

CASE NO.

78

NORTHERN DISTRICT

PART OF NAPA GRANT

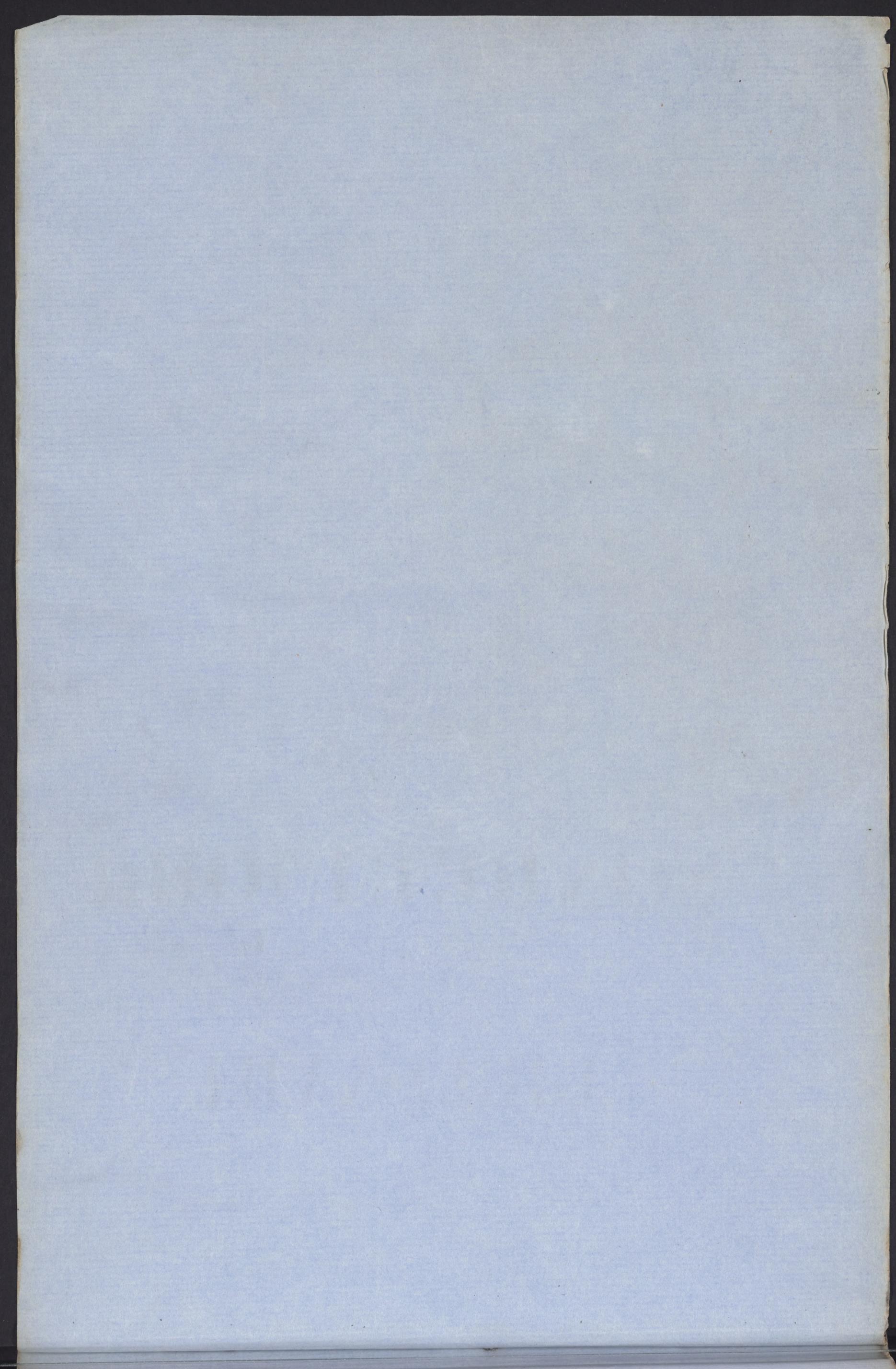
LILBURN W. BOGGS

CLAIMANT

LAND CASE 78 ND pgs. 68

U.S.
SECURITIES
COMMISSION
vs.
PENNSYLVANIA
POWER & LIGHT
COMPANY

500



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TRANSCRIPT
OF THE
PROCEEDINGS

IN CASE

NO. 500

William W. Boygs

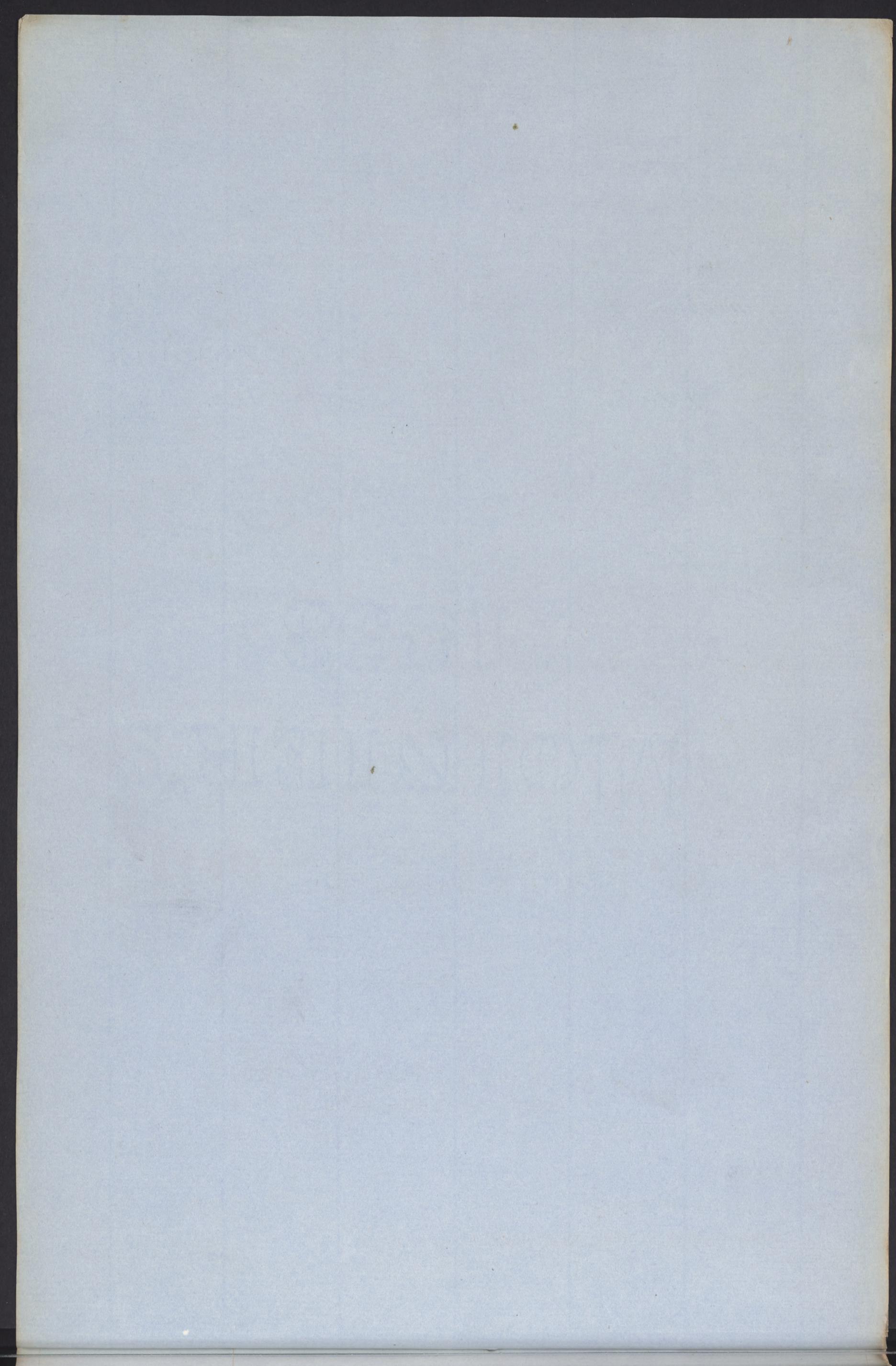
CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"Napa."



Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

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Be it Remembered, that on this twenty-eighth of December, 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 Petition of Gilburn W. Boggs
for the place named
"Napa"
was presented, and ordered to be filed and docketed with No. 500 and is as follows, to wit;

(Vide page 3 of this Transcript.)

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

San Francisco January 15th 1853.
In cause no. 500 Gilburn W. Boggs for part of the place named "Napa" the deposition of Jose de la Rosa, a witness in behalf of the claimant taken before Commissioner Harry J. Thornton, was given;

(Vide page 4 of this Transcript)

San Francisco September 10th 1853.
In the same cause the deposition of Geo. C. Young a witness in behalf of the claimant taken before Commissioner Thompson Campbell was given;

(Vide page 5 of this Transcript)

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San Francisco Sept. 13th 1853.
Case No. 500. Called; Submitted on Briefs
on both sides and taken under advisement
by the Board.

San Francisco Dec 7, 13th 1853.
In the same, ^{case} Commission Alphonse Fitch advised
the opinion of the Board confirming the
claim.
(See page 29 of this Manuscript)

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"Duplicata"

To the Honorable Commissioners to Settle Private Land Claims in California

Petition

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The Petitioners Leiburn W. Boggs, respectively represent: That on the 21st day of September A.D. 1838, Juan B. Alvarado, Governor of California, by virtue of authority in him vested, granted to Salvador Vallejo the tract of land called "Napa" situate in the present County of Napa, with the boundaries described in said grant and accompanying map, which grant was duly approved on the 23rd day of September 1838, and the land duly surveyed and the judicial possession of it given on the 8th day of February 1844; all of which is shown by the translation of said grant, approval, and act of survey and possession, submitted herewith and marked "A":

That on the 19th day of March A.D. 1843 said Salvador Vallejo and wife sold and conveyed to the petitioners 680 acres of the aforesaid tract of land, as more particularly shown by the deed of conveyance submitted herewith and marked "B";

That the petitioners and those under whom he holds have been for some fifteen years, and that the petitioners now is in the quiet, peaceful, and undisputed possession of said tract of lands;

That he knows of no conflicting claim;

That he relies for confirmation of title

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upon the original papers: translations of which are submitted herewith; upon the records & minutes in the archives of the former government now under the charge of the Surveyor General; and upon such other and further proofs as he may be advised are necessary:

Wherefore he prays the Commissioner to confirm to him the tract aforesaid tract of land 680 acres

By his Atts
Herrick Peachy & Billings

Filed in Office Decr. 28th 1853.

Geo: Fisher, Secy

Deposition
of José de la
Rosa

San Francisco Jan'y 15th 1853.
On this day before Comt: Harry J. Thornton,
came José de la Rosa, a witness in behalf
of the claimants Lelburn W. Boggs petition
No: 500- and was duly sworn his evidence
being interpreted by the Secretary.

My name is José de la Rosa; my age is
sixty one years; I reside in Sonoma and
have resided there twenty one years.

I know the Rancho called "Napa" in Napa
valley which was granted to Salvador Vallejo
in 1838. The Grantee first occupied
it in 1838 or 9; he built a house on it
and corrales, had cattle and horses on it,

500

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and cultivated portions of the land.
Since the Americans took possession
of the country he has sold portions of it
to various individuals.

I am acquainted with the signatures of
Juan B. Alvarado, Francisco Arellano,
Jacob P. Leese, Victor Prudon, Damaso
A. Rodrigues, Nasario Berryessa, and Rafael
Narvaez; their signatures to the document
before me marked No. 1 in 495, and pur-
porting to be the original title, approval,
and judicial possession, are genuine.

José de la Rosa

W.S. Land Agent present

Sworn to and subscribed before me

This 15th of January 1883,

Henry D. Thornton

Com. &c

Filed in Office Jan 15th 1883.

Geo. Fisher Sec.

Office of Commissioners of Lands
Claims in California

Deposition of
Asst. C. Young

This day before Com. Thompson Campbell
came George C. Young a witness in behalf
of claimant S.W. Boggs, No. 500, who
after being duly sworn testified as follows

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

My name is George C. Young, I am fifty

nine years of age, have lived in California about twenty two years, and reside in Napa Valley.

Do you know the tract of land claimed by Governor Boggs in this case?

I do. Known said tract of land, said land was occupied by Salvador Vallejo since the year 1837 or 1838 until the year after he was, when Governor Boggs purchased from him. Boggs soon after he made the purchase commenced making improvements, and has continued to occupy it up to the present time. The quantity of land purchased by Governor Boggs from Vallejo was six hundred and eighty acres. As Governor Boggs lived on it at this time.

Do you know the boundaries of said Rancho called Napa?

I do. Known its boundaries, lands bound on it on one side, the south side is bounded by lands of Nicolas Higuera, the North East side by Nap Creek, the side next Sonoma on the South West side is bounded by Cuñero Creek.

Is the tract of land claimed in this case by Governor Boggs included within the boundaries of the Napa Rancho as described by you?

It is embraced within said boundaries as I have described them.

Associate Land Agent present.

Asst. Gen. Count

Swear to & subscribed before me this 10th day of September A.D. 1853.

Thompson Campbell Comt.

Filed in Office
Sept 10' 1853,
Asst. Proctors, Sec.

Susgado 12

Exhibit No. 1.t

De Sonoma

The Dato: of José
de la Rosa in
Nº 2195.

Cooperdiente Instuido p^r mediu

No. 1.º y daw posecion de Cuatro Sitrios de Rancho

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Mayor En el Rancho de "Napa"

al Capitan. D. Salvador Vallejo.

Lebrero 8. de 1844.

Vestigos de Rosa:

{ D. Melchor Pineloy
D. Damaso Rodriguez

El Ciudadano Linen. B. Alvarado
Sefè polit. intimo de la Alta California

Por quanto D^r Salvador Gallego
ha pretendido para su beneficio personal
y el de su familia el tenerlo como cielo con el
nombre de Capa dentro de los linderos
del Diseno que acompaña a su solicitud
practicadas previamente las diligencias
y averiguaciones concernientes segun
lo dispuesto por las leyes y Reglamentos
de la materia usando de las facultades
que me son conferidas a nombre de la
Nacion Mexicana he venido en concederle
el terreno mencionado declarandole la
propiedad de El por las presentes Ratas
entendiendose dicha concesion con
entera conformidad a las leyes a reservar
de la Apruebaion o Desaprobacion de la
Exma. Diputacion y bajo las condiciones
sig^{tos}

1^a = El apacigado ni sus herederos podran
dividir ni clasificar el que se les adjudica
ni poner senso, vinculo fianza, hipoteca
ni otro preaviso aunque sea por causa
muerta ni pasarlo a manos muertas.

2^a = podran vender sin perjudicar las herencias
caminos y servidumbres; lo disputaran libre
y pacificamente demandando al uso y
cultivo que le acomode.

3^a = cuando se le conceda la propiedad
solicitada del puez Respectivo le de la
poseicion juridica en virtud de Cote despa-
cho, por el qual se demarcaran los linderos
y pondra sus mohones.

4^a = El terreno de que se hace donacion
comunamente el que se expresa en la

solicitud del interesado y se demande en el Diseno; y el Juez que lo posee no pasará aviso a este Gobm del numero de sitios que comprende.

En consecuencia mandó que sirviéndole de título el presente y teniendo por forma y baledero se le tome razón en el libro que corresponde y se entregue al interesado para su resguardo y demás fines comunitarios.

Sedado en Sta Barbara
a veinte y uno de Septiembre de mil Ocho
cientos treinta y Ocho.

Juan B. Alvarado
Queda tomada Razon en el Libro respectivo
Grener. G. Aree

S. J.
El Ciudadano Juan B. Alvarado, Jefe Polí-
tico interino de la Alta California.

La Cámara Asamblea Departamental
en Sesión de hoy ha acordado lo siguiente

De Apueba la conexión hecha
por el supz Gobierno del Departamento
en título librado con fecha veinte y uno del
corriente en favor del Ciudadano Salbaelor Valles
del Tenorio de Napa con enteras conformi-
dad con la Ley de 18 de Agosto de 1832
y el Art. 5º del Reglamento de 21 de
Noviembre de 1828.

Para Resguardo del
interesado lo hago así saber.

Sedado en Sta Barbara a veinte y tres
de Septiembre de mil Ocho cientos treinta
y Ocho. Juan B. Alvarado
Grener. G. Aree S. J.

{ Here follows
Map }

Dello Tercero Dos Reales:

Habilitado provincialmente por la Aduana
Marítima del puerto de Monterey, en el
Departamento de las Californias, para
los años de mil Ocho cientos cuarenta
y mil Ocho cientos cuarenta y uno.

Alvareado

Antonio María Osio

(sello) Rehabilitado por la misma, para
el año de mil Ocho cientos cuarenta
y dos.

Alvareado

Antonio María Osio

El que suscribe Secretario del Gabinete
del Departamento de las Californias
certifica qz. el Diseño que se demuestra
en el Pliego qz. se acompaña es exactamente
igual al Original que posee en la secretaría
Taria de mi cargo

Monterey julio de 1842

M. M. Jimeno.

Dello Cuarto Dos. Reales:

Habilitado provincialmente por las Aduanas
Marítimas del puerto de Monterey, en
el Departamento de las Californias, para
los años de mil Ocho cientos cuarenta
y cuatro y mil Ocho cientos cuarenta y
cinco.

Micheltorena

Pablo de la Guerra

(sello) S-Juez de 1^{er} nominacion

Salvador Vallejo, vecino de Esta jurisdic-
cion, dueño del Rancho de Napa como
mejor proceder de dho, ante Q. parezco y
dijo qd. como consta del Titulo que presenta
con la solemnidad y pram^p necesario
en mi dho rancho en el sitio depanado
menor dentro de los Linderos qd. espresa
otro titulo y p^r qd. en todo tiempo conste
hasta donde llegan otros linderos y si
me perjudican alg^o de los circumveinos
qyo a estos, suplico a Q. se sirva mandar
qd. procediendo los diligenc^es a costum-
bradas de identidad, lista de gos y q.
conveniente qd. se proceda con citacion
de los circumveinos a la medida
de mis otras tierras p^r en su efecto numero
desde ahora y p^r cuando el caso llegue
p^r medidor a paulino Vazquez vecino
de esta jurisdiccion intelli^p en esta
matena, y qd. los demas que fueren inter-
vados nombre p^r la otra oya otros medidores
y habiendo hecho asi, los qd. nombres
y el Referido paulino Vazquez p^r mi nom-
brado, aparezcan acepten y juzguen y en
su conformidad se proceda a otras
medidas.

P. O. A. Q. suplico que
haciendo p^r presentando otro documento
se sirva mandar hacer como llevo pedido
y qd. sea se me devuelvan otros docu-
mentos con las diligencias originales qd.
se hicieren p^r en guarda de mi derecho
este escrito y todo lo necesario et^c.

Sonoma Febrero 24. 1844.

Salvador Vallejo.

Lugado 1º de
Diciembre } En el pueblo de Sonoma
a los cuatro dias del mes
Diligencia de Lebre de mil Ocho cientos cuarenta y
la presentacion cuatro ante mi Jacobo P. Leese Alcalde
del Memorial de 1^{ra} nominacion de Esta jurisdiccion
se leyó la peticion ante edicto y vista la que
se presentada con el documento qd. Cope
sa y mendo qd. con citacion de los circun
vecinos se haga informacion de identidad
vista de Qdos y reconocimiento de otras
tienas a qd. Estoy pronto a asistir personal
mismo asi lo provei mande yfimé con los de
mi asst.

Jacob P. Leese

Ass't

Decanato

Rt. prudon

Dam. A. Rodriguez

En el Expresado pueblo a los
en los dias del mismo mes y año, yo el
Declaracion Referido Alcalde 1^{ra} con los de mi asistente
del 1º Oficio para proceder a la informacion de identidad
Nayario Beneyosa comparecer ante mi el Ciudadano

Nayario Beneyosa, vecino de Esta jurisdiccion
de Oficio Labrador y casado del qual
recibí su ambo qd. hizo p. D. y la señal
de la Cruz en forma, a cargo del qual
prometió decir verdad y siendo preguntado
por el conocimiento de las tierras y parajes
terminos y linderos pertenecientes al Rancho
de Napa: Dijo que hace diez años es vecino
de Esta jurisdiccion y sabe qd. las tierras
pertenece a otro Rancho son del Capitan
D. Salvador Valles, y tiene p. linderos al
N. C. el Rio de Napa, al S. el Ancho
de los Corneos al E. O. el del Rancho
de Ymiti y al. S. C. el de Nicolas

Hijueras, los cuales ha visto y reconocido
varias veces y qd. desde que las posee el
referido. D. Salvador Gallego, las ha la-
brado, cultivado, y han nacido en ellas
sus jardines, y p^a prueba de lo que tiene
dicho esta punti a vi a otras tierra.
Dicho cuarto Dos: Reales: Habilitado
provisionalme por la Aduana Marítima
del puerto de Monterey en el Departamento
de las Californias para los años de
mil Ocho Cientos Cuarenta y cuatro
y mil Ocho cientos cuarenta y cinco.
Micheltorena pablo de la Guerra
con el presto prez y señalarle
dicho los parajes, terminos y límites
donde llegan; y qd. lo qd. lleba dicho
eslo Verdader p^a el juicio q^e que tiene hecho
en qd. se aprimo y Ratifico; Declaro ser de
benvenida y seis años de edad, y no tocarle
las piales de la Ley. Firmo conmigo y lo de
Asistente.

Jacob. P. Lee
Masurio Berelles 
De asistencia assas
Dm: A. Rodriguez. Vict. Proudon

Dclaraeon de
2º Lestigo Rafael año yo el Referido Alcalde 1º hizí com-
Navaez - panecer ante mi y los de Asistente al Ciudad
Rafael Navaez Uceni de Esta periodico
de Oficio Labrador del qual Recibi ju-
ram^P en forma de decir Verdad y asecho
que p'mtado p^a el conocim^P de las tierras
y parajes terminos y límites pertenece p^a al
Remeho de Napa dijo; que hace seiscientos
es Uceni de Esta periodico y sabe qd. las
tierras pertenece p^a otro Remeho son del

On el mismo pueblo dia mes y
2º Lestigo Rafael año yo el Referido Alcalde 1º hizí com-
Navaez - panecer ante mi y los de Asistente al Ciudad
Rafael Navaez Uceni de Esta periodico
de Oficio Labrador del qual Recibi ju-
ram^P en forma de decir Verdad y asecho
que p'mtado p^a el conocim^P de las tierras
y parajes terminos y límites pertenece p^a al
Remeho de Napa dijo; que hace seiscientos
es Uceni de Esta periodico y sabe qd. las
tierras pertenece p^a otro Remeho son del

Capt^o D^r Salvador Valles y tiene p^rz
linderos; al N. C. el Río de Clapa, al
S. el Arroyo de Los Cameros al. N. O. el
del Rancho de Yunth y al S. C. el de
Nicolás Higuera, las cuales ha visto y
reconocido viendo veras y q^r de sede q^r
las posee el Referido D. Salvador Valles
los ha labrado, cultivado y han parido
en Ellas sus jardines y p^r muestra
de lo q^r tiene dicho. está montado a via
otras tierras con el presente piez y señala
carle los parajes, terminos y linderos
donde llegan y q^r lo q^r lleva dicho es la
Vedad p^r el pucm^P que tiene hecho
en q^r se aprimo y Ratificó. Declaro ser
de cuarenta y nueve años de edad
no tocarle las principales de la Ley y
Lacob. P. Leese # Rafael Vázquez
ass^r ass^r
Dm: A. Rodriguez Vct^r p^r don

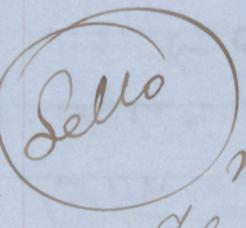
Act^r continuo, hizc comparecer
ante mi y los de mi Asist^r al Ciudadano
Felipe Gómez vecino de Esta jurisdicⁿ
del qual recibi pucm^P en forma de
decir Dicdado y siendo preguntado p^r q^r
conocimn^P de las tierras y parajes, terminos
y linderos pertene^r al Rancho de Clapa
dijo q^r hace cinco años habita en estas
fronteras y sabe que las tierras pertene^r a
otro Rancho son del Capt^r D. Salvador
Valles y tiene p^r linderos al. N. C. el Río
de Clapa al S. el Arroyo de los Cameros
al N. O. el del Rancho de Yunth y al
S. C. el de Nicolás Higuera, las cuales
ha visto y reconocido varias veces
y q^r de donde q^r las posee el referido D.

Salvador Valles, los ha labrado, cultivado
y han hecho en ellas sus jardines y pruebas
de lo q. tiene o no esta punto acordar
a otras tierras con el presto puez y señala
los parajes, terminos y linderos donde llegan
y q. lo q. lleva dicho es la Verdad p. el
jumento q. tiene hecho en q. se afirma
y Ratifies. Declaro ser de cincuenta y dos
años de edad y no tocarle las generales de
la Ley; y por no saber formar la firma seña
de Cruz de q. doy fe.

Jacob. P. Leese
a Eclipse Gomez, assen
Don. A. Rodriguez # N.º Prudon

Sello Cuarto Dos Reales:

Habilitado provincialmente por la Aduana
Maritima del Puerto de Monterey en el
Departamento de las Californias para
los años de mil Ocho cientos cuarenta y
cuatry mil Ocho cientos cuarenta y cinco
Micheltorena Pablo de la Sierra

 Sostiendo en el Campo, en el paraje
nombrado Arroyo de Clapaz, lindero
de Nicolas Higuera, el dia Cincos de
Febrero del presto año; y el Alcalde 1º ac-
tuando su recepcion con dos testigos de asisti-
Reconocimnt. p. falta de escubano publico; los testigos
p. mi examinados presto el Capo D.
Salvador Valles, dueño de dichas tierras
y G. C. George y unq. y Nicolas Higuera
colonos q. cincuenta años procedi a ver
y reconocer las tierras de otro Rancho y p.
maños claridad puest a Caballo en compa-
ñia de todas las partes y testigos referidos
mendi a los susodichos me señalaron

los peritos, terminos y linderos de ellos
según las señales que han de servir en
sus disposiciones y en su conformidad
siguieron al O. hasta llegar al Anexo de los
Cárneros, el que me mostraron y desde allí
mostraron el reconocimiento y Vista de otros
de otras tierras, nro N. O. hasta llegar
al Linderos del Rancho de Smith, camino
de arriba qd. Daspas el Rancho de Smith
desde donde me enseñaron una parte
de tierra inhacitable hasta llegar al
Linderos de Smith, desde donde tomando
rumbo N. N. E. llegamos al Río de Napo
abandonando dicho Río, rumbo O. C. llegamos
al Anexo de Napo el cual subimos
siguiendo el Río D. hasta encontarnos
en el mismo punto de donde se empezó el
reconocimiento y dijeron ser todos los términos
y linderos de las Comisionadas tierras perte-
necientes a D^r Salvador Dallejo, cuyos par-
yo el Repetido Alcalde 1^r vi y re conoci en
los de mi Asistencia testigos examinados
y papeles presentados y cotejado con estos
el referido reconocimiento ser ciertas la
identificación de las mencionadas tierras
según y como lo declararon otros testigos
y qd. qd. conste le paso p^r diligencia y lo fime
con los de mi asistencia y demás qd. opinion
de qd. doffé

Jacob P. Leese

Deas

Casanio Benelleas

Dam: A. Rhodriq. de assau Di^r Prudon assau

Rafael Navaez

Eclipe Gomez

Inmediatamente yo el Alcalde lo proceder
à las medidas contenidas en estos autos
Notificación siendo que se notifique a don D. Salvador
al interesado Valles dueño de los tierras p. q. ratifique
p. q. ratifique el nombramiento de medidor como asimismo
el nombramiento p. q. de acuerdo todos los colonizantes nombrados
de medidores p. q. sus penas el suyo habiendo de ser inteli-
gible en materia de medidas y los que fueron
nombrados, parezcan, acepten y juzguen
y hecho esto, estoy puesto a señalar dia para
otras medidas, así lo provea, mande y firme
con los de mi asesores

Lacob. P. Leese

Decans

Dam: A. Rodriguez

V. Prudon

En el mismo dia, meoyano yo el Alcalde
Ratificación de la lei y notifique el auto de uso segun
del nombramiento y como en él se contiene al Capo D. Salvador
de Medidores Valles, ya que los colonizantes en sus pen-
siones q. conozco, habiéndolo oido y entendido
dijeron (ello quanto dos Reales):

Habilitado provisionalmente por las Aduanas
marítimas 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.

Mieheltrena

Pablo de la Guerra

(lo) lo oyen, y el primero q. q. que ratifica
su nombramiento en el Cuidado Paulino

Nafquez y los segundos nombran a Gran-
cios. Higuera ambos intelligenientes y de ce-
lidad a quienes notifique parezcan
acepten, y juzguen y a consecuencia
se procederá a otras medidas como este
memorando y lo firmaron los que

superior ante mi y los de Ass^o de qd.
doy fe.

Jacob P. Leese

Paulino Vasquez +
Francisco Berellesa # Rafael Vazquez
Felipe Garcia + _____
Deass^o _____ Ass^o
Dm. A. Rockiff # D^o p'mclon

Immediatamente el referido Alcalde 1^o
ley y notificó el art. de su uso y nombramiento
de medicadores, a los C. C. Paulino Vasquez
Notificación y firmas de los vecinos de Esta Ju-
z^a a los medicos que en sus personas qd. conozco y habiendo
y por su parte oido y entendido dijeron qd. aceptaron el en-
cargo de medicos que se les confia
y jurem a Dios N. S. y la señal de Ca-
r. F. que usarán de su cuerpo fiel
y legalmente según su real saber y entender
y otras medidas las verifiquen con fide-
lidad y coactitud, como es de su obli-
gacion y a satisfaccion de todos los in-
teresados, y habiendo así respondido, lo
firmaron conmigo, y los de Ass^o de qd.
doy fe

Jacob P. Leese

Paulino Vasquez +
Deass^o _____ Ass^o
Dm. A. Rockiff # D^o p'mclon

Asignación
del dia de
las med^o

En seguida yo el Referido juez, habiendo
visto la aceptacion y juramento hecho por
los C. C. Paulino Vasquez y Francisco
Higuera nombrados p^os medicos
dijo qd. para proceder a otras medidas
asignaba y asigne el dia Ocho del mes
de octubre de la misma y qd. se

hego saber así a los mencionados mediadores, citandolo al efecto, tambien a los circumveinos colindantes así lo provei, mandé y firmé con los de mi Asist.

Jacob. P. Leese

Asist.

De ass.

D^r - pundon

Dam. A. Rhoehij^d

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Notifica en paulino Vasquez y Francisco Higuera del auto an y entendidos dijeron que se dem por estos dos, y lo firmaron con el pres^t- prez y los de Assit.

Jacob. P. Leese

paulino Vasquez. T.

De ass.

Dam. A. Rhoehij^d

ass.
D^r - pundon

Librar a P. de
Boletas de
comparando

En el mismo dia, me oyano se libraron boletas de comparando a los colindantes C. C. George Linnth y Nicolas Higuera para qd. enmendado comparezcan el dia citado y a la hora asignada en el mencionado Rancho de Napa y p^a con Oteneira, lo firmé con los de ass.

Jacob. P. Leese

Ass.

De asist.

D^r - pundon

Dam. A. Rhoehij^d

En el Rancho de Napa, a los Ocho
días del mes de Febrero de mil ochocientos
cuarenta y cuatro: presente el Capitan
D. Salvador Vallejo y en circumveinos a
otras tierras, hizq. comparecer ante mi

y los de mi asistente a los C. C. paulino Pas-
quez y Francisco Higuera, medidores nom-
brados a quienes mandé tomar en un cordel
de hilo y midiesen en cuenta varas con
vara de medir de cuatro palmos castellanos
y en efecto los referidos medidores en
mi presencia midieron en un cordel torcido
dicho cuarto Dos. Reales

Habili fado provincialmente por la Aduana
Marítima del puerto de Monterey en el
Departamento de las Californias para
los años de mil Ocho cientos cuarenta
y cuatro y mil Ocho cientos cuarenta y seis
micheltorenos pablo de la Sierra

y bien tirado con rota de medir castellanos
y Mepicena y sellada, el numero dicho
de cincuenta Varas. Lo q. verificaron
piel y legalmente a Vista y presencia de
interesados y circunve cinhos y p. q. conste
manalo se ponga p. diligencia y se proceda
a otras medidas como esta mandado
lo que certifico asi mismo, firmandolo con
los de mi as. =

Jacob. P. Leede

Aso^{as}

Pec. Ruidow

#

De asas

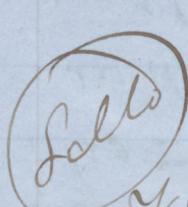
Dam. A. Rodriguez

Medida tomada en el Campo y tierras perti-
nentes al Rancho de Chapo, del Capr. D. Salva-
door Vallego, hoy dia Ocho de Febrero demil
Ochocientos cuarenta y cuatro y el Alcalde
12 de Costa jurisdic^{on} actuando p. recep-
toria con los testigos de asas p. falta de
Gobernacion publico presentes los C. C. paulino
Pazquez y Francisco Higuera, medidores
nombrados p. la parte interesada y colindantes
mandé proceder a la medida de cuatro

sitos de panelo Menor q. pose masome nos tienen y perteneen al Remcho dicho segun el titulo y diseno presentado en cuyo obedicim^{to} habremos vuelto a medir y reconoce el borde, dieron principio a otra medida empezando p^r el Ancho de Napa, linderio de Cheoles & Tiquera desde donde siguiendo Rumbo S. hasta llegar al paso de Abajo del Ancho de los Carreros se midieron ciento veinte cordeles de cincuenta Qaras que son seis mil Qaras. Alli levanto el interesado un Monton de piedra en señal de la Mohonera que pondria en Efecto, de este punto siguiendo la medida hacia al N. Q. p^r todo el ancho hasta el Camino de ambias q. va para Napa se contaron ciento veinte cordeles (seis mil Q^{as}) y puso el interesado la correspondiente señal p^r poner alli tambien la mohonera respectiva. Siguiendo el mismo Ancho N. Q. hasta el Camino de Arriba q. va p^r el Remcho de Yunth se encontraron noventa y dos cordeles (cincuenta mil seis cienas) Qaras y no pudiendo pasar a delante p^r sesenta y una semana intransitable se calculo a Vista de Ojo: hasta el linderio de Yunth, doscientos cordeles o diez mil Q^{as} donde asi mismo puso otra señal p^r poner otra mohonera y continuando hacia el N. Q. hasta el Rio de Napa se midieron sesenta y cinco cordeles (tres mil doscientos cincuenta Q^{as}) donde pondran qualche q. en las anteriores la correspondiente mohonera. Bajando el mismo Rio rumbo O. C. hasta el Ancho de Napa se midieron trescientas tres y medio cordeles, quince mil ciento

setenta y cinco D^o puso la señal de Mohonera y siquenlo el mismo año p^r umbo D. llegamos al punto de donde se dio principio a las medidas y se contaron en cuenta y dos Cordeles (dos mil seiscientas Varas) de manera quedando p^r concluida la medida del terreno q^d comprende el Rancho de Clapa resulta una circunferencia de cuarenta y siete mil seiscientas Varas y cincuenta D^o p^r menos de lo q^d corresponde a cuatro sitios de ganado menor y declararon los enunciados medidores estan enterado el Cap^r D. Salvador Valladares de las tierras que le corresponden segun el titulo y diseño que se hallan a la cabeza de este Esped^r. por todo lo cual y en señal de Verdadera posesion y ceremonia acostumbrada, ancianos piedras y cibas y otros p^r los cuatro Queritos en manifestacion de su legal y legitima posesion q^d tomo p^r si. En consecuencia mande q^d formas claridad de los linderos q^d vien especificados, traeire a su cortes y mencion mas mohoneras de piedra dello Lienzo Dos Reales:

Habilitado p^r su concierto por la Aduana menitriza 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.

Micheletoena pablos de los Guenes y cal, en Alto, de mas de varas p^r
 que en todo tiempo conste; reconozcan y queden p^r terminios y linderos de sus tierras p^r los demás circumveinos de ellos y de haberse ejecutado esta medida.

que tra y pacificam - sin contradiccion
de personas Alpinas. Lo pidió p^r testimonio
y yo el referido Alcalde 1º con los de mis
as^s o lo doy de haber pasado como dicho
es y q^r las expuestas medidas han sido
practicadas a todo el leal saberyentender
de los medidores y segun despusieron
sin dolo grande ni enemiso en contra de
ninguna persona y p^a mas seguridad
y ratificacion del pucim^t que tienen
hecho formacion conmigo y los de mis
as^s o de que doy fe.

Jacob. P. Leese

Paulini Qafquey +

D^cass =

Dam. St. Rodriguez.

Assw

V^o Prudon

En virtute de hallarse con el viudo este
Especht en q^r consta haberle dado pose
en jurisdiccion del Rancho nombrado Napo-
p^a la Entrer^a a distancia de cuatro leguas de este
del Especht al pueblo al cap^r D. Salvador Vallejo q^r la
Interesado tomó p^r si. Entreguese a la parte el Qui-
nal p^a los usos q^r le convengan con los
documentos que presenta. Cuidado pase
lo a P. Leese, Alcalde 1º de esta jurisdiccion
actuando p^r receptoria con dos testigos
de Ass^s o p^r falta de Escribano publico
asi lo provei manet y formé a doce de
Lebrero de mil ochenta y cuarenta y
cuatro.

Jacob. P. Leese

Assw

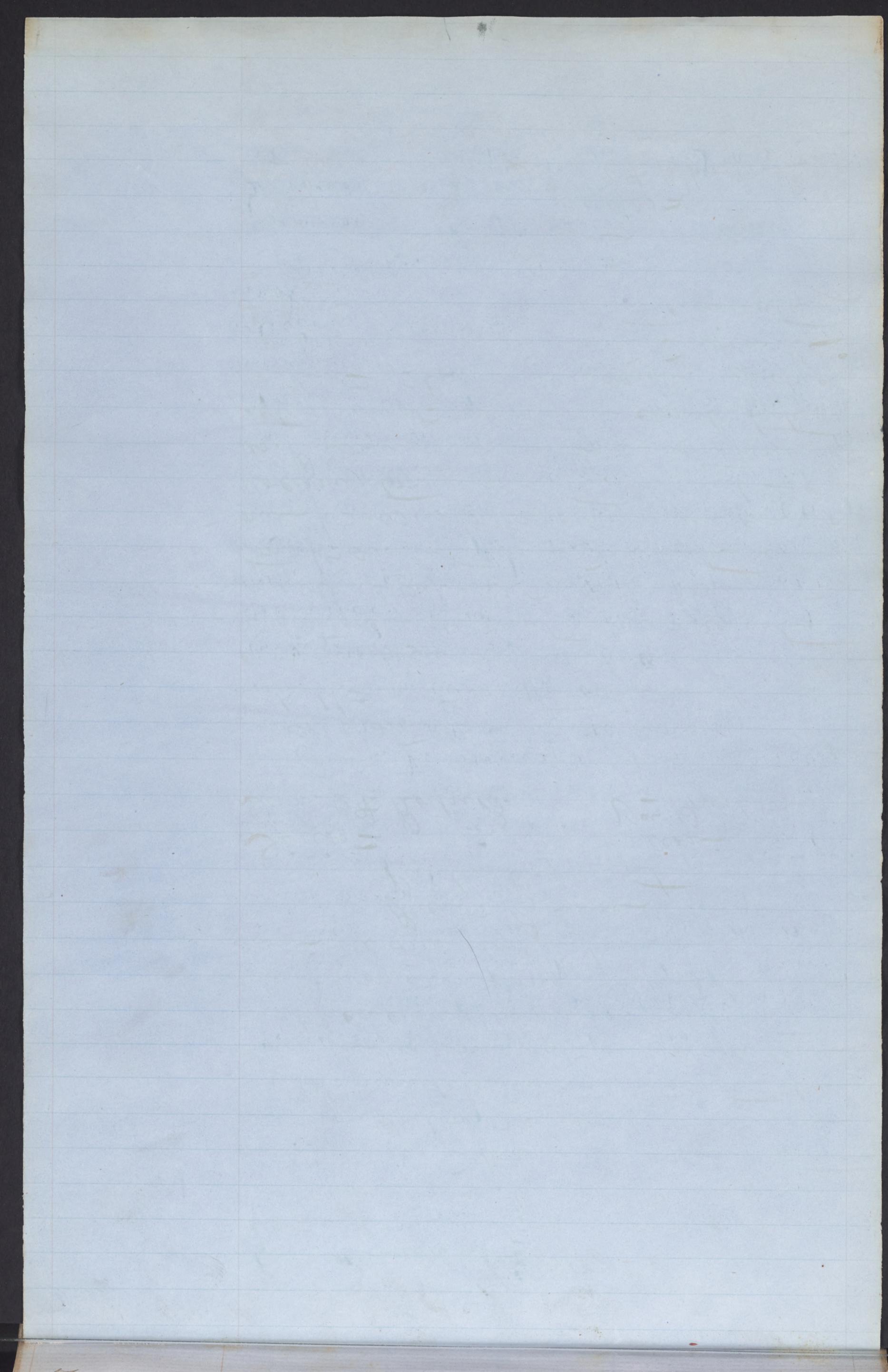
V^o Prudon

D^cass =

Dam. St. Rodriguez

Hecha m Oficio Dcez 21^o 1872

Geo. Fisher Sevy



3 Civil Government
of Upper California 3

Citizen Juan B Alvarado, Political chief
ad interim of Upper California

"A"
Translation of
Title and Juiv.
ical possession.

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Whereas Salvador Vallejo has, for his own personal benefit and that of his family, petitioned for the land known by the name of "Tapa", within the boundaries of the map which accompanies his petition, the proper measures being previously taken, as required by laws and regulations on the matter, using the powers which are conferred on me in the name of the Mexican Nation, I have granted him the aforesaid land, declaring to him the ownership of it by these presents, said grant being understood to be in entire conformity with the laws subject to the approval or disapproval of the Most Excellent Deputation, and under the following conditions;

1st Neither the grantee nor his heirs may divide or alienate that which is granted to them; subject it to any tax, entail, pledge, mortgage, or other encumbrance, even for religious purposes, or convey it in mortmain.

2nd He may enclose it without prejudice to the crossings, roads and servitudes; and enjoy it freely and exclusively, making such use and cultivation of it as may best suit him.

S

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3^d When the ownership is granted to him, he will request the proper Magistrate to give him the juridical possession, in virtue of this patent, by whom its boundaries will be marked out and its bounds placed.

4th The land of which donation is made is solely that described in the petition of the person interested, and marked out on the map - and the magistrate who may put him in possession will advise this Government of the number of square leagues it contains.

In consequence I order that this present serving him for a title, and being held as firm and valid, note be made of it in the corresponding book and it be delivered to the person interested for his security and other convenient purposes.

Given in Santa Barbara, on the 21st day of September, One thousand eight hundred and thirty eight.

(Signed) Juan B. Alvarado

Note has been made in the proper book

(Signed) Francisco Arce
Secretary ad interim

Citizen Juan B. Alvarado. Political Chief
ad interim of Upper California.

The Most Excellent Departmental Assembly
in session of this day has resolved as
follows:

"Approved the Grant made by the Superior
Government of the Department, in title issued
with date the twenty fifth inst. in favor
of citizen Salvador Vallejo, of the land of
Napa, in entire conformity with the land
of August 18th, 1832, and article 5th of
the Regulation of November 21st 1828."
And for the security of the person interested,
I thus make it known.

Given in Santa Barbara on the
Twenty third of September One thousand
eight hundred and thirty eight.

(Signed) Juan B. Alvarado
(Signed) Francisco Arce
Secretary ad interim.

Stamp Dorth Two Reales

Provisionally authorized by the Maritime
Custom House of the Port of Monterey in
the Department of the Californias. For
the years 1844 and 1845.

(Signed) Michel Rosen
{ Seal } (Signed) Pablo de la Gruena

To the Magistrate of 1st Nomination.

Salvador Vallejo, a resident of this juris-
diction, owner of the Rancho of Napa, as I
may best proceed in law, appear and say:
that as appears by the title which I
present with the necessary solemnity and
oath, I have in my said ranchos
four square leagues, within the limits

mentioned in said title, and that it may
in all time appear how far said title
its extend, and whether I prejudice
any of my neighbours or they me, I
pray you to have the goodness to order,
that after taking the customary measures
of identity, view, and examination, &c
the measurement of my said lands
be proceeded to, the Colindantes being
summoned; for which purpose I app:
oint measurer, now and for when the
time may arrive, Paulino Vesques, a
resident of this jurisdiction and skilfull
in this matter, and let the other persons
who may be interested, appoint another
measurer on their part, and, this
being done let those they may appoint
and the said Paulino Vesques by me
appointed, appear, accept, and take
the oath, and in conformity therewith
proceed to said measurements.

Wherefore I pray you that, admitting
this document, you will be pleased
to orders that to be done which I have
asked, and, being finished, that said
documents may be returned to me with
the original official acts which may be
made, for the security of my rights, this
petition, and whatever else may be
necessary. etc

Sonoma February 4th 1844.

(Signed) Salvador Vallejo.

First Court
of Sonoma

The presentation
of the memorial

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In the Pueblo of Sonoma on
the 4th day of the month of February one
thousand eight hundred & forty four,
before me, Jacob. P. Deese, Alcalde of
the nomination of this jurisdiction, the fore-
going petition was read, and having
been seen, I admitted it with the
document it refers to, and I order that,
summoning the Colindantes, information be
taken of identity, view and examination
of said lands, at which I am ready
to assist personally; I thus provide
ordered and signed with those of my
assistance.

Asstg witnesses

W. Pruden

Damaso A. Rodrigues

Jacob. P. Deese

Declaration
of 1st witness

In the aforesaid Pueblo, on the 5th day
of the same month and year, I, the afores-
aid 1st Alcalde with those of my assis-
tance, in order to proceed (to proceed)
to the information of identity, caused to
appear before me, Citizen Basilio Beneyon
a resident of this jurisdiction, by deputa-
tion a laborer, and married, of whom
I received an oath which he made
by God our Lord, and the sign of
the cross in due form, under which
he promised to speak the truth; and

being asked for the knowledge he may have of the lands, places, terminations, and boundaries, pertaining to the rancho of Tapa, he said that for ten years he has been a resident of this jurisdiction and knows that the lands pertaining to the rancho of Tapa are the property of the Captain Don Salvador Vallejo, and have for boundaries on the N. E. the river of Tapa; on the South the Arroyo de los Cuernos; North West the Rancho of Gunth; South East that of Nicolas Higuera; the which he has seen and examined on various occasions, and that since the said Don Salvador Vallejo has possessed them he has worked and cultivated them, and his cattle have pastured on them, and for the proof of that which he has said, he is ready to go to the said lands with the ^{present} magistrate, and point out to him the places terminations and boundaries, how far they extend; and that what he has said is the truth by the oath which he has taken made, which he affirms and ratifies. He declared that he was fifty six years of age, and that the legal exceptions do not affect him. He signed with me and those of assistants

Asstg Witnesses

Damaso A. Rodriguez Jacob P. Deese
Mr. Prudon. Masario Benetlesa.

Declaration of
2nd witness
Rafael Navas

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On the same day, month, and year, I,
the said P. Alcalde, caused to appear before me
and those of my assistance, citizen Rafael
Navas, a resident of this jurisdiction, by
occupation a laborer, of whom I received an
oath in due form to speak the truth, and
being asked for the knowledge which he has/
of the lands and places, terminations and
boundaries, pertaining to the Rancho of Napa,
he said; that for six years he has been a
resident of this jurisdiction and knows that
the lands pertaining to said rancho are of the
Captain Don Salvador Vallejo, and it has
for boundaries, on the North east the river
of Napa, on the South the Arroyo de los Curmenes,
on the North West that of the Rancho of
Gutierrez, and on the South east that of
Nicolás Higueras, all which he has seen and
examined several times, and that since
the said Don Salvador Vallejo has possessed
them, he has worked and cultivated them
and his cattle have pastured on them;
and for the proof of that which he has
said he is ready to go to the said lands
with the present Magistrate and point
out to him the terminations places and
boundaries, how far they extend; and
that what he has said is true by the
oath which he has made, which he
affirms and ratifies. He declared
that he was forty nine years of age
and that the legal exceptions do not
affect him &c

Assisting Witnesses
Damaso A. Rodriguez
Victor Prudon,

Jacob P. Geese
Ruf''l' Farways.

Declaration of
third witness
Felipe Gomez

In continuation, I caused to appear before me and those of my assistance, citizens Felipe Gomez, resident of this jurisdiction of whom I received oath, in form, to speak the truth, and being asked for his knowledge of the lands and places terminations and boundaries pertaining to the rancho of Tepa, he said: That he has lived on this frontier for five years, and knows that the lands pertaining to said rancho are of the Captain Don Salvador Vallejo, and it has for boundaries, on the N.E., the river of Tepa, S. the Arroyo de los Cañeros N.W. that of the Rancho of Yunth, and S.E. that of Nicolas Heignera, all of which he has seen and examined several times, and that since the said Don Salvador Vallejo has possessed them he has worked and cultivated them, and his cattle have pastured on them; and for the proof of that which he has said, he is ready to go to the said lands with the present magistrate, and point out to him the places, terminations and boundaries (of them) how far they extend; and that what he has said is true by the oath which he has made, which he affirmed and ratified.

He declared that he was fifty two

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years old, and that the legal exceptions
do not affect him, & not knowing how
to write, he made a sign of a cross, to
which I certify

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Assisting Witnesses Jacob S. Guse
Domingo A. Rodriguez Felipe Gomez t.
Victor Prudom.

Examination

Being in the fields in the place named Arroyo de Tapas the boundary of Nicolas Heigueras,
the Fifth day of February of the present
year, I, the 1st Alcalde, acting in virtue
of my office with two assisting witness-
es for want of a Notary Public, the
witnesses by me examined present day:
Lam Dow (Salvador Vallejo), owner of
said lands and George Gunth, and
Nicolas Heigueras, colindantes & neighbors,
I proceeded to see and examine the lands
of said Rancho; and, for greater clearness,
being on horse back in company with
all the parties and witnesses referred
to, I ordered the aforesaid (witnesses) to
point out to me the places termination
and boundaries of them, according to
the signs which they have declared in
their depositions and in conformity
therewith they led the way to the South
until they reached the Arroyo de las
Carmenes, which they showed me and
then continued the examination, and

view of said lands, north west to the boundary of the Rancho of Ynuth, the upper road, thence continuing N.W. following the same arroyo, we reached the upper road which goes to the rancho of Ynuth, from which place they pointed out some an impossible tract of land as far as the boundary of Ynuth, whence, taking the direction N.E. we reached the river of Tapa, and, going down said river course S.E. we reached the Arroyo of Tapa, which we ascended, following the direction west, until we found ourselves in the same point where the examination was commenced; and they said there were all the terminations and boundaries of the aforesaid lands pertaining to said Don Salvador Vallejo, which places I, the P^h Alcalde saw and examined with those of my assistance, the witnesses examined and papers presented; and the said examinations being compared with the latter, the identification of said lands proves to be certain, according to the declarations of said witnesses, and in testimony it was officially noted, and I signed it with those of my assistance, and others who knew how: I do which I certify

Asstg witnesses

Damaso A. Rodriguez
Victor Prudom

Jacob P. Geese
Nazarino Benellosa
Rafael Valverde
Felipe Gomez +

17
ratification
to the person
interested to rat-
ify the appointment
of measurers

Immediately I, the P.^o. Alcalde in order to proceed to the measurements referred to in these acts ordered that said Don Salvador Vallejo, owner of the lands, be notified to ratify the appointment of measurers, and also that the Colindantes, by common consent, appoint theirs on their part, they having to be skillful in matters of measurements, and that those who may be appointed appear, accept, and take oath, and this being done, I am ready to appoint a day for said measurements. I this provided, ordered and signed with those of my assistance.

Assisting witnesses,

Damaso A. Rodriguez Jacob. P. Louse
Victor Prudon.

Ratification
of the appoint-
ment of measurers

On the same day, month and year, I, the P.^o. Alcalde, read and made known the act referring to them, as it there appears, to Captain Don Salvador Vallejo, and his Colindantes in their persons which I know, and having heard and understood it, they said that they heard it, and the first said; that he ratifies his appointment of Citizen Paulino Desques, and the latter appoint Francisco Hignera, both skillful and legally appointed, whom I notified to appear, accept and take the oath, and in consequence proceeded to said measurements, as is ordered, and those signed it with me who knew how;

P

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before me, and those of assistance to which
I certify.

Assisting Witnesses Jacob P. Leuse
Damaso A. Rodriguez Paulino Vezquez
Victor Prudon, Basario Benellusa
Rafael Marvay
Felipe Isomay.

ratification to
the measurers
and their oath

Immediately I, the aforesaid P. Alcalde read
and notified the act referring to them and
their appointment to citizens Paulino Vezquez
and Francisco Heigera, residents of this
jurisdiction in their persons, which I know,
and having heard and understood it, they
said that they accept the office of meas-
urers, which is entrusted to them, and
they make oath by God our Lord, and the
sign of the Holy Cross, that they will
use their office faithfully and legally, to
the best of their knowledge and understand-
ing, and will verify said measure-
ments with fidelity and exactness, as
is their obligation and to the satisfaction
of all those interested; and having
thus replied they signed it with me and
those of my assistance, to which I certify.

Assisting Witnesses Jacob P. Leuse
Damaso A Rodriguez Paulino Vezquez +
Victor Prudon.

Designation of
the day for the
measurements

In continuation of the aforesaid magistrate,
having seen the acceptance and oath made
by citizens Paulino Vezquez, and Francisco

19

500

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Hignera, appointed measurers; I said that in order to proceed to said measurement I was designating & designating the eighth day of the present month, at eight o'clock in the morning, and that it be so made known to the ^{aid} measurers, also summoning for that purpose the neighbours bordering on him. I thus ordered provided and signed, with those of my assistant, Assisting witnesses

Damaso A. Rodriguez, Jacob P. Leese,
Victor Proudm.

On the same day, month, and year, with Issuing of ten summons were issued to citizens George written summons, Yunth and Nicolas Hignera, to appear on the day aforesaid and at the designated hour in the said rancho of Napa, and In testimony I signed it with those of my assistance.

Asssty witness Jacob. P. Leese
Damaso A. Rodriguez
Victor Proudm.

Measurement In the Rancho of Napa, on the 8th day of the month of February 1844, present Captain Don Salvador Vallejo, and the neighbours to said lands, I caused to appear before me, and those of my assistants, Citizens Paulino Desques, and Francisco Hignera, measurers appointed, whom I ordered to take a cordel of hemp, and measure off fifty varas, with a vara measure

28

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of four Castilian palms, and in effect
the said measures in my presence, mea-
sured off the aforesaid number of fifty
varas, on a cordel twisted, and well stretched,
with a stamped Mexican Castilian vara
measure, which was done faithfully
and legally in the sight and presence of the
party interested and neighbours; and in
testimony I order it to be recorded of-
ficially, and said measurements to be
proceeded to, as is ordered; which I
certify, also signing it with those of my
assistance.

Assisting Witnesses Jacob. P. Geese,
Damaso A. Rodrigues
Victor Prudom,

Measurement
of the Rancho

Being in the fields and lands pertaining
to the Rancho of Tapa, of the Captain
Don Salvador Vallejo, this 8th day of
February One thousand eight hundred
and forty four, I, the Alcalde of
this jurisdiction, acting in virtue of my
office with two assisting witnesses for
want of a Notary Public, present-
Citizens Paulino Resques, and Francisco
Hignera, measurers appointed by the
party interested and coindantes, I
ordered them to proceed to the measurement
of four square leagues, which, a little
more or less belong and pertain to the
Rancho aforesaid, according to the title
and map presented; in obedience to which,

21.

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having again measured and examined the cordel, they commenced said measurements beginning at the Arroyo of Tapa, boundary of Nicolas Higuera, from which place following a southerly direction to the lower pass of the Arroyo de los Cameros, they measured one hundred and twenty cordels of fifty varas each.

There the person interested raised a pile of stones as a sign for the landmark which he would place; from this point continuing the measurement towards the Arroyo to the upper road which goes to Tapa, one hundred and twenty cordels (six thousand varas) were counted, and the party interested placed the corresponding mark in order to fix there also the respective bound,

Following the same Arroyo N.W. to the upper road which goes to the Rancho of Yunth, ninety two cordels. (four thousand six hundred varas) were counted; and not being able to pass forward because it is an impassable mountain range, it was estimated by eye that there were two hundred cordels, (ten thousand varas) to the boundary of Yunth, where he placed another mark in order to place another bound; and continuing towards the N.E., to the river of Tapa, sixty five cordels, (three thousand two hundred and fifty varas) were measured where he

placed as in the former point the corresponding bounds, going down the same river course S.E. To the Arroyo of Napa, three hundred three and a half Cordels (fifteen thousand one hundred and seventy five varas) were measured; he placed the mark for a bound and following the same Arroyo we came to the point where the measurement was commenced and they counted fifty two cordelles (two thousand six hundred varas); so that considering as finished the measurement of the land included in the Rancho of Napa there results a boundary of (forty seven thousand six hundred and twenty five varas) a little ^{less} than that which corresponds to four square leagues; and the aforesaid measures declared that Captain Don Salvador Vallejo was informed of the lands which correspond to him, according to the title and map, which are found at the head of this Especial.

For all which and in sign of true possession and accustomed ceremonial, he pulled up grass and stones and threw to the four winds, in manifestation of his legal and legitimate possession which he personally took.

In consequence I ordered that for greater clearness of the boundaries which have been described, he should form, at his own cost and expense, bounds of masonry, in height

23

500

more than a vara, that in all time it may appear, let them be recognised and remain as limits and boundaries of his lands by the others neighbours thereto, and that that said measurements were executed quietly and peaceably (and) without contradiction of any person, he prayed for a testimony and I the aforesaid ^{P.} Alcalde with those of my assistance, give it, that all passed as has been said, and that said measurements have been executed to the best of the knowledge and understanding of the measurers, as they deposed, without craft, fraud or deceit against any person; and for greater security and the ratification of the oath which they have made, they signed with me and those of my assistance to which I certify.

Apt^t. Witnesses

Damaso A. Rodrigues

Victor Prudon

Jacob. P. Geese

Paulino Desques

Act of the
delivery of the
Espediente to
the person inter-
ested.

In view of this Expediente being finished, in which it appears that judicial possession of the Rancho named "Napa" distant four leagues from this Pueblo, has been given to ^{Captain} Don Salvador Vallejo, who looks it in person, let the original be delivered to the party for the uses he may find convenient, together with the documents which he presented.

I, Citizen Jacob P. Geese, ^{P.} Alcalde of this jurisdiction acting in virtue of my office with two assisting witnesses for want of a Notary Public, thus provided,

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ordered and signed, on the 12th February 1844,
Assisting witnesses.

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(sgd) Damaso I. Rodrigues
(") Victor Prudon (Signed) Jacob P. Geese.

Filed in Office Decr, 28' 1882

Geo. Fisher, Sec.

This Deed made and entered into this nine
teenth day of March in the year of our Lord
One thousand eight hundred and forty seven,
by and between Salvador Vallejo of the
first part and William W. Boggs of the
second part; in consideration

"B"
Conveyance
from Salvador
Vallejo to J.W.
Boggs
Witnesseth, That the said party of the
1st part first part for and in consideration
of the sum of four hundred Dollars,
two hundred Dollars of which to be paid
in hand and the residue to be paid in two
equal annual payments of one hundred dollars
the first payable in twelve months from
this date, and the second in twelve months
thereafter; Hath granted bargained
and sold and by these presents doth
hereby grant bargain and sell unto the
said party of the second part his heirs
and assigns forever two certain tracts
or parcels of land lying being and sit-
uate in the Territory of California,
North of the Bay of St Francisco

95

in Napa Valley. The first tract to contain one square mile or six hundred and forty acres bounded and described as follows;

Beginning at a point near the base of the Mountain on the west side of Napa Valley one half mile in a southerly direction from where a small branch or brook enters the Valley from the Mountains usually known as the place called the old Rhodose, thence running from the said point of beginning along a line parallel with the base of the Mountains in a northerly direction one mile, thence forming a right angle and running in an easterly direction one mile, thence making a right angle and running in a southerly direction one mile, thence making a right angle and running in a westerly direction one mile to the point of Beginning so as to form one square mile or six hundred and forty acres.

And the second tract to contain forty acres lying immediately west and adjoining the first mentioned tract where the small branch enters the same on its western line, thence running up the said branch or brook the length of twenty acres by two acres in breadth, the said brook passing as near as may be through the middle thereof so as to include the narrow strip of land and all the timber situated on each side of said branch.

To have and to hold the said granted and bargained premises with all the

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rights, privileges and appurtenances thereunto belonging or in any wise appertaining unto him the said party of the second part his heirs and assigns forever.

The said party of the 1st part hereby covenanting that (them) him (their) his heirs executors and administrators will warrant and forever defend the title to the said premises and every part thereof to him the said party of the second part his heirs and assigns against the lawful claims or claims of all and every person or persons whatsoever, claiming or to claim the same or any part thereof and that (they are) he is lawfully seized of an indefeasible estate in fee simple in the real estate hereby conveyed and have good right to sell and convey the same, and that the same is free from all incumbrances.

In testimony whereof the said party of the first part have hereunto set their hands and seals this day and year first herein written.

Salvador Vallejo

E.L.S

+ Lucy Canito de Vallejo

E.L.S

Signed and delivered in presence of

W. W. Scott

Dw. Hendley

Mrs. Vallejo

Witness to the signature of

13
500

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Personally appeared before me John H. Nash
an acting Justice of the Peace, in and for
the District of Sonoma, Salvador Vallejo,
who acknowledged that he signed and
sealed the foregoing deed on the day and
the year therein mentioned and for the
purposes therein set forth.

Given under my hand and seal
at Officer this 30th day of March A.D.
1845,

State of California
County of Sonoma

On this 31st day
of March A.D. 1851 before me the undersigned
County Clerk of Sonoma County, Personally
appeared Salvador Vallejo & Lucy Canillo
de Vallejo, wife of the said Salvador
Vallejo, who are personally known to
me to be the persons described in and
who executed the foregoing instrument,
and he the said Salvador acknowledged
that he executed the same freely and
voluntarily, for the uses and purpo-
ses therein mentioned, & she the said
Lucy Canillo de Vallejo wife of the said
Salvador, being examined by me separate
and apart and without the hearing of
her said husband, & being by me first
made acquainted with the contents thereof,
acknowledged that she executed the same
freely and voluntarily and without any
fear or compulsion or undue influence
of her said husband and that she did

29.

not wish to retract the execution of the same.

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Given under my hand and private
Seal there being no seal of Office yet
provided this day and date above men-
tioned.

John Hendley Clerk

Rec'd at Office March 30th, 1843, and recorded
on the following day in Book marked
"A" on pages No^o Q3, Q8.

John H. Nash I. P.
Fees for recording \$3 "

Filed for record April 18th A.D. 1851, at 15
minutes past 3 o'clock P.M. & recorded in Book
A, page 289, 290, & 291 - Archives of Mason
County.

M. H. N. Hendley Receivers
by C. M. Cannon Opty
Recording fees \$6.75

Filed in Office Decen 28th 1852,

Geo. Fisher Secy

29

100

Lilburn W. Boggs vs The United States }
 } For a Tract of land
 } containing 680 acres
 } part of the place
 } called "Napa" in Napa
 } County.

Ratkin

Opinion

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The Claimant alleges a grant of the Rancho called Napa to Salvador Vallejo on the 21st day of September 1838, which grant was approved by the Departmental Assembly on the 23rd day of the same month, and judicial possession thereof given to him on the 8th day of February 1844.

The Documentary evidence filed in case No. 495 annexed to the Deposition of José de la Rosa, admitted as proof in this case by a stipulation on file made by the Associate Land Agent and the Attorneys for the present claimants, fully substantiate these allegations. The Depositions

of said Rosa and George C. Young filed in this case show that said Vallejo occupied the premises from about the time the grant was made until the cession of the country when he made sales of portions of the land, and had stock, a house and corrales upon it, and cultivated the land.

The proof substantiates the right of Vallejo under his grant, and shows an interest in the premises which might be the subject of sale and conveyance to another.

The title of the present claimant is derived from said Vallejo to him by Deed dated

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March 19th 1847; The original deed duly acknowledged and recorded, is given as evidence. It establishes the title of the Claimant, and entitles him to a confirmation.

Confirmed,

Filed in Office Decr. 13th 1843.

Asst. Fisher Sec

Decree

Dalton W. Boggs
as
The United States

In this case on hearing the proofs and Allegations, it is adjudged by the Commission that the said claim of the Petitioners is valid, and it is therefore decreed that the same be confirmed.

The land of which confirmation is hereby made is a part of the place known by the name of Napa, in Napa County, which was granted to Salvador Valley by Governor Alvarado;

The premises hereby confirmed being bounded and described as follows: to wit, Beginning at a point near the base of the Mountain on the West side of Napa Valley one half mile in a southerly direction from where a small branch or Brook enters the valley from the mountains, usually known as the place called the old Rhodocare, thence running from the said point of beginning along a line parallel with the base, of

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the mountains in a northwesterly direction one mile, thence forming a right angle and running in an easterly direction one mile, thence making a right angle and running in a southerly direction one mile, thence making a right angle and running in a westerly direction one mile to the point of beginning, so as to form one square mile, or six hundred and forty acres, and also another tract to contain forty acres lying immediately west and adjoining that above described tract where the ~~said~~ branch enters the same on its western line, thence running up the said Branch or brook the length of twenty acres by two acres in breadth, the said brook passing as near as may be through the middle thereof, so as to include the narrow strip of land and all the timber situated on each side of said branch.

Alpheus Gilch
 Thompson Campbell
 R. Aug. Thompson
 Commissioners

Filed in Office Decr. 13th 1883,

Geo. Fisher Sec.

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Office of the Board of Commissioners,

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

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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 ~~Thirty-one~~ — pages, numbered from 1 to ~~31~~, 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. 500 on the Docket of the said Board, wherein Gilburn W. Boyce is

the Claimant against the United States, for the place known by the name of Napa

In Testimony Whereof, I hereunto set my hand and affix my private Seal (not having a Seal of Office) at San Francisco, California, this Twenty third day of August A. D. 1854, and of the Independence of the United States of America the seventy-eighth.

Geo: Fisher.
S. S.



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

No. 78 —

THE UNITED STATES,

Sikburn v. W. Boggs

TRANSCRIPT OF THE RECORD

FROM THE
BOARD OF U. S. LAND COMMISSIONERS,

In Case No. 566

Filed, August 23 1854

John A. Monroe.
W. H.

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Office of the Attorney General of the United States,

Washington, 30th November 1854.

Silburn W. Boggs }
vs. { 500.
The United States }

You will please take notice that in the above case, decided by the Commissioners to ascertain and settle private land claims in the State of California in favor of the claimant, and a transcript of the proceedings in which was received in this office on the 18th day of August 1854 the appeal in the district court of the United States for the Northern — district of California will be prosecuted by the United States.

Dearborn

Attorney General.

N^o. 78

U. S. District Court

Northern District

The United States

vs

Lilburn W. Boggs.

Rose

Appeal Notice.

Filed January 8, 1855,
John A. Monroe,
Aug 2nd Clerk

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

The United States {
Appellants }
Wm. W. B.
L. W. Boggs } No. 785

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
1st day of May 1834; ; that a notice
of appeal was filed on the 1st day of
May 1834, 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 &
I. W. Boggs
N. S. Dist Atty

No. 78
U.S. Dist. Court

The United States

v
A. W. Bogg's -

Petition

Filed Nov. 12, 1855.
J. Cheever
Deputy.

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Glazell

No 78

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

78 ND

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The United States, appellants } Transcript No 5000
vs.

L. W. Baggs, appellee. } Answer of appellee

Silburn W. Baggs, the appellee in the
above entitled cause, appears by his attorneys
and for answer to the petition of the United
States filed herein, says:

That his title to six hundred and eighty
acres of the Rancho or tract of land called
"Napa", as set forth and described in his
petition to the Board of Commissioners
and in the documentary and other evidence
filed in this case, is a good and valid
title. The land claimed is situated in the
Northern District of California and within
the jurisdiction of this court.

Wherefore he prays this honorable
court to affirm the decision of the Board
of Commissioners and to decree his title
to be valid.

Hallum Peachy & Billings
Atty for Appellee

No 78

United States Dist Court
Northern Dist of Cala.

The United States, appellant

L. W. Baggs, appellee

Answer of appellee

Filed Nov. 12, 1855,
J. Cheever
Deputy.

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Halluk Pecky & Billings
Atts for appellee

No 78.

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

The United States, Appellants } Part of Napa Rancho
vs. } 680 acres.
L. W. Boggs, Appellee } Transcript No 500.

Stated Term April 14th 1856.

On appeal from the final decision of the
Board of Commissioners to ascertain and
settle Private Land Claims in the State
of California.

Decree.

This cause came on to be heard at a
stated Term of the Court on appeal from
the final decision of the Board of
Commissioners to ascertain and settle the
Private Land Claims in the state of California
under the act of Congress approved on the 3^d
of March A.D. 1851, upon the Transcript of
the proceedings and decision of the said
Board of Commissioners and the papers
and evidence on which the said decision
was founded; and it appearing to the
Court that the said Transcript has
been duly filed according to law,
and counsel for the respective
parties having been heard; it is by the
Court hereby ordered, adjudged,
and decreed, that the said decision be
and the same is hereby in all things
affirmed; and it is likewise
further ordered, adjudged & decreed

that the claim of the appellee is a good
and valid claim, and that the said
claim be and the same is hereby
confirmed to the extent and quantity
of six hundred and eighty acres, being
the same land described in the original
grant and act of judicial Possession, and
in the deed of conveyance from original
grantee and wife to appellee, and
of which the possession was proved to
have been long enjoyed; Provided
that the said quantity of six hundred
and eighty acres as so conveyed to
appellee, be contained within the boundaries
~~of~~ called for in the said grant and
the map to which it refers; and if there
be less than that quantity within the
said boundaries, then we confirm to the
claimant that less quantity.

Ogden Hoffer Aet
N. S. Deaf Judge

No 78
In the U.S. Court of
the United States Appellants
vs.
L.W. Boggs, Appellee

Decree

Filed April 14. 1856.
W. H. Chivers
Deputy.

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At a Stated Term of the District Court of the
UNITED STATES OF AMERICA, for the Northern District of
California, held at the Court Room, in the City of SAN FRANCISCO,
on *Thursday* the *Second* day of
April in the year of our Lord one thousand
eight hundred and fifty-seven.

Present:

The Honorable OGDEN HOFFMAN, District Judge.

The United States }
v
S. W. Boggs }
} S.C. 78: L.C. 500.

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

On motion of the District
attorney it is Ordered adjudged and
decreed that claimant have leave to
proceed under the decree of this Court
heretofore rendered in his favor as under
Final Decree.

Ogden Hoffman
U.S. District Judge

United States District Court, Northern
District of California.

The United States

vs.

L. W. Boggs

ORDER.

vac appeal

Final Decree

Filed April 2^d 1857

John A. Monroe

CLERK.

By M. H. Chevez

DEPUTY.

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In the District Court of the U. S.
for the Northern Dist of Cala

The United States

L. W. Boggs

} D.C. 78; L.C. 500

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

San Francisco April 3rd, 1807

Wm. Blanding
Dist Atty
Hallen Peasey & Billings
Attys for Claimants

California Land Claims
Attorney General's Office
Feb 1857.

Sir.

In the case of the claim of
L. W. T. Poogs, confirmed to
the claimant by the Commiss-
ioner, Case no. Five hundred,
(500), Appeal will not be pro-
cured by the United States.

I am
Respectfully
Blanding

W^m Blanding Esq
U. S. Attorney,
San Francisco

78
500

U. S. District Court

The United States

L. W. Bogg

Stipulation

Filed April 2^d 1857
W. H. Oliver,
Deputy.

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Severance

The United States }
v.
Liltum v Bojego }

78 ND

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The claims in this case is for
a portion of the tract called
Napa originally granted to Sal
vador Dellejo by Governor Alvar
ado on the 21 September 1838

The claim was examined
by the Board and the case
was seen submitted to this
Court without argument or
the statement of any objection
on the part of the U. S.

The documentary and other evidence
shows that the original grant
was duly issued by the Governor
and approved the Departmental
Assembly on the 23rd September
1838 - Judicial possession of
the tract was given to the
grantee in 1844 but before that
time and at about the period
he obtained his grant he occupied
the land built a house upon
it and corralled & had cattle &
horses upon it - shortly after
the war the appellee purchased
of the original grantee the portion
now claimed - He immediately
commenced making improvements

and has continued to do
so until the present time

There seems to be no doubt
as to the validity of this
claim. Adequate confirmation
must therefore be entered.

78-

The U. S.

N

Boggs

Minion

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Office of the Board of Commissioners,

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

San Francisco, August 23 1854

John H. Munroe Esq.

Clerk of the U. S. District Court for the

Northern District of California.

Sir;

I herewith transmit you, pursuant to the requirements of the Act of Congress, approved August 31st, 1852, a Transcript of the Record of the Proceedings and of the Decision of this Board, of the Documentary Evidence and of the Testimony of the witnesses upon which the same is founded, in Case No. 500 on the Docket of the said Board, wherein

Lilburn W. Boggs - is the Claimant against the United States, for the place known by the name of Napa

and request your receipt for the same.

I am, Respectfully,

Your Obit Servant,

Geo: Fisher.

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