CASE NO.
442

NORTHERN DISTRICT

PORTION of RANCHO de NAPA GRANT

H. C. PARKER

CLAIMANT

LAND CASE 442 ND pgs. 137

FEB 5 1963

p. 032.

No. 442

U. S. District Court,

DISTRICT OF CALIFORNIA

No

In re petition of

H C Parker

~~VS.~~

for Confirmation of title of

portion of Rancho de Napa.

IN ADMIRALTY.

PAPERS IN THE CASE.

442 ND

PAGE 1

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No. 442

1

In the United States District Court in and for the District of California.

To the Hon. Ogden Hoffman,
Judge of said Court:

Now comes H. C. Parker and presents this his petition and claim for certain lands situate in Napa County, California, the same being a portion of that tract of land commonly known as the "Rancho de Napa," which petition and claim is made by authority of an Act of Congress, approved June 20th, 1884, entitled "An Act authorizing claimants to the Rancho de Napa, in Napa County, California, to prove up their title," of which Act a true copy is hereunto annexed marked Exhibit "A," and made a part of this petition.

That in accordance with said Act your petitioner respectfully represents:

That on the 21st day of September, A. D. 1838, Juan B. Alvarado, then Political Chief of Upper California, granted to one Salvador Vallejo a tract of land known as "Napa," which tract of land is situate in the County of Napa, State of California, and is the same tract of land named in the said Act of Congress as the "Rancho de Napa."

That said grant was presented to the Departmental Assembly of Upper California, and was by that body duly and legally approved on the 23rd day of September, 1838.

That on the 8th of February, 1844, juridical possession of the lands granted as aforesaid was delivered to the said Salvador Vallejo.

That the tract of land thus granted to said Vallejo was never presented as an entirety to the Board of Commissioners created by Act of Congress of date March 3rd, 1851, for confirmation, although portions of said land were presented to said Board in accordance with the requirements of said last named Act, and the portions and parcels thereof thus presented were finally confirmed thereunder.

That the exterior boundaries of said Rancho were finally surveyed in October, 1858, by C. C. Tracey, U. S. Deputy Surveyor, and the survey thereof finally approved by the proper authorities. That said Rancho was by said survey segregated from the public domain, and the boundaries

thereof thus established, conformed to the boundaries of said Rancho as defined in the original title of Salvador Vallejo.

That the boundaries thus established have ever since been recognized by all parties and the United States as the true boundaries of said Rancho.

That the boundaries of said Rancho as established by said survey are as follows:

"Commencing at a large, dead oak standing on the right bank of the Arroyo Napa, established by the Mexican authorities at the time of giving juridical possession, as one of the corners of said Rancho, thence (variation 16° E.) S. 22½° W. along the division line between the Rancho de Napa and the Rancho Entre Napa, 302.61 chains to the center of Carneros Creek, the center of said Creek at said point being the common corner of said Rancho de Napa and the Rancho Entre Napa; thence up the center of said Creek, following its meanderings, to a stake marked "N. No. 3," in a mound of stones, which stake is set where the old trail from Napa to Sonoma crossed said creek at the upper crossing; thence N. 14½° E. 427 chains to the S. W. corner of the Caymus Rancho; thence N. 14½° E. 140 chains to the center of Napa River; thence down the center of Napa River, following its meanderings, to the junction of Napa River and Napa Creek; thence up Napa Creek to the place of beginning.

That your petitioner is the claimant and owner of the following described portion of said Rancho:

The South half of that certain piece parcel or tract of land described as Beginning at the South-East corner of the tract of land conveyed by said Vallejo to George W. Harrison by deed bearing date the 5th day of April, 1847, thence running West with said Harrison's line one-half mile; thence making a right angle and running South one mile; thence making a right angle and running East one-half mile; thence making a right angle and running North one mile to the place of beginning. Said South half is further

bounded and described as follows to wit: Bounded on the North by lands now owned by H. C. Boggs; on the West and South by lands confirmed to Julius K. Rose; and on the East by lands confirmed to Julius K. Rose and Salvador Vallejo.

That said lands are included within the exterior boundaries of said "Rancho de Napa."

That your petitioner deraigns title to said land last above described through the original Mexican grantee, the said Salvador Vallejo.

That "Exhibit B" hereto annexed and made a part of this petition, exhibits the deraignment of title from said Salvador Vallejo to petitioner.

That the deeds set forth in said deraignment of title are of record in the Recorder's office, of said Napa County, and are sufficient in form and legal effect to, and do vest in the petitioner the title of said Vallejo to that portion of said Rancho now in petitioner's possession.

That neither the claim of petitioner, nor that of his predecessors in title, to that portion of said Rancho now in his possession has ever been passed upon by proper authority.

That the claim of the original grantee to said lands was good and valid under the Mexican

laws relating to such cases.

That there is not now, nor has there ever been, any valid adverse claim to said land which petitioner claims or any part thereof existing under the pre-emption, homestead or other laws of the United States.

That there is not now, nor has there ever been any person or persons having or holding any portion of said lands under valid claims under the pre-emption, or homestead, or other laws of the United States.

That there are no persons entitled to receive releases from this claimant to any portion of said land in his possession, as provided by said Act of June 20th, 1884.

That petitioner is in the sole and exclusive possession of the lands to which he seeks for a confirmation of his title, and he and his predecessors in title have been in such sole and exclusive possession since the year 1844.

Wherefore your petitioner prays for a decree of this Honorable Court, confirming the claim of petitioner to the lands herein petitioned for, and for such other general and special relief as may be meet in the premises. And your petitioner will ever pray.

Wallace & Johnston.
Attorneys for Petitioner.

EXHIBIT "A."

An Act authorizing claimants to the Rancho de Napa, in Napa County, California, to prove up their title.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assemlbed, That the claimants to the lands situated in Napa County, California, known as the Rancho de Napa, who deraign title through the original Mexican grantee of said Rancho, and whose claims or those of their predecessors in title have not been hitherto passed upon by proper authority, are hereby permitted and authorized to present their claim to said lands in the District Court of the United States, for the district of California, within one year next after the passage of this Act, and not afterward, for examination; and upon the hearing of said case if it shall appear to said Court that the claim of the original grantee was good and valid under Mexican laws relating to such cases, and that the claimants are entitled to have such confirmation, the said Court shall by decree confirm said claim: *Provided*, that no lands shall be confirmed to said claimants to which there are any valid claims existing under the pre-emption, homestead, or other laws of the United States, at the date of the passage of this Act; nor shall any decree of confirmation affect any valid adverse right of any other person or persons, or give to the confirmees, or any of them, any claim upon the United States for compensation for any land such confirmees may loose by pre-emption, homestead, or other claims or rights as aforesaid: *Provided further*, that said claimants before filing their claim shall execute releases to any person who may have or hold any portion of said lands under valid claims under the pre-emption, homestead. or other laws of the United States, at the date of the passage of this Act to the portions of said lands so held respectively; and before rendering a decree of confirmation the said Court shall ascertain that said releases have been duly executed.

SECTION 2. That the United States and any party in interest are hereby granted the right of appeal to the Supreme Court of the United States, within six months next after any decree shall be entered, in the manner allowed in other cases of appeal; and the said Court in the examination of the claims presented by any person under this Act shall be governed, so far as applicable, by the provisions of the Act passed March 3rd, A. D. 1851, entitled "An Act to ascertain and settle private land-claims in the State of California."

SECTION 3. That the United States Surveyor General for California is hereby directed, upon the filing in his office by said claimants of a certified copy of a final decree of confirmation under the provisions of this Act, to cause said claim to be surveyed as other claims of like nature are now surveyed under existing laws and, upon the approval of said survey, by the proper authority a patent shall issue to said claimants in the usual form.

Approved June 20th, 1884.

Exhibit B.

1	Salvador Vallejo to Herman Wohler	Deed dated June 16th 1851 Recorded in Liber B of Deeds page 1 Napa Co. Records
2	Herman Wohler to Salvador Vallejo	Deed dated Nov 10th 1851 Recorded in Liber B of Deeds page 89. Records Napa County.
3	Salvador Vallejo to H. G. Boggs & Wm Clarke	Deed dated Nov. 10th 1851. Recorded in Liber B of Deeds page 90. Records Napa County.
4	H. G Boggs to Wm Clarke	Deed dated Dec 7. 1852. Recorded in Liber B of Deeds. page 274, Napa County Records
5.	Wm Clarke to Charles Clarke	~~Deed dated~~ Power attorney dated Sept. 25. 1852. Recorded Liber A Powers atty p 43 Napa Co Records
6	Wm Clarke by atty to John H. Seawell	Deed dated June 25. 1853 Recorded in Liber B of Deeds page 381. Napa County Records
7	John H. Seawell & wife to John Van Pelt	Deed dated August 8. 1853 Recorded in Liber B of Deeds page 388 Napa County Records.

8	Eleanor Van Pelt et als to S. Wing and D. Van Pelt	Power atty. dated Dec 20th 1853 Recorded in Liber A. Powers atty page 64 Records Napa County
9	M. A. Mathis & wife, to S. Wing and D. Van Pelt	Power atty dated Jany 6. 1854 Recorded Liber A Powers atty page 63. Napa County Records
10	Caroline Baker to David Van Pelt	Power atty dated Oct 14th 1865 Recorded Liber A Powers attorney page 141 Records of Napa County
11	David Van Pelt, guardian to Statham Wing	Deed dated Feby 20th 1855 Recorded Liber C of Deeds page 215 Napa Co. Records.
12	Eleanor Van Pelt et als to Charles Van Pelt.	Deed dated March 23. 1855 Recorded Liber C of Deeds page 229 Records Napa Co
13	Caroline Baker by atty to H. C. Porter	Deed dated Dec 22. 1865 Recorded in Liber II of Deeds page 333. Napa Co Records
14	Statham Wing et als to Harry C. Porter	Deed dated Oct 9th 1865 Recorded Liber II of Deeds page 337. Records Napa County

15	Charles Van Pelt to H. C. Porter	Deed dated Sept. 26. 1865 Recorded in Liber II of Deeds page 349 Napa County Records
16	William Clarke to Harry C. Porter	Deed, dated Oct. 30. 1865 ~~Recorded Liber II of D~~ page 355 Records Napa County
17	L. Snedeker + wife to Harry C. Porter	Deed dated Oct. 31st 1865 Recorded in Liber II of Deeds page 402 Records Napa County
18	Chas P. Russ + wife to Harry C. Porter	Deed dated Oct 30. 1865 Recorded in Liber II of Deeds page 464, Napa County Records
19	Chas P. Russ + wife to Eugene Casserly	Deed dated May 19. 1859 Recorded in Liber II of Deeds page 385 Records Napa County
20	Eugene Casserly to Harry C. Porter.	Deed dated Jany 18th 1866. Recorded in Liber II of Deeds page 466 Records Napa County.

442

In the U. S. District Court

H. C. Porter
-vs-
The United States

Petition for Confirmation of Lands in Napa Rancho

Filed June 8th: 1885
Southard Hoffman
Clerk
By J. D. Grimwood
Deputy Clerk

Wallace & Johnston
Attys for Petitioner

In the District Court of the United States in and for the District of California

In the matter of the petition of H. C. Parker for confirmation to him of lands in the Ranchos de Napa

Now comes the United States by S. G. Hilborn United States Attorney and answers the petition of said H. C. Parker filed herein and denies generally and specifically each and every allegation in said petition contained

S. G. Hilborn
United States Attorney

442

U.S. Dist Court
Dist of Colorado

In the Matter of
the petition of
W. C. Porter
for confirmation of
lands in Rio Grande
de Mora

Answer

Filed June 10th 1883
Lorillard Hoffman Clerk
By A. D. Grimwood
Deputy Clerk

S. G. Wilson
U.S. Atty

In the United States District Court, District of California.

H. C. Parker
-vs-
The United States } Case No. 442.

It is hereby stipulated that the original title papers to the Rancho de Napa, in Napa County, California, issued by the Mexican Authorities to Don Salvador Vallejo, the Grantee of the Mexican Government for said Rancho, and the Map showing the exterior boundaries of said Rancho, as finally surveyed and located by the U. S. Surveyor General for California, together with the testimony of R. C. Hopkins relating to the same offered and given in evidence in the case of Henry C. Boggs vs The United States Case No. 436 in the above entitled Court, shall be deemed and considered as offered, read and given in evidence in the above entitled case with the same force and effect as if said instruments had actually been produced, ~~and~~ offered read, ~~and given~~

and said testimony given in this case.

It is further stipulated that the certified copies of the following described deeds to wit: A deed from Salvador Vallejo to Herman Wohler, dated June 16th 1851; from Herman Wohler to Salvador Vallejo, dated November 10th 1851; and from Salvador Vallejo to H. C. Boggs and Wm. Clark, dated November 10th 1851; and also a certified copy of a Power of Attorney from William Clark to Charles Clark, dated December 7th 1852, offered, given in evidence and read by the petitioner in the case of Henry C. Boggs vs The United States, shall be deemed and considered and treated as offered, given in evidence and read by and on behalf of the petitioner in this case, with the same force and like effect as if said instruments had actually been produced and given in evidence herein

S. G. Wilbur
United States Atty

Lc 442 ND

In the U. S
District Court

H. C. Parker
-vs-
The United States.

Stipulation

Pltffs Exhr
a

Filed Sept 14 1885
Rowland W Hoffman
Clerk

442.

In re Petition of W. C. Parker, for confirmation to him of a portion of Rancho de Napa.

"

Plaintiffs Exhibit

1 — 16.

Filed

Deed

Henry C. Boggs to William Clarke

Know all men by these presents That I, Henry C. Boggs of the County of Napa and State of California, in consideration of the sum of Five Hundred Dollars to me in hand paid by William Clarke, the receipt whereof I do hereby acknowledge, have bargained sold and quit-claimed, And by these presents do bargain sell and quitclaim, unto the said William Clarke and to his heirs and assigns forever, all my right title interest, Estate, claim and demand both at law and in equity as well in possession as in expectancy of in and to all that certain farm or piece of land situate in said County of Napa and described as follows to wit, The South half of all that certain piece or parcel of land conveyed by deed from Salvador Vallejo to said Boggs and Clarke and recorded in Book B Pages 90 and 91 in the Records of Napa County - In which said deed said land is described as follows, that is to say, Beginning at the South East corner of the Tract of Land conveyed by said Vallejo to George W. Harrison by deed bearing date the 5th day of April 1847, Thence running West with said Harrisons line one half mile, Thence making a right angle and running South one mile, Thence making a right angle and running East one half mile. Thence making a right angle and running North one mile to the point of Beginning, so as to include the quantity of three hundred and twenty acres.

To Have and To Hold the said premises unto the

said William Clarke his heirs and assigns forever.

Together with all and singular the hereditaments and appurtenances thereunto belonging.

In Witness Whereof I have hereunto set my hand and seal this 7th day of December A.D. 1852.

Signed Sealed and Delivered in presence of Chas. S. Coffinberry } Henry C. Boggs (Seal)

State of California } On this 8th day of December A.D. 1852
County of Napa ss. } Before me Jno. H. Sewell, County Recorder in and for said County personally appeared Henry C. Boggs, known to me, to be the person described in and who executed the foregoing Instrument and acknowledged that he executed the same freely and voluntarily for the uses and purposes therein mentioned.

(L.S.) Witness my hand and Official Seal the day and year above written

Jno H. Sewell Recorder
By C. S. Coffinberry Dy Recdr

Rec'd for Record Dec 8th 1852 at 10 o'clock A.M. and recorded at the request of Chas Clark

said William Clarke his heirs and assigns forever.

Together with all and singular the hereditaments and appurtenances thereunto belonging.

In Witness Whereof I have hereunto set my hand and seal this 7th day of December A.D. 1852.

Signed Sealed and Delivered in presence of Chas. S. Coffinberry } Henry C. Boggs (Seal)

State of California } On this 8th day of December A.D. 1852
County of Napa ss. } Before me Jno. H. Seawell, County Recorder in and for said County personally appeared Henry C. Boggs, known to me, to be the person described in and who executed the foregoing Instrument and acknowledged that he executed the same freely and voluntarily for the uses and purposes therein

STATE OF CALIFORNIA, }
County of Napa. } ss.

I, N. L. NIELSEN, County Recorder of said County and State, do hereby certify the foregoing to be a full, true and correct copy of a Deed, recorded in Book B of Deeds pages 274 & 275 as the same appears of record in my office.

WITNESS my hand and official seal this ..... day

of ..... A. D. 188

..... County Recorder

By ..... Deputy.

-Deed- 4

Henry C. Boggs
to
William Clark

Lot 442 ND

Plots Eight
No. 1

Dated 7th Dec 1852

Filed Sept 14 1885
Bernard Hoffman
Clerk

442 ND
PAGE 19

-Certified Copy-

Deed
William Clarke to John H. Seawell

This Indenture made and entered into this Twenty Fifth day of June, in the year of our Lord one thousand eight hundred and fifty three by and Between William Clarke of the County of Jackson and State of Missouri by Charles Clarke of Napa County State of California his Attorney of the first part, and John H. Seawell of said Napa County of the second part, Witnesseth, That the said Party of the first part for and in consideration of the sum of Four Thousand Six hundred Dollars to him in hand paid, by the said Party of the second part, the receipt whereof is hereby acknowledged, hath bargained sold, remised released and quit-claimed unto the said Party of the second part, and by these presents doth bargain sell remise release and quit-claim unto the said Party of the second part and to his heirs and assigns for ever, all the right, title, interest estate claim and demand both at law and in equity of the said Party of the first part of in and to all that certain farm or piece of Land situate in said County of Napa and described as follows to wit. The South half of all that certain piece or parcel of land conveyed by Deed from Salvador Vallejo to Henry C. Boggs and William Clarke and recorded in Book B. Pages 90 and 91 of the Records of said Napa County and described as follows that is to say, Beginning at the South East corner of the tract of land conveyed by said Vallejo to George W. Harrison by deed bearing date the 5th day of April 1847. Thence running West with said Harrisons line one half mile, Thence making a right angle and running South one mile Thence making a right angle and running East one half mile Thence making a right angle and running North one mile

to the point of Beginning, so as to include the quantity of Three hundred and Twenty acres.

To Have and To Hold the said premises unto the said party of the second part, his heirs and assigns forever.

Together with all and singular the hereditaments and appurtenances thereunto belonging or in any wise appertaining

In Witness Whereof the said party of the first part, hath hereunto set his hand and seal the day and year first above written.

Signed, Sealed and delivered in presence of
C. S. Coffiberry

William Clarke (L.S.)
By
Charles Clarke (L.S.)
his Attorney

State of California
County of Napa } ss.

Before me, N. W. Culver a Justice of the Peace in and for said County, personally appeared Charles Clarke known to me to be the person who Executed the foregoing instrument as a party thereto and acknowledged that he executed the same freely and voluntarily for the uses and purposes therein expressed. Given under my hand and acknowledged this 25th day of June 1853.

N. W. Culver
Justice of the Peace

Received for Record June 30th 1853 at 2 o'clock P.M and recorded at the request of John H. Seawell

to the point of Beginning, so as to include the quantity of Three hundred and Twenty acres.

To Have and To Hold the said premises unto the said party of the second part, his heirs and assigns forever.

Together with all and singular the hereditaments and appurtenances thereunto belonging or in any wise appertaining

In Witness Whereof the said party of the first part, hath hereunto set his hand and seal the day and year first above written.

Signed, Sealed and delivered in presence of
C. S. Coffinberry

William Clarke (L.S.)
By
Charles Clarke (L.S.)
his Attorney

State of California
County of Napa

STATE OF CALIFORNIA,
County of Napa. } ss.

I, N. L. NIELSEN, County Recorder of said County and State, do hereby certify the foregoing to be a full, true and correct copy of a Deed recorded in Book B of Deeds pages 381 & 382 as the same appears of record in my office.

WITNESS my hand and official seal this ..... day of ..... A. D. 188

..... County Recorder

By ..... Deputy.

- Deed - 6

William Clarke by atty.
to
John A. Seawell

Wd Deed Bk
Le 442 ND

Pltff's Exhibit
No 2.

Dated 25th June 1853

Filed September 14 1885
Pontiac A. Jones
Clerk

442 ND
PAGE 23

- Certified Copy -

Deed

John H. Seawell and wife to John Van Pelt

This Indenture made and concluded this eighth day of August in year of our Lord one thousand eight hundred and fifty three Between John H Seawell and Mary S. Seawell his wife of the said John H. of the County of Napa and State of California of the first part and John Van Pelt of the same place of the second part, Witnesseth, that the said parties of the first part for and in consideration of the sum of Six Thousand Dollars to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged have bargained, sold, remised, released and quit claimed, and by these presents do grant, bargain, sell and quit claim unto the said party of the second part, and to his heirs and assigns forever, All the right, title interest, estate claim and demand, both at law and in equity of the said parties of the first part of in and to all that certain farm or peice of land situate in said County of Napa and described as follows, to wit; The South half of all that certain peice or parcel of land, conveyed by Deed from Salvador Vallejo to Henry C. Boggs and William Clarke Recorded in Book B. Pages 90 and 91 of the Records of said Napa County and described as follows that is to say, Beginning at the South East corner of the tract of land conveyed by said Vallejo to George W. Harrison, by Deed bearing date the 5th day of April 1847, Thence running west with said Harrisons line one half mile, thence making a right angle and running South one mile, thence making a right angle and running East one half mile, thence making a right angle and running North one mile to the point of beginning so as to include the quantity of Three Hundred and Twenty acres, Also that certain tract peice or parcel of land situate lying and

being in the County of Napa and bounded and described as follows, Commencing at the Eastern corner of the lands conveyed by William Clarke to John H. Seawell, and running with the northeastern line of said land North 22°. 30'. West twenty two chains ninety four links to where said line intersects the line of Mrs. Maria Luz Carillo de Vallejo, thence with said line South 32°. 06'. East twenty three chains twenty seven links to Haskells Northern corner, thence with said Haskells line South 67°. 30'. west Three chains, eighty links to the place of beginning.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

To Have and To Hold the said premises, unto the said party of the second part his heirs and assigns forever.

In Witness Whereof the said parties of the first part have hereunto set their hands and seal the day and year first above written.

Signed, sealed and delivered in the presence of
W. M. Culver

John H. Seawell (L.S.)

Mary S. Seawell (L.S.)

State of California
County of Napa ss

On this eighth day of August in the year of our Lord One thousand eight hundred and fifty three, Before me William M. Culver, a Justice of the Peace, within and for the County and State aforesaid, personally appeared John H. Seawell and Mary S. Seawell wife of the said John H. Seawell, known to me to be the persons described in and who executed the foregoing Instrument and acknowledged to me that they executed the same freely and voluntarily and for the uses and purposes therein contained, And the said Mary S. Seawell being by me made acquainted with the

contents of said deed, on an examination seperate and apart from and without the hearing of her said husband acknowledged that she Executed the same freely and voluntarily without fear compulsion or undue influence of her said Husband, and that she does not wish to retract the Execution of the same - Given under my hand and acknowledged the day and year above written.

William W. Culver
Justice of the Peace

Received for Record August 8th A.D. 1853, at 11 o'clock A. M. and recorded at the request of John Van Pelt

STATE OF CALIFORNIA, }
County of Napa. } ss.

I, N. L. NIELSEN, County Recorder of said County and State, do hereby certify the foregoing to be a full, true and correct copy of a Deed recorded in Book B of Deeds pages 388 & 389 as the same appears of record in my office.

WITNESS my hand and official seal this ..... day of ..... A. D. 188

..... County Recorder

By ..... Deputy.

- Deed - 7

John H. Seawell wife
To
John Van Pelt

Wd Deed Rec
L.C. 442 ND

pltfs Exhibit
No. 3.

Dated 8th August 1853

442 ND
PAGE 28

Filed Sept 14 1885
Donald McKinnon
Clerk

- Certified Copy -

P. atty
a-64

442 ND
PAGE 29

Ealonar Van Pelt et al
To
David Van Pelt et al

Know all men by these presents: That We Ealonar Van Pelt, Elvira Stoddard, Henry S. Stoddard her husband, all of Staten Island in the State of New York and Josephine Russ and Charles P. Russ her husband of the City of Brooklyn in the State of New York, heirs at Law and next of kin of John Van Pelt, late of San Francisco in the State of California, now deceased, jointly and severally have made constituted and appointed, and by these presents do make, constitute and appoint David Van Pelt and Stelham Ring of San Francisco jointly our true and lawful Attorney for us and in our names places and stead to transact all business of every nature and description connected with the Estate of the said John Van Pelt deceased, and with us or each of our interests in said Estate and the proceeds thereof, and with the administrator of said John Van Pelt deceased, and to demand sue for, collect and receive, the whole of our shares or interests, or the share or interest of either or any of us in said Estate and to take all necessary & proper steps to settle

with, discharge and release said administrators for or on account of our said interests or shares, and upon the payment to our said attorneys, of our said interests or shares to execute to the said administrators, and to the sureties upon their Bonds, full and sufficient discharges, releases and receipts under seal or otherwise. Also to institute all necessary legal proceedings in their discretion to compel the said administrators to render an account, or pay over our or either of our shares or interests in said Estate, or to settle up said Estate, and all other proceedings they may deem necessary in and about the administration, management, or settlement of said Estate, or the substitution of other administrators, also to manage our said shares or interests when they shall have received the same, and to concur with said administrators, or their successors in any sale or other disposition of the personal property or effects of said Estate in the discretion of our said attorneys, and to execute all necessary instruments to carry the same into effect, also to bargain, sell contract for the sale of, and convey our or either, or any of our interests or shares in any real Estate left by the said John Van Pelt deceased, and to execute under

seal all necessary deeds, conveyances and instruments of conveyance for the same, and to do all other matters in and about the management or settlement of our said shares, or interests, and the proceeds thereof, which we ourselves could do. Giving and granting unto our said attorney full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the premises as fully to all intents and purposes as we might or could do if personally present with full power of substitution and revocation hereby ratifying and confirming all that our said attorney or their substitutes shall lawfully do or cause to be done by virtue hereof. In Witness Whereof, We have hereunto set our hands and seals the Twentieth day of December in the year One Thousand Eight hundred and fifty Three.

Signed, Sealed and delivered in the presence of

Lot C. Clark
John Livingston

Ealonar Van Pelt (Seal)
Eliza Stoddard (Seal)
D. S. Stoddard (Seal)
Josephine Ruso (Seal)
Thos. P. Ruso (Seal)

State of New York }
City & County of New York } ss.

On this the 20th day of

December A.D. 1858 personally appeared before me a commissioner duly appointed and qualified by the Governor and under the Laws of the State of California to take acknowledgments &c to be used therein, Eslanor Van Pelt, Charles P. Russ and Josephine Russ his wife and Henry S. Stoddard and Elvira Stoddard his wife personally known to me to be the persons named in and who executed the foregoing instrument and they severally acknowledged to me that they had executed the same freely and voluntarily for the uses and purposes therein mentioned, and I do further certify that the said Josephine Russ and Elvira Stoddard having been by me first made acquainted with the contents of said Instrument acknowledged on an examination apart from and without the hearing of their said husbands That they Executed the same freely and voluntarily and without any fear or compulsion, or undue influence of their husbands, and that they did not wish to retract the execution of the same

In Witness Whereof I have hereunto set my hand and affixed my official seal this 20th day of December A.D. 1858

(L.S.)

John Livingston

California Commissioner in New York
Recorded in Recorder's office County of San Francisco Liber H Powers of Attorney page 573 Oct 2nd 1854, at 12 M.

James Grant
County Recorder

A true copy of an Original Recorded at request of S Wing Oct 16th 1858, at 12½ o'clock P.M.

Robert Couch
Recorder

By J Chord
Deputy

A true copy from book "A" pages 172, 173, 174 175 + 176, original Record of Napa County

J. H. Howland
Co Recorder

California Commissioner in New York
Recorded in Recorder's office County of San Francisco Liber H Powers of Attorney page 573 Oct 2nd 1854, at 12 M.

James Grant
County Recorder

A true copy of an Original Recorded at request

442 ND
PAGE 33

442 ND
PAGE 34

STATE OF CALIFORNIA,
County of Napa. } ss.

I, HENRY BROWN, County Recorder of said County and State, do hereby certify the foregoing to be a full, true and correct copy of a power of attorney recorded in Book A of powers of attorney page 64 as the same appears of record in my office.

WITNESS my hand and official seal this 30th day of March A. D. 1885

Henry Brown County Recorder.

By ..... Deputy.

Power of Attorney 8

Eleanor Van Pelt et al

To

S. Winger & D. Van Pelt

U.S. Direct-Deed Lc 442 ND

Pltf's Exhibit No. 4.

Dated 20th Dec. 1853.

442 ND

PAGE 35

Filed September 14 1885

Donathan Hoffman

Clerk

— Certified Copy —

a-63
P. atty

442 ND
PAGE 36

Mrs Sophia Van Pelt et al
To
Stoltham Wing et al

Know all men by these presents That we Mrs Sophia Van Pelt wife of Marshal A. Mathis and by him authorized and assisted & Marshal A. Mathis both residing in the City of New Orleans in the State of Louisiana have nominated and appointed and by these presents do nominate, constitute and appoint Stoltham Wing and David Van Pelt, of California or either of them to be our agents and attorneys in fact for us and in our name & stead to represent us in the settlement of the Estate of the late John Van Pelt of San Francisco in the State of California and in order thereto to sue and be sued to sell and make titles to any and all said Estate both Real & Personal To compromise and transact any and all business necessary to speedy settlement of said Estate with full power of substitution & revocation fully ratifying all their said acts in the premises In testimony Whereof We have hereunto set our hands this sixth day of January A.D. 1854 in the City of New Orleans

In presence of
C. Johnston
L. Larogue,

Mrs Sophia Mathis (Seal)
M. A. Mathis (Seal)

State of Louisiana }
City of New Orleans } ss

On the sixth day of January A.D. 1854 before me Daniel Ricardo a Commissioner for the State of California for the State of Louisiana duly commissioned and appointed by the Governor of said State of California Marshal A. Mathias and Mrs Sophia Mathias his wife, both known to me to be the persons described in and who executed the within instrument of writing, and the said Marshal A. Mathias acknowledged that he executed the within instrument of writing freely and voluntarily & for the uses and purposes therein mentioned, and the said Sophia Mathias whose name as aforesaid is subscribed to the said instrument of writing as a party thereto, was by me made acquainted with the contents of said instrument, and acknowledged on an examination apart from and without the hearing of her said husband that she executed the same freely and voluntarily without fear or compulsion or undue undue influence of her said husband, and that she did not wish

to perfect the execution thereof
In Testimony Whereof I have here-
unto subscribed my name and affixed
my official seal the day and year first
above written

Seal

D. W. Adams
Commissioner for California

A true copy of an original recorded at request
of Wm Orr Oct 16, 1858, at 12½ o'clock P.M.

Robert Crouch
Recorder
By J Chord
Deputy

A true copy from book "A" pages 170, 171
& 172 Original Records of Napa Co.

J. H. Howland
Co. Recorder

Recorded in Liber 11 Page 170
Napa Co. Cal. Oct 19 1872

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to be the act & the execution thereof
In testimony whereof I have here-
unto subscribed my name and affixed
my official seal the day and year first
above written

D. H. Williams
Commissioner for California

A true copy of an original recorded at request
of W. King Oct 16, 1858 at 12½ o'clock P.M.
Robert Crouch

Recorded Oct 17 1858
Henry Brown
County Recorder

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STATE OF CALIFORNIA, }
County of Napa. } ss.

I, HENRY BROWN, County Recorder of said County and State, do hereby certify the foregoing to be a full, true and correct copy of a power of attorney recorded in Book a of powers of attorney page 63 as the same appears of record in my office.

WITNESS my hand and official seal this 30th day of March A. D. 1885

Henry Brown County Recorder.

By ..... Deputy.

Power of Attorney

M. A. Mathis & wife
To
S. Ming and D. Van Pelt

Recorded Book
Le 442 ND

Pepp Exhibit
No. 5.

Dated 6th Jany 1854

442 ND
PAGE 40

Filed Sept 14th 1885
Donald Hoffman
Cl Ct

— Certified Copy —

a-141
Patty

442 ND
PAGE 41

Caroline Paker
To
David Van Pelt.

Know all men by these presents: That I Caroline Paker, a feme sole, of have made, constituted and appointed and by these presents, do make, constitute, and appoint David Van Pelt of San Francisco California, a true and lawful attorney for me, and in my name place and stead. To enter into and take possession of all the lands, tenements hereditaments and Real Estate and also all and every the moneys goods, chattels and things in action belonging or hereafter to belong to me, or or to the possession of which I or may hereafter become entitled and to that end to institute, and cause to be instituted all suits and actions which he may deem proper. To, grant, bargain, sell convey, let, demise, assign and transfer all such lands, tenements hereditaments and Real Estate goods, chattels, and things in action or any part thereof, for such sum or price as he may deem proper. To, demand, collect, sue for, recover, and receive all debts due or owing or hereafter to become due

U C Stamp
Oct. 14/65
C B

U C Stamp
C B
Oct
14/65

and owing to me, — To compound and compromise upon, at any time he shall think proper, and to arbitrate and submit to arbitration any question touching any property, real or personal, belonging or hereafter to belong to me or any debt, or thing in action, due or owing or hereafter to become due or owing to me, and for all or any of the powers or purposes aforesaid, to execute acknowledge and deliver all necessary deeds conveyances leases bills of sale assignments receipts acquittances discharges or other instruments of what ever kind or nature with or without seal. To appear and defend in all actions that may be instituted against me and generally to represent me and act for me in respect to all my interests. And other attorneys, one or more, in his place and stead or under him to make constitute and appoint, and the same at his pleasure to annul remove and revoke. Giving and granting unto my said attorney full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the

premises as fully to all intents and purposes, as I might or could do if personally present, hereby ratifying and confirming all that my said attorney, or his Substitute Shall lawfully do or cause to be done by virtue hereof.

In Witness Whereof I have hereunto set my hand and seal the fourteenth day of October one thousand eight hundred and sixty five.

Signed Sealed and delivered in the presence of

C. R. Haugh
E. P. Higgins

Caroline Baker (Seal)

State of New Jersey
County of Essex } ss

On the fourteenth day of October A.D. one thousand eight hundred and Sixty five before me Charles R. Haugh the clerk of the Circuit Court of the County of Essex aforesaid (said Court having a seal and being a Court of Record) personally appeared Caroline Baker a feme sole whose name is subscribed to the annexed instrument as a party thereto, personally known to me to be the same person described

in and who executed the annexed instrument and she duly acknowledged to me that she executed the same freely and voluntarily and for the uses and purposes therein mentioned

In Witness Whereof I have hereunto set my hand and affixed the Seal of Said Court the day and year last above written

C. P. Wright
Clerk of the Essex County Circuit Court

a true copy of an original recorded at request of S Wing Nov 27th A.D. 1865 at 5 7 mins past 9 a.m.

J. L. Cowland
Co. Recorder

in and who executed the annexed instrument and she duly acknowledged to me that she executed the same freely and voluntarily and for the uses and purposes therein mentioned

In Witness Whereof I have hereunto set my hand and affixed the Seal of Said Court the day and year last above written

C P Waugh

STATE OF CALIFORNIA, }
County of Napa. } ss.

I, HENRY BROWN, County Recorder of said County and State, do hereby certify the foregoing to be a full, true and correct copy of a power of attorney recorded in Book a of powers of attorney page 141 as the same appears of record in my office.

WITNESS my hand and official seal this 30th day of March A. D. 1885

Henry Brown County Recorder.

By ..... Deputy.

10

Power of Attorney

Caroline Baker
to
David Van Pelt

Issued to owner
Le 442 ND

Plffs Exhibit
No. 6.

Dated 14th Oct. 1865

442 ND
PAGE 46

Filed Sept 14 1885
Dowell and Hoffman
Clerks

Certified Copy

6 - 21
1

Deed

David Van Pelt, Guardian &c to Statham Wing.

This Indenture made, the twentieth, day of February A. D. One thousand Eight hundred and fifty five. Between David Van Pelt, of the city of San Francisco, State of California Guardian, of Caroline Baker, Brayton Van Pelt and Emily Van Pelt minor heirs of John Van Pelt late of the same place, deceased, party of the first part, and Statham Wing, of the city of San Francisco and state, aforesaid party of the second part. Whereas the Probate Court of the County of San Francisco heretofore upon the petition of the said party of the first part made an order which said order is in the words and figures following to wit:

In the Probate Court
of the County of San Francisco
In the matter of the
Estate
of
John Van Pelt
Deceased

This matter coming on to be heard, on reading and filing due proof, of the publication of the order to show cause, heretofore made therein, as directed in said order and, on reading the petion of David Van Pelt Guardian ~~to~~ duly verified and, on hearing the proofs in support of such petition, no one appearing to oppose; and it appearing satisfactorily to the Court therefrom that it would be for the benefit of the minor heirs of John Van Pelt deceased, to wit, Caroline Baker Prayton Van Pelt and Emily Van Pelt, that their real estate, being their interest in the estate of said John Van Pelt deceased should be sold, which said real estate is in said petition and order, and hereinafter particularly described, in order that the proceeds of such sale may

be invested in a manner more beneficial to the interest of said minor heirs, and it further appearing that such real estate is situated in the counties of San Francisco, Sacramento and Napa, and that no newspaper is published in the County of Napa, now on motion of James C. Boyd, Attorney for the Petitioner, it is ordered, adjudged and decreed that the said David Van Pelt Guardian for the said Caroline Baker, Brayton Van Pelt, and Emily Van Pelt minor heirs of John Van Pelt deceased be, and he is hereby authorized, empowered and directed to sell the real estate of the said minor heirs hereinafter described at Public Auction in the manner prescribed by law: That the notice of the time and place of sale of the real Estate, situated in the county of Napa be published in the Daily Alta California, a newspaper published in the city of San Francisco for three weeks successively next before such sale, and that before any contracts or deeds shall be executed the said Guardian shall make a report to the Probate Judge of his proceedings under this order. The real Estate

hereby directed to be sold is particularly described as follows: The undivided three tenths interest of in and to one hundred and sixty seven (167) acres in Napa County constituting the tract of land occupied by said Van Pelt in his lifetime described as follows viz: the South half of all that certain piece or parcel of land conveyed by deed from Salvador Vallejo to Henry C Boggs and William Clark recorded in Book B pages 90 & 91 of the records of said Napa County and described as follows: That is to say Beginning at the South East corner of the tract of land conveyed by said Vallejo to George W Harrison by Deed bearing date the 5th day of April 1847 thence running West with said Harrisons line one half mile thence making a right angle and running South one mile thence making a right angle and running East one half mile thence making a right angle and running North one mile to the point of beginning

so as to include the quantity of three Hundred and twenty acres; Also that certain tract piece or parcel of land situate lying and being in the county of Napa and bounded and described as follows commencing at the Eastern corner of the lands conveyed by William Clark to John H. Seawell and running with the north Eastern line of said land North 22 degrees 30 minutes West 22 chains and 94 links to where said line intersects the line of Mrs Maria Luz Carillo de Vallejo thence with said line South 32 degrees 6 minutes East twenty three chains twenty seven links to Haskells northern corner, thence with said Haskells line South 67 degrees 30 minutes West 32 chains eighty links to the place of beginning. The undivided three tenths interest of in and to one house and lot on Broadway in the city of San Francisco, described as follows to wit: Beginning at a point on the Northerly side of Broadway fifty Varas east

of Stockton Street at the South

of Stockton Streets at the South eastern corner of Fifty Vara lot number ninety, one (91) running thence Northward, and parallel with Stockton Street one hundred and thirty feet to a

seven and a half feet alley
thence westward along said alley
and parallel with Broadway twenty
two feet and six inches thence south
ward parallel with Stockton street
One hundred and thirty feet to the
said North side of Broadway and
thence eastward along said side
of Broadway twenty two feet and
six inches to the place of beginning. Being
part of a Lot known and numbered
upon the official map of said City
as fifty vara Lot number ninety one
(91) together with privilege of the
aforesaid alley. The undivided
three tenths interest of in and to an
unimproved lot in Sacramento City
described as follows to wit: the
East half of the West half and
West half of the East half of
Lot number seven (7) in the square
bounded by K and L and second
(2) and third (3) streets also the
undivided three tenths interest
of in and to the undivided half
of Lot in said Sacramento city
with a brick store thereon erected
said lot, described as follows
the West half of the East half

of Lot number three (3) on the square or block between K and L and second and third streets fronting on K street and on like motion it is further ordered that the said David Van Pelt Guardian before proceeding under this order enter into a bond to the Probate Judge of the County of San Francisco with two or more sureties to be approved by such Judge in the penal sum of Five thousand dollars conditioned to sell the herein above mentioned real estate in the manner prescribed by law for sales of real estate by executors and administrators and to account for and dispose of the proceeds in the manner prescribed by law

J. H. Freelon Probate Judge

L.S. I certify the foregoing to be a true copy of the original now on file in my office

Attest Thos Hayes, clerk
By Dennis Lyons Dep.

And whereas afterwards to wit on the twenty fourth day of January A.D. 1855 in pursuance

of said order the said party of the first part did sell the portion herein after described of the premises described in said order at public auction in the County of Napa before the Court House door in the town of Napa (that being the County in which said premises are situated) due notice of the time and place of holding said sale having been given according to law and whereas the said party of the first part did make return of his proceedings upon such order of sale to the said Probate Court of the County of San Francisco in pursuance of said order and of the statute in such case made and provided and whereas afterwards the said Probate Court after examining the said proceedings did make an order in the words and figures following to wit:

In the Probate Court
County of San Francisco
In the Matter of the
Estate of
John Van Pelt, deceased.

Upon reading and filing the report of Sale of David Van Pelt Guardian, of Caroline Baker, Brayton Van Pelt, and Emily Van Pelt minor heirs of John Van Pelt deceased, bearing date the 15th day of February A. D. 1855 duly subscribed and verified made in pursuance of an order of sale in the above entitled matter made the 18 day of December 1854 stating that in pursuance of said order he had exposed the premises in Napa County and the county of San Francisco therein described to sale at Public Auction as therein directed and had sold the same to Stalham Ving for the aggregate sum of Four Thousand dollars and it appearing satisfactorily to this court, on examination of said Guardians Report that the sales so made of the said premises were legally made in pursuance of said order, and fairly conducted and that the sums bid for said property at said sale were not disproportioned to the value thereof Now on motion of James J. Boyd attorney for said Petitioner no person appearing

to oppose it, it is ordered that said Report be and the same is in all things ratified and confirmed and upon reading and filing the affidavit of Stephen G. White William M. Crane, P. Frank Willard and John Connor that due notice of the times and places of said sales were given by said David Van Pelt, Guardian &c by posting the same in three of the most public places of the County of Napa and the County of San Francisco and by publishing such notices in the "San Francisco Daily Herald" and the "Alta California" newspapers published in the city and county of San Francisco for three weeks successively next preceding such sale. On like motion it is ordered that the said sales so made by said David Van Pelt Guardian &c be and the same are hereby confirmed, and it is further ordered that said David Van Pelt Guardian &c, do execute, acknowledge and deliver to the said Stalham King the said purchaser good and sufficient conveyances of the said premises so sold and of all the Estate, right, title and interest of the said in-

fant in and to the same upon his praying to said David Van Pelt, Guardian &c the amount of his said several bids.

P. H. Freelove
Co Judge

Dated San Francisco
Feb 19. 1855

And whereas the said party of the first part did at the said sale sell to the said party of the second part he being the highest bidder for the same. Now this Indenture Witnesseth that the said party of the first part in pursuance of said sale, and of the said order of the said Probate Court and in pursuance of the statutes in such cases made and provided and also for and in consideration of the sum of Three Thousand Dollars lawful money of the United States of America to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged hath granted sold and conveyed and by these presents doth grant sell ~~and~~ convey unto the said party of the second

part his heirs and assigns forever all the estate right title and interest of Caroline Baker Drayton Van Pelt and Emily Van Pelt minor heirs of John Van Pelt, deceased, in and to the undivided three tenths interest of in and to one hundred and sixty seven (167) acres in Napa County constituting the tract of land occupied by said Van Pelt in his life time described as follows viz:

The South half of all that certain piece or parcel of land conveyed by deed from Salvador Vallejo to Henry C. Boggs & William Clark recorded in Book B pages 90 and 91 of the records of said Napa County and described as follows: that is to say Beginning at the South East corner of the tract of land conveyed by said Vallejo to George W Harrison by deed bearing date the 6 day of April 1847 thence running West with said Harrisons line one half mile thence making a right angle and running South one mile thence making a right angle and running East one half mile thence making a right angle and running North one mile to the point of beginning so as to include the

quantity of three hundred and twenty acres.

Also that certain tract or parcel of land situated lying and being in the county of Napa and bounded and described as follows Commencing at the Eastern corner of the lands conveyed by William Clark to John H. Seawall and running with the North Eastern line of said land North 22 degrees 30 minutes, West 22 chains and 94 links to where said line intersects the line of Mrs Maria Luz Caillo de Valejo thence with said line south 32 degrees 6 minutes East 29 chains Twenty Seven links to Haskells Northern corner thence with said Haskells line South 67 degrees 30 minutes West three chains Eighty links to the place of beguining. Together with all and singular the tenements hereditaments and appurtenances thereunto belonging or in anywise appertaining To have and to hold the above described and conveyed premises with the appurtenances and all the estate, right title & interest of the aforesaid Caroline

Baker, Drayton Van Pelt, & Emily Van Pelt minor heirs, of John Van Pelt deceased unto the said party of the second part his heirs and assigns forever, as fully and amply as the said party of the first part might could, or ought to sell and convey the same by virtue of the orders above recited, and of the statutes made and provided, or otherwise

In witness whereof the said party of the first part has hereunto set his hand and seal the day and year first above written

Sealed and delivered in presence of Chik Boyd

David Van Pelt (Seal)
Guardian &c

State of California }
County of San Francisco } ss

On this 21st day of February A. D. One thousand Eight hundred and fifty five before me a Notary Public in and for said county, duly commissioned and sworn personally appeared the within David Van Pelt Guardian &c known to me to be the individual described in and who executed the foregoing conveyance, and he duly acknowledged to me that he executed the same

freely and voluntarily for the uses and purposes therein mentioned

In Witness Whereof I have hereunto set my hand and affixed my official seal in the county aforesaid the day and year first above written

L.S.

E.S. Benson
Notary Public

Received for record Feby 26th A.D. 1855 at 11 o'clock A.M. and recorded at the request of Samuel Goodrich

freely and voluntarily for the uses and purposes therein mentioned

In Witness Whereof I have hereunto set my hand and affixed my official seal in the County aforesaid the day and year first above written

E. S. Benson

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442 ND
PAGE 63

STATE OF CALIFORNIA, }
County of Napa. } ss.

I, HENRY BROWN, County Recorder of said County and State, do hereby certify the foregoing to be a full, true and correct copy of a deed recorded in Book C of Deeds page 215 as the same appears of record in my office.

WITNESS my hand and official seal this 30th day of March A. D. 1885

Henry Brown County Recorder.

By ..... Deputy.

- Deed - 11

David VanPelt Guardian etc
For
- Stalham Wing -

Assignment
Lc. 442 ND

Jeff. Evlt.
No. 7

Dated 20th Feby 1855.

442 ND
PAGE 64

Filed Sept 14th 1866
Dennis W. Hoffman
Clerk

- Certified Copy -

Deed

Eleanor Van Pelt and others to Charles Van Pelt

Know all men by these Presents that we Eleanor Van Pelt, Elvira Stoddard and Henry S. Stoddard her husband Josephine Russ and Charles P. Russ her husband Sophia Mathes and Marshall A. Mathes her husband Statham Wing and Elizabeth Wing his wife and David Van Pelt heirs of John Van Pelt deceased, of the first part in consideration of the sum of one dollar lawful money of the United States of America to us in hand paid by Charles Van Pelt another heir of John Van Pelt deceased the receipt whereof we do hereby acknowledge have bargained, sold and quit claimed and by these Presents, do bargain sell and quit claim unto the said Charles Van Pelt heir of John Van Pelt, deceased, and to his heirs and assigns forever all our right title interest estate dower and right of dower

claim and demand both at Law and in Equity, and, as well in possession as in expectancy of in and to all that certain tract or parcel of land situate lying and being in the County of Napa occupied by the said John Van Pelt in his lifetime, and more particularly described as follows, The South half of all that certain piece or parcel of land conveyed by deed from Salvador Vallejo to Henry C. Boggs & William Clark recorded in Book "B" pages 90 & 91 of the records of said Napa County and described as follows that is to say, beginning at the South East corner of the tract of land conveyed by said Vallejo to George Harrison by deed bearing date the 5th day of April 1847, thence running West with said Harrison's line one half mile thence thence making a right angle and running south one mile thence making a right angle and running East one half mile thence making a right angle and running North

one mile to the place of beginning so as to include the quantity of Three hundred and twenty acres Also that certain other tract piece or parcel of land situated lying and being in the County of Napa bounded and described as follows, Commencing at the Eastern Corner of the lands conveyed by William Clark to John A. Seawell and running with the North Eastern line of said land North Twenty two degrees and thirty minutes West twenty two chains ninety four links to where said line intersects the line of Mis Maria Luis Carrillo de Vallejo thence with said line South thirty two degrees six minutes East twenty three chains twenty seven links to Haskell's Northern Corner, thence with said Haskell's line South sixty seven degrees thirty minutes West three chains eighty links to the place of beginning Which two said tracts of land are estimated to contain one hundred and sixty

seven (167) acres. Together with all and singular the farming utensils horses cattle and the stock and other personal property Tenements hereditaments and appurtenances thereunto belonging or in any wise appertaining. To have and to hold to the said Charles Van Pelt heir of John Van Pelt, deceased, his heirs and assigns forever.

These presents being executed for the purpose of effecting a partition of the Estate of said John Van Pelt deceased among the several heirs thereof.

In Witness Whereof we have hereunto set our hands and seals the twenty third day of March A.D. One thousand Eight hundred and fifty five

Sealed and delivered in the presence of.
the following words interlined "the farming utensils horses cattle" as "the" before execution
E. S. Benson
By David Van Pelt
Statham Wing
Their Attorneys

Eleanor Van Pelt (Seal)
Elvira Stoddard (Seal)
Henry S. Stoddard (Seal)
Josephine Russ (Seal)
Charles P. Russ (Seal)
Sophia Mathis (Seal)
Marshall A. Mathis (Seal)
David Van Pelt (Seal)
Statham Wing (Seal)
Elizabeth Wing (Seal)

State of California
County of San Francisco } ss

On this twenty third, day of March A.D. 1888 before me E.S. Benson, Notary Public personally appeared the within named Statham King and David Van Pelt, known to me to be the same persons who are the attorneys in fact of Eleanor Van Pelt Elvira Stoddard, and Henry S. Stoddard her husband Josephine Russ, and Charles P. Russ her husband Sophia Mathis, and Marshall A. Mathis her husband also severally known to me to be the same persons, described in and who executed the aforegoing instrument by their said attorneys and duly acknowledged to me that they executed the aforegoing instrument freely and voluntarily as and for the act and deed of the said Eleanor Van Pelt Elvira Stoddard and Henry S. Stoddard, her husband, Josephine Russ and Charles P. Russ her husband Sophia Mathis and Marshall A. Mathis her husband, for the uses and purposes therein mentioned. And also at the same time personally ap-

peared before me the said David Van Pelt Statham Wing and Eliza-beth Wing his wife, all known to me to be the persons described in and who executed the said instrument, and they severally duly acknowledged to me that they executed the same freely and voluntarily for the uses and pur-poses therein mentioned, and the said Elizabeth Wing who is personally known to me to be the same person whose name is sub-scribed to the foregoing instrument as a party thereto having been by me made acquainted with the contents of such instrument, duly acknowledged to me on an examin-ation apart from and without the hearing of her said husband that she executed the same freely and voluntarily without fear or compulsion or undue influence of her said husband, and that she does not wish to retract the execution of the same.

In Witness Whereof I have hereunto set my hand and affixed my of-ficial seal the day and year last

above written

Geo. E. S. Benson Not. Pub.

Received for record March 26th A.D. 1855 at 8 o'clock A.M. and recorded at the request of J. P. Veatch

442 ND
PAGE 72

STATE OF CALIFORNIA,
County of Napa. } ss.

I, HENRY BROWN, County Recorder of said County and State, do hereby certify the foregoing to be a full, true and correct copy of a deed recorded in Book C of Deeds page 229 as the same appears of record in my office.

WITNESS my hand and official seal this 30th day of March A. D. 1885

Henry Brown County Recorder.

By ..... Deputy.

Deed 12

Eleanor Van Pelt et al
to
Chas. Van Pelt

Liber L-DC
Le 442 ND

Pltff Exhibit
No. 8.

Dated 23 March 1855

442 ND
PAGE 73

Filed Sept 14 1885
Dmitrand Hoffman
Clerk

- Certified Copy -

This Indenture, made and entered into this Twenty second day of December A.D., One thousand, eight hundred and sixty five (1865.) — Between Caroline Baker, single woman, daughter and only child of Caroline, wife of Courtland R. Baker, ~~and~~ sister of John Van Pelt deceased, acting herein by her attorney in fact David Van Pelt, party of the first part, and Harry C. Parker, party of the second part, — Witnesseth: —

That the said party of the first part, for and in Consideration of the sum of Eight hundred and forty four dollars and forty four cents ($844 $\frac{44}{100}$) to her in hand paid by the said party of the second part at or before the ensealing and delivery of these presents, the receipt whereof is hereby acknowledged, Has granted, bargained and sold, and by these presents Does grant, bargain and sell unto the said party of the second part and to his heirs and assigns forever, All the right, title and interest of the said party of the first part, of, in and to All that Certain Ranch

or tract of land in the County of Napa State of California, known as the Van Pelt Ranch, bounded and described as follows, to wit: Beginning at a point in the middle of the County Road from Napa to the head of the Valley from which point a locust tree Eight inches in diameter bears South forty six degrees West fifty two links distant; thence along the middle of the County Road South twenty two and one-half degrees East forty chains to a stone fifteen inches in diameter from which a fence post marked W. P. bears South fifty five degrees West forty eight links distant; thence along Mass' line North sixty seven and one half degrees East forty four chains, sixty nine links to the line of the Suscol Rancho formerly the property of Doña Maria Luz Carillo de Vallejo to a stake from which an Oak, twenty four inches in diameter bears South fifty seven and three quarters degrees West, six hundred and thirty two links, thence North thirty one degrees thirty six minutes West, twenty seven chains ninety six links to a stake

from which an Oak twenty four inches in diameter bears North fifty nine and three quarters degrees East Two Hundred and fifty nine links distant; thence North twenty two and one half degrees West, six chains sixty six links to a stake from which an Oak thirty six inches in diameter bears South sixty two and three quarters degrees West one hundred and sixty four links distant; thence South sixty seven and one half degrees West, forty chains to the place of beginning:- Containing One Hundred and forty two acres and forty one one hundredths of an acre. Being the same premises of one hundred and sixty seven acres or thereabouts purchased by John Van Pelt deceased from John H. Seawell and wife, less twenty four acres or thereabouts heretofore sold by David Van Pelt to Jonathan L. Clark. And all the estate, right, title and interest as well in law as in equity and in reversion or expectancy of the parties of the first part, ~~or of any~~ as heir at law of John Van Pelt

Eleanor Van Pelt and Charles Van Pelt or of any or either of them.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

To Have and to Hold all and singular the above mentioned and described premises together with the appurtenances unto the said party of the second part his heirs and assigns forever.

In Witness Whereof the said party of the first part has hereunto set her hand and seal on the day and year first above written.

Signed, sealed and delivered in the presence of:
the words "or of any" erased before execution also the word "and" erased on 1st page before execution

Caroline Baker (Seal)
By David Van Pelt her Attorney in fact

Henry Haught

No. 4

State of California,

City and County of San Francisco, } ss.

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On this Twenty Second day of December A. D. One Thousand Eight Hundred and Sixty-five, before me, HENRY HAIGHT, a Notary Public in and for said City and County, personally appeared David Van Pelt personally known to me to be the person described in and who executed by Power of Attorney the annexed instrument, as the Attorney in fact of Caroline Baker named in the annexed instrument as part y thereto, and therein described as the part executing the same by her said Attorney: and the said David Van Pelt acknowledged to me that He executed the same freely and voluntarily, as and for the act and deed of the said Caroline Baker and for the uses and purposes therein mentioned.

In Witness Whereof, I have hereunto set my hand, and affixed my official seal, the day and year in this Certificate first above written.

Henry Haight
NOTARY PUBLIC.

— Dated —

Decr. 22d 1865

Caroline Parker
by her Attorney in fact
Thos. Parker

To

Thos. O. Parker

Decd. pd $5 Exhibit No. 9

Recorded at request of H C Parker Dec 23d A D 1865 at 15 Mins past 11 A M. in Liber "H" of Deeds on Pages 333 & 334 Records of Napa County —

P. F. Hartsfield
Co Recorder

This Indenture made and entered into this Ninth day of October A.D. one thousand eight hundred and sixty five By and Between Stickhain King and his wife Elizabeth lately Elizabeth Van Pelt of the County of Napa State of California, David Van Pelt, Sophia Mathis widow, lately Sophia Van Pelt, Sidney E. Smith and his wife Elvira V. P. formerly Elvira Van Pelt, Brayton D. Van Pelt, Mary Ann Van Pelt widow of Charles Van Pelt, and Charles Van Pelt son of Charles Van Pelt deceased all of the City and County of San Francisco State of California parties of the first part and Harry C. Parker of the same place party of the second part Witnesseth: That the said parties of the first part, for and in consideration of the sum of Five thousand and sixty five ($5065.00) Dollars, to them in hand paid by the said party of the second part, at or before the ensealing and delivery of these presents, the receipt whereof, is hereby acknowledged, Have granted, bargained and sold, and by these presents Do grant, bargain and sell unto the said party of the second part and to

his heirs and assigns forever, All that certain Rancho or tract of land in the County of Napa, State of California known as the Van Pelt Ranch, bounded and described as follows to wit: Beginning at a point in the middle of the County Road from Napa to the head of the Valley from which point a locust tree, Eight inches in diameter bears South forty six degrees West fifty two links distant, thence along the middle of the County Road South twenty two and one half degrees East forty chains to a stone fifteen inches in diameter from which a fence post marked W.P. bears South fifty five degrees West forty eight links distant; thence along Rast's line North sixty seven and one half degrees East forty four chains sixty nine links to the line of the Sausal Rancho, formerly the property of Doña Maria Luz Carrillo de Vallejo to a stake, from which an Oak, twenty four inches in diameter bears South fifty seven and three quarters degrees West, six hundred and thirty two links, thence North thirty one degrees, thirty six minutes West, twenty seven chains, ninety six links to a stake from which an Oak twenty four inches in diameter bears North fifty nine and

three quarters degrees East two hundred and fifty nine links distant; thence North twenty two and one half degrees West, six chains sixty six links to a stake from which an Oak thirty six inches in diameter bears South sixty two and three quarters degrees West one hundred and sixty four links distant, thence South sixty seven and one half degrees West, forty chains to the place of beginning. Containing One hundred and forty two Acres and forty one, one hundredths of an acre, Being the same premises of one hundred and sixty seven acres or thereabouts purchased by John Van Kelt deceased from John H. Seavell and wife, less twenty four acres or thereabouts heretofore sold by David Van Kelt to Jonathan L. Clark. And all the estate, right, title and interest as well in law as in equity and in reversion or expectancy of the parties of the first part, or of any or either of them as heirs at law of John Van Kelt, Eleanor Van Kelt and Charles Van Kelt or of any or either of them. Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues,

and profits thereof.

To Have and To Hold all and singular the above mentioned and described premises together with the appurtenances unto the said party of the second part his heirs and assigns forever.

In Witness whereof the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed Sealed and Delivered in presence of

The word "acres" interlined before execution.
Being first duly stamped.

E. A. Sutter
Notary Public.

David Van Pelt
Sophia Mathis
Elizabeth Wing
Nathan Wing

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Sydney E. Smith

Elvira F. F. Smith

Brayton D. Van Pelt

Mary A. Van Pelt

Chas. Van Pelt

said annexed instrument, and ..... acknowledged to me that they executed the same freely and voluntarily, and for the uses and purposes therein mentioned.

In Witness Whereof, *I have hereunto set my hand and affixed my Official Seal, the day and year in this Certificate first above written.*

G. W. Towle

Notary Public.

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No. 3

Printed and sold by Wm. B. Cooke & Co., Importing and Jobbing Stationers, 624 Montgomery St., San Francisco

State of California,
CITY AND COUNTY OF SAN FRANCISCO. } ss

On this Ninth day of October A. D. One Thousand, Eight Hundred and Sixty-Five before me Emile V. Sutter, a Notary Public in and for said City and County, duly commissioned and sworn, personally appeared the within named

David Van Pelt, Sophia Mathis, Widow, and Brayton D. Van Pelt

442 ND
PAGE

whose names are subscribed to the annexed instrument as parties thereto personally known to me to be the individuals described in and who executed the said annexed instrument, and they, the said parties acknowledged to me that they executed the same freely and voluntarily, and for the uses and purposes therein mentioned.

In Witness Whereof I have hereunto set my hand and affixed my Official Seal, the day and year in this Certificate first above written.

E. V. Sutter
Notary Public.

Mary A Van Pelt

Chas. Van Pelt

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No. 1

Printed and sold by Wm. B. Cooke & Co., Importing and Jobbing Stationers, No. 624 Montgomery Street, Montgomery Block, San Francisco.

State of California,
CITY AND COUNTY OF San Francisco } ss.

On this Ninth day of October A. D. One Thousand Eight Hundred and Sixty Five before me Emile V. Sutter a Notary Public in and for said City and County, duly commissioned and sworn, personally appeared the within named Sophia Mathis, Widow, and Brayton D. Van Pelt

whose names are subscribed to the annexed instrument as parties thereto personally known to me to be the individuals described in and who executed the said annexed instrument, and ..... acknowledged to me that they executed the same freely and voluntarily, and for the uses and purposes therein mentioned.

In Witness Whereof, I have hereunto set my hand and affixed my Official Seal, the day and year in this Certificate first above written.

E. V. Sutter
Notary Public.

No. 1.

Printed and sold by Wm. B. Cooke & Co., Importing and Jobbing Stationers, 624 Montgomery St., Montgomery Block, San Francisco.

State of California,
CITY AND COUNTY OF SAN FRANCISCO, } SS.

On this Ninth day of October A.D. One Thousand Eight Hundred and Sixty-Five before me Emile V. Sutter, a Notary Public in and for said City and County, personally appeared Sydney E. Smith and his wife, Elvira V. P. Smith, personally known to me to be the individuals described in and who executed the annexed Instrument as parties thereto, and acknowledged to me that they executed the same freely and voluntarily, and for the uses and purposes therein mentioned. And the said Elvira V. P. Smith wife of the said Sydney E. Smith having been by me first made acquainted with the contents of said Instrument, acknowledged to me, on examination, apart from and without the hearing of her husband, that she executed the same freely and voluntarily, without fear or compulsion, or undue influence of her husband, and that she did not wish to retract the execution of the same.

In Witness Whereof, I have hereunto set my hand and affixed my official Seal, in said County, the day and year in this Certificate first above written.

E. V. Sutter

NOTARY PUBLIC.

NO. 1.

Printed and sold by Wm. B. Cooke & Co., Importing and Jobbing Stationers, No. 624 Montgomery Street, Montgomery Block, San Francisco.

State of California, }
COUNTY OF Napa } ss.

On this Sixteenth day of October A. D. One Thousand Eight Hundred and Sixty-five before me G. W. Lowle a Notary Public in and for said Napa County, personally appeared Stalham Wing and his wife, Elizabeth Wing personally known to me to be the individuals described in, and who executed the annexed Instrument as parties thereto, and acknowledged to me that they executed the same freely and voluntarily, and for the uses and purposes therein mentioned. And the said Elizabeth Wing wife of the said Stalham Wing having been by me first made acquainted with the contents of said instrument, acknowledged to me on examination, apart from and without the hearing of her husband, that she executed the same freely and voluntarily, without fear or compulsion, or undue influence of her husband, and that she did not wish to retract the execution of the same.

In Witness Whereof, I have hereunto set my hand, and affixed my Official Seal, the day and year first above written.

G. W. Lowle

NOTARY PUBLIC.

No. 3. Printed and sold by Wm. B. Cooke & Co., Importing and Jobbing Stationers, 624 Montgomery St., Montgomery Block, San Francisco.

State of California,
COUNTY OF Napa } SS.

On this Fifteenth day of October A. D. One Thousand Eight Hundred and Sixty-five before me G. W. Lowle a Notary Public in and for said Napa County, duly commissioned and sworn, personally appeared the within named Mary A. Van Pelt & Charles Van Pelt

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whose names are subscribed to the annexed instrument as parties thereto personally known to me to be the individuals described in and who executed the said annexed instrument, and acknowledged to me that they executed the same freely and voluntarily, and for the uses and purposes therein mentioned.

In Witness Whereof, I have hereunto set my hand and affixed my Official Seal, the day and year in this Certificate first above written.

G. W. Lowle

Notary Public.

Le 442 ND 14

4 shares to
Free Dep 14 1881
Dwell Franchise
Cancel

pltff Exhibit
No 10

Nathan King
and wife
David Van Pelt
et als

To

Harry A. Parker

Dated 9. Oct. 1865

Recorded at request of H. A. Parker
Oct 16th A.D. 1865 at 1
P. M. in Liber "II" of Deeds
on Page 337 Records of
Napa County

G. W. Hossfeld
Co Recorder

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Cod 4 30 X

This Indenture,

Made this twenty Sixth day of September A.D. 1865, BETWEEN John S. Stark late Sheriff of Napa County, California of the first part, and Harry C. Parker (assignee of W. N. Wade) of the City and County of San Francisco of the second part; Whereas, by virtue of a writ of Execution issued out of and made under the seal of the District Court of the Seventh Judicial District in and for said Napa County, tested the 7th day of September 1860, in an action wherein James Blaikie was Plaintiff and Charles Van Pelt, defendant, to the said Sheriff directed and delivered, commanding him that of the goods and chattels of the said Defendant, Charles Van Pelt

in his bailiwick, he should cause to be made certain moneys in the said writ specified, and if sufficient goods of the last named person could not be found, that then he should cause the amount of said judgment to be made of the lands, tenements and real estate whereof the said last named person was seized; and whereas, because sufficient goods and chattels of the last named person in the said writ could not be found, whereof he, the said Sheriff, could cause to be made the moneys specified in said writ, he, the said Sheriff, did, in obedience to said command, levy on, take and seize all the estate, right, title and interest of the said last named person of, in and to the lands, tenements, real estate and premises hereinafter particularly set forth and described, with the ap-
[illegible] and did on the Thirteenth day of October A. D. 1860, sell all the
interest of the said last named person in and to the said premises at public vendue, at the Court
Door in the County of Napa in said State of
nia between the hours of nine in the morning and five in the afternoon of that
two (2) o'clock—he having first given notice of the time and place of such sale, according
ch sale the right, title and interest of the last named person in and to the said premises, were
sold to William N. Wade of San Francisco
Seventeen hundred and Seventy eight ($1778) Dollars
illiam N. Wade being the highest bidder, and that being the highest
the same, whereupon the said Sheriff, after receiving from said purchaser the said sum of money
oresaid, gave to him such certificate as is by law directed to be given, and a certificate of such
filed in the office of the Recorder of Said County of Napa
ne six months after such sale thereof have expired without any redemption of the said premises
een made:

NOW THIS INDENTURE WITNESSETH, That I, John S. Stark late Sheriff as aforesaid, by virtue of the said writ, and in pursuance of the Statute in such case made and provided, for and in consideration of the sum of money above mentioned, to me in hand paid as aforesaid, the receipt whereof is hereby acknowledged, have granted, bargained, sold, conveyed and confirmed, and by these presents do grant, bargain, sell, convey and confirm unto the said Harry C. Parker, assignee of Said Wm N. Wade (as appears from the assignment endorsed on the Certificate of Sale bearing date 22nd September 1865 whereby the said Wade transfers all his interest therein to Said Harry C. Parker as by reference thereto will appear) his heirs or assigns, all the estate, right, title and interest of the said person against whom the said writ of execution has been issued as aforesaid, of, in and to all the following described property, to wit: all those Certain tracts of land situated in said Napa County, State aforesaid, and described as follows: Beginning at the South East Corner of the tract of land Conveyed by Salvador Vallejo to George M. Harrison by Deed bearing date the 5th day of April 1847, thence running West with said Harrison's line one half mile, thence making a right angle and running South one mile, thence making a right angle and running East one half mile; thence making a right angle and running North one mile to the place of beginning so as to include the quantity of three hundred and twenty (320) acres; also one other tract situated in said County of Napa, and described as follows: Commencing at the Eastern corner of lands conveyed by Wm Clarke to John H. Scandell and running with the northeastern line of said land North 22° 30' West 22 chains 94 links to where said line intersects the line of Mrs Maria Sus Carrillo de Vallejo, thence with said line South 32° 6' East 23 chains 27 links to Haskell's Northern corner, thence with said Haskell's line South 67° 30' West 3 chains 80 links to the place of beginning, which two tracts are estimated to contain one hundred and sixty seven (167) acres

together with all and singular the hereditaments and appurtenances thereunto belonging or in any wise appertaining, to have and to hold the said above mentioned and described premises, with the appurtenances, unto the said Harry C. Parker his heirs and assigns forever, as fully and absolutely as I John S. Stark late the Sheriff aforesaid, can, may or ought to by virtue of the said writ and of the Statute in such case made and provided, grant, bargain, sell, release, assign, convey and confirm the same.

IN WITNESS WHEREOF, I the said late Sheriff, have hereunto set my hand and seal, the day and year first above written.

Sealed and Delivered in the Presence of

John S. Stark (Seal)
Late Sheriff of Napa County

Printed and sold by Wm. B. Cooke & Co., Importing and Jobbing Stationers, 624 Montgomery St., San Francisco.

No. 3

Printed and sold by Wm. B. Cooke & Co., Importing and Jobbing Stationers, 624 Moutgomery Street, Montgomery Block, San Francisco

State of California, } S.S.
COUNTY OF Napa

On this Twenty Ninth day of September A. D., One Thousand Eight Hundred and Sixty five before me, W. A. Haskin a Notary Public, in and for said Napa County, duly commissioned and sworn, personally appeared the within named

John L. Stark, late Sheriff of Napa County,

whose name is subscribed to the annexed instrument, as a party thereto, personally known to me to be the individual described in and who executed the said annexed Instrument as such late Sheriff of said County and he duly acknowledged to me that he executed the same freely and voluntarily, and for the uses and purposes therein mentioned, as such late Sheriff, aforesaid.

In Witness Whereof I have hereunto set my hand and affixed my Official Seal the day and year in this Certificate first above written.

W. A. Haskin

Notary Public.

Le 442 ND 15

DEED.

Chas. Van Pelt
by J. L. Clark late
Sheriff Ex'dt

TO

Jas. Lane Dec'd
Sold by Ex'dt 14 1865
Deed to Purchaser
C. Parker

Pelt Ex'dt
No. 11

Dated, 26 Sept 1865

Recorded at request of
H. C. Parker
October 26th A. D. 1865
at 40 min. past 11 A. M.
in Liber "H" of Deeds
Page 349 &c Records of
Napa County.

D. A. Horland
Co Recorder

442 ND
PAGE 92

This Indenture,

Made the thirtyth day of October one thousand, eight hundred and sixty five

BETWEEN William Clarke formerly of the City of Independence, Jackson County, State of Missouri party of the first part

and

Harry C. Parker of the City and County of San Francisco, State of California party

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of the second part, Witnesseth, That the said party of the first part, for and in consideration of the sum of Ten Dollars,

to him in hand paid by the said party of the second part, at or before the ensealing and delivery of these presents, the receipt whereof is hereby acknowledged, Has remised, released and quit-claimed, and by these presents Does remise, release and quit-claim unto the said party of the second part, and to his heirs and assigns forever, All that certain Rancho or tract of land in the County of Napa State of California bounded and described as follows to wit: Beginning at a point in the middle of the County Road from Napa to the head of the Valley, from which point a locust tree Eight inches in diameter bears South forty six degrees West fifty two links distant, thence along the middle of the County Road South twenty two and one half degrees East forty chains to a stone fifteen inches in diameter, from which a fence post marked W.P. bears South fifty five degrees West forty eight links distant, thence along Pass' line North sixty seven and one half degrees East forty four chains, sixty nine links to the line of the Lausal Rancho formerly the property of Doña Maria Luz Carillo de Vallejo to a stake from which an Oak, twenty four inches in diameter bears South fifty seven and three quarters degrees West six chains thirty two links: thence North thirty one degrees, thirty six minutes West twenty seven chains ninety six links to a stake from which an Oak twenty four inches in diameter bears North fifty nine and three quarters degrees East two hundred and fifty nine links, ~~to a stake~~ distant, thence North twenty two and one half degrees West six chains sixty six links to a stake from which an Oak thirty six inches in diameter bears South sixty two and three quarters degrees West one hundred and sixty four links distant, thence South sixty seven and one half degrees West forty chains to beginning. Containing one hundred and forty two acres and forty one, one hundredths of an acre.

This deed is without any warranty, but is intended to confirm a conveyance heretofore made by the party of the first part by his attorney in fact Charles Clarke, under which the party of the second part now claims.

Printed and sold by Wm. B. Cooke & Co., Importing and Jobbing Stationers, 624 Montgomery St., San Francisco.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof. *And* also all the estate, right, title, interest, property, possession, claim and demand whatsoever, as well in law as in equity, of the said part of the first part, of, in or to the above described premises, and every part and parcel thereof, with the appurtenances.

To Have and to Hold, all and singular the above mentioned and described premises, together with the appurtenances, unto the said part of the second part, his heirs and assigns forever.

In Witness Whereof, the said part of the first part has hereunto set his hand and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of
The words "to a state" erased before execution.

William Clarke (Seal) (Seal)

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Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof. *And* also all the estate, right, title, interest, property, possession, claim and demand whatsoever, as well in law as in equity, of the said part of the first part, of, in or to the above described premises, and every part and parcel thereof, with the appurtenances.

To Have and to Hold, all and singular the above mentioned and described premises, together with the appurtenances, unto the said part of the second part, his heirs and assigns forever.

No. 3.

Printed and sold by Wm. B. Cooke & Co., Importing and Jobbing Stationers, 624 Montgomery St., Montgomery Block, San Francisco.

State of California,
COUNTY OF Napa } SS.

On this thirtieth day of October A. D. One Thousand Eight Hundred and Sixty-five before me G. W. Towle a Notary Public in and for said Napa County, duly commissioned and sworn, personally appeared the within named

William Clarke

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whose name is subscribed to the annexed instrument as a party thereto personally known to me to be the individual described in and who executed the said annexed instrument, and acknowledged to me that he executed the same freely and voluntarily, and for the uses and purposes therein mentioned.

In Witness Whereof, I have hereunto set my hand and affixed my Official Seal, the day and year in this Certificate first above written.

G. W. Towle
Notary Public.

d and

seal

Signed,
The wo
before

Clarke (seal) (Seal)

4 16

DEED.

U.S. Dis Court Dist Cal
Lc 442 ND

William Clarke

— TO —

Harry C. Parker

Fees Applied for 14 1865
Donation Patent
Cancelled

Dated October 30th 1865

RECORDED AT REQUEST OF

Harry C. Parker

October 30th A. D. 1865

at 50 min. past 11 A. M.

in Liber "I" of Deeds on

Page 355 &c. Records of

Napa County.

D. H. Hopland
Co Recorder

442 ND
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This Indenture,

Made the Thirty first day of October one thousand, eight hundred and sixty five.

BETWEEN Livingston Snedeker and Emily V. P. his wife lately Emily Van Pelt of the City of Brooklyn State of New York parties of the first part and Henry C. Parker of the City and County of San Francisco, State of California party of the second part, **Witnesseth**, That the said parties of the first part, for and in consideration of the sum of Eight hundred and forty four Dollars,

to them in hand paid by the said party of the second part, at or before the ensealing and delivery of these presents, the receipt whereof is hereby acknowledged, Have granted, bargained and sold, and by these presents Do grant, bargain and sell unto the said party of the second part, and to his heirs and assigns forever, All that certain Rancho or tract of land in the County of Napa, State of California, known as the Van Pelt Ranch bounded and described as follows to wit: Beginning at a point in the middle of the County Road from Napa to the head of the valley, from which point a locust tree Eight inches in diameter bears South forty six degrees West fifty two links distant, thence along the middle of the County Road, South twenty two and one half degrees East forty chains to a stone fifteen inches in diameter from which a fence post marked W.P. bears South fifty five degrees West forty eight links distant, thence along Rassi line North sixty seven and one half degrees East forty four chains, sixty nine links, to the line of the Sausal Rancho, formerly the property of Doña Maria Luz Carillo de Vallejo to a stake from which an Oak twenty four inches in diameter bears South fifty seven and three quarters degrees West, six hundred and thirty two links; thence North thirty one degrees, thirty six minutes West, twenty seven chains ninety six links to a stake from which an Oak, twenty four inches in diameter bears North fifty nine and three quarters degrees East two hundred and fifty nine links distant: thence North twenty two and one half degrees West six chains sixty six links to a stake from which an Oak thirty six inches in diameter bears South sixty two and three quarters degrees West one hundred and sixty four links distant, thence South sixty seven and one half degrees West forty chains to the place of beginning. Containing one hundred and forty two acres and forty one, one hundredths of an Acre. Being the same premises of one hundred and sixty seven acres or thereabouts purchased by John Van Pelt deceased from John H. Seavell and wife, less twenty four acres or thereabouts heretofore sold by David Van Pelt to Jonathan L. Clark. And all the estate, right, title and interest

Printed and sold by Wm. B Cooke & Co., Importing and Jobbing Stationers, 624 Montgomery St., San Francisco.

as well in law as in equity and in reversion or expectancy of the parties of the first part, or of either of them as heir at law of John Van Pelt and Eleanor Van Pelt or either of them. This deed is without any warranty being made to confirm previous conveyances under which the party of the second part claims the said premises.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof. *And* also all the estate, right, title, interest, property, possession, claim and demand whatsoever, as well in law as in equity, of the said parties of the first part, of, in or to the above described premises, and every part and parcel thereof, with the appurtenances.

To Have and to Hold, all and singular the above mentioned and described premises, together with the appurtenances, unto the said party of the second part, his heirs and assigns forever.

In Witness Whereof, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of

Allen K. Hackett

Livingston Snedeker (Seal)

Emily V. S. Snedeker

as well in law as in equity and in reversion or expectancy of the parties of the first part, or of either of them as heir at law of John Van Pelt and Eleanor Van Pelt or either of them. This deed is without any warranty being made to confirm previous conveyances under which the party of the second part claims the said premises.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof. **And** also all the estate, right, title, interest, property, possession, claim and demand whatsoever, as well in law as in equity, of the said parties of the first part, of, in or to the above described premises, and every part and parcel thereof, with the appurtenances.

To Have and to Hold, all and singular the above mentioned and described premises, together with the appurtenances, unto the said party of the second part, his heirs and assigns forever.

No. 1. Printed and Sold by Wm. B. Cooke & Co., Stationers, Montgomery Block, San Francisco.

State of New York
City & COUNTY OF New York } ss.

On this thirty first day of October A. D. One Thousand Eight Hundred and Sixty five before me, Allen K. Hackett a Commissioner of Deeds for the ~~Territory~~ State of California duly appointed, commissioned and residing in New York City and County personally appeared Livingston Snedeker and Emily V. P. his wife, personally known to me to be the individuals described in and who executed the annexed Instrument, as parties thereto, and acknowledged to me that they executed the same freely and voluntarily, and for the uses and purposes therein mentioned. And the said Emily V. P. wife of the said Livingston Snedeker having been by me first made acquainted with the contents of said Instrument, acknowledged to me, on examination, apart from and without the hearing of her husband, that she executed the same freely and voluntarily, without fear or compulsion, or undue influence of her husband, and that she did not wish to retract the execution of the same.

their hands and

Snedeker (Seal)

E. P. Snedeker

In Witness Whereof, I have hereunto set my hand and affixed my Official Seal, at my office in said County the day and year in this Certificate first above written.

Allen K. Hackett

Commissioner of Deeds for the ~~Territory of~~
State of California at the City, County & State of New York

JOHN K. HACKETT
COMMISSIONER
FOR THE
STATE OF
CALIFORNIA

17

DEED.

This Sixteenth 14th 1865 Douglas Stockton county

Lemuel Snyder and wife

TO

Harry Paul Wm Parker

L. C. Parker

Dated October 31st 1865

RECORDED AT REQUEST OF

H. C. Parker

December 2nd A. D. 1865

at 30 min. past 10 A. M.

in Liber "H" of Deeds, Pages 402 & 403 - Records of Napa County —

D. H. Norland

Co Recorder

442 ND

PAGE 100

This Indenture,

Made the Thirtieth day of October one thousand, eight hundred and sixty five

BETWEEN Charles P. Russ and his wife Josephine lately Josephine Van Pelt of the City of Brooklyn, State of New York parties of the first part and Harry C. Parker of the City and County of San Francisco, State of California party of the second part, Witnesseth, That the said parties of the first part, for and in consideration of the sum of Eight hundred and forty four ($844.) Dollars,

to them in hand paid by the said party of the second part, at or before the ensealing and delivery of these presents, the receipt whereof is hereby acknowledged, Have granted, bargained and sold, and by these presents Do grant, bargain and sell unto the said party of the second part, and to his heirs and assigns forever, All that certain Rancho or tract of land in the County of Napa, State of California bounded and described as follows to wit: Beginning at a point in the middle of the County Road from Napa to the head of the Valley, from which point a locust tree Eight inches in diameter bears South forty six degrees West fifty two links distant, thence along the middle of the County Road South twenty two and one half degrees East, forty chains, to a stone fifteen inches in diameter from which a fence post marked [illegible] South fifty five degrees West forty eight links distant, thence along Pass' line North sixty seven and one half degrees East forty four chains sixty nine links, to the line of the Sausal Rancho formerly the property of Doña Maria Luiz Carillo de Valleja to a stake from which an Oak twenty four inches in diameter bears South fifty seven and three quarters degrees West six hundred and thirty two links: thence North thirty one degrees thirty six minutes West twenty seven chains, ninety six links to a stake from which an Oak twenty four inches in diameter bears North fifty nine and three quarters degrees East two hundred and fifty nine links distant; thence North twenty two and one half degrees West six chains, sixty six links to a stake from which an Oak thirty six inches in diameter bears South sixty two and three quarters degrees West one hundred and sixty four links distant, thence South sixty seven and one half degrees West forty chains to the place of beginning. Containing one hundred and forty two acres and forty one, one hundredths of an acre. Being the same premises of one hundred and sixty seven acres or thereabouts, purchased by John Van Pelt deceased from John H. Seawell and wife, less twenty four acres or thereabouts, heretofore sold by David Van Pelt to Jonathan L. Clark, And all the estate, right, title and interest as well in law, as in equity and in reversion or expectancy

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of the parties of the first part, or either of them as heirs at law of John Van Pelt and Eleanor Van Pelt or either of them. This deed is without any warranty, being made to confirm previous conveyances under which the party of the second part claims the said premises.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof. And also all the estate, right, title, interest, property, possession, claim and demand whatsoever, as well in law as in equity, of the said parties of the first part, of, in or to the above described premises, and every part and parcel thereof, with the appurtenances.

To Have and to Hold, all and singular the above mentioned and described premises, together with the appurtenances, unto the said parties of the second part, their heirs and assigns forever.

In Witness Whereof, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of
Adolphus D Martin
Jas. W. Hale

Chas. P. Russ
Josephine Russ

of the parties of the first part, or either of them as heirs at law of John Van Pelt and Eleanor Van Pelt or either of them. This deed is without any warranty, being made to confirm previous conveyances under which the party of the second part claims the said premises.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof. **And** also all the estate, right, title, interest, property, possession, claim and demand whatsoever, as well in law as in equity, of the said parties of the first part, of, in or to the above described premises, and every part and parcel thereof, with the appurtenances.

To Have and to Hold, all and singular the above mentioned and described premises, together with the appurtenances, unto the said parties of the second part, his heirs and assigns forever

No. 1.

Printed and Sold by Wm. B. Cooke & Co., Stationers, Montgomery Block, San Francisco.

State of New York
COUNTY OF New York } SS.

On this thirteenth day of October A. D. One Thousand Eight Hundred and Sixty five before me, James W. Hale a Commissioner of Deeds for the ~~Territory~~ State of California duly appointed, commissioned and residing in the state of N. York, New York County, personally appeared Charles P. Russ and Josephine his wife, both of whom are personally known to me to be the individuals described in and who executed the annexed Instrument, as parties thereto, and acknowledged to me that they executed the same freely and voluntarily, and for the uses and purposes therein mentioned. And the said Josephine Russ wife of the said Charles P. Russ having been by me first made acquainted with the contents of said Instrument, acknowledged to me, on examination, apart from and without the hearing of her husband, that she executed the same freely and voluntarily, without fear or compulsion, or undue influence of her husband, and that she did not wish to retract the execution of the same.

In Witness Whereof, I have hereunto set my hand and affixed my Official Seal, at my office in said County the day and year in this Certificate first above written.

Jas. W. Hale

Commissioner of Deeds for the ~~Territory~~ State of California
in New York 54 Wall St

6 — 18

DEED.

US Dept Int. Digital
LC 442-ND

Chas. P. Russ and
Josephine his wife

TO

Harry C. Parker

Pl. Exh. No. 14

Dated Oct 30 1865

RECORDED AT REQUEST OF

H. C. Parker

June 9th A. D. 1866

at 45 min. past 12 M.

in Liber "H" of Deeds Pages
444 & 445 — upon —
Mr Pringle —
Napa County.

H. H. Hinland
Co Recorder

Free Syndicate 14 1865
Portland Mr Bruce
Exch

442 ND
PAGE 104

Charles P. Russ & Wife
To
Eugene Casserly

This Indenture made the nineteenth day of May in the year one thousand eight hundred and fifty nine between Josephine Russ wife of Charles P. Russ and the said Charles P. Russ both of the City of Brooklyn in the County of Kings and State of New York parties of the first part and Eugene Casserly of San Francisco in the State of California, Counsellor at Law party of the second part. Witnesseth that the said parties of the first part for and in consideration of the sum of one dollar lawful money of the United States of America to them in hand paid by the said party of the second part at or before the ensealing and delivery of these presents, the receipt whereof is hereby acknowledged, have granted, bargained, sold, aliened, conveyed and confirmed, and by these presents

do grant bargain Sell, alien convey and confirm unto the said party of the Second part, his heirs executors administrators and assigns all the estate right title interest property possession claim and demand whatsoever, as well in Law as in Equity of the said Josephine Russ party of the first part and of the said Charles P. Russ party of the first part, (if any he may have) of in or to all and singular the property both real and personal in the State of California which belonged to John Van Pelt formerly of San Francisco in said State, and all right title claim and demand which the said parties of the first part or either of them have to demand or receive from any person or persons any portion or distributive share of the Estate of said Van Pelt, or any legacy or legacies due to them or either of them from the executors or administrators of said Van Pelt, and also all Sums of money debts Stock or other property real personal or mixed to which

they or either of them may be entitled as legatee heir next of kin or otherwise of Said Van Celt and also all debts and demands property and damages due to or withheld from them or either of them or by any person or persons in the State of California.

Together with all and singular the tenements hereditaments or appurtenances thereunto belonging or in any wise appertaining and the reversion and reversions, remainder and remainders, rents issues and profits thereof.

To have and to hold all and Singular the property above mentioned and described and every part and parcel thereof together with the appurtenances unto the said party of the Second part his heirs executors administrators and assigns forever.

and the Said parties of the first part do hereby appoint the said party of the Second part their and each of their true and lawful attorney irrevocable for them and in their name to ask, demand, sue for, collect and

receive all property, Sums of money debts, demands, and damages aforesaid from any person or persons whatsoever

In Witness Whereof the said parties of the first part have hereunto set their hands and affixed their seals this 19th day of May in the year one thousand eight hundred and fifty nine

In presence of

Jas. W. Hale — Josephine Russ (Seal)

Chas. P. Russ (Seal)

State of New York
~~City and County of New York~~ County of Kings } ss On the 4th day of June A.D. one thousand Eight hundred and fifty nine before me Jas W. Hale a commissioner duly appointed by the Governor of California ~~to reside in the City~~ for the State of New York in the State ~~of New York~~, personally appeared Josephine Russ wife of Charles P. Russ and Charles P. Russ personally known to me to be the individual described in and who executed the foregoing instrument, who acknowledged to me that they executed the same freely and voluntarily and

for the uses and purposes therein

for the uses and purposes therein mentioned. And the said Josephine Russ, wife of the said Charles P. Russ, having having been by me first made acquainted with the contents of said Instrument acknowledged to me, on examination apart from and without the hearing of her husband that She executed the Same freely and voluntarily without fear, or compulsion or undue influence of her husband and that she does not wish to retract the execution of the same.

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

L.S.

Jas. H. Hale
Comr for California in New York

A true copy of an original recorded at request of Eugene Casserly Nov 14th A.D. 1865 at 55 mins past 10 a.m.

J. H. Howland
Co Recorder

for the uses and purposes therein mentioned. And the said Josephine Russ, wife of the said Charles P. Russ, having having been by me first made acquainted with the contents of said Instrument acknowledged to me on examination apart from and without the hearing of her husband that She executed

STATE OF CALIFORNIA, }
County of Napa. } ss.

I, HENRY BROWN, County Recorder of said County and State, do hereby certify the foregoing to be a full, true and correct copy of a deed recorded in Book I of deeds page 385 as the same appears of record in my office.

WITNESS my hand and official seal this 30th day of March A. D. 1885

Henry Brown County Recorder.

By ..... Deputy.

- Deed - 19

Chas. P. Russ & wife
To
Eugene Casserly

U.S. Dist. Court
Le 442 ND

Jeffs Exhibit
No. 15.

Dated 19th May 1859

Filed September 14th 1885
Donald McLean
Clerk

442 ND
PAGE 111

- Certified Copy -

This Indenture,

Made the Eighteenth day of January one thousand, eight hundred and sixty six

BETWEEN Eugene Casserly of the City and County of San Francisco, State of California party of the first part — and — Harry C. Parker of the same place party of the second

~~the second part~~, Witnesseth, That the said party of the first part, for and in consideration of the sum of Eight Hundred and Forty Four Dollars,

to him in hand paid, the receipt whereof is hereby acknowledged, Has granted, bargained, sold, remised, conveyed and quit-claimed, and by these presents Doth grant, bargain, sell, remise, convey and quit-claim unto the said party of the second part, and to his heirs and assigns, forever, all the right, title and interest of the said party of the first part, All that certain

442 ND
PAGE 112

Rancho or tract of land in the County of Napa, State of California bounded and described as follows to wit: Beginning at a point in the middle of the County Road from Napa to the head of the Valley, from which point a locust tree eight inches in diameter bears South forty six degrees West fifty two links distant, thence along the middle of the County Road South twenty two and one half degrees East, forty chains, to a stone fifteen inches in diameter from which a fence post marked W.P. bears South fifty five degrees West forty eight links distant, thence along Plass' line North sixty seven and one half degrees East forty four chains sixty nine links to the line of the Sausal Ranch formerly the property of Doña Maria Luiz Carrillo de Vallejo to a stake from which an Oak twenty four inches in diameter bears South fifty seven and three quarters degrees West six hundred and thirty two links: thence North thirty one degrees thirty six minutes West twenty seven chains, ninety six links to a stake from which an Oak twenty four inches in diameter bears North fifty nine and three quarters degrees East two hundred and fifty nine links distant; thence North twenty two and one half degrees West six chains, sixty six links to a stake from which an Oak thirty six inches in diameter bears South sixty two and three quarters degrees West one hundred and sixty four links distant, thence, South sixty seven and one half degrees West forty chains to the place of beginning. Containing one hundred and forty two acres and forty one, one hundreths of an acre, less twenty four acres or thereabouts heretofore sold by David Van Pelt to Jonathan L. Clark and all the estate, right, title and interest as well in law as in equity and in reversion or expectancy, of the party of the first part, vested or to vest in him by or under a certain deed of conveyance of Josephine Russ wife of Charles P. Russ and said Charles P. Russ dated May 19. 1859, and Recorded in the County of Napa, State of California in Liber II of Deeds on page 385.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, and the rents, issues, and profits thereof.

To Have and to Hold, all and singular the above mentioned and described premises, together with the appurtenances, unto the said party of the second part his heirs and assigns forever.

In Witness Whereof, The said party of the first part has hereunto set his hand and seal the day and year first above written.

WITNESS:

H. Gieberst Jr

E. Casserly. (seal)

Printed and sold by Wm. B. Cooke & Co., Importing and Jobbing Stationers, 624 Montgomery St., San Francisco.

This Indenture,

Made the Eighteenth day of January one thousand, eight hundred and sixty six

BETWEEN Eugene Casserly of the City and County of San Francisco, State of Cali- party of the first part — and — Harry C. Parker of the same place party of the second

~~the second part~~, Witnesseth, That the said party of the first part, for and in consideration of the sum of Eight Hundred and Forty Four Dollars,

to him in hand paid, the receipt whereof is hereby acknowledged, Has granted, bargained, sold, remised, conveyed and quit-claimed, and by these presents Do the grant, bargain, sell, remise, convey and quit-claim unto the said party of the second part, and to his heirs and assigns, forever, all the right, title and interest of the said party of the first part, All that certain

442 ND
PAGE 112

Rancho or tract of land in the County of Napa, State of California bounded and described as follows to wit: Beginning at a point in the middle of the County Road from Napa to the head of the Valley, from which point a locust tree eight inches in diameter bears South forty six degrees West fifty two links distant, thence along the middle of the County Road South twenty two and one half degrees East, forty chains, to a stone fifteen inches in diameter from which a fence post marked W.P. bears South fifty five degrees West forty eight links distant, thence along Glass' line North sixty seven and one half degrees East forty four chains sixty nine links to the line of the Sausal Ranch formerly the property of Doña Maria Luiz Carrillo de Vallejo to a stake from which an Oak twenty four inches in diameter bears South fifty seven and three quarters degrees West six hundred and thirty two links: thence North thirty one degrees thirty six minutes West twenty seven chains, ninety six links to a stake from which an Oak twenty four inches in diameter bears North fifty nine and three quarters degrees East two hundred and fifty nine links distant; thence North twenty two and one half degrees West six chains, sixty six links to a stake from which an Oak thirty six inches in diameter bears South sixty two and three quarters degrees West one hundred and sixty four links distant, thence, South sixty seven and one half degrees West forty chains to the place of beginning. Containing one hundred and forty two acres and forty one, one hundreths of an acre, less twenty four

[illegible] Clark and all the es- [illegible] expectancy, of the party [illegible] eyana of Josephine [illegible] d Recorded in the County [illegible] ances thereunto belonging, [illegible] d and described premises, [illegible] heirs and assigns forever.

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PAGE 113

No. 1—Ack. by Sub. Wit.

Geo. H. Bell, Stationer, 611 Montgomery St.

State of California, } ss.
City & County of San Francisco.

On this Eighteenth day of January A. D., One Thousand eight hundred and Sixty Six before me, Geo T Knox a Notary Public in and for said City and County, duly commissioned and sworn, personally appeared A Seberst Jr personally known to me to be the same person whose name is subscribed to the annexed Instrument as a witness thereto, who being by me duly sworn deposes and says, that he resides in said City & County that he was present and saw Eugene Casserly personally known to him to be the same person described in and who executed the annexed Instrument, as the party thereto, sign, seal and deliver the same; and heard him acknowledge that he executed the same freely and voluntarily, and for the uses and purposes therein mentioned, and that he, the deponent, thereupon signed his name as a subscribing witness thereto, at the request of the said E. Casserly

[illegible] reunto set his hand [illegible] Casserly.

In Witness Whereof I have hereunto set my hand, and affixed my Official Seal, the day and year in this Certificate first above written.

Geo T Knox

Notary Public.

QUITCLAIM DEED No. 1.

Printed and sold by Wm. B. Cooke & Co., Importing and Jobbing Stationers, 624 Montgomery St., San Francisco.

U S Internal Revenue 20

DEED.

Lc 442 ND

Eugene Casserly

TO

Carry C Parker

Fees Stamps 1864 1866 Paid Napa County

per Exhibit No. 16

Dated, Jany 18th 1866

Recorded at request of

N. C. Parker

Jany 29 A. D. 1866

at 4 min. past 12 M.

in Liber "II" of Deeds

on Pages 466 + 467

Records of Napa County.

D H Stone Cond

Co Recorder

442 ND

PAGE 114

20

1

United States District Court
District of California

In re.
Petition of W. C. Parker for confirmation & limi of a portion of Rancho de Napa. } L.C. 442 N.D.

September 11th 1885
Present. T. E. Johnston Atty for Petitioner
S. G. Hilborn U.S. atty Dist. Cal.
and witnesses

Mr Johnston, Atty for Petitioner offers in Evidence an act, Entitled "An act authorizing Claimants to the Rancho de Napa in Napa County California to prove up their title".

Approved June 20. 1884
Statutes of 1883 & 1884. Page. 49

Petitioner offers in Evidence a stipulation, signed by the U.S. Dist atty, dated Sept 12th 1885

Stipulation is marked Plaintiffs Exhibit A.

Petitioner offers in Evidence a certified copy of a deed from Henry C. Boggs to William Clark, dated December 7th 1852 and recorded in Book "B" of Deeds, pages 274-275, records of Napa County.

Marked Plaintiffs Exhibit No. 1

Petitioner offers in Evidence a certified copy of a deed from William Clark to John H. Seawell, dated June 25th 1853, and recorded in Book "B" of Deeds, pages ~~380~~-381-382 records of Napa County.

Marked Plaintiffs Exhibit No. 2

Petitioner offers in Evidence a certified copy of a deed from John H. Seawell and wife to John Van Pelt, dated August 8th 1853, and recorded

3

in book "B" of Deeds, pages 388-389, records of Napa County.

Marked Plaintiffs Exhibit No. 3

Petitioner offers in Evidence a certified copy of a Power of Attorney, made by Eleanor Van Pelt Elvira Stoddard and Henry S. Stoddard, her husband, and Josephine Russ, and Charles P. Russ, her husband, heirs at-law of John Van Pelt, to David Van Pelt and Stelham Wong, dated the 20th day of December 1853, and recorded in Book "A", Powers of Attorney, page 64, records of Napa County.

Marked Plaintiffs Exhibit No. 4

Petitioner offers in Evidence a certified copy of a Power of Attorney, from Mrs. Sophia Mathis, and M. A. Mathis, her husband, to Stelham Wong and David Van Pelt, dated January 6th 1854,

and recorded in Book "A" of Powers of Attorney, page 63, records of Napa County.

Marked Plaintiffs Exhibit No. 5.

Petition offers in Evidence a certified copy of a Power of Attorney, made by Caroline Baker, a femme sole, to David Van Pelt, dated the 14th day of October, 1865, and recorded in Book "A" of Powers of Attorney, at page 141, records of Napa County.

Marked Plaintiffs Exhibit No. 6

Petition offers in Evidence a certified copy of a deed made by David Van Pelt, guardian of Caroline Baker, Drayton Van Pelt, and Emily Van Pelt, minors, and heirs at law of John Van Pelt to Stebham Wing, dated February 20th 1855, and recorded in Book "C" of Deeds, page 215, records of Napa County

Marked Plaintiffs Exhibit No. 7

Petitioner offers in Evidence a certified copy of a deed from Eleanor Van Pelt, Elvira Stoddard, and Henry S. Stoddard, her husband, Josephine Rufo and Charles P. Rufo, her husband, Sophia Mathio and Marshall A. Mathio, her husband, Stetham Wong and Elizabeth Wong, his wife, and David Van Pelt, heirs of John Van Pelt, deceased, to Charles Van Pelt, dated March 23rd 1855, and recorded in Book "C" of Deeds, page 519, records of Napa County.

Marked Plaintiffs Exhibit No. 8.

Petitioner offers in Evidence a deed made by Caroline Baker to H. C. Parker, dated December 22nd 1865, recorded in Liber "I" of deeds, pages 333-334, records of Napa County.

Marked Plaintiffs Exhibit No. 9

Petitioner offers in Evidence

a deed from Stetham Wing, and Elizabeth, his wife, David Van Pelt, Sophia Mathis, Sidney E. Smith, and Elvira, his wife, Brayton D. Van Pelt, Mary Ann Van Pelt and Charles Van Pelt to H. C. Parker dated October 9th 1865, and recorded in Liber "I" of Deeds, page 337, records of Napa County.

Marked Plaintiffs Exhibit No. 10

Petitioner offers in Evidence a deed from John S. Stark, late Sheriff of Napa County, to H. C. Parker, dated September 26th 1865, and recorded in Liber "I" of Deeds, page 349, records of Napa County.

Marked Plaintiffs Exhibit No. 11

Petitioner offers in Evidence a deed from William Clark to H. C. Parker, dated October 30th 1865, and recorded in Liber "I" of Deeds, page 355, records of Napa County

Marked Plaintiffs Exhibit No. 12

Petitioner offers in Evidence a deed from Livingston Snedeker and Emily Van Pelt, his wife to H. C. Parker dated October 31st 1865, and recorded in Liber "I" of Deeds, pages 402-403. records of Napa County.

Marked Plaintiffs Exhibit No. 13

Petitioner offers in Evidence a deed from Charles P. Russ and Josephine, his wife, to H. C. Parker, dated October 30th 1865 and recorded in Liber "I" of Deeds, pages 464-465, records of Napa County.

Marked Plaintiffs Exhibit No. 14

Petitioner offers in Evidence a certified copy of a deed, from Charles P. Russ and Josephine Russ, his wife, to Eugene Casserly, dated the 19th day of May, 1859, and recorded in Liber "I" of Deeds, page 385, records of Napa County.

Marked Plaintiffs Exhibit No. 15

Petitioner offers in Evidence a deed from Eugene Casserly to H. C. Parker, dated January 18th 1866, and recorded in Liber "I" of Deeds, pages 466-467, records of Napa County.

Marked Plaintiffs Exhibit No. 16

J. W. Howland, called as a witness, and duly sworn, testifies as follows:

Q. Where do you reside, and how long have you resided there?

A. Napa City, Napa County, Cal. Have resided there since 1852

Q. What is your occupation?

A. Searcher of Records.

Q. Have you ever held any official position in Napa County in connection with the records of that County, if so, what was it, and when was it?

9 A. I was County Recorder of Napa County, from 1864 to 1870.

2. Do you know the tract of land that is commonly called Napa Rancho? If so, state, if you know, in what County it is situated?

A. I know the tract of land known as Napa Rancho. It is situated in Napa County.

2. State if you know the exterior boundaries of that Rancho, as located by the final survey of the U. S. Surveyor General of California, and shown on the map offered in evidence in this case?

A. I do.

2. Do you know the petitioner H. C. Parker? And if so, how long have you known him.

A. Yes sir, I have known him about 30 years.

2. Do you know the location of a tract of land, claimed

by the petitioner, and described as follows: (Here Counsel reads to witness the description contained in the Petition)

A. Yessir, I know the tract.

Q. How long have you been acquainted with the location of that tract of land?

A. About 30 years.

Q. Where is that tract of land located, with reference to the Exterior boundaries of the Napa Ranchos?

A. It is located within the Exterior boundaries.

Q. State, if you know, whether that tract of land, or any portion of it, claimed by the Petitioner in his petition herein, has ever been confirmed to any person or persons, by any proper or competent authority?

A. Not to my knowledge. There is nothing in the records of

Napa County, to show that there has been.

2. Are you familiar with the lands and the descriptions thereof contained, in Exhibits 1. 2. and 3., given in evidence by the Petitioner in the case of H. C. Boggs vs. The United States, case No. 436, in the U. S. Dist. Court, and also in Exhibits from 4 to 16, both inclusive, offered in Evidence in this case, and the boundaries of the tracts of land described in those deeds?

A. I am.

2. State whether or not, the tract of land claimed by the Petitioner and described in his petition, herein, is included within the calls of those several deeds?

A. It is included within the calls of those deeds.

2. Is the H. C. Parker, men-

tioned in those deeds, the same person, who is Petitioner in this case?

A. He is.

2. State whether, or not, you have made, recently, an Examination of the records of Napa County, with respect to the title of H. C. Parker to the lands described in his petition, herein, and if so, whether or not those records show at the date of the filing of the petition in this case, any document or instrument vesting the title, or any portion thereof, of the claimed premises, in any other person or persons than the Petitioner?

A. I have examined the records, and they show no title in any other person than the Petitioner

3. State, if you know, whether

there is now, or ever has been, any claim made to said land; or any part thereof, by any person or persons under the pre emption, or homestead, or other laws of the United States?

A. Not to my knowledge.

Q State whether there is now, to your knowledge, any person who has, or holds any portion of said land, claiming the same, under the homestead, pre emption, or other laws of the United States?

A. No sir.

Q. During the time that you have been acquainted with these premises, state, if you know, what has been their condition, with respect to occupancy?

A They have been fenced, and occupied by D. C. Parker, or his grantors, for

14

30 years or more. Such occupancy was Exclusive.

P. H. Howland

(No cross-Examination)

United States District Court
District of California

In re Petition of W. C. Parker
for confirmation & time of
a portion of Rancho de Nopa } LC 442
N.D.

I Donald McFarlan to whom was referred the above entitled matter by Order of U.S. District Court Dist Cal & take the testimony therein & report the same respectfully report - that on the 11th day of September 1885 - was attended by T. E. Johnston Esq Atty for Petitioner & by D. G. Hilborn Esq U.S. Atty Dist Cal & by witnesses

The testimony by me taken together with the Exhibits (marked Pltffs Exhibit "A" & Plaintiffs Exhibits 1 & 16 respectively) are herewith respectfully submitted

Donald McFarlan
Comr U.S. Circ Ct Dist Cal

September 14 1885

No 442

U.S. District Court

District of California

In re the petition of

H. C. Parker

for confirmation to him of

portion of Rancho de Napa

Report of Commissioner

Hoffman with Testimony

annexed

Filed September 14th 1885

Lornhard Hoffman

Clerk

In the United States District Court, in and for the District of California

Present: Hon. Ogden Hoffman Judge.

H. C. Parker
vs.
The United States

No 442

This cause came on regularly to be heard, this day, upon the petition of H. C. Parker, claiming the lands described in his petition on file herein, under a special Act of Congress of the United States, entitled: "An Act authorizing Claimants to the Rancho de Napa, in Napa County, California, to prove up their title," approved June 20th 1854, and upon the report of Southard Hoffman Esq., the Commissioner herein, and the oral and documentary testimony introduced, R. E. Johnston Esq. appearing

for said petitioner, and S. G. Theborn Esq. U.S. Dist. atty. appearing on behalf of the United States,

And it being shown to the satisfaction of the Court, from the oral and documentary proofs submitted, that the petitioner, H. C. Parker, claimant to the lands situated in Napa County, California, described in his petition, known as a part of the Rancho de Napa, derives title to said lands, through Salvador Vallejo, the original Mexican grantee of said Rancho de Napa; that neither the claim of said petitioner, nor that of his predecessors in title, has been hitherto passed upon by proper authority; that the claim of the original grantee, Salvador Vallejo of said Rancho de Napa was good and valid under Mexican laws relating to such cases, and

that the claimant is entitled to have a confirmation by this Court of his title and claim to the lands described in his petition; that there are no valid claims existing under the pre emption, homestead or other laws of the United States to said lands, or any portion thereof, nor were there any such claims existing at the date of the passage of the said special act, by Congress, as aforesaid; that there are no persons entitled to receive releases from the claimant, for any portion of the land described in his petition herein, and consequently the said claimant has not executed to any person or persons any release to any portion of said premises; that the said claimant is now, and he and his predecessors in title have been for more than thirty years, last passed,

in the sole, exclusive and undisputed possession of the lands described in his petition, claiming title thereto, and said claimant, H. C. Parker, is now the owner of said lands.

And all and singular the land and the premises being by the Court here understood and fully considered, on motion of R. E. Johnston Esq. Counsel for the claimant, S. G. Ikeborn Esq. U. S. Dist. Atty being present in open Court and making no objection thereto, it is, by the Court, hereby ordered, adjudged and decreed, that the claim of H. C. Parker, the said petitioner, to that portion of the Rancho de Napa claimed by him and described in his petition, is good and valid, and his claim to the same is hereby confirmed and allowed.

The lands of which confirmation is hereby made to the

said H. C. Parker, are a portion of the Rancho de Napa, situate in Napa County, California, and within the Exterior boundaries of said Rancho, and are more particularly described as follows, to-wit:

The South half of that certain piece, parcel or tract of land described as; Beginning at the South-East corner of the tract of land conveyed by said Vallejo to George W. Harrison by deed bearing date the 5th day of April, 1847; thence running West with said Harrison's line, one-half mile; thence making a right angle and running South one mile; thence making a right angle and running East one-half mile; thence making a right angle and running North one mile to the place of beginning. Said South half is further bounded and described as follows, to-wit:

Bounded on the North by lands now owned by N. C. Boggs; on the West and South by lands confirmed to Julius K. Rose; and on the East by lands confirmed to Julius K. Rose and Salvador Vallejo.

Done in open Court, this 15th day of September, A. D. 1885

Ogden Hoffman
Dist Judge

No 442

U.S. District Court
District of California

In re petition of
H. C. Parker
for confirmation to him
of portion of Rancho de Napa

Decree of Confirmation

Filed September 15th 1885
Lorenzo H. Hoffman
Clerk

Entered in Book 2 of
Judgments and Decrees,
pp. 525-526.