there may be (on the Rancho) the increased value which in time it may acquire, and all the costs expenses, damages which may accrue, all of which may be executed by virtue of this writing and the oath of him who proposes it or of his representative to whom he leaves it, to pay the value and relieves him from other proof, and for the observance of all the foregoing he binds his person and property acquired or to be acquired and confers ample power on the Magistrate and tribunals of the Nation, who according to law have jurisdiction of this matter to compel him to comply with it as by a final judgment of a Competent Judge, having the force of res judicata and consented to and as such he receives it

(Signed) Ges his x mark Rock

(Signed) Jose de la Rosa
Assisting Witnesses
(Signed) Juan Bonillese
(") José Berryesa

I the undersigned certify with the assisting witnesses, that I have written out the foregoing instrument on common paper, there being none in this place of the proper stamp

(Sd) Jose de la Rosa

Ass. Witnesses
(Sd) Juan Berryesa
(") José Berryesa

The above with the marginal and other emendations made by me is a correct translation

Carr

Filed in Office Jany 27th 1852

Geo Fisher
Secty

Deed from Jacob P Leese to Nathan Spear

CASE 13 ND
PAGE 114

This Indenture made this eleventh day of December in the year One Thousand eight hundred and forty six, between Jacob P Leese of the District of Sonoma of the First Part, and Nathan Spear of the same District of the Second Part, Witnesseth, that the said Jacob P Leese of the First Part for and in consideration of a full and entire release from the said Jacob P Leese of the Second Part, from all debts dues and demands held by the party of the second part against the party of the First part on account of the late firm or business connection of Nathan Spear and William Hinckley (deceased) and the surrender by the said party of the Second part to the said party of the First Part of a note of hand given by the said party of the first Part to the said Spear and Hinckly at Monterey Nov 21st 1839 for the sum of three thousand dollars, the surrender of which said note by the said part is hereby acknowledged by the party of the first part and the full and entire settlement as aforesaid being hereby acknowledged by the same party of the second part, The said Jacob P. Leese or party of the First Part does hereby grant, bargain sell and release unto the said Nathan Spear or party of the Second Part, a certain demesne tract or parcel of land now included in the Farm or Rancho, known and to be known as the Grenoe Rancho, The said demesne tract or parcel of land being of the area of five thousand Spanish varas square or one sitio de ganado mayor, commonly called a leagne, the said five thousand varas square; to be measured either on the East, West or South of the lines of boundaries of said Rancho and to be measured in a square of five thousand Spanish varas on each side of said square; The whole of which described tract thus set off, conveyed, confirmed and released by the said party of the First Part unto the said party of the second part, is hereby is hereby released and confirmed unto the said party of the second part, his heirs executors, administrators and assigns in fee simple forever, and the said party of the First Part for the full entire and complete fre-

=plement of this deed of sale or transfer as aforesaid hereby binds himself, his heirs, executors and administrators and assigns unto the said party of the second part to fulfil all the conditions of this said deed of transfer, and never to claim or reclaim of the said party of the second part, his heirs executors administrators or assigns, this said five thousand varas square of land herein described, and to this end this instrument is signed sealed and delivered by the said party of the first part and acknowledged by the said party of the second part, day and date as aforesaid, before the Chief Magistrate of San Francisco and to be made of record in the archives of said Magistracy

Jacob P Leese

Witness to the signing
Nathan Spear

Geo Hyde
E F Jones

Before me
Washg^tn A Bartlett
Chief Magistrate

The party of the First Part in the above deed is not to be held unto the party of the Second Part to warrant a fee simple title to the land conveyed in said deed, should the Government interfere to dispossess the parties, but conveys the same under all the strength of title now held by the party of the first part, and will warrant and defend against any and all persons except the government as aforesaid

Jacob P Leese

Attest
E F Jones
George Hyde

Nathan Spear

Before me
Washg^tn A Bartlett
Magistrate

Magistrates Office, Yerba Buena
Dec 11th 1846

The within deed of settlement done in duplicate and delivered to both parties

Wash^n Bartlett
Chief Magistrate

Recorded in Book "A" page 184, June 24th 1847

John C. Buchanan
Municipal Clerk

Filed in Office Jany 10th 1854

CASE 13 ND
PAGE 116

Quit Claim deed from Nathan Spear to Stephen Reynolds

Copy.

Know all men by these presents that I Nathan Spear of the Town of San Francisco California in Consideration of the sum of Fifty Dollars to me in hand duly paid by Stephen Reynolds of the Town of Honolulu, Island of Oahu the receipt whereof I hereby acknowledge, and in consideration of a certain deed of release bearing even date herewith, executed to me and delivered by the said Stephen Reynolds containing a full and entire discharge of and from all debts demands actions and causes of action both at Law and in Equity against me on the part of the said Stephen Reynolds as fully mentioned specified and set forth in the said Deed of Release have bargained sold and quit claimed and by these presents do bargain sell and quit claim unto the said Stephen Reynolds and to his heirs and assigns forever all my right, title, interest, estate claim and demand, both at law and in Equity and as well as in possession as in expectancy of, in and to all that certain demesne tract or parcel of land, now included in the Farm or Rancho, known and to be known as the "Buena Rancho", the said demesne tract or parcel of land being of the area of Five Thousand Varas square or one "Sitio de ganado mayor" commonly called a league the said Five Thousand Varas Square to be measured on either of the East West or South of the boundaries of said Rancho and to be measured in a square of Five Thousand Spanish Varas on each side of said

square, being the same property mentioned and described in a certain deed of indenture executed by and between Jacob P. Leese of the First Part and the said Nathan Spear of the second part, bearing date on the Eleventh day of December in the Year of Our Lord One Thousand Eight hundred and forty six and recorded in the Office of the Alcalde of San Francisco in Book A of Records page 44 on the 24th day of January One Thousand Eight hundred and forty seven as by reference to said indenture or Record in said Office will more fully appear together with all and singular the hereditaments and appurtenances thereunto belonging.

In Witness whereof I have hereunto set my hand and seal this Eighteenth day of October in the Year One Thousand Eight hundred and forty nine

Sealed and
Delivered in presence of
Geo H Vincent }
J K Rose }

Nathan Spear

Territory of California
District of San Francisco } ss.

On this Twelfth day of October AD Eighteen hundred and forty nine before me personally came J K Rose one of the subscribing witnesses to the foregoing Conveyance to me known who did depose and say, that he knew Nathan Spear the individual named in and who subscribed and executed the said Conveyance, that being present he saw the said Nathan Spear sign seal and deliver the same as his act and deed, and that the said Nathan Spear then acknowledge the execution thereof, whereupon the said J K Rose declared the subscribing witness thereto

John W Geary
1st Alcalde

Recorded in the Office of the Alcalde in Book "H" pages 76 and 77 on the nineteenth day of October A.D. 1849 at 5 O'clock P.M. in San Francisco A.C.

Nathan Spear to
Stephen Reynolds

Joseph Hemignes
Recording Clerk

CASE 13 ND
PAGE 118

Quit Claim Deed filed for Record on the 19th October 1849 at 5 O'clock P.M.,

Filed in Office Jany 10th 1854

Conveyance from J. P. Leese & Wife to Ritchie & Forbes

Know all men by these presents that we Jacob P. Leese and Rosalia his wife of Monterey California in consideration of Fourteen Thousand Dollars to us in hand paid by A.A. Ritchie and Paul S. Forbes of Clayton, Contra Costa, the receipt whereof is hereby acknowledged, do hereby convey remise, release and forever quit claim unto the said A.A. Ritchie and Paul S. Forbes, their heirs and assigns all those two tracts or parcels of land situated in the District of Sonoma California and described as follows, to wit, First, that known or called by the name of "Sotoyome" and containing three leagues of land more or less, being the same premises heretofore granted to Robert Ridley by Manuel Micheltorena Governor of the Department of the California under the Government of Mexico by a Grant or Patent dated Monterey the 17th day of June A.D. 1844 and properly recorded in the public archives, which said Grant was afterwards duly approved and confirmed by the Departmental Assembly of the said Department as appears by the certificate appended to said Grant dated the twenty sixth day of September A.D. 1845 and subsequently granted by the said Robert Ridley to the said Jacob P. Leese as appears by deed bearing date the day of December A.D. 1849 to all of which papers and Records reference is hereby made And second, all that tract or parcel of land called or known by the name of "Blenvoe" being the same premises granted to George Rock by Pio Pico Governor

of California by a Grant or Patent dated at Los Angelos the Eighth day of August A D 1845 and duly recorded in the Public Archives, which said Grant was afterwards approved and confirmed by the Departmental Assembly as appears by the certificate appended to said Grant dated the 26th day of September A D 1845 which said tract or parcel of land contains six sitios a little more or less and was purchased by said Pacot P Leese as appears by deed of George Rock dated October 10th A D 1845 and of January 13th A D 1847 to all which papers reference is hereby made which said tract or parcel of land is bounded as follows, viz on the North by the Sierra Logumi on the East by the Sierra Gentilidad on the South by the Sierra de Pinos on the West by the Rancho of Robert Ridley "Locolloyomi" with all the privileges and appurtenances thereto belonging, excepting however so much of the above described piece or parcel of land known by the name of "Guinoe" as has been granted by the said Pacot P Leese to Nathan Spear as appears by deed bearing date the Eleventh day of December A D 1844 and described as follows, viz, said demesne tract or parcel of land, being of the area of Five thousand Spanish varas square or one sitio de ganado mayor, commonly called a league, the said Five thousand Spanish varas square to be measured on either of the East West or South of the lines of boundaries of said Rancho and to be measured in a square of Five thousand Spanish varas on each side of the square

To Have and To Hold the above released premises to the said A A Ritchie and the said Paul S Forbes, their heirs and assigns and to their use and behoof forever, And we the said Pacot P Leese and Rosalia his wife, for ourselves, our heirs executors and administrators do covenant with the said A A Ritchie and Paul S Forbes their heirs and assigns that the premises are free from all incumbrances made or suffered by us and that we will and our heirs executors and administrators shall warrant and defend the said A A Ritchie and Paul

J. Forbes their assigns and heirs forever against the lawful claims of all persons claiming through by or under us but against none other. In witness whereof We the said Jacob P Leese and Rosalia his wife have hereunto set our hands and seals this seventh day of September A D 1850

Witness
W J Johnson
L R Ashley

Signed

Jacob P Leese (LS)
Rosalia Vallejo Leese (LS)

State of California County of Monterey ss

On this 7th day of September A D ~~1850~~ 1850 personally appeared before me a Notary Public in and for said County Jacob P Leese and Rosalia his wife, known to me to be the persons described in and who executed the foregoing instrument who acknowledged to me that they executed the same freely and voluntarily, and for the purposes and uses therein mentioned, and the said Rosalia P Leese wife of said J P Leese being made acquainted with the contents of the foregoing instrument and being examined apart from her husband and without his hearing, acknowledged that she executed the same freely and voluntarily without compulsion or undue influence of her husband and that she did not wish to retract the execution of the same

(LS)

(Signed)
L R Ashley

Filed for Record April 21st A D 1851 at 25 minutes past 11 O'clock am and recorded in Book "A" pages 297 & 298 Archives of Napa County

(Signed) M H N Kending Recr
by Geo. B Cornwell Deputy

Filed in Office Jan 21st 1852
Geo Fisher - Secty

Power of Attorney

Stephen Reynolds to William H Davis

CASE 13 ND
PAGE 121

Know all men by these presents that I Stephen Reynolds a citizen of the United States resident in Honolulu in the island of Oahu have constituted and appointed and by these presents do constitute and appoint Wm H Davis of San Francisco in the State of California my true and lawful attorney for me and in my name place and stead to bargain and sell, convey and assure to each person or persons and for such sum or sums of money and upon such terms and conditions of sale as to him my said attorney shall seem proper and advantageous to me all that certain tract or parcel of land situated in County in said State of California, conveyed to me by Nathan Spear by Deed bearing date on the Eighteenth day of October A.D. 1849 and recorded in the Office of the Alcalde of the District of San Francisco in Book H pages 76 & 77 which said tract of land was sold by Jacob P Leese of California to the said Spear by Deed bearing date on the Eleventh day of December A.D. 1846 and recorded in the Office of the Alcalde of San Francisco in Book A of Records on the 24th day of January A.D. 1847 the said land being part of the Rancho of in County in the State of California known as the "Juenoe Rancho" and being of the area of Five Thousand varas square, or one sitio de ganado mayor, commonly called a leagne, to be measured on either of the East West or South Lines of the boundaries of said Rancho and to be measured in a square of Five thousand Spanish Varas square on each side of said square and also for me and in my name as aforesaid to execute acknowledge and deliver to the purchaser or purchasers such usual and proper deeds, conveyances and assurances thereof, with or without covenants or covenants as to my said attorney shall seem expedient and proper and to accept the for receive and receive any and all sum or sums of money which shall be coming to me on account of said sale or

sales as aforesaid of said land and upon the receipt of said sum or sums of money for me and in my name to sign seal and deliver good and sufficient receipts acquittance and discharges therefor; Hereby giving and granting unto my said attorney full power and authority in and about the premises and to use all the means course and process in law for the full effectual and complete execution of the business above described, and in my name to make and execute due acquittance and discharge, and for the premises to appear and by person or one the constituent by represent before any Governor Judges, Justice, Officers and Ministers of law whatsoever in any Court or Courts of Indiana, and there on my behalf to answer defend and reply to all actions matters causes and things whatsoever relating to the premises to arbitration or otherwise with full power to make and substitute for the purposes aforesaid, one or more Attorney under my said Attorney and the same again at pleasure to revoke, and generally to say do, act, transact determine accomplish and finish, all matters and things whatsoever relating to the premises as fully amply and effectually to all intents and purposes as I the said constituent if present might or might personally although the matter should require more special authority, than is herein contained.

I the said constituent ratifying allowing holding firm and valid all and whatsoever my said Attorney or his substitutes shall lawfully do and cause to be done in and about the premises by virtue of these presents

In witness whereof I have hereunto set my hand and seal this Fifth day of December A.D. One Thousand Eight hundred and fifty one

Signed, Sealed &

delivered in presence of 3
H A Patterson

Stephen Reynolds (Ls)

Consulate of the United States
Honolulu, Hawaiian Islands

Before me Elisha H Allen Consul of the United States of America for Honolulu Hawaiian Islands, on this 3rd day of December A.D. 1851 personally appeared to me Stephen Reynolds to me known to be the person described in and who executed the foregoing power of Attorney or instrument of writing and acknowledged to me that he executed the same freely and voluntarily for the uses and purposes therein set forth

In testimony whereof I have hereunto set my hand & seal of this Consulate this 3rd day of December A.D. 1851

Consulate of U.S.A. [Place of the Eagle] HAWAII

Elisha H Allen, U S Consul

Stephen Reynolds to William H Davis

Power of Attorney, Filed for Record July 27th A.D. 1852 at 3 O'clock PM and recorded in Book "A" of Powers of Attorney pages 216, 7-8 & 9 of the Archives of Napa County

John H Seawell Rec'dr

Fees for Rec'dg $5.50 3 by L M Graham D.R.

Filed in Office January 10th 1854

Substitution

William H. Davis
to
H. P. Hepburn

Whereas by power of Attorney dated December 5th A.D. 1851, a certain Stephen Reynolds constituted William H. Davis his Attorney to make sale of and deliver a deed for certain real estate therein particularly described and generally to act in the premises, in and for and in the name of said Reynolds, and whereas the said instrument contained a power of substitution now this instrument witnesseth, that the said William H. Davis by virtue of the power so in him reposed hereby substitutes H. P. Hepburn of the City of San Francisco as the Attorney of the said Reynolds in his the said Davis stead with all the powers and authority conferred by the power of Attorney aforesaid as fully as if the said power of Attorney had been originally executed to him the said Hepburn by the said Reynolds. In witness whereof the said Davis has hereunto set his hand and seal this 13th day of May A.D. 1852.

William H. Davis (Seal)

State of California
County of San Francisco } ss.

Before me the subscriber, a Notary Public duly appointed in and for the State County aforesaid, personally appeared William H. Davis, known to me to be the person described in and who executed the foregoing instrument of writing and acknowledged to me that he executed the same freely and voluntarily for the uses and purposes therein mentioned.

In witness whereof I have hereunto set my hand and seal this thirteenth day of May A.D. 1852.

Notarial Seal

David F. Bagley
Notary Public

Substitution

William H Lewis to H P Heptam

Filed for Record July 27th A.D. 1852 at 3 o'clock PM & recorded in Book "A" of "Power of Attorneys" pages 29, 30 & 31 Archives of Napa County

John H Seawell
Clerk

Fees for Recording $3.10

Filed in Office January 10th 1854

(Signed) Geo Fisher
Cty Clk

DEED

Stephen Reynolds
to
A A Ritchie

This Indenture made this 26th day of July A.D. 1852 between Stephen Reynolds of the Island of Oahu by H P Heptam his atty in fact, of the First Part and Archibald A Ritchie of New Castle in the State of the Delaware of the Second Part witnesseth,

That the said party of the First Part for and in consideration of the sum of Three Thousand dollars to him in hand paid by the said party of the second part at or before the ensealing and delivery of these presents the receipt whereof is hereby acknowledged, has granted, bargained and sold, and does hereby grant, bargain and sell unto him the said party of the second part his heirs and assigns all that certain tract or parcel of land situated in Napa County in said State

of California conveyed unto the said Party of the First Part by Nathan Spear by deed bearing date on the 18th day of October AD 1849 and recorded in the Office of the Alcalde of the City of San Francisco in Book He pages 76 and 77 which said tract of land was sold and conveyed by Jacob Fose of California to said Spear by deed bearing date the 11th of December AD 1846 and recorded in the Office of the Alcalde of San Francisco aforesaid in Book A of Records on the 24th day of December AD 1846, the said land being part of the lands in Napa County in said State of California known as the "Grance lands" or the Grance Rancho and being of the area of Five Thousand Spanish Varas or "one sitio de ganado mayor" commonly called a League, to be measured either on the East, West or South lines of the boundaries of said Rancho and to be measured in a square of Five Thousand Varas on each side of said square, together with all and singular the tenements hereditaments and appurtenances hereunto belonging or in any manner appertaining.

To Have and to Hold the premises unto and to the sole use and behoof of him the said party of the second part, his heirs and assigns forever, and the said party of the First part hereby covenants and agrees to and with the said party of the Second part his heirs and assigns, that he the said party of the first part and his heirs, the premises and every part thereof, unto the said party of the Second part his heirs and assigns and against any and all persons lawfully claiming the same by through or under the said party of the first part or his heirs shall and will warrant and forever defend.

In witness whereof the said party of the First Part by H. P. Hepburn his Attorney in fact as aforesaid has hereunto set his hand and seal, the day and year first hereinbefore written

Witnesses
William Stanwood
George Comstock

Stephen Reynolds (Seal)
by his Atty in fact
H. P. Hepburn

State of California
County of San Francisco

On this 26th day of July AD ~~1852~~ 1852 before me a Notary Public in and for said County personally appeared H P Hepburn Attorney in fact of Stephen Reynolds, known to me to be such Attorney and the person described in, and by whom was executed the foregoing Deed, who acknowledges the foregoing deed, and that he and said Reynolds by him as Attorney as aforesaid executed the same freely and voluntarily and for the uses and purposes therein mentioned

Given under my hand & Notarial Seal the day and year aforesaid

Wm Stanwood
Notary Public

WILLIAM STANWOOD NOTARY Public San Francisco

Deed Stephen Reynolds to Archibald A Ritchie
Filed for Record July 27th AD 1852 at 3 O'clock PM and recorded in Book "B" pages 182 and 183 of the Archives of Napa County

John H Stewell
Recorder
by D M Graham Deputy

Fee for Recording
$4.00

Filed in Office January 10th 1854
(Signed) Geo Tighe
Recdr

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 Land Claims in the State California do hereby certify the foregoing pages numbered from 1 to 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 12 on the Docket of the said Board wherein Archibald A Ritchie et al are Claimants against the United States for the place called "Guanoe"

In testimony whereof I have hereunto set my hand and affixed my private Seal (not having a Seal of Office, at San Francisco California this Sixth day of February AD 1854 and of the Independence of the United States of America the Twenty Eighth

LS

George Fisher
Secty

Attorney General's Office,
15th July 1852.

Archibald A. Ritchie, claimant
vs. } 12.
The United States.

You will please take notice that an appeal in the above case (a transcript of the proceedings in which was received at this office on the 6th of March 1854) from the decision of the Commissioners to ascertain and settle the private land claims in the State of California, to the District Court of the United States for the ~~District~~ Northern District of California will be prosecuted by the United States

Cushing

Attorney General.

U. S. Dist: Court

No 13

The United States

vs

A & A Ritchie et als

Notice of Appeal

Filed Aug. 21. 1850

Jno A Murrow Clk,

To the Honorable District Court of the United States in and for the Northern District of California.

The United States
Appellants
vs
A. A. Ritchie
Appellee

No. 13.

The Petition of the United States by their Attorney represents: that this Cause is an Application for a review of the decision of the Board of Commissioners whereby the Claim of the said Appellee was Confirmed as appears by reference to the records in the Case:

That a transcript of the said Records was filed in this Court on the day of ; that a notice of Appeal was filed on the day of ; and that the land claimed lies in the said District.

That the said Claim is invalid.

Wherefore appellants pray that the said decision of the Board be reversed & that this Court decree the said title to be invalid.

Respectfully &c,

A. Wasserell
Asst U.S. Atty

U.S. Dist. Court

No. 13.

The U.S.
vs
A.A. Ritchie

Petition

Filed June 20. 1855,
by Chevers
Deputy

California Land Claims.

Attorney Generals' Office
28 Octr 1856.

Sir:

In the case of the claim of Archibald A. Ritchie, confirmed to the claimant by the Commissioners, case no. twelve (12), appeal will not be prosecuted by the United States.

I am
Respectfully
Cushing

Wm. Blanding Esq.
U. S. Attorney
San Francisco.

In the District Court of the United States.
Northern District of California.

The United States } Case No. 13
v }
Archibald A. Ritchie } Transcript 12.

In pursuance of a notice from the Attorney General of the United States, hereunto annexed, it is hereby stipulated and agreed that the appeal heretofore taken in this case from the decision of the United States Land Commission to ascertain and settle private land claims in California, be dismissed, and the notice of intention to prosecute said appeal filed in this Court by the Attorney General of the United States, be withdrawn, and that the claimant have leave to proceed under the decree of the said Land Commission in his favor as under final decree.

Wm Blanding
Dist Atty

Hallett Peachy & Billings
Attys for Claimants

No. 13,
United States
District Court

The United States
v
Archibald A. Ritchie

Case No. 13
Transcript 12

Stipulation

Filed Dec. 15, 1856.
W. H. Chevers,
Deputy Clerk

CASE 13 ND
PAGE 136

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 Monday the 15th day of December, in the year of our Lord one thousand eight hundred and fifty-six

Present:

The Honorable OGDEN HOFFMAN, *District Judge.*

The United States vs Archibald A. Ritchie	Case No 13 Transcript No 12.

The Attorney General of the United States having given notice that no appeal will be further prosecuted in this case, and a stipulation having been entered into by the United States District Attorney for the dismissal of the appeal from the decision of the Board of United States Land Commission heretofore rendered in his favor: On Motion of the District Attorney, it is Ordered, adjudged and decreed that the appeal pending in this Court be dismissed and that the claimant have leave to proceed under the decree of the Land Commission heretofore rendered in his favor, as a final decree.

Ogden Hoffman
U. S. Dist Judge

No. 13.

United States District Court, Northern District of California.

The United States

vs.

Archibald A. Ritchie

Case No 13
Transcript No 12

Order

Filed December 15, 1856,
John A. Munroe,
Clerk.
By W. H. Chevers
Deputy.

U. S. District Court.

The United States
v.
A. A. Ritchie et al

No. 13; L. C. 12
"Guenoc"

The petition of Calhoun Benham, U. S. Atty respectfully shows, that the official survey of the land finally confirmed herein was approved by the Surveyor General of the U. S. for Cala on or before Sept 5. 1840; that the first publication by said Surveyor General of his said approval was made on the 5th Sept. 1840; that said Survey is erroneous because it includes certain lands claimed and settled upon under the United States, as appears by the annexed affidavits of A. A. Butts and Wm. H. McElhaney.

Wherefore your petitioner prays that an order be entered in due form directing the said Surveyor General to return plat of said survey into Court for examination &c. on or before the 24th day of Oct inst; and that the monition of this Court issue in due form also returnable said 24th Oct. 1840.

Dated San Francisco Oct 3. 1840.

Calhoun Benham
U. S. atty.

State of California }
County of Napa }

Personally came before me, Wllam. H. McElhany who being sworn on oath says, that he is acquainted with the exterior limits, claimed by the claimants of the Rancho Guenoc, to be the exterior lines bounding, and representing said Rancho Guenoc. That he has knowledge of the manner in which said survey was executed - and that the same is erroneous - That if said lines are properly run, according to the laws of Congress, and the rules governing surveys of private claims, in said State it will be found that said deponent, is located on lands, belonging to the government of the United States That with a full knowledge of the rights of said claimants, by virtue of the grant (under which they claim), from the Mexican Government as he believes - he settled where he now resides believing that the land on which he settled and resides, as the same was represented to him, and as he believes is Government land, and that the parties, claiming the same by virtue of said grant, have no right to it whatever. That his location is in the western portion of Coyote Valley. That he has expended, in the erection of permanent improvements, thereon, a sum not less than Three (3000) Thousand Dollars -

That when he entered upon said land and located thereon, and made the im=
=provements above indicated, he did so with the bona fide intention of presenting the same, as soon as by the laws of congress he might do so. He therefore prays that the said survey may be ordered into court for examination.

his
Subscribed and sworn Wm H. McElhany
to before me this 1st mark
day of Oct. 1860 x

G. W. Gowb
Notary Public

State of California }
County of Napa }

Personally came before me Alexander A Butts, who being sworn says that he is acquainted with the exterior limits, claimed by the claimants of the Rancho Suisun, to be the exterior lines bounding, and representing said Rancho Suisun. That he has knowledge of the manner in which said survey was executed and that the same is erroneous. That if said lines are properly run, according to the laws of congress, and the rules governing surveys of private claims, in said State, it will be found that said deponent, is located on lands, belonging to the government of the United States. That with a full knowledge of the rights of said claimants, by virtue of the grant (under which they claim) from the Mexican Government as the same had been represented to him by various persons, and as he believes the same to be. That he settled where he now resides, believing that the land on which he settled and now resides, is government land, and that the parties, claiming the same

by virtue of said grant, have no right to it whatever. That his location is in the Eastern portion of Coyote Valley that he has expended, in the erection of permanent improvements thereon a sum not less than Three Thousand ($3000) Dollars. That when he entered upon said land, and located thereon, and made the improvements above indicated he did so with the bona fide intention of preempting the same as soon as by the laws of Congress he might do so. He therefore prays that said survey may be ordered into Court for examination.

Subscribed and sworn to before me this 1st day of Oct 1860

A H Ruth

G. W. Towle
Notary Public

13
12

U. S. District Court

The United States

v.

A. A. Ritchie et al

Petition for order to return survey by U. S.

Filed Oct: 3, 1860,
W. Dr. Chevers,
Clerk

CASE 13 ND
PAGE 143

C. Benham
U.S. Atty

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 Wednesday the Third day of October in the year of our Lord one thousand eight hundred and sixty.

Present:

The Honorable OGDEN HOFFMAN, District Judge.

The United States,

v.

A. A. Ritchie, et al.

IN LAND CASES.

District Court No. 13,

Land Com. No. 12.

AND now at this day on application of Calhoun Benham Attorney for the United States IT IS ORDERED, that the Surveyor General of the United States for California return into this Court, on or before Wednesday, the 24th day of October A. D. 1860, his Official Survey and Plat of the land finally confirmed in the above entitled cause, known as "Gaino" and situated in the County of Sonoma, in said District; AND IT IS FURTHER ORDERED, that the United States Marshal for this District serve upon the said Surveyor General, without delay, a certified copy of this order, and make due return hereon.

No. 13.

UNITED STATES DISTRICT COURT

Northern District of California.

IN LAND CASES.

THE UNITED STATES,

V.

A. A. Ritchie, et al.

ORDER TO RETURN SURVEY.

Returnable Oct. 24th 1860

CASE 13 ND

PAGE 145

Issued Oct. 3rd. 1860

Filed Oct. 4. 1860.

W. H. Chevers

Clerk.

Served personally by copy on J. W. Vandewater U. S. Surveyor General for California in San Francisco Oct 3 1860

W. H. Patchel
U. S. Marshal
By D. Solomon
Deputy

CASE 13 ND
PAGE 146

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 Wednesday the 24th day of October in the year of our Lord one thousand eight hundred and sixty,

Present:

The Honorable OGDEN HOFFMAN, District Judge.

The United States,

v.

A. A. Ritchie, et al.

IN LAND CASES.

District Court No. 13.

Land Com. No.

AND now at this day the United States Marshal having made return upon the Monition heretofore issued in this cause, that he had given due notice as therein commanded; on motion of Attorney for proclamation was made that all parties having, or claiming to have, an interest in the survey and location of the land finally confirmed in the above entitled cause, appear and intervene for the protection of such interest; the U. S. Attorney and Brackett & Brittenden appeared for the U. S. and Frederick Billings and J. J. Williams for Claimants. No other party appearing,

whereupon IT IS ORDERED, that the default of all parties not appearing as aforesaid be and the same is hereby entered.

No. 13

UNITED STATES DISTRICT COURT

Northern District of California.

IN LAND CASES.

THE UNITED STATES,

V.

A. A. Ritchie, et al.

ORDER ON RETURN OF MONITION.

Filed Oct. 24th 186[illegible].

W. H. Chevers

Clerk.

United States of America,)
Northern District of California.) ss.

THE PRESIDENT OF THE UNITED STATES OF AMERICA,
To the Marshal of the United States for the Northern District of California,

GREETING:—

WHEREAS, objection has been made to the official survey and location of the land finally confirmed, in case No. 13, to A. A. Ritchie, et al known as "Suisuc", and situated in the County of Sonoma in said District.

NOW THEREFORE YOU ARE HEREBY COMMANDED, in the name of the President of the United States of America, to give due notice to all parties having, or claiming to have, an interest in such survey and location, that they be and appear before the District Court of the United States for said District, sitting in Land Cases, on or before Wednesday, the 24th day of October A. D. 1860, at 11 o'clock, A. M. (if that day shall be a day of jurisdiction, and if not, on or before the next Wednesday thereafter,) then and there to intervene for the protection of such interest, or their defaults will be taken. And what you shall have done under this writ do you then and there make return thereon.

WITNESS, the Hon. OGDEN HOFFMAN, Judge of said Court, at San Francisco, in said District, this third day of October A. D., 1860.

W. H. Chevers,

CLERK.

The within Monition was received by me on Wednesday the third day of October 1860, and in obedience thereto I have given due notice, as therein commanded, by causing the publication of said notice, for three consecutive Wednesdays, in the San Francisco Herald, commencing on the Tenth day of October 1860; and for three consecutive Saturdays, in the Sonoma County Democrat a paper published nearest the land, commencing on the Sixth day of October 1860.

Dated San Francisco, October 24th 1860.

P. L. Solomon
U. S. Marshal.

Q

No. 13.

UNITED STATES DISTRICT COURT,
Northern District of California.
IN LAND CASES.

THE UNITED STATES.

v.

A. A. Ritchie et al.

MONITION.

Returnable October 24th 1860.

Issued October 3d. 1860.

Filed Oct. 24 1860.

W. H. Chevers
Clerk.

At a Stated Term of the DISTRICT COURT OF THE UNITED STATES OF AMERICA, for the Northern District of California, held at the Court Room, in the City of SAN FRANCISCO, on Friday the Thirtieth day of November in the year of our Lord one thousand eight hundred and ~~fifty~~ sixty.

Present:

The Honorable OGDEN HOFFMAN, District Judge.

The United States
v.
A. A. Ritchie, et al

No. 13 : L. C. 12.
"Guenoc."

And now at this day, on motion of Calhoun Benham, U. S. attorney, It is Ordered, that the United States have ten days additional time in which to file their exceptions to the official survey of the land finally confirmed in this case.

Ogden Hoffman
Dist Judge

13

UNITED STATES DISTRICT COURT,

Northern District of California.

The United States

vs.

A. A. Ritchie et al

Order extending time to file exceptions by U.S.

Filed November 30th 1860.

W. H. Chevers

CLERK.

CASE 13 ND

PAGE 151

By

DEPUTY.

Towne & Bacon, Printers, 125 Clay Street, corner Sansome.

CASE 13 ND
PAGE 152

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 Friday the Seventeenth day of April in the year of our Lord one thousand eight hundred and sixty-three.

Present:

The Honorable OGDEN HOFFMAN, District Judge.

The United States

v.

Archibald A Ritchie & Paul S. Forbes -

L. C. No: 12.

D. C. No: 13.

In the Matter of the Survey and Location of the Rancho "Guenoc"

This cause came on this day to be heard, and it appearing to the Court that the Official Survey in this cause was ordered into this Court on the third day of October 1860, on motion of the District Attorney, and that no exceptions have been filed to the same. It is now therefore, (the said District Attorney of the United States being in court and assenting thereto) ordered, adjudged and decreed and the Court doth order adjudge and decree that the said Official survey be and and the same is hereby approved as a true and correct survey of the said Rancho "Guenoc". The survey hereby approved contains Twenty one thousand Two hundred and Twenty $\frac{03}{100}$ ($21.220\frac{03}{100}$) acres of land, and is the same made by William Denton Deputy Surveyor in June 1857 a plat of which was filed in the Clerks Office of this Court "October 29th 1860, which said plat is hereunto annexed as a part of this decree, marked "Approved April 17th 1863. Ogden Hoffman Dist: Judge".

Ogden Hoffman
U S Dist Judge

No. 13. NP

12 13d.

UNITED STATES DISTRICT COURT

Northern District of California.

The United States.

v.

Ritchie & Forbes.

Decree approving official survey.

Filed April 17, 1863.

W. H. Chevers,

Clerk.

Office of the Board of Commissioners,

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

CASE 13 ND
PAGE 154

San Francisco, Feby. 6th. 1854

John 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. 12 on the Docket of the said Board, wherein — Archibald A. Ritchie et al are, — the Claimant against the United States, for the place known by the name of "Guenoc" —

and request your receipt for the same.

I am, Respectfully,
Your Obt Servant,

Geo: Fisher
Sy'