

CASE NO.

79

NORTHERN DISTRICT

PART OF NAPA GRANT

WILLIAM H. OSBORN

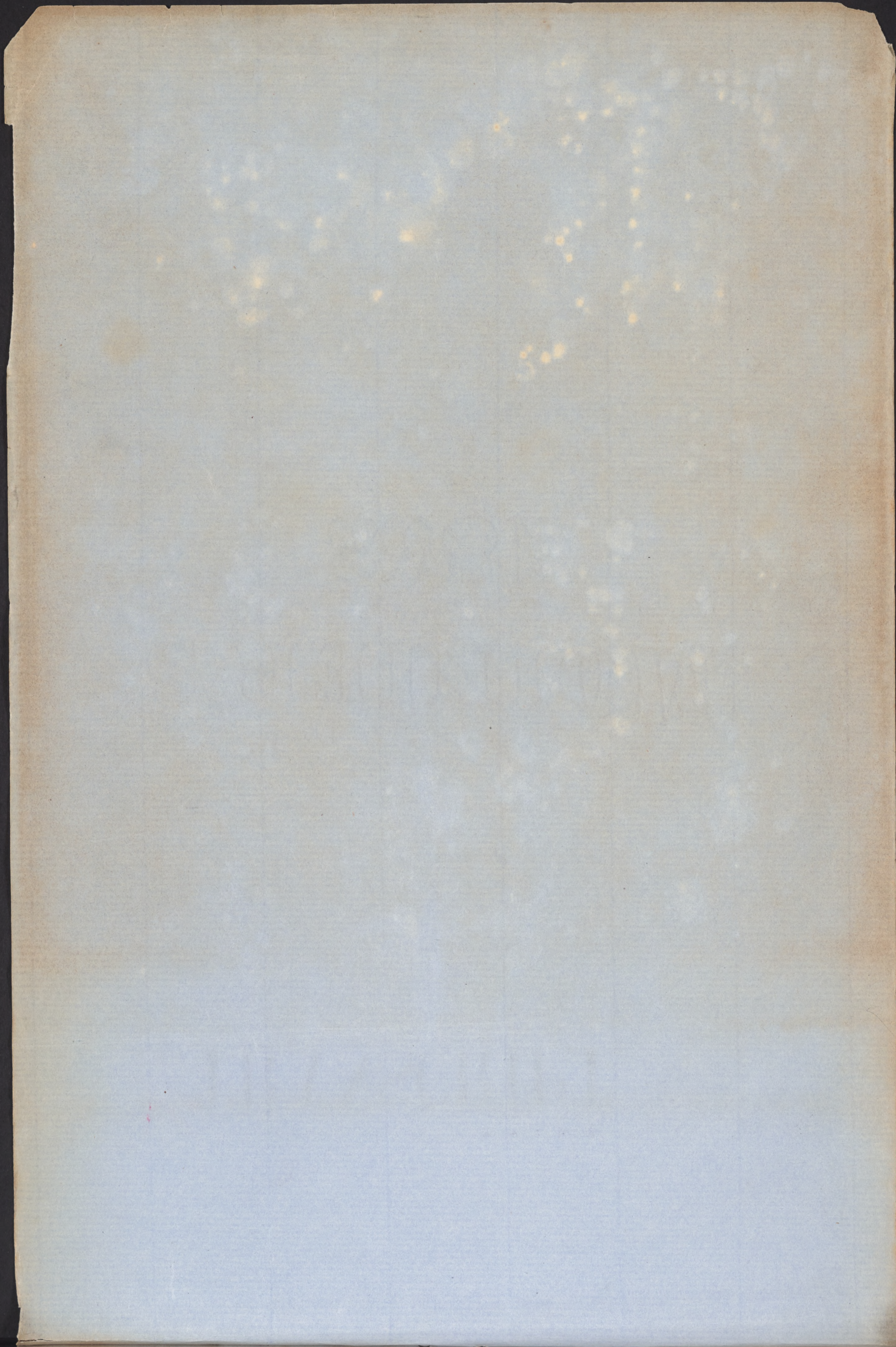
CLAIMANT

LAND CASE 79 ND pgs. 51

MAR 18 1963

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

733



TRANSCRIPT

OF THE

PROCEEDINGS

IN CASE

NO. 733

William H. Osborn

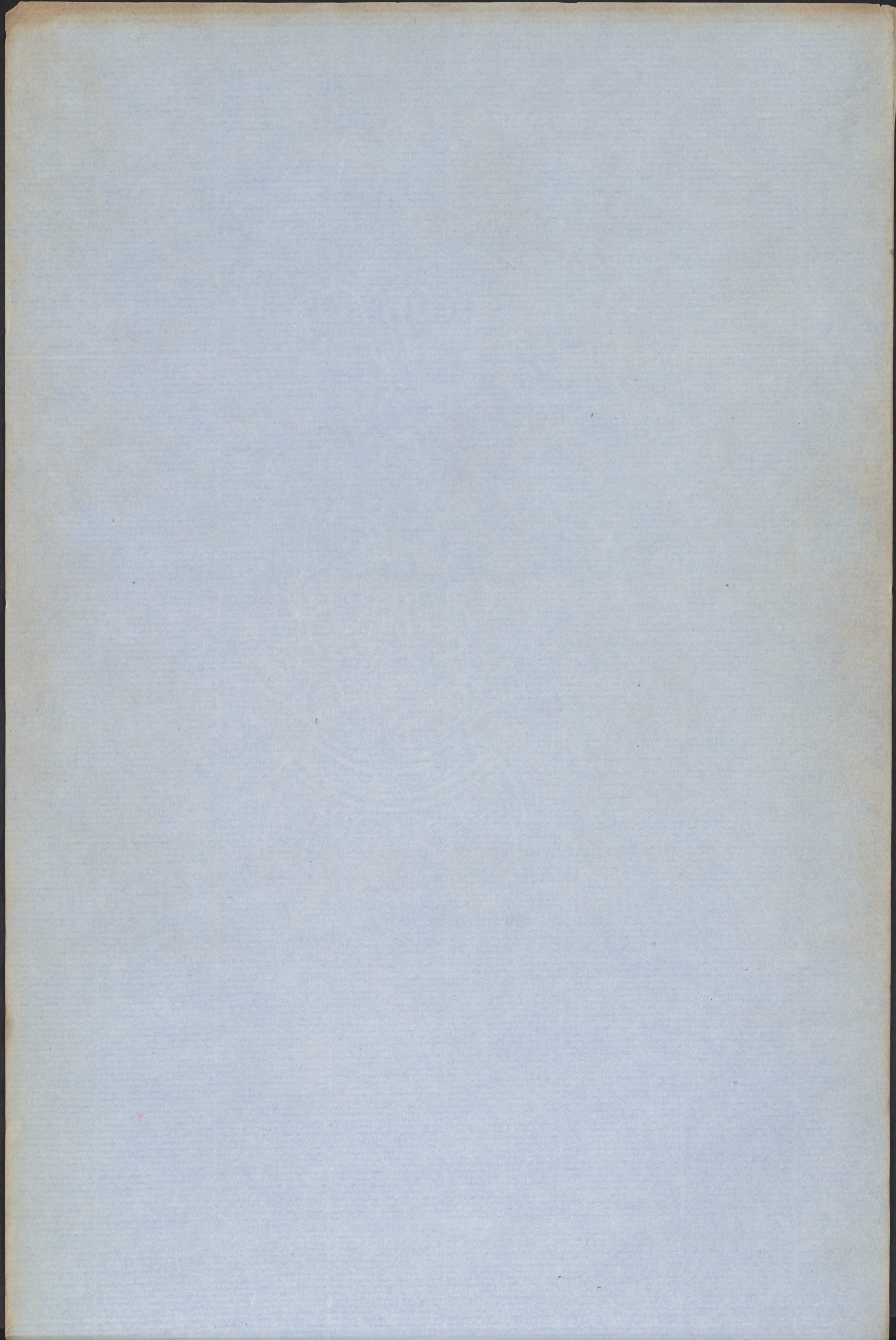
CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR ^{part of} 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 *second day of March*, Anno Domini One Thousand Eight Hundred and Fifty-*three*, before the Commissioners to ascertain and settle the Private Land Claims in the State of California, sitting as a Board in the City of San Francisco, in the State aforesaid, in the United States of America, the following Proceedings were had, to wit;

The Petition of *William N. Osborn*
for ^{part of} the Place named

"Napa"

was presented, and ordered to be filed and docketed with No. 733. 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 Sept. 13th 1853.

In case no. 733 William N. Osborn for part of the place named Napa the deposition of Em. A. d'Armentcourt, a witness in behalf of the claimant taken before Commissioner Alpheus Felch, was filed;

(Vide page *5* of this Transcript)

San Francisco Oct. 8th 1853.

In the same case the counsel filed the following Stipulation, to wit;

(Vide page *28* of this Transcript)

In the same case the counsel for the claimant filed a copy of the Power of Attorney from J. Vallejo and wife to Smithworth and persecout

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Authenticated by the Recorder of the County
of Napa, State of California, as evidence in
behalf of the claimant;

(Vide page _____ of this Transcript)

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San Francisco Oct. 25th 1853

In the same case the Counsel for the claimant
filed the following stipulation, to wit;

(Vide page 28 of this Transcript)

San Francisco Oct. 31st 1853.

Case No. 733 Called; Submitted on briefs
and taken under advisement by the Board.

San Francisco Dec^r 13th 1853.

In the same case Commissioner Phelps
Fitch delivered the opinion of the Board
confirming the claim;

(Vide page 29 of this Transcript)

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To the Honorable Commissioners to Settle
Private Land Claims in California

Petition

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The petition of William H. Osborn respectfully shows that on the 27th day of September A D 1850 Juan B. Alvarado Governor of California by virtue of authority in him vested granted to Salvador Vallis the tract of land called Napa with the boundaries described in the map, and title which Original grant map approval and act of June 1850 possess and as filed in claim No 495 and hereby referred to and made part of this petition transcripts of which are submitted herewith marked "A" That on the 27th day of May A D 1851 Salvador Vallis and wife conveyed to Allen Rich two hundred and fifty acres of said tract of land as is more particularly shown by the deed of conveyance from said Vallis and wife to said Rich a duly certified copy of which is submitted herewith marked "B" That on the 17th day of June A D 1851 the said Rich sold and conveyed the said two hundred and fifty acres to George W. Southwick and is more particularly shown by the deed of conveyance from said Rich to said Southwick a duly certified copy of which is submitted herewith marked "C" That on the 3rd day of October A D 1851 the said Southwick sold and conveyed the said two hundred and fifty acres of land to the petitioner as is more particularly shown by the deed of conveyance from the Southwick to the petitioner which is submitted herewith marked "D" That the petitioner and those under whom he holds has been for about fifteen years and the petitioner now is in the quiet possession and occupation of said tract of land wherefore he prays the Commissioners to confirm to him the said two hundred and fifty acres of land

By ^{my} atty
Halleck Puchy & Billings
Filed in Office March 2^o 1853
Geo. Fisher Secy

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Deposition of
E. A. D. Homecourt

Office of Commissioners of Land Claims in
California.

This day before Comr. Alpheus Felch came Em. A. D.
Homecourt a witness in behalf of claimant William
St Osborn No. 733. who after being duly sworn deposed
as follows.

Questions by Mr. Sulleck atty for claimant

1st Question - What is your name age and place of ^{residence}

Answer - My name is Emile A. D. Homecourt, my age
is about thirty ^{years} and I reside in Napa City in
California

2nd Question. What office (if any) do you hold in
Napa City, and how long have you held such Office
Answer - I hold the Office of County Surveyor and have
held it since the Month of April A. D. 1852.

3rd Question - Examine the papers here presented and
shown to you marked "D" with the initials A. F. and
and heretofore filed in ^{this} case purporting to be a
deed of Emancipation from G. M. Southwick to William
St Osborn and say if you know the Land described
in this deed and if you know whether or not it is
included within the general boundaries of the
judicial survey of the "Napa Rancho" as describ-
ed in Document marked "A" on file in claim
No. 495 in the Office of the Secretary of this Board

Answer

I know the land described in said deed and I
surveyed it. It is included within the general
boundaries of the judicial survey of the Napa Rancho
as mentioned in this interrogatory.

Em. A. D. Homecourt

Mr Greenhow associate Law agent
attended at the taking of this deposition
but pronounced no interrogatories to the
witness -

Subscribed and sworn to before me

Alpheus Felch

Commissioner

Filed in Office Sept 13. 1853

Geo. Fisher Secy

Deposition of
G. de Gunt

Office of the Board of Commissioners &c &c

This day before me Lem. Alpheus Felch came & gave
to Gunt a witness in behalf of the claimant, ~~See~~
R. Rose No. 732 who after being duly sworn deposes
as follows—

Questions by Mr Halleck Atty for Claimant
1 Question—What are your name age and place of
residence?

Answer—My name is George de Gunt my age is fifty
nine years and I resided in Napa County in California
Nev. I have lived in California ever since February
1831 and in Napa City since 1836

2 Question—Do you know the Rancho called Napa
granted to Salvador Vallejo if yes, what is it
situated?

Answer—I know the Rancho. It is bounded on the
North & North West by my Rancho, on which I live
on the East by Napa River on the South by Nicho
las Requena and on the West by Lamo Creeks.

It is in Napa County above mentioned

3^d Question—State what you know about the occu
pation of the Land?

Salvador Vallejo first occupied the it in 1837 or
1838. I am not positive which. He had horses
cattle and Corral upon it. He built an Adobe
House on it which he occupied with his family.
The house was built by him the same year that
he went there. He cultivated very largely. I suppose
from a few hundred acres was cultivated in
Wheat Corn barley beans and other Vegetables. He
continued to occupy it until after the Americans
took possession of the country. He had probably
four thousand head of cattle on it at that time

4 Question—Do you know whether he sold any of the
Land and if so to whom?

Answer—He has sold pretty much the whole Valley
He sold some of it to Mr Rose an attorney in San
Francisco, also some to Mr Osborn, Mr Bartlett
Captain Smeeth and Mr Nill. These persons now
occupy the land purchased by them. They are all
freed in and cultivated—George de Gunt

Subscribed and sworn to before me at San Francisco
this sixth day of October A.D. 1853.

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Mr Greenhow the Appointed Law Agent was present
at the taking of this deposition but propounded no
interrogatories to the witness.

Alpheus Felch
Commissary

It is hereby agreed between the Law Agent on the
part of the United States and the attorney for the
claimant that the foregoing deposition may be used
in evidence in claims Numbers 733 & 734 & 735 & 736

Robert Greenhow
Asst. Law Agent

I George Fisher Secretary of the United States Board of
Commissaries to ascertain and settle private land
claims in the State of California do hereby certify that
the foregoing is a full true and correct copy of a deposi-
tion taken in the above case and now on file among
the Archives of said Board and in my care & custody
as such Secretary

Witness my hand this 10th day of December 1853

Geo. Fisher Secy

Filed in Office Dec. 10 A.D. 1853

Geo. Fisher Secy

P

Civil Government
of Upper California

Citizen Juan B Alvarado Petitioner

Translation of
title approval &
Jud. possession

Chief and interim of Upper California:
Whereas Salvador Vallejo has for his own personal benefit
and that of his family petitioned for the lands known by
the name of Nopu within the boundaries of the map
which accompanied his petition the proper measures
being severally taken as required by laws and regula-
tions in the matter using the powers which are conferred
on me in the name of the Mexican Nation I have gran-
ted him the aforesaid land declaring to him the owner-
ship 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

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- 1st Neither the grantee nor his heirs may devise or alienate that which is granted to them, subject it, to any land estate pledge mortgage or other encumbrance even for pious purposes or employ it in matrimony
- 2^d He may enclose it without prejudice to the crops, vines, roads and servitudes; he will enjoy it freely and exclusively making such use and cultivation of it as may best suit him
- 3^d When the ownership is granted to him he will request the proper Magistrate to give him the judicial possession in virtue of his patent by whom the boundaries will be marked and its title placed
- 4th The lands of which donation is made is solely that described in the petition presented and marked out on the map, and the Magistrate who may put him in possession will advise this Government of the number of years he occupies it containing. In consequence I read that this present serving him as 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 Ace
Secretary and interim

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Citizen Juan B Alvarado Politec Chief and interim
 of Upper California.
 The most excellent Departmental Assembly in session
 of this day has resolved the following: Approve the grant
 made by the Superior Government of the Department in
 title of piece with date the 21st of Inst. in favor of Citizen
 Salvador Valles of the Lane of Napa in entire conformity
 with the Law 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 23rd of September one
 thousand eight hundred and thirty eight.
 Signed Juan B Alvarado
 (Signed) Francisco Ace Secretary Act interim

Stamp Fourth Two Reales

Provisionally authorized by the Maritime Custom house of the
 of the Port of Monterey in the Dept of the California for the
 years eighteen hundred and forty four and eighteen hun
 dred and forty five
 (Signed) Michelena (Signed) Pablo de los Rios

To the Magistrate of the 1st Mesa in
 Salvador Valley a resident of this jurisdiction owner of
 the Rancho of Napa, as best may proceed in Law, appear
 and say, that appears by the title which I present with the
 necessary solemnity and oath, I have in my said Rancho
 four square leagues within the limits mentioned in said
 title and that it may in all time appear how far said
 limits extend and whether I prejudice any of my neigh
 bors. As they are I pray you to have the goodness to order that
 after taking the customary measures of identity and
 examination of the measurements of my said lands to
 proceed to the Colindantes being determined, for which
 purpose I appoint measure now, and for when the time
 may arrive Pascual Vasquez a resident of this jurisdiction
 shall see in this matter, and let the other persons who may
 be interested appoint ^{another} measures on their part and this
 being done let those they may appoint and the said Pa
 scual Vasquez by me appointed appear accept and take the
 oath, and in conformity therewith proceed to said measure
 ments. Wherefore I pray you that admitting this docum
 ent you will be pleased to order that to be done which
 I have

asked, and being finished that said document may be returned to me with the original official acts that may be made, for the security of my right, this petition and what ever else may be necessary &c

Sonoma February 4. 1844 (Sga) Salvador Vallejo

Presentation of the Memorial

Just Court of Sonoma

In the town of Sonoma on the 4th day of the month of February 1844 before me Jacob P Lees Alcalde of first nomination of this jurisdiction, the foregoing petition was read and having been admitted it with the document it refers to and I read that summoning the Colonias, information be taken of identity, view, and examination of said lands at which I am ready to assist personally: It thus provided read and signed with those of my assistance. Aftg. Utefijos. (Sga) Jacob P Lees V. Precios. Dumaso Rodriguez

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Declaration of 1st Utefijos, Naves Berreyes

In the aforesaid town on the fifth day of the same month and year I the aforesaid 1st Alcalde with those of my assistance, in order to proceed to the information of identity caused to appear before me Utefijo Masario Berreyes a resident of this jurisdiction, by Reception a labour and manure of whom I received an oath which he made by God Our Law and the sign of the Cross in form, under which he promises to speak the truth and being asked for the knowledge (he may have) of the lands places terminations & boundaries pertaining to the Rancho of Naves he said; that for ten years he has been a resident of this jurisdiction and knows the lands pertaining to the Rancho of Naves are the property of the Captain Don Salvador Vallejo, and have for boundaries, on the NE the River of Naves, South the Arroyo de los Carneros, West the Rancho of Yunt, South East that of Nicolas Requena the which he has seen and examined on various occasions & that since the said Don Salvador Vallejo has possessed them he has taken 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 said lands with the present Magistrate, and point out to him the places terminations and boundaries and how far they extend, and that which he has said is true by the oath which he has made which he confirms and ratifies. He declared that he was fifty six years of age and that the legal

exceptions don't affect him. He signed with me and those
 of my assistance (Signed) Jacob P. Leese
 Assty. Witnesses " Rufino Bureyusa
 Dgo Damasio A. Rodriguez
 " V. Freedom

Declaration of 2nd
 Witness - Rafael
 Navarez

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In same day month and year I the said 1st Alcalde
 caused to appear before me and those of my assistance
 citizen Rafael Navarez a resident of this jurisdiction by
 occupation a laborer of whom I received an oath in form
 to speak the truth, and being asked for the knowledge
 (which he has) of the lands and lands terminations and
 boundaries pertaining to the Rancho of Napu, he said
 that he has for six years a residence of this jurisdiction
 and knows that the lands pertaining to said Rancho are
 of the Captain Don Salvador Vallejo and it has for bound-
 aries on the N.E. the river of Napu on the South the Arroyo
 de los Cameros, on the North West that of the Rancho of
 Yunt and on the South East that of Nicholas Segura
 all which he has seen and examined several times and
 that since the said Don Salvador Vallejo has possessed
 them ^{he marked & cultivated them} and his cattle have pasture on them, and for the
 proof of that which he has said, he is ready to go to said
 lands with the present Magistrate and point out to him
 the terminations places and boundaries, how far the extent
 of that which 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 apply to him &c.

Assty. Witnesses
 V. Freedom

Jacob P. Leese
 Raf. Navarez

Dam. A. Rodriguez

Declaration of
 3rd Witness Felipe
 Gomez

In continuation I caused to appear before me and those
 of my assistance citizen Felipe Gomez a resident of this juris-
 diction of whom I received an oath in due form to speak
 the truth, and being asked for his knowledge of the lands
 and places terminations and boundaries pertaining to the
 Rancho of Napu he said, that he has lived on this frontier
 for five years and knows that the lands pertaining to the
 said Rancho are of the Captain Don Salvador Vallejo, and it
 has for boundaries on the N.E. the river of Napu South the Arroyo
 of the Cameros N.W. that of the Rancho of Yunt and S.E. that
 of Nicholas Segura, the which he has seen and examined
 several times and that since the said Don Salvador Vallejo has
 possessed them he has marked and cultivated them and his

cuttle have pasture 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 and how far they extend, and thus what he has said is true by the oath which he has made which he affirmed and ratifies. He declared that he was fifty two years old and that the legal exceptions do not affect him and not knowing how to sign write he made a sign of the cross to which I testify

Jacob P. Reese
Felipe Gomez

Asistente Alcalde
Damaso A. Rodriguez

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Examination

Victor Paredes
Being in the fields in the place named Arroyo de Napas the boundary of Nicholas Requena the fifth day of February of the present year I the said Alcalde acting in virtue of my Office with two Asistentes Alcaides for some of my Notary Public, the Alcaides by me examined, present Captain Salvador Vallejo owner of said lands and Cateyus George Youth and Nicholas Requena Colonias neighbors 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 Alcaides referred to I ordered the ofice said (Alcaides) to point out to me the places, terminations 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 los Hornos which they showed me and thence continued the examination and view of said lands in direction North West to the boundary of the Rancho of Youth the upper course, thence continuing North West following the same Arroyo we reached the upper course which leads to the Rancho of Youth from which place they pointed out to me an impassable track of lands as far as the boundary of Youth whened taking the same line N N E we reached the Arroyo Napas once going down said river course I still reached the Arroyo of Napas, which we ascended following the direction West until we found ourselves in the same point where the examination was commenced and they said these were all the terminations and boundaries of the ofice said lands pertaining to Don Salvador Vallejo which places I the said Alcalde saw and examined with those of my Asistentes the Alcaides examined and the papers presented and the said examination being

being compared with the latter, the celebration of the
said lands proved to be certain according to the declara-
tions of said Alcatrazes and in testimony it was Officially
Noted and I signed it with those my assistance and
Others who knew how to. Which I certify -

Assting Alcatrazes
Don. A. Rodriguez
Victor Precioso -
Jacob P. Leese
Nasario Berreliso
Rafael Navares
Felipe Gomez +

Notification to the
person interested to
ratify the appoint-
ment of measurers

Immediately I the 1st 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 as also that all the Colonda-
ntes, by common consent appoint theirs on their part
they having to be skilful in matters of measurements
and those who may be appointed appear accept and
take Oath, on this being done I am ready to appoint
a day for said measurements. I thus provide and order
and signed with those of my assistance

Assting Alcatrazes
Don. A. Rodriguez
Victor Precioso
Jacob P. Leese

Ratification of
the Appointment
of measurers -

On the same day month and year I the 1st Alcalde
read and made known the act of referring to them
as it there appears, to Captain Salvador Vallejo and his
Colondantes, in their persons which I know and having
heard and understood it said that they heard it and the
first said that he accepts this appointment of Citizen
Paulino Vasquez, and the latter appoint Francisco Requ-
ies both skilful and legally appointed, whom I
notified to appear accept and take the Oath on in
consequence proceed to said measurements as is ordered
and thus signed it with me who knew how, before
me and assistance to which I certify

Assting Alcatrazes
Don. A. Rodriguez
Victor Precioso
Jacob P. Leese
Paulino Vasquez
Nasario Berreliso
Rafael Navares +

Notified to
the measurers +
their Oath

Immediately I the aforesaid 1st Alcalde read and made
known the act referring to them and their appointment
to Citizen Paulino Vasquez and Francisco Requies res-
idents of this jurisdiction in their persons which
I know and having heard and understood it they
said that they accept the office of measurers 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 know-
ledge and understanding and will verify said measurements
with fidelity and exactness as is their Obligation, and to
the Satisfaction of all those interested and having thus re-
solved they signed with me and those of assistance to which
I certify

Asstg. Alcalde
Don A. Rodriguez
Vicente Pineda

Jacob P. Leese
Paulino Vasquez

Designation of the
day for the
measurements

In continuation of the aforesaid Mayordomado having seen
the acceptance and oath made by Citizens Paulino Vasque-
z and Francisco Higueras appointed measurers I saw
that in order to proceed to said measurements I was design-
ating and I designated the eighth day of the present
month at eight o'clock in the morning and that it be
so made known to the said measurers also summoning
for that purpose the neighbors bounding on him I thus
ordered proceed and signed with those of my assistance

Asstg. Alcalde
Don A. Rodriguez
Vicente Pineda

Jacob P. Leese

Notification
of the foregoing
act

Immediately the foregoing act was made known to the
party interested, Captain Don Salvador Valles to the
measurers Paulino Vasquez and Francisco Higueras and
having understood they saw that they considered themselves
summoned and they signed with the present Mayordomado
and those of assistance

Asstg. Alcalde
Don A. Rodriguez
Vicente Pineda

Jacob P. Leese
Paulino Vasquez

Issuing of written
summons

On the same day month and year written summons
was issued to Citizens George Yunta and Nicholas Higue-
ras to appear on the day aforesaid and at the designated
hours in the said Rancho of Napo and in testimony
I sign with those of my assistance

Asstg. Alcalde
Don A. Rodriguez
Vicente Pineda

Jacob P. Leese

Measurement of
the land

In the Rancho of Napo on the eighth day of the month
of February eighteen hundred and forty four present
Captain Don Salvador Valles and the neighbors to see

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lanas, I caused to appear before me and those of my assistance Citizens Palleiro Vasquez and Francisco Herrera the measurers appointed, whom I ordered to take a Cade of Camp and measure off fifty varas with a vara measure of four Castilian palms, and in effect the said measurers in my presence measured off the aforesaid number of fifty varas in a Cade twelve and well stretched, which was done faithfully and legally in the sight and presence of the party and interested and neighbors and in testimony my I order it to be officially recorded and said measurements be proceeded to as is ordered which I certify, also signing it with those of my assistance.

Attesty I the Notary
 Don A. Rodriguez
 Vicario Pineda
 Jacobo P. Leese

Measurement of the Rancho

Being on the fields and lands pertaining to the Rancho of Napsu of the Captain Don Salvador Velez this 8 day of February Eighteen hundred and forty four I the 1st Alcalde of this Jurisdiction being in virtue of my Office with two assisting Notaries for the Court of a Notary Public present Citizens Palleiro Vasquez and Francisco Herrera, measurers appointed by the party interested and Colendants I released them to proceed to the measurement of four square leagues which a letter man a. l. p. belong and pertain to the Rancho of Napsu, according to the letter and map presented and ordered to which having agreed measurers and examined the Cade, they commenced said measurements, Beginning at the Arroyo of Napsu boundary of Nicolas Herrera, from which place following a South and direction to the lower part of the Arroyo de los Carreros, they measured one hundred and twenty cords of fifty varas each. Then the person interested caused a pole of stone as a sign of the bound which he would place, from this point continuing the measurement towards the N.W. along the Arroyo to the upper Coues which goes to Napsu one hundred and twenty cords (six thousand varas) were counted, and the party interested placed the corresponding mark in view to fix thus also the respective bound, following the same Arroyo N.W. to the upper Coues which goes to the Rancho of Napsu, ninety two cords (four thousand six hundred varas) were counted and not being able to pass forward because it is and impossible

Six hundred varas) were counted and not being able

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Mountain range, it was estimated by eye and there were two hundred Cables (ten thousand varas) to the boundary of Quentz when he also placed another mark to fix another bound, and continuing towards the NNE to the level of Napo sixty five cables (three thousand two hundred fifty varas) were measured where he placed as in the former points the corresponding bound. Going down the same level course SE to the Arroyo of Napo three hundred three and a half cables were measured (fifteen thousand one hundred and seventy two varas) he placed the mark for a bound, and following the same arroyo west we came to the point where the measurement should commence, and they counted fifty two cables (two thousand six hundred varas) so that considering as finished the measurement of the same enclosed in the Rancho of Napo this 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 measurer declared that he had seen Don Salvador Vellaz was informed of the same which corresponded to him according to the title and map which are found at the head of this Expediente. For all which and in sign of his possession, an accustomed ceremony, 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 added that for greater cleanness of the boundary which have been described he should form at his own cost and expense bounds of Masonry in height more than a varas, that in all times it may appear they be recognized and remain as limits and bounds of his Rancho by the others neighbors that to the aforesaid measurements were executed quietly and peaceably without contradiction of any person, he pray for a testimony and the aforesaid P^o 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 with craft and deceit against any person and for greater security and the ratification of the Oath

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which they have made, they signed with me and
those of my witnesses, to which I certify
Asst. Witnesses

Samuel A. Rodriguez
Victor Pineda

Jacob P. Lees
Paulino Vasquez

Act of the deliv-
ery of the Expedient
to the person
interested

In view of this Expedient being concluded in which
it appears, that I succeeded in possession of the Rancho
named Napa, distant four leagues from this Town
has been given to Captain Don Salvador Vallejo who
took 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. Lees Just Alcaide of this Jurisdiction
acting in virtue of my Office with two assisting witnesses
as full power of a Notary Public thus provided ordered
and signed on the twelfth of February 1844

Asst. Witnesses
Sam. A. Rodriguez (Signed) Jacob P. Lees
Victor Pineda

I certify the foregoing to be a correct translation
from the Original Spanish Document on file in
this Office in Case No

Filed in Office March 20 1853
Geo. Fisher Secy



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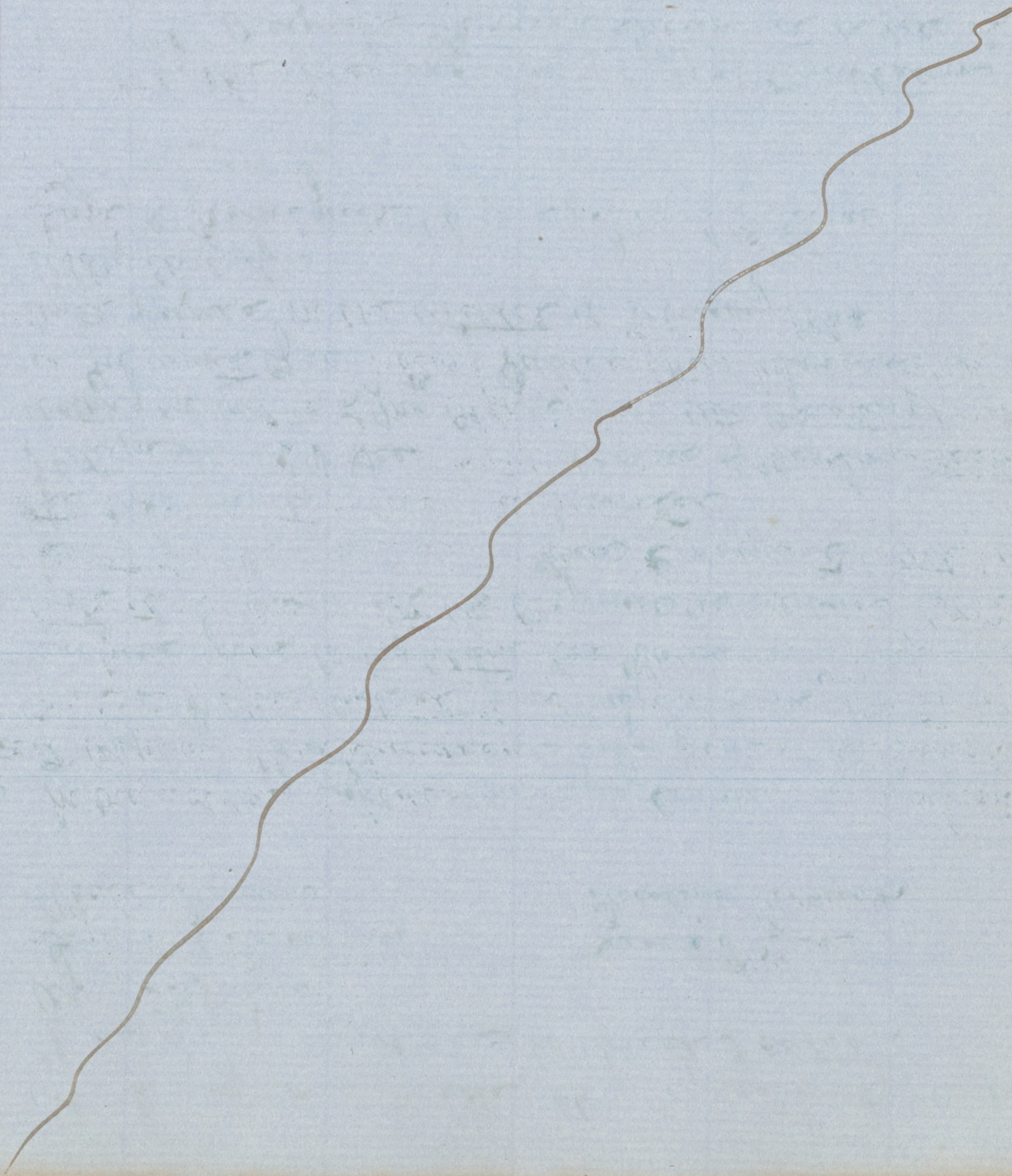
State of California }
County Napa } p

I H. H. Lawrence Recorder in and for the County
aforesaid do hereby certify that the fore
going is a true copy of an Original Deed now
on Record in this Office, said Deed being filed
for Record and Records in Book A page 329
Archives of Napa County

Given under my hand and official seal
at Office in Napa City this the 31st day of
March 1852 A.D.

H. H. Lawrence Recorder
By J. M. Edmonston Dep. Sec

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[Faint, illegible handwriting on lined paper]

Salvador Vallejo & Wife to W S Richer
Filed for Record June 5th A.D. 1851 at 10 O'clock A.M.

Conveyance of
Vallejo to W S
Richer

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This Indenture made the twenty seventh day of May
A.D. One thousand eight hundred and fifty one between
Salvador Vallejo and Maria Luz Carrillo his by then Agent
& Attorney G. M. Southwick & E. A. de Hemi court of the
County of Napa & State of California of the first
part & William S. Richer of the same place of the
second part & witness that the said party of the
first part for and in consideration of the sum of sixteen
hundred and sixty six dollars (\$1666). lawful money
of the United States to them in hand paid the day the
said party of the second part at & before the sealing
and delivery of these presents the receipt whereof is here
by acknowledged & confessed, hath granted bargained
sold aliened remised released conveyed & confirmed
& by these presents doth grant bargain sell alien remise
release convey and confirm unto the said party of
the second part & his heirs & assigns forever all
that certain piece or parcel of land lying and being
situate in the County of Napa and State of California
more known & described as follows, to wit, Comm
encing on Dry Creek at a point where it intersects
Harison's West Line & running thence along said line
South 22° 30' East 113 Chains & 11 Links, thence South 67°
30' West 34 Chains & 19 Links thence North 22° 30' West
14 Chains & 85 Links to Lovelands South East corner
thence along said Lovelands & McLooms Eastern line
North 12° 13' West 55 Chains to Dry Creek thence down
said Dry Creek to the place beginning containing in
all two hundred and forty acres more or less (240) togeth
er with all and singular the tenements hereditaments &
appurtenances thereto belonging or in anywise appertaining
and the Reversion or Reversions Remainder or Remainders
rents issues and profits thereof and also all the estate
rights title interest & property possession claim and
demand whatsoever as well in law as in Equity of
the of the said party of the first part of or in
to the same or any part and parcel thereof with the
appurtenances. To have and to hold the above granted
bargained and described premises with all the appur
tenances unto the said party of the second part his heirs
and assigns to his own proper use benefit & behoof.

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knows to have and to hold the fees granted premises
 unto the said wife of S Beecher his heirs and assigns
 know and the said Salvador Valles by his said attorneys
 Agents hereby covenants to hold the said Alexander
 S Beecher his heirs and assigns to warrant & defend from
 the title to the fees and sold tract of land from the
 several claims and demands of any person or persons
 whatever claiming or to claim the same and also the
 said Salvador Valles his said attorneys & Agents covenants
 and warrants to the said party of the second part that
 the said burgesses and sold premises are free from all
 incumbrances whatever, in witness whereof the said parties
 of the first part have hereunto set their hands & seals
 this day & date above written in the City of Napa & State
 of California -

Mr W. Calves }
 & Renault }
 Salvador Valles }
 Maria Luz Carullo }
 By G. M. Southwick }
 & Em. A. Belmont }

State of California }
 Napa County }
 Before me Wm Calves Notary
 Public in & for the County of
 said G. M. Southwick & Em. A. Belmont attorneys
 in fact of Salvador Valles & Maria Luz Carullo wife of
 the said Salvador Valles attorneys being personally known
 to me to be the persons who executed the foregoing instrument
 & who acknowledged that they executed the same freely and
 voluntarily for the purposes therein expressed, and upon
 the examination at the same time by me they further ack-
 nowledged that they hereby convey by the instrument aforesaid
 to the grantee thereof all the right of dower by the said Carullo
 to as her attorneys in fact this 2^d day of June AD 1851
 Given in my hand & seal this the day & year
 above written

Wm Calves }
 Notary Public }

Filed in office March 2^d 1853

Geo Fisher sig

Powers of Attorney

Salvador Vallis & wife to George W. Southwick Esq. & Home Court. Filed for Record May 2^d A.D. 1851 at C. DeLoe's P. M.

Know all men by these presents that we Salvador Vallis & Ma. Luz Carrillo his wife, of the County of Sonoma and State of California have constituted & appointed by these presents as Constituted and appointed by George W. Southwick & Esq. & Home Court of the County of Napa and State of California our true and lawful attorneys in fact for us in our names place & stead to enter into & take possession of all such lands tenements hereditaments real & personal estate whatever in the said County of Napa aforesaid which we are or may be entitled, or interested in & to grant bargain and sell the sum or any part or parcel thereof for such sum & sums & on such terms as to them shall seem proper & for us and in our names to execute acknowledge and deliver good & sufficient deeds & conveyances for the same or make sign and execute all such other instruments of writing as they may deem necessary & proper in carrying same intentions to let and demise any part or parcel of said property for the best rent that can be procured for the same to collect and receive all sums of money or goods wares stock produce and any full species of property that may be or may become ours. We do further empower and authorize our said Attorneys ^{to survey all lands lying in said County belonging to} do for us and in our name to do for us all things that we may lawfully do ourselves in and about the premises aforesaid and to all intents & purposes as we might do ourselves. But it is understood at the same that our said Attorneys shall not sell lease or underlease or in any way dispose of that part or portion of real estate belonging to the family of said Salvador Vallis & wife between the Bay fence & the Pueblo de Salvador Napa and except to have the care and great supervisions of the same as they & to have of all and singular of all of our property & offices in said County of Napa & it is understood and agreed that we will pay our said Attorneys ten percent

Powers of Attorney
from Vallis & wife
Southwick &
Home Court

79 ND

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for all sums of money or other pay that they may receive
for the sale of Lands or Tenes and a reasonable or usene
Compensation for all such other services they do or perform
for us hereby revoking all powers that may have been hereto
fore delegated to others, Conferring all our said business &
affairs in said County of Napa to these our said Attorneys
On Witness whereof we have hereunto set our hands and
Seals this 28th day of April A D 1851 at the City of Sonoma
State of California

Signed Sealed and Delivered
in presence of Witnesses
Fred. G. Keegan
John Hendley

Salvador Vallejo
Ma. Luz Carrillo

State of California
County of Sonoma

On this 28th day of April A D 1851
Before me the undersigned County
Clerk of the said County of Sonoma personally appeared
Salvador Vallejo & Ma. Luz Carrillo his wife who are person-
ally known to me, to be the persons who subscribed & executed
the foregoing instrument, who acknowledged that they
executed the same for the parties and particular purposes
therein mentioned and the said Ma. Luz Carrillo upon
being examined separate and apart from her husband
without the hearing of the same says that she signed
and executed the same freely and without any fear or
Compulsion of her said husband, and that she does not
wish to retract the execution of the same. Given under my
hand and private Seal this 28th day of April A D 1851
at the City of Sonoma State of California, there being no
Seal of Office

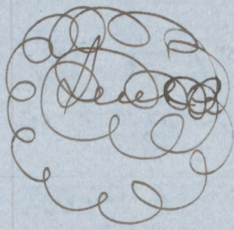
John Hendley
Clerk

State of California }
County of Napa }

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PAGE 23

I A. L. Watson County Recorder
in and for said Napa County hereby Certify that the
foregoing is a full true and correct copy of the record
of a power of Attorney from Salvador Valles and Mo
Luz Carrillo his wife to George W. Southwick and Em
A. A. Home come as recorded in Book A pages 303 & 304
in the records of said Napa County

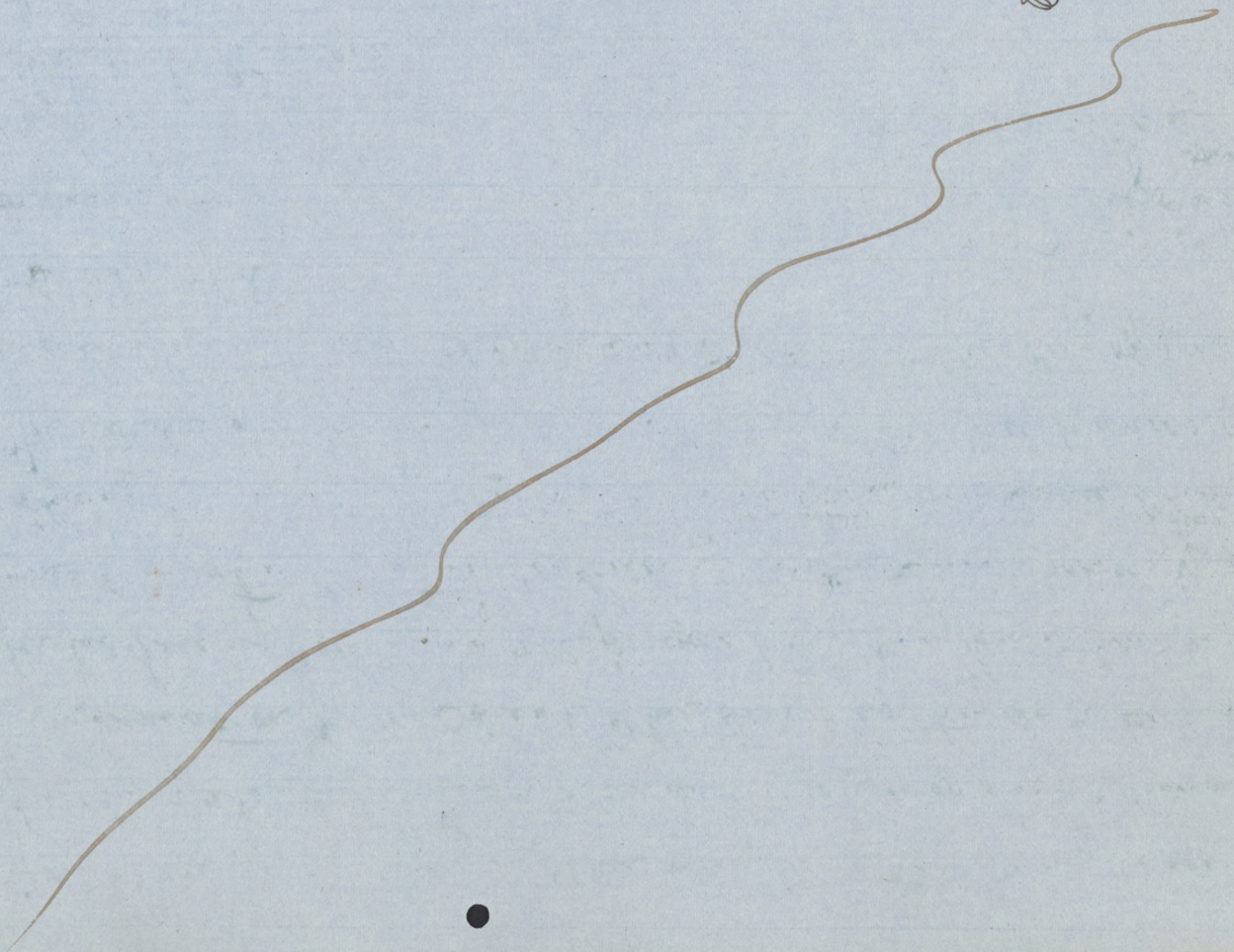
Witness my hand and Office Seal at Napa City
this 12th day of October A.D. 1853



A. L. Watson Recorder
By G. S. Coffinbury Dep. Recorder

Filed in Office Oct. 27th 1853

Geo. Fisher Sec'y



24

Deed from W S
Ricker to G M
Southwick

79 ND
PAGE 24

W. S. Ricker to G M Southwick Filed for Record June
18th 1851 at 6 o'clock P.M.

This indenture made this 17th day of June A.D. one thousand
eight hundred and fifty one between Winfield
S Ricker of the County of Napa and State of California
party of the first part and George M Southwick of the
same place party of the second part Witnesseth that
the said party of the first part in consideration of the
sum of seventeen hundred dollars to him in hand
paid the receipt whereof is hereby acknowledged and
confessed, hath granted bargained sold released alien-
ed and conveyed and by these presents doth grant bargain
sell release alienate and convey unto the said party of
the second part his heirs and assigns forever all that
certain piece or parcel of land lying and being situated
in the County of Napa and aforesaid known & described
as follows to wit: Commencing on Dry Creek at a point where
it is intersected by Hanson's Westline and running thence
along in the direction of said line South $22^{\circ} 30' E$ 113
Chains & 11 Links, thence South $67^{\circ} 30'$ 113 3/4 chains & 87
Links, thence North $12^{\circ} 15'$ 113 3/4 chains & 95 Links, to Dry
Creek thence down Dry Creek to the place of beginning
containing in all 250 acres more or less together with all
and singulars the hereof appertaining and appertaining there
to belonging or in anywise appertaining. To have and
to hold the aforesaid bargained and sold premises with
all the appertinances unto the said party of the second
part his heirs and assigns forever to his proper use benefit
and behoof. And the said party of the first part hereby
covenants to and with the said party of the second part
his heirs and assigns to warrant and defend forever the title
to the aforesaid tract of land from the lawful claims
or demand of any person or persons claiming or to claim
the same. In Witness whereof I have hereunto set my
hand and seal this day and date

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before written - in the City of Napa & State of California
Witness
W W Bealov
P D Bealey
W S Ricker

State of California
Napa County

Before me W W Bealov Notary Public
in and for said County personally came the within nam
ed Clarence S Ricker personally known to me to be
the person who executed the foregoing deed who acknow
ledges that he freely and voluntarily executed the same
for the uses and purposes therein expressed - this 18th
day of June A.D. 1851

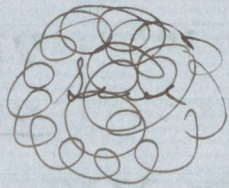
Given under my hand and private seal as I have not
been able to procure a notarial seal the day and year
above written

W W Bealov

Napa County, Ca.

J. H. H. Lawrence records in & for
the County agrees to hereby certify that the foregoing is
a true copy of the original deed now on record in this
office & recorded in Book "B" page 3 Archives of
Napa County -

Given under my hand & seal of office at ^{office} Napa
City this 31st day of March A.D. 1852



H. H. Lawrence
By Jn Edmonston
Dep Rec

Filed in office March 2nd 1853
Geo. Fisher Secy

Know all men by these presents that I George W...

20

Deed of conveyance
from S of M
Southwick to W
H. Osborn -

Know all men by these presents that I George M
Southwick of Napa Valley California in consideration
of two thousand five hundred dollars to me in
hand paid by William H Osborn of Lynn Mass
achusetts the receipt where of is hereby acknowledged I have
granted bargain sold and conveyed and by these pres
ents do grant bargain sell and convey unto the said
William H Osborn his heirs and assigns all that cert
ain lot piece or parcel of land situated lying and
being in the said Napa Valley and bounded and
described as follows: Commencing at an Oak tree
standing where the boundary line of Jacob McLomb's
land touches Dry Creek, thence running South twelve
degrees fifteen Minutes East ($12^{\circ} 15' E$) sixty nine chains
seventy one links (69.71) thence North sixty seven degrees
thirty minutes East ($N 67^{\circ} 30' E$) thirty six chains eighty sev
en links (36.87 ch) thence North twenty two degrees thirty
minutes West ($22^{\circ} 30' W$) one hundred and thirteen
chains and eleven links (113.11 C) to Dry Creek, thence
along said Creek following the meanders thereof to
the place of beginning containing two hundred and
fifty Acs, which said premises was conveyed to me
by M. S. Becker who derived the same from Salvador
Valley; Together with the tenements, here detachments &
appurtenances thereto belonging or in any wise apper
taining To have and to hold all and singular as the herein
before granted and described premises with the appur
tenances unto the said William H Osborn his heirs and
assigns to his and their sole use benefit and behoof
and the said G. M. Southwick for myself my heirs
executors and Administrators hereby Covenant and
agree to and ^{with} the said William H Osborn his heirs execu
tors Administrators and assigns that I am lawfully
seized of the aforesaid granted premises in fee simple
and that I have good right to sell and convey

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PAGE 26

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PAGE 27

the same in manner aforesaid and that I will and
my heirs Executors Administrators shall for and in defence
of the same to the said William St
Osborn his heirs and assigns against the lawful claims
and demands of all persons whomsoever. In witness
whereof I have hereunto set my hand and seal this
third day of October one thousand eight hundred
and fifty one

Sealed and delivered
in the presence of the
Witness "Containing two hundred
and fifty acres" being previously
entered

G. M. Southwick

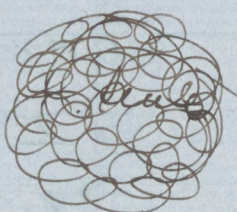
Julius K Rose

San Francisco
county

On this 3rd day of October A.D. 1851
Before me a Notary Public in and for the District
of San Francisco personally came G. M. Southwick
to me known to be the person described in and who
executed the foregoing deed, and acknowledged to
me that he executed the same for the purposes therein
mentioned.

Witness my hand and official seal

Julius K Rose
Notary Public



Filed in office March 2nd 1853

Filed for Record Oct. 5th A.D. 1851

at 9 o'clock A.M. recorded in Book B

Pages 58 & 59 archives Napo County

H H Lawrence Recorder
by J N. Anderson Dep Recorder

28

No 733

Stipulation

In the matter of the claim of William H Osborn to part of Napa Rancho.

It is hereby agreed by the Law Agent on the part of the United States and by the attys. for the claimant that the testimony of Jose de la Rosa taken and now on file in Case No 495. shall be received as testimony in this case

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PAGE 28

Holleck Peachy & Bellings

Attys for Claimant

Rob. Greenhow Asst Law Agent

Filed in Office October 25 1853 Geo. Fisher
Secy

733

Stipulation

Claim of W. H Osborn to 250 acres being a part of the Rancho called "Napa" granted to Salvador Vallejo

It is agreed between the Law Agent on the part of the United States and the attorneys for the claimant that the testimony of Jose de la Rosa taken and on file in Case No 500. shall be received in evidence in this case

Holleck Peachy & Bellings

Attys for Claimant

Robert Greenhow

Asst. Law Agent

Filed in Office October the 8th 1853

Geo. Fisher

Secy

[Faint, illegible handwriting throughout the page]

William St Osborn }
 as }
 The United States }
 } Tract of land containing
 } two hundred and fifty acres
 } called Napa in Napa County

Opinion

By a stipulation filed in the case the depositions of Jose de la Rosa taken and filed in cases No. 495 and No. 500 are to be received as evidence in this case -

By that deposition and the documentary evidence made a part of it it is shown that a grant of the Rancho of Napa was made by Governor Alvarado on the 21st day of December 1838 to Salvador Valles that the same was approved by the Departmental Assembly on the second day after its date and that the grantee was put into judicial possession of the premises on the 8th day of February 1844 when the proper measurement was made and boundaries defined, that the grantee occupied the land in 1838 or 1839, had cattle and corals on it, built a house on it and cultivated the land the evidence is sufficient to establish the right of Salvador Valles to the land under his grant and his power to convey to a third person. In order to deduce title in the portion of the land claimed by the present petitioner from Salvador Valles and establish a right in himself to a confirmation of it he has given in evidence certain copies from the office of the Recorder of Napa County of the following conveyances

First. A power of Attorney from Salvador Valles and wife to convey their lands in Sierra County given to George L. Southwick and E. A. de Vincourt dated April 28. 1851

Second. A deed of the premises described in the petition before the Commission given by Salvador Valles and wife through their said attorneys to William S. Rich dated May 27. 1851

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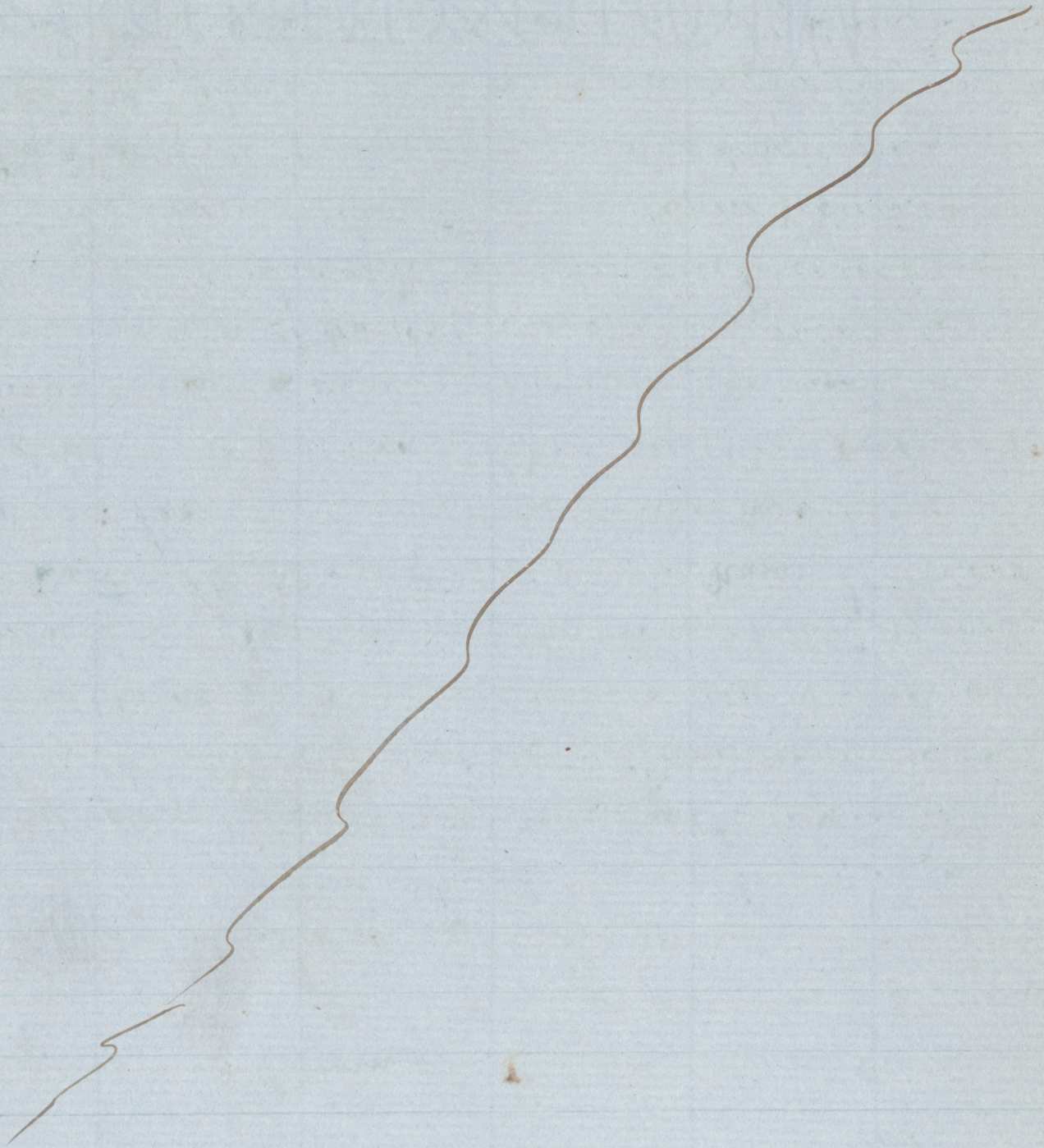
Third. A deed of the same premises made by said Recker to George M Southwick dated June 17th 1851 and Fourth. An original deed duly acknowledged & recorded executed by said George M Southwick conveying the same premises to William S Osborn, the claimant, bearing date October 3rd 1851

These Conveyances show the claimant to be entitled to the benefit of said Vullijp's property in the land in question, which is proved to be a part of the original Rancho of Napa.

Claim Confirmed

Filed in Office December 13th 1853

Geo. Fisher
Sur



31

William H Osborn
vs
The United States

In this case on hearing the proofs

Decree

and allegations, it is adjudged by the Commission that the said claim of the petitioner 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 Napes in Napes County which was granted by Salvador Vallejo by Governor Alvarado. The premises hereby confirmed being bounded and described as follows to wit:

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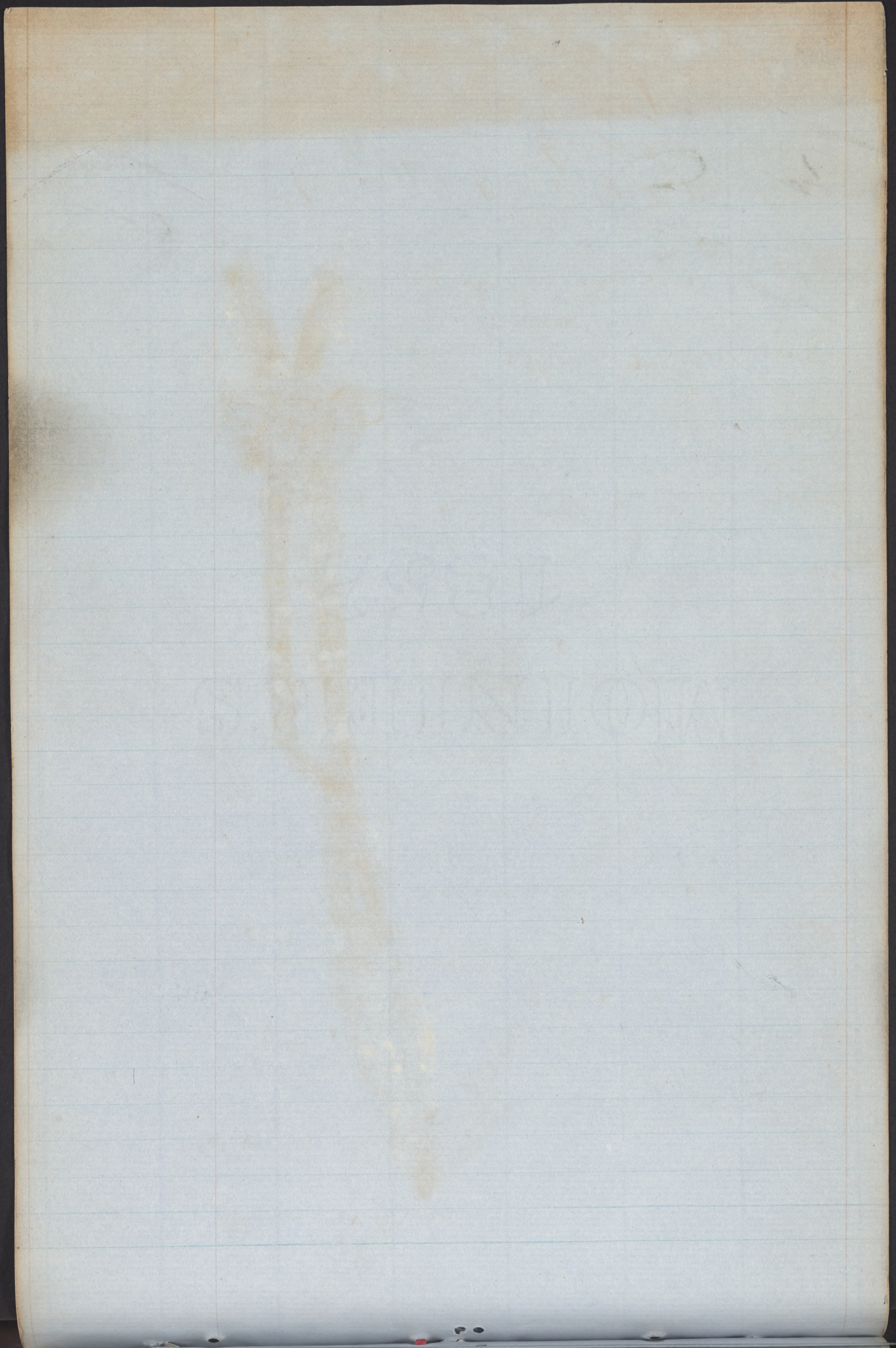
Commencing at an Oak tree standing where the barren clay line of Jacob McCombs' land touches Dry Creek thence running South twelve degrees fifteen minutes East ($S 12^{\circ} 15' E$) sixty nine chains twenty one Links (69.71 Ch) thence North sixty seven degrees thirty minutes East ($N 67^{\circ} 30' E$) thirty six chains eighty seven Links (36.87 Ch) thence North twenty two degrees thirty minutes West ($N 22^{\circ} 30' W$) one hundred and thirteen chains eleven Links (113.11 Ch) to Dry Creek. thence along said Creek following the meanderings thereof to the place of beginning containing two hundred and fifty acres of Land

Alpheus Felch
Thompson Campbell
R. Aug. Thompson

Commissioners

Tiled in office December 13th 1853

Geo. Lister
Secy



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. *733* on the Docket of the said Board, wherein *William H. Osborn* 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=*eightth*.

Geo. Fisher.



79
79
NID
U. S. DISTRICT COURT,
Northern District of California.

No. *79*

THE UNITED STATES,

vs.

William H. Osborne

TRANSCRIPT OF THE RECORD

FROM THE

BOARD OF U. S. LAND COMMISSIONERS,

In Case No. *733*.

No. 733
Filed, *August 23* 18*54*

John A. Morrow
Clk.

Office of the Attorney General of the United States,

Washington, 30th November 1854.

William H. Osborn

vs.

The United States

} 733.

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.

Cushing

Attorney General.

70.09
14.85
55.14

No 79

U. S. District Court

Northern District

The United States

v.

William H. Osburn

Appeal Notice

Filed July 8th 1855.

John A. Monroe,
Clerk

79

U. S. Dist Court

The United States

v

A. H. Osborne,

Petitioner

Filed Febry 12, 1857.

W. A. Cheever,

Deputy.

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Pending

United States District Court
Northern District of California

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United States

No 79

as
William A. Osborn

Stated Term March 2 1857

Decree

This Cause came on to be heard upon an appeal from the final decision and decree of the "Board of Commissioners to ascertain and settle private land claims in the State of California" organized under the act of Congress passed March 3 1857 and upon reading and filing the transcript of the records and proceedings of the said Board and the notice of Appeal Petition and Answer in this Court Counsel on the part of the Appellant and the Respondent having been heard, and due deliberation having been thereupon had now upon motion of the Counsel for the Respondent & Claimant It is ordered adjudged and decreed that the decision of the Board of Commissioners be and the same is hereby in all respects affirmed; and it is further ordered adjudged and decreed that the Title and Claim of the Respondents is confirmed to the tract of land situated in ~~San~~ Napa County being part of the place known by the name of Napa in said County, which was granted to Salvador Vallejo by Governor Alonzo - The land of which Confirmation is hereby made is bounded and described as follows: viz: Com =

- Moving at an oak tree standing where
the boundary line of Jacob McCoombs land
touches Dry Creek thence running South Twelve
degrees fifteen Minutes East ($S 12^{\circ} 15' E$) Sixty
Nine Chains Seventy one links (69.71 Ch) thence
North Sixty Seven degrees thirty Minutes East
($N 67^{\circ} 30' E$) thirty six Chains eighty seven links
(36.87 Ch) thence North Twenty two degrees thirty
Minutes West ($N 22^{\circ} 30' W$) One hundred thirteen
Chains eleven links (113.11 Ch) to Dry Creek thence
along said Creek following the meanderings
thereof to the place of beginning containing
two hundred fifty acres of land.

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John Hoffman
Notary Public

No. 79.
United States District Court
Northern District of California

United States

William H. Osborn

Deare.

Filed October 6, 1858,

W. H. Chivers,
Clerk

California Land Office.
Attorney General's Office
29 July, 1857.

Sir: In the case of the claim of
William H. Osborn, confirmed to the
claimant by the Commissioner, case
no. seven hundred and thirty-three,
(733), appeal will not be protecu-
ted by the United States.

I am,
Respectfully,

Wm. T. Stanford

Wm. T. Stanford Esq
U. S. Attorney,
San Francisco.

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

The United States

vs
Mr H. Osborne

{ D. C. 79: L. C. 733.

In pursuance of a notice
from the U.S. Attorney General, hereunto
annexed, it is hereby stipulated and agreed
that no further appeal be prosecuted 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 under Final Decree.

San Francisco Oct 8th 1884
Whitcomb P. Wight & Pettow
Attys for Claimant

S. Della Torre
U. S. atty

79
733

U. S. District Court

The United States

v

Wm H. Osborne

Stipulation

Filed Oct: 8, 1858,

H. A. Chenes,
Clerk.

United States District Court
Northern District of the State of California

United States
William H. Osborn

Shuttemen

You will
please take notice that we appear in
the above entitled cause on behalf of
the Claimant.

San Francisco October 7. 1838

Whitcomb, Truitt & Peltan
Atty. for Claimant

To
Peter Della Dora Esq
U. S. District Attorney
and William D. Cheevers Esq
Clerk of U. S. District Court

No. 79.

United States District Court
Southern District of California

United States

vs
William H. Osborn

Notice,

Service of a copy of the within
is hereby admitted this 7th
October 1858.

P. Della Torre

U. S. Atty

Fined Oct: 8, 1858,

W. H. Osborn,
Clerk

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U. S. District Court
Northern District of California

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PAGE 45

United States

vs
William H. Osborn

In open Court

It appearing to the Court that
Mrs Rose whose name has been entered as
Attorney for the Claimants in the above
entitled cause is not the Attorney for
said Claimant, and that Messrs
Whitcomb Pringle & Feltow have given due
notice of their appearance as Attorneys
for said Claimant, on Motion of
said Attorneys it is ordered that Messrs
Whitcomb Pringle & Feltow be and they are
hereby substituted in the place of said
Rose as Attorneys for the Claimant
Herein

San Francisco

Oct 8 1857

No. 79.

U. S. District Court
Northern Dist of Cal

United States

vs

Wm. H. Albion

Order substituting
Attys

Filed Oct. 8th. 1858.

H. A. Cherris,
Clerk.

The United States

^{vs}
William H. Osborn

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PAGE 47

I hereby certify that
I am not the attorney of the
defendant William H. Osborn
in the above entitled cause

San Francisco Oct 7th 1858

Julius K. Rose

[Faint, illegible handwritten notes in the left margin]

[Faint, illegible handwritten notes in the right margin]

79 ND
8

No. 79,
U. S. District Court
Northern Dist Cal
United States
vs
Wm H. Osborne

Certificate of J. R. Rode
Filed Oct. 8, 1858,
N. A. Cherrill
Clerk

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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 *Friday* the *eighth* day of
October in the year of our Lord one thousand
eight hundred and fifty-seven ~~eight~~ *eight*.

Present:

The Honorable OGDEN HOFFMAN, District Judge.

The United States

v

Wm H. Osborne

D. C. 79: L. C. 733.

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

On motion of the
District Attorney it is 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. Dist. Judge

79

United States District Court, Northern
District of California.

The United States

vs.

Wm H. Osborne

ORDER.

vacating appeal

Filed

Oct; 8th 1858,

W. H. Chivers

CLERK.

By

DEPUTY.

79 ND
PAGE 50

Office of the Board of Commissioners,

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

San Francisco, August 23^d 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. 733 on the Docket of the said Board, wherein

William H. Osborne 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 Obedt Servant,

Geo. Fisher.
G. Fisher