

CASE NO.

126

NORTHERN DISTRICT

---

PART OF CABEZA DE SANTA ROSA GRANT

---

JAMES ELDRIDGE

CLAIMANT

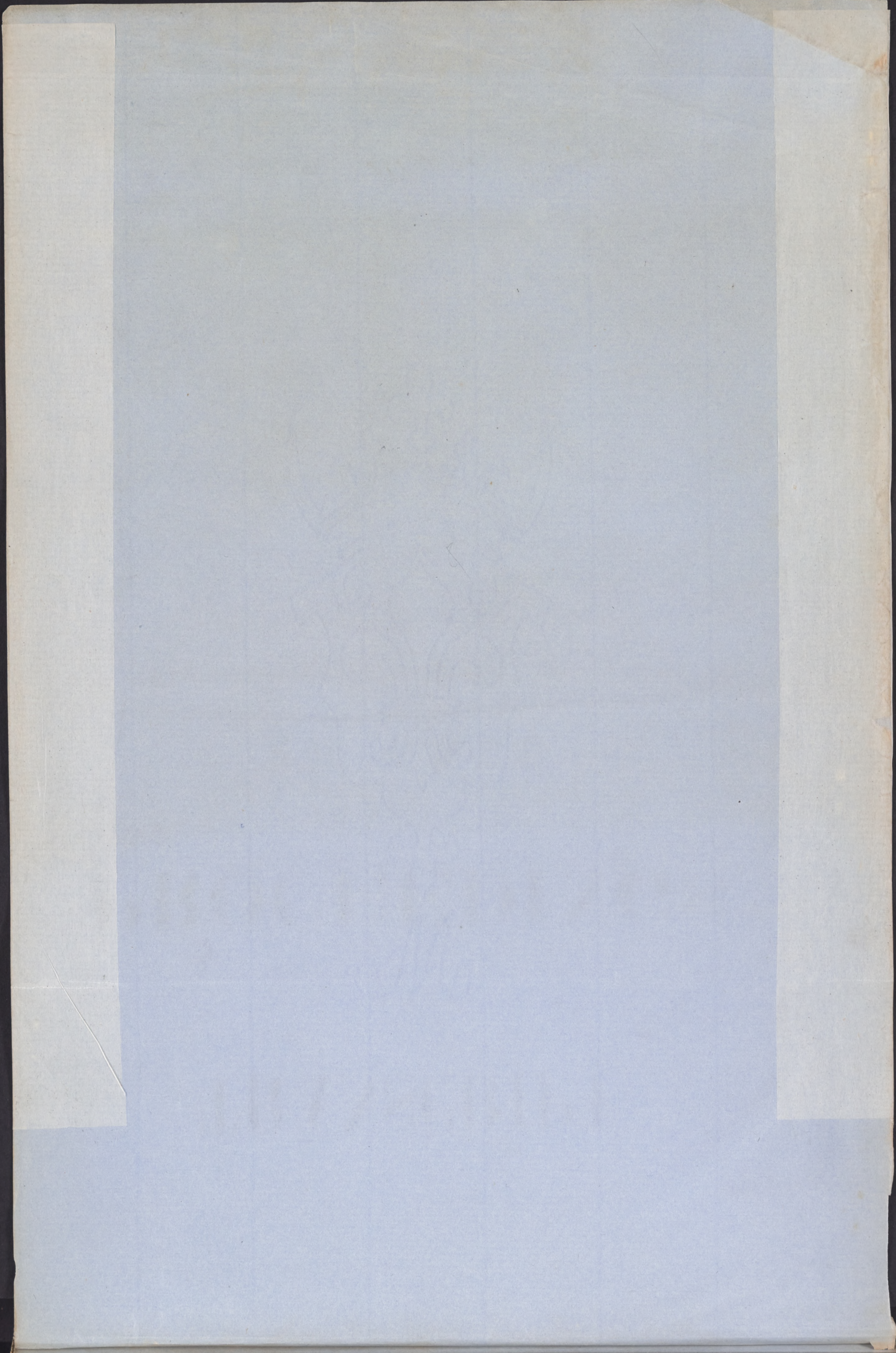
LAND CASE 126 ND  
125 pages.

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# TRANSCRIPT

OF THE

# PROCEEDINGS

IN CASE

NO. 645

*James Eldridge*

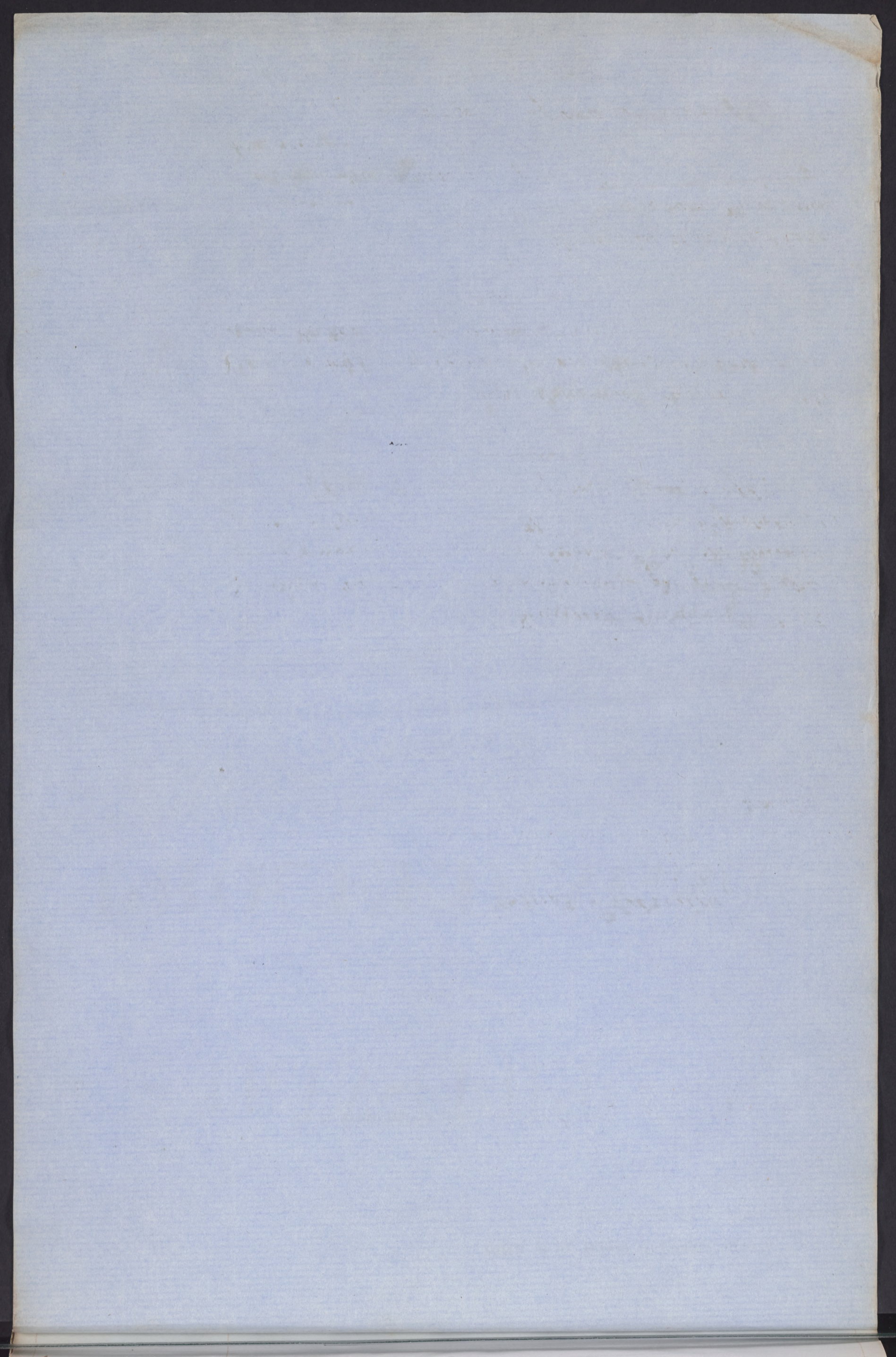
CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

*Part of*  
FOR THE PLACE NAMED

*"Cabeza de Santa Rosa."*



Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

Be it Remembered, that on this *twenty eighth day of February,*  
Anno Domini One Thousand Eight Hundred and Fifty-*Three*, before  
the Commissioners to ascertain and settle the Private Land Claims in  
the State of California, sitting as a Board in the City of San  
Francisco, in the State aforesaid, in the United States of America,  
the following Proceedings were had, to wit;

The Petition of *James Eldridge,*  
*for the* Place named  
*"Cabeza de Santa Rosa,"*  
was presented, and ordered to be filed and docketed with No. 645 and  
is as follows, to wit;

(Vide page *3* of this Transcript.)

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

*San Francisco, October 5<sup>th</sup> 1853.*

In Case no. 645, James Eldridge for part of the  
place named "Cabeza de Santa Rosa", the Counsel  
for the claimant filed the following Stipulation, to wit,  
(Vide page *72* of this Transcript)

*San Francisco, March 21<sup>st</sup> 1854.*

Case no. 645 was submitted on Briefs on both sides  
and taken under advisement by the Board.

*San Francisco, April 4<sup>th</sup> 1854.*

In the same Case Commissioner Thompson Campbell  
delivered the opinion of the Board confirming  
the claim;

(Vide page *73* of this Transcript.)

2

San Francisco, May 23<sup>d</sup>, 1854.

In the same case the Counsel for the Claimant  
filed the following Motion, to wit;

(vide page 71 of this Transcript)

which motion was granted.

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San Francisco, Aug. 15<sup>th</sup> 1854.

In the same case, on motion of the United States  
Land Agent, the following order was made, to wit;

(vide page 79 of this Transcript)

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126 ND

PAGE 3



To The Commissioners appointed to investigate and settle private Land Claims in the State of California.

Petition

126 ND

PAGE 4

James Eddridge represents.

That on the 30<sup>th</sup> of September 1841 Manuel Jimenez Governor of California, under authority of the laws then in force granted to Maria Ignacia Lopez, a tract of two leagues of land called Cabaya de Santa Rosa, described in the grant, and which lies in the present county of Sonoma.

That on the 3<sup>rd</sup> of January 1842, the land was marked out and judicial possession thereof delivered to the grantee by the proper officers in due form of law.

That the land was occupied and improved by the Grantee immediately after the date of the grant and has been in the actual possession of the grantee and those claiming under her from that date to the present time, their possession and occupancy extending to the lines marked when the judicial possession was given.

That the said Maria Ignacia Lopez died in the year 1849, leaving ten children who were her only heirs, viz. Julio Canillo; Benicio, Francisco Canillo, wife of Mariano G. Vallejo; Juan de Jesus Canillo, wife of David Mallegh; Maria Inez Canillo, wife of Salvador Vallejo; Maria Marta Canillo; Josefa Canillo de Fitch, widow of — Fitch, Joaquin Canillo; Felicidad Canillo; Jose Ramon Canillo; and Ramon Canillo wife of John Wilson.

4.

That he has purchased from the said heirs and they have conveyed to him all that part of said tract of land lying south of the Arroyo de Santa Rosa, and bounded and described as follows, to wit:

commencing at the intersection of the western boundary line of said Rancho (called Cabasa de Santa Rosa) with said Arroyo, and running thence south south east, with the said boundary line to the southern termination thereof; thence north north east with the southern boundary line of said Rancho to the intersection thereof with the most southern branch of said Arroyo, thence with said southern branch of said Arroyo, thence north westerly to the junction thereof with the said Arroyo; thence westerly with the said Arroyo to the place of beginning; saving and excepting of said tract or parcel of land conveyed six hundred and forty acres, the south easternmost portion thereof, heretofore agreed to be sold to one Salvador Vallejo.

That he is now the owner of said portion of the whole tract and knows of no other claim of any person to it:

He herewith files a copy of the grant, marked Exhibit "A", and a copy of the statement of the proceedings of the Judge in giving judicial possession of the land, marked Exhibit "B" with a translation of each of said documents, severally marked "a" & "b"; and in support of his claim relies upon the papers now filed and such other evidence as he may

hereafter offers.

He prays the confirmation of his title according to the lines stated in the said conveyances to him by said heirs, and to the lines established by the grant, the judicial possession and the actual possession under the letters.

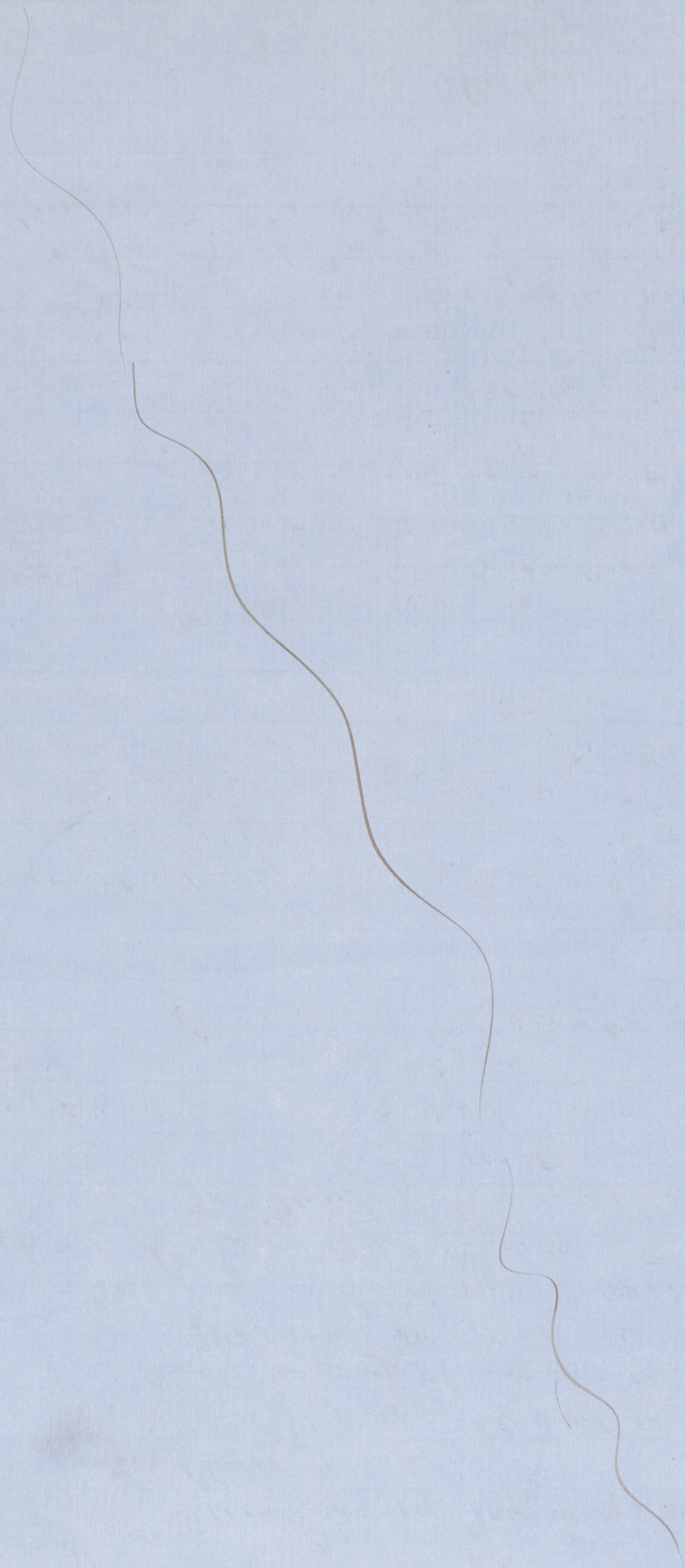
Crittenden Juge & Martin  
Atty for claimant.

Filed in Office July 28<sup>th</sup> 1853.  
Geo. Fisher Sec.

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(Span too follows)

PAGE \_\_\_\_\_



4  
Deposition  
of  
S. Vallejo  
in No 643.

Office of the Board of  
Commissioners &c. &c. &c.

This day before Commissioners

Aphelus Felch came Salvador Vallejo as  
Witness in behalf of claimant Julio Carrillo  
No 643 who after being duly sworn deposes  
as follows:

Questions by Mr. Greenman  
Attorney for Claimant.

1<sup>st</sup> Question. What is your  
name and place of residence

Answer. My name is Salvador  
Vallejo my age is forty years and I reside  
in Napa County California.

2<sup>d</sup> Question. Do you know the  
place called "Calexico de Santa Rosa"  
if so, how long have you known it,  
and who has resided upon it

Answer. I know the place  
and have known it about Seventy years  
I believe have lived upon it since I have  
known it. Since 1838 Maria Ignacia  
Lopez has lived on it with her family

3<sup>d</sup> Question. State what you  
know about the occupancy of the land  
by her, and the improvements made on  
the place.

Answer. She moved on the place  
in 1837 or 1838. I do not recollect whether  
she built houses on it at the time she  
came there. The houses were large, being  
from fifty to one hundred yards in length  
and were adobe buildings. She cultivated  
from two to three hundred acres of land  
on the place; had vineyard, fruit trees,  
and a stock of cattle and horses on it  
She lived on the place from 1837 or 1838  
until her death, which was about four  
years ago

4<sup>th</sup> Question. Do you know whether  
successor possession of the land was ever  
given to her? if yes, when and by whom?

126 ND

PAGE 7

7.  
Answer. I myself gave judicial possession  
of these places to her, but I do not recollect  
the time, I acted as Civil Magistrate of  
Sonoma in giving the possession.  
5. Question.

126 ND  
PAGE 8

Please examine the  
document now here presented to you, pur-  
porting to be the record of the act of  
judicial possession, marked "Exhibits"  
attached to the deposition of M. G. Vallejo  
heretofore taken and filed in this case,  
and state whether the signatures appearing  
in several places on said document as  
yours is your true and genuine signature  
Answer.

I have examined the  
papers - the signatures referred to are my own  
genuine signatures. I signed the docu-  
ment as Magistrate of Sonoma.  
6. Question.

Look on said  
document, and state from it the causes  
of the several lines which you measured  
in giving possession of the lands  
Answer.

The document was  
written by my secretary and signed by me  
I cannot recollect the causes of the  
different lines measured, but I could show  
the lines which were run if I was on the  
ground. These monuments are there.  
7. Question.

How many Chile  
men did Maria Ignacio Lopez have  
and what are their names?

Answer. I do not know  
how many. I know some of them. I know  
those that are living. Their names are Joaquin  
Ramon, Julio, Josefa, Ramon, Luis, Fran-  
cisco, Maria, Juliana, Feliciano - These  
are all that are now living

Question. Did those who are dead  
leave any children?

Answer. I do not know.

Salvador Vallejo

Mr. Greenhow associate Law Agent was  
present at the taking of this deposition  
but put no interrogatories.

The testimony was given in the Spanish  
language. Mr. Fisher Secretary & acting  
as interpreter.

Subscribed and sworn to  
before me this 27<sup>th</sup> day of October 1853

Aphens Felch

Commissioner

Filed in office Oct. 27. 1853

Geo. Fisher Secy

126 ND  
PAGE 9

Deposition  
of  
J. P. Thompson  
in No. 643.

Office of the Board of  
U. States Commissioners &c. &c.

This day before me, Thompson  
Cumpbell, came Joseph P. Thompson a witness  
in behalf of defendant Julio Carrillo No.  
643 who after being duly sworn deposed  
as follows

What is your name and  
place of residence?

Ans. My name is Joseph  
P. Thompson, I am twenty nine years of age  
and I reside in the City of San Francisco

Are you acquainted with  
Dona Maria Ignacia Lopez and her  
family

I am acquainted with her family  
Dona Maria is dead.

When did Dona Maria die  
have you any children and who named and  
what are their names?

I can't fix the year  
precisely in which she died, but I think  
it was in 1850 or in 1851. She left I  
think ten children, whose names are as  
follows - Joaquin, Ramon and Julio

9  
leguillo, The daughters names are as follows  
Ramona wife of Capt. John Ellison,  
Josefa widow of the late Capt. Fitch  
Francisca wife of Guadalupe Vallejo  
Cruz wife of Sebastian Vallejo, Juana  
wife of Capt. Mallory, Felicidad  
wife of Victor Lusto and Martha  
State of you know when  
Felicidad was married

She was married within  
two or three months

Where did Dona Ignacia  
live?

She lived on her farm at  
Santa Rosa.

Joseph P. Thompson  
Sworn to and subscribed before me  
this 1<sup>st</sup> day of October 1853

Thompson Campbell Comr.  
I have no questions to ask

Witness my hand  
Filed in office Oct. 1. 1853

Geo. Fisher Secy

Deponent

San Francisco March 17. 1853

M. G. Vallejo  
in no. 643.

On this day before Comr. H. J.  
Thomson came M. G. Vallejo, a witness  
in behalf of Claimant Felix Leguillo  
petition No. 643. and was duly sworn  
his evidence being given in English

Questions by claimant.

Quest. 1. What is your name  
age and place of residence and how  
long have you resided there?

Ans. My name is Mariano  
Guadalupe Vallejo, my age is forty five  
years, my residence is Sonoma, California  
where I have resided all my life

Quest. 2. Will you look at  
documents now here shown you marked



Exhibits No. 1 & No. 2, and if you are acquainted with the hand writing of Manuel Jimeno and Jose y Hernandez, what they occur on Exhibit No. 1. State if their signatures are genuine, and if you are acquainted with the signature of Salvador Vallejo, say if his signature when it is written on Exhibit No. 2 is genuine?

126 ND  
PAGE 11

Ans. I have examined the two exhibits and am acquainted with the hand writing of all the persons named therein often seen them write, and say that their signatures to the said documents are genuine.

Quest. Are you acquainted with the Rancho Calayuco de Santa Rosa claimed in this case. If you state what you know of its occupation.

Ans. I am acquainted with the said place. It was occupied by the grantee who had an excellent dwelling house upon it and dwell there cultivating the ground and rearing stock upon it prior to the grant, and is still occupied as then, by those claiming under the grant.

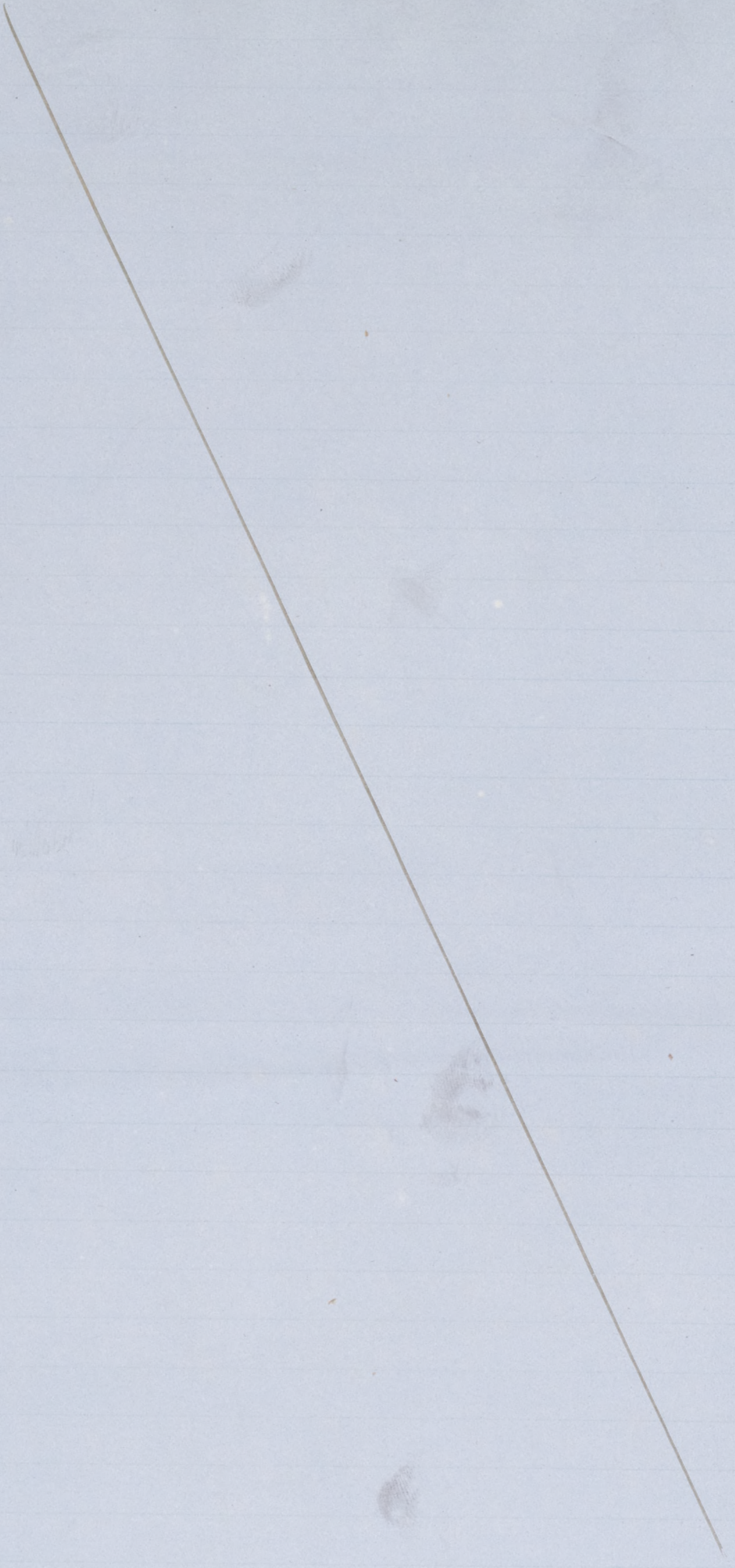
M. G. Vallejo  
U. S. Law Agent present

Sworn to and subscribed before me  
this 17th of March 1853,  
Henry J. Thornton  
Comm. &c

Filed in Office March 17. 1853

Geo. Fisher  
Secy

//



# Expediente

Promovido por D<sup>ña</sup> M<sup>a</sup> Ignacia Lopez  
en solicitud del parage conocido con el  
Nombre de "Cabeza de Sta. Rosa"

255

126 ND  
PAGE 12

Exhibit C  
Certified Copy of  
Expediente.  
in Case no. 643

Comendancia, D<sup>or</sup> Com<sup>te</sup> Gen<sup>l</sup>  
 General de la m<sup>a</sup> D<sup>g</sup><sup>na</sup> Lopez Vunda  
 Alta California } ante V. O como mejor con-  
 onoma En. 24 de veng<sup>a</sup> dice: of. siendo en inter  
 1838. Pueda la soli } cion establecerse en esta forma  
 etante fundar el } tera con toda su familia  
 terreno que pretende } of. de compone de un es varo  
 en concepto de ques } nes y en ocho mugeres y care  
 licitarà del Gob.<sup>o</sup> } cion de de un terreno of. lo  
 litico el titulo de ad } produca la subsistencia  
 judicacion en pro } o curso V. O. à fin de of.  
 piedad y demas. } le conceda el parage cono-  
 que se requieren } cido con el nombre de Cabeza  
 Vallejo. } de Sta Rosa à linder con  
 el de este nombre de los quilucos cuyo terreno  
 esta valdivo y no pertenece à propiedad pa-  
 ticular. V. O. Duplico se ova acceder  
 à esta solicitud admitiendo esta en papel  
 comun por no haberlo del sellado que cor-  
 responde en este lugar. Sonoma 19 de Ene  
 ro de 1838. A Ruego de mi D<sup>ra</sup> Macho  
 Joaqr<sup>n</sup> Carrillo.

Como D<sup>or</sup>

M<sup>a</sup> D<sup>g</sup><sup>a</sup> Lopez vunda ante V. O. en la mejor  
 forma of. derechos con venga espone of. teniendo  
 mas de dos años ha fundado el parage cono-  
 cido con el nombre de Cabeza de Sta Rosa  
 p<sup>r</sup> concesion provisional segun consta p<sup>r</sup>  
 el memoria y decreto adjunto ocurre à V. O.  
 à fin de of. en el d<sup>ho</sup> parage se sea concedido  
 dos sitios de gan cido mayor conforme va ma-  
 cado en diceño of. respetuosam<sup>te</sup> a comp<sup>añ</sup>  
 Por tanto à V. O. Duplico tenga à breu acceda  
 a esta mi justa pretencion, firando no ser de  
 malicia y lo necesario.

Sonoma Junio 1<sup>o</sup> de 1840

126 ND  
PAGE 13

15  
5  
Copia en papel sellado, Amigo de mi C<sup>ra</sup> madre  
pt. ser en } Loac<sup>o</sup>: Carillo.  
el departament.

Monterey 30 de Obre 1841.

126 ND  
PAGE 14

Quita la peticion con que da principio este espediente el informe del Ex<sup>o</sup> Comand<sup>te</sup> Gal y todo lo demas que se tuvo presente y ver con vino de conformidad con las leyes y reglamentos de la materia declaro a D<sup>na</sup> Ignacia Lopez dueña en propiedad del Paraje concedido con el nombre de Cabeza de Sta Rosa, colindante con el Rancho de D<sup>o</sup> Juan Wilson, con el de Marcos West con la Laguna que mora al Este y el punto donde concluye la estencion de dos sitios de ganado mayor en el llano de Santa Rosa. Estienda se el despacho correspondiente tomese razon en el libro respectivo y dirigase este Exped<sup>te</sup> a la Ex<sup>ta</sup> Junta Departamental para su aprobacion. El Ex<sup>o</sup> D<sup>o</sup> Manuel Jimeno Casarin primer vocal propietario de la Ex<sup>ta</sup> Junta Departamental en ejercicio del Gob<sup>o</sup> del mismo asi lo mande decreto y firmo de que doy fe.

Jimeno

Jose L. Hernandez  
Seris int<sup>o</sup>.

(Here follows map -

Office of the Surveyor General of the United States for California.

J. Samuel D. King, Surveyor Genl. of the United States for the State of California, and as such now having in my office and under my charge and control a portion of the Archives of the former Spanish and Mexican Territory of

Department of Upper California, do hereby certify, that the five preceding and hereunto annexed pages of tracing paper, numbered from one to five inclusive, and each of which is verified by my initials (S. D. K.) exhibit true and accurate copies of certain documents on file and forming part of the said Archives in this Office.

126 ND  
PAGE 15

(S. D.) In testimony whereof I have hereunto signed my name officially, and affixed my private seal (not having a seal of Office) at the City of San Francisco Cal. this 11 day of March 1852.  
(Signed) Samuel D King  
Lieut. Genl Cal.

Filed in Office Oct. 5 1853.  
(Signed) Geo. Fisher, Secy.



19

Espediente

Presented by Don M<sup>a</sup>. Ygnacio Lopez  
soliciting the place known by the name  
of Cabeza de Santa Rosa

Translation  
of Exhibit  
"C"

Authentic copy of  
Espediente in Case  
no. 643.

126 ND  
PAGE 16

Commandancia  
General de la Alta  
California

Sonoma January  
24<sup>th</sup> 1838.

The Petitioner may  
settle on the land  
she asks with the  
understanding  
she shall solicit  
from the Political  
Govt the title  
of adjudication of  
property and  
do whatever  
else is requisite  
Vallejo

M<sup>a</sup>. Ygnacio Lopez in  
the most proper form,  
says; that in being her  
intention to establish herself  
on this frontier with all  
her family, comprising five  
males and four females,  
and needing a tract of land  
for her subsistence, she  
applies to your Excellency to  
grant her the place known  
by the name of "Cabeza de  
Santa Rosa" adjoining  
the place of the Wilsons  
of the same name, which  
land is vacant and belongs

to no individual. She beseeches you  
to grant her petition, receiving  
this on common paper there being  
none of the proper seal in this place  
Sonoma 19<sup>th</sup> Jan 1838.

at the request of My Mother  
Joana Leaville

158

18

Excellent Sir  
Ma Yga Lopez, in the best and most  
legal form shows that it is now more  
than two years since she settled in  
the place known by the name of "Cabeza  
de Santa Rosa" under a provisional  
Concession as appears from the attached  
memorial and decree.

She now applies to your Excy that  
two leagues ~~de ganado Mayor~~ may  
be granted her out of said tract, as  
they are designated in the map which  
she herewith respectfully presents,  
wherefore she beseeches your Excy  
to grant her just request, swearing  
that it is not done maliciously  
&c. This is not upon sealed  
paper because there is none in this  
Department.

Donoma June 1<sup>st</sup> 1840

At the request of my Mother  
Joagu<sup>n</sup> Carrillo

Monterey Sept 30<sup>th</sup> 1841

Having seen the petition with which  
this Expediente begins, the report of  
the Commanding Genl and every thing  
else presented and proper to be seen,  
in conformity to the laws and regulations  
upon the subject, I declare Dona Maria  
Ignacia Lopez owner in property  
of the place known by the name of

126 ND  
PAGE 17



19

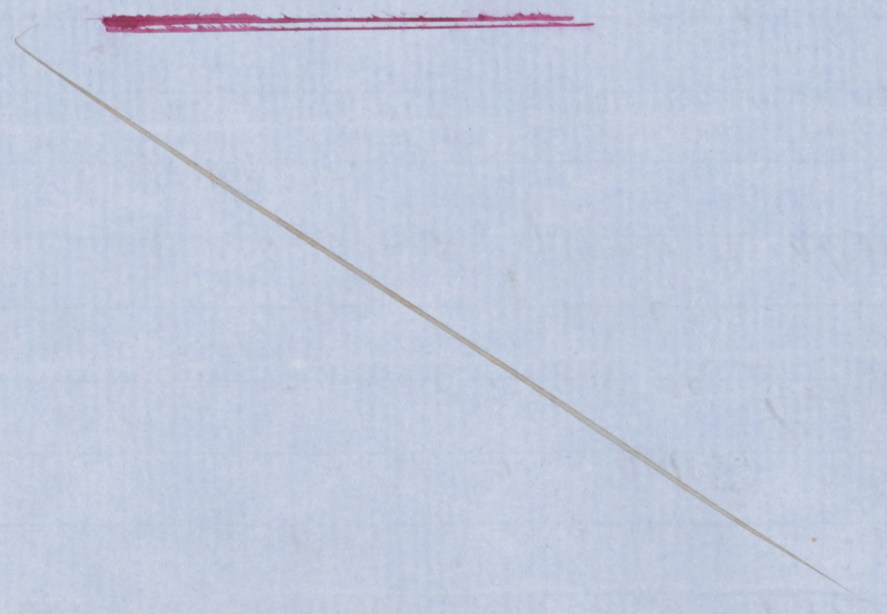
126 ND  
PAGE 18

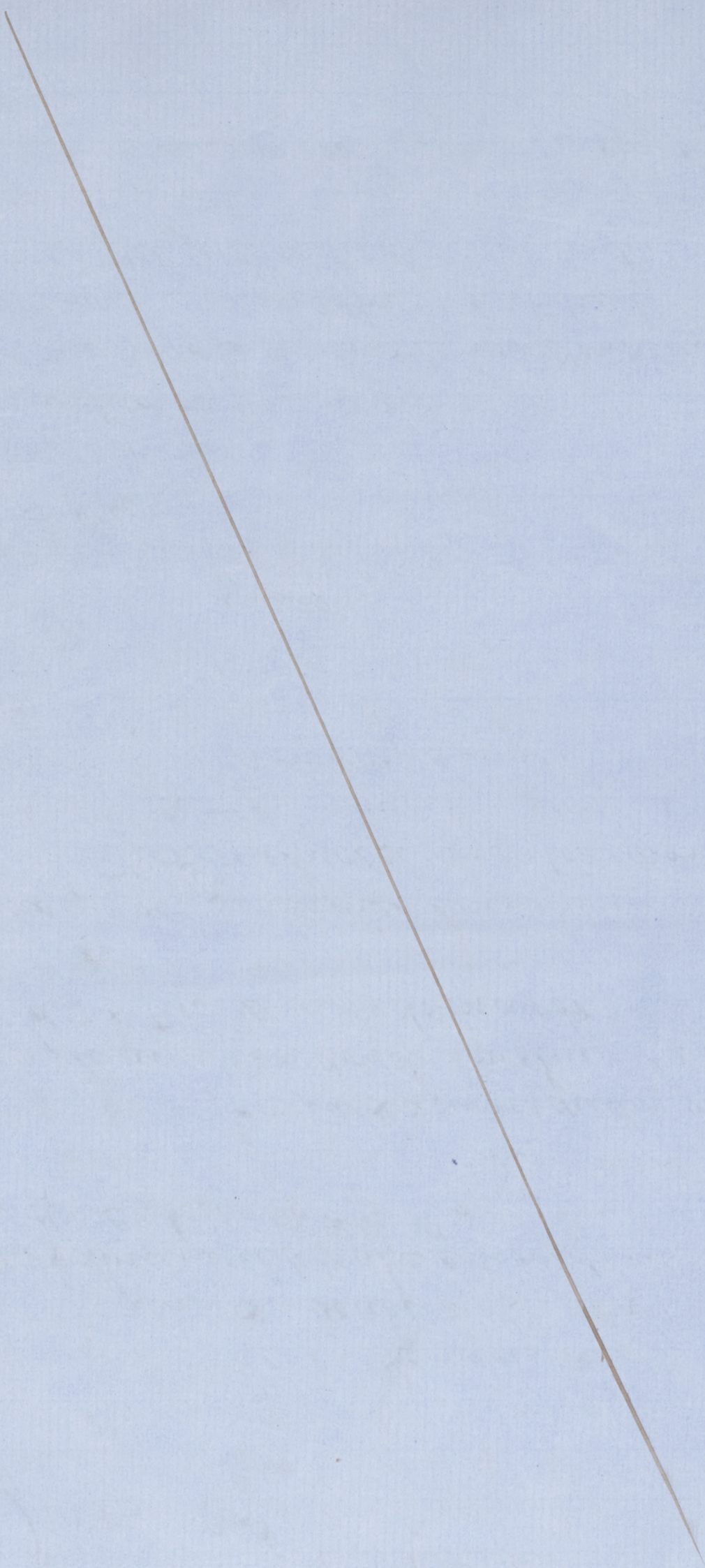
"Cabeza de Santa Rosa" bounded by  
the Rancho of John Wilson, by that of  
Marcus West, by the Laguna (which  
looks to the East) towards and the point  
where the extent of the two Leagues of  
Large Cattle terminates, in the plain  
of Santa Rosa. Let the proper  
decree be issued, let it be recorded  
in the proper book, let this espe-  
diente be remitted to the most Excellent  
Junta Departmental for its approbation.

Don Manuel Jimenez Casarin  
first Vocal presiding over the Depart-  
mental Junta, exercising the Office  
of Governor, thus ordered decreed and  
signed - as I certify.

Jimenez  
José L. Fernandez  
Secy ad int.

Filed in Office Oct 5<sup>th</sup> 1883  
Gen. Fisher  
Secy





2/

No. 643.

Exhibit A. los años de 1839 y 1840

Original Grant. Alvarado

Antonio M<sup>a</sup> Osio

Exhibit No. 1 to depo. of M. J. Vallejo in Case No. 643. 26.25.

Ad. Nov. de Mon. L.

Dalgos<sup>a</sup> los años de 1841 y 1842

Limeno

Antonio M<sup>a</sup> Osio

Manuel Limeno Casarín 1<sup>er</sup> vocal propietario de la Com<sup>a</sup> Junta Departamen- tal en ejercicio del Gobierno del mismo.

126 ND

PAGE 19

Por cuanto D<sup>a</sup> Maria Ignacia Lopez ha pretendido para su beneficio personal y el de su familia el paraje conocido con el nombre de Cabeza de Sta Rosa colindante con el Rancho de D<sup>r</sup> Juan Wilson, con el de Marcos West, con la Laguna que mira al Este y el punto en donde concluye la estension de dos sitios de ganado mayor en el llano de Sta Rosa; practicadas previamente las diligencias y averiguaciones concernientes segun lo dispuesto por leyes y reglamentos usando de las facultades que me son conferidas a nombre de la Estacion Mexicana he venido en concederle el terreno mencionado declarandole la propiedad de el por las presentes letras sujetandose a la aprobacion de la Com<sup>a</sup> Junta Departamental y a las condiciones siguientes. 1<sup>a</sup> Podrá cercarlo sin perjudicar las haciendas, caminos y servidumbres, lo disfrutará libre y exclusivamente destinandolo al uso o cultivo que mas le acomode pero dentro de un año fabricará casa y estará habitada. 2<sup>a</sup> Solicitará del juez respectivo que le dé posesion juridica en virtud de este despacho; por el cual se demarcaron los linderos en cuyos limites se pondrán a mas de las mojoneras algunos arboles frutales o olivos de alguna

utilidad. 3<sup>o</sup> El terreno de que se hace donacion es de dos sitios de ganado mayor pero mas o menos segun explica el diceño que corre en el Esp. d. l. respectivo. El juez que diere la posesion lo hara a medio conforme a Ordenanzas quedando el sobrante que resulte a la Nacion para los usos convenientes. 4<sup>o</sup> Si contaviniera a estas condiciones perdera su derecho al terreno y sera denunciabile por otro. En consecuencia mando que teniendose por firme y validero el presente titulo se tomara con de el en el libro respectivo y se entregue a la interesada para su resguardo y demas fines: Dado en Monterey a treinta de Sept. de Mil ochocientos cuarenta y uno.

Man. Jimeno:                      Losc J. Hernandez <sup>int.</sup> Sr.  
 Queda tomada razon de este Despacho en el libro de acientos sobre adjudicaciones de terrenos baldios a fojas J. Hernandez  
 El C. O. Gobernador <sup>int.</sup> ha dispuesto se tome razon de esta conecion en la prefectura del 1<sup>er</sup> Distrito. Hernandez

Monterey Octubre 9 de 1841

Lornese Razon

Estada

En la misma fecha se tomo razon de este sup. Titulo a f. 9 del cuaderno respectivo  
 Fecha ut supra

Man. Castañares Sr.

Sealed in Office Feby. 28<sup>th</sup> 1853

Geo. Fisher Secy.

Seal 1<sup>st</sup> Fox Dollars,

Furnished provisionally by the Maritime  
Custom House of Monterey for the years  
1839 and 1840.

" a "

Translation of  
Grant, being  
Exhibit No. 1 to Depo.  
of M. J. Vallejo A. J. J.  
in Case No. 643.

Alvarado

Good for the years 1841 & 1842.

Jimenez

Antonio M<sup>o</sup> Asis.

Ad<sup>a</sup> Maria  
de Mont

Manuel Jimenez Casarin  
1<sup>st</sup> Vocal of the most Exct<sup>a</sup>  
Departmental Assembly acting  
as Governor.

Whereas D<sup>a</sup> Maria Ygnacia Lopez has  
asked for her own benefit and that of  
her family the place known by the name  
of Cabeza de Sta Rosa, bounded by the  
Rancho of John Wilson, by that of Marcus  
Wash, by the Lake, which is to the East  
and the Point where the extent of two  
Leagues terminates in the plain of Sta Rosa  
the necessary steps having been taken  
and enquiries made as directed by the laws  
and regulations, in the exercise of the powers  
which I am conferred upon me, in the name  
of the Mexican Nation, I have granted her  
the said land, declaring it her property  
by these presents, subject to the approval  
of the most Exct<sup>a</sup> Departmental Assembly,  
and the following conditions.

1<sup>st</sup> She shall have power to enclose it  
without injuring the crossings, roads and  
servitudes. She shall enjoy it freely and  
exclusively, applying it to the use of culti-  
vation which may best suit her,  
but within one year, she shall build a

24

house and it shall be inhabited  
2<sup>nd</sup> She shall solicit the proper  
judge to give her the judicial possession  
in virtue of this decree, and he shall  
mark the boundaries, on which shall  
be placed in addition to the monuments,  
some fruit trees or forest trees of some  
utility.

3<sup>rd</sup> The land mentioned is two  
leagues (de ganado mayor) of large cattle,  
a little more or less, as explained by the  
map accompanying the proper Respu-  
diente.

The Judge who may give the pos-  
session shall have it measured in  
conformity to the ordinance leaving the sur-  
plus which remains to the nation  
for its convenient uses.

4<sup>th</sup> If she should violate these con-  
ditions, she shall loose her right to  
the land and it may be denounced by  
another.

Wherefore I order that the present  
title being held firm and valid,  
be registered in the proper Book,  
and be delivered to the party interested  
for her security and other purposes.  
Given at Monterey the 30<sup>th</sup> of  
Sept. 1841.

Manuel Jimeno  
José L. Fernandez.

This decree is recorded in the Book of  
entries of adjudications of vacant lands,  
at page 7.

Fernandez.

25

Monterey Oct-9' 1841.  
Lebit be registered  
Estrada.

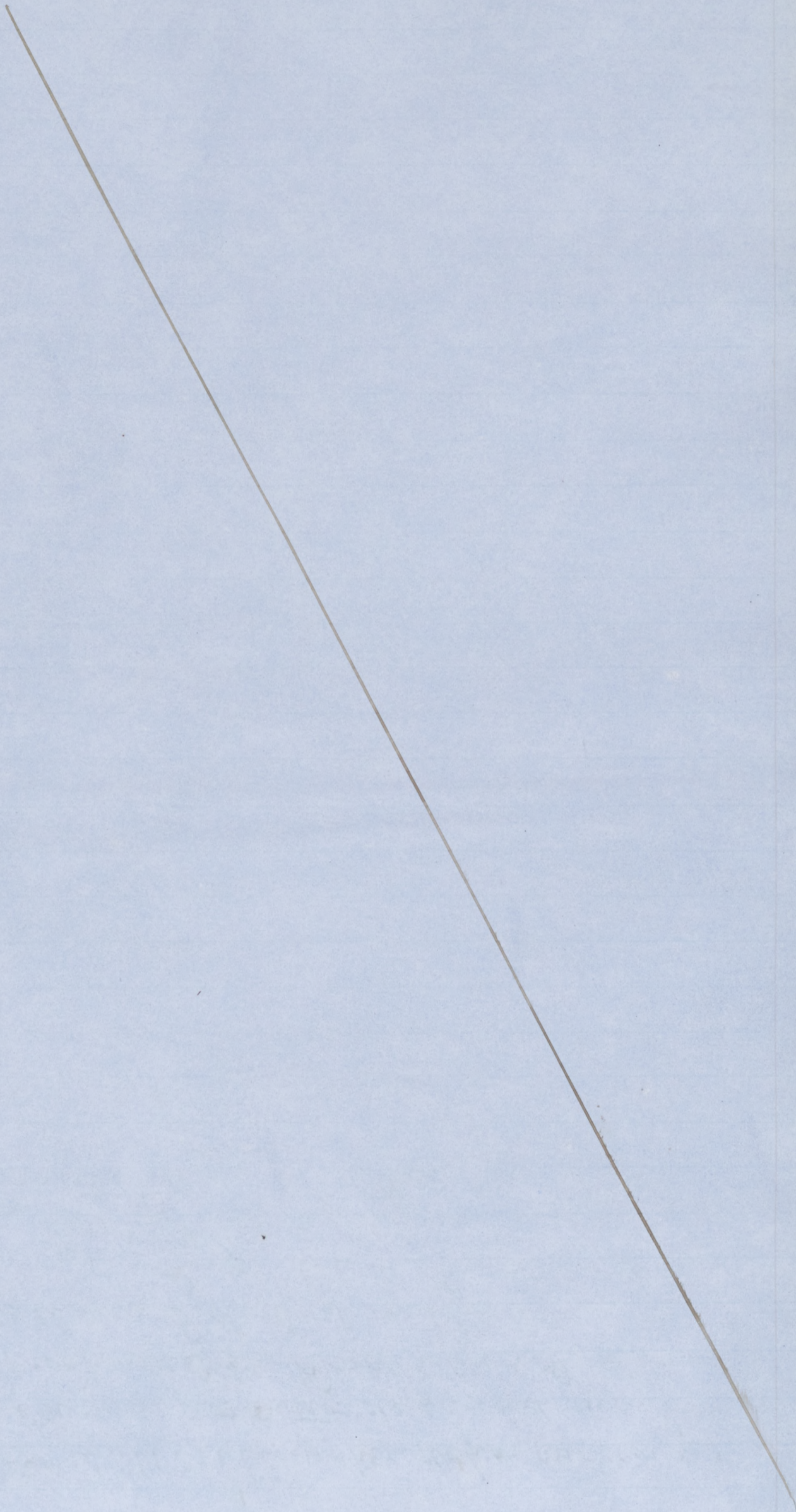
On the same day this Superior Title was  
registered at page 3 of the proper book  
Date as above

126 ND  
PAGE 23

Mant. Castanares  
See

Filed in Office Feby 28<sup>th</sup> 1853  
See Fishes See

~~Span Doc Follows~~





27

Desgado de Donoma

Expediente instruido para me dar y dar  
posesion de dos sitios de ganados mayores en el  
Rancho de Sta. Rosa a Ma. Ignacia Go-

Exhibit No. 2 to  
depts. of M. y Valle  
jo in Case No. 643  
H. S. J.

pez el día 3. de En. en 1821 &  
Luz Assa  
Joacm. Piña

El C. Salvador Vallejo  
Assa  
Jose Ant. Pico

126 ND  
PAGE 24

138

Dello N. seis pesos: Habilitado por el  
mt. por la Aduana maritima de Montrey  
para los años de 1839 y 1840

Aloarado Antonio M. Oasi

Valga p. los años de 1841 y 1842

Limeno Antonio M. Oasi

126 ND  
PAGE 25

Ad: Mont.  
de Mont.

Manuel Limeno Casarin 1<sup>er</sup> vocal  
propietario de la Caxma Junta  
departamental en ejercicio del  
Gobernador del mismo. Por cuanto D<sup>a</sup>  
Maria Ignacia Lopez ha pretendido p<sup>a</sup>  
su beneficio personal y el de su familia  
y el paraje conocido con el nombre de Caba  
za de Sta Rosa, colindante con el Rancho  
de D<sup>o</sup> Juan Wilson, con el de Marcos West  
con la Laguna que mora al Ete y el punto  
en donde concurre la estension de dos vi  
tios de ganado mayor en el llano de Sta  
Rosa; practicadas previamente las diligen  
cias y averiguaciones concernientes seg<sup>n</sup>  
lo dispuesto por leyes y reglamentos usando  
de las facultades que me son conferidas  
a nombre de la Nacion Mexicana he veni  
do en concederle el terreno mencionado  
declarandole la propiedad de el por las  
presentes letras sujetandose a la aprova  
cion de la Caxma Junta Departamental  
a las condiciones siguientes. 1<sup>a</sup> Podra  
sercarlo sin perjudicar las brevecias cami  
nos y servidumbres, lo disfrutara a libre y  
exclusivo mt. destinandolo al uso y cul  
tivo que mas le acomode pero dentro de un  
año fabricara casa y estara habitada.  
2<sup>a</sup> Obligara del diez respectivo que le de  
posecion por diez años en virtud de este despa  
cho por el cual se demarcaron los linderos



proceda en dho: Ante U. parezca y digo q[ue] como  
 consta del título q[ue] presento con la solemnidad y juram[en]to necesario tengo en mi dho  
 rancho dos sitios de ganado mayor, debajo  
 de los linderos q[ue] espresa dho título y por q[ue]  
 necesito para q[ue] en todo tiempo conste hasta  
 donde lleguen y si me perjudican o perjudi-  
 ca a alguno de los circunvecinos, se sirva  
 U. mandar que precediendo las diligencias  
 acostumbradas de identidad de vista de ojos  
 y reconocimiento se proceda con citación de  
 los circunvecinos a la medida de mis dhas  
 tierras para cuyo efecto nombro desde ahora  
 y para cuando llegue el caso, por medidor  
 a José de Jesús Berreyesa vecino de esta ju-  
 risdicción inteligente en esta materia  
 y otro que sea interesado nombre a otro medidor  
 por parte de Uya y habiéndole hecho así los  
 q[ue] nombren con el referido José de Jesús Ber-  
 reyesa por mi nombrado a p[ar]eceran aceptar  
 y juren y en su conformidad se proceda  
 a dhas medidas. Por tanto U. U. suplico  
 que habiendo por presentado dho documento  
 se sirva mandar hacer como llevo pedido  
 y hecho q[ue] sean de me velocan dhas acciones  
 con las diligencias originales q[ue] se hicieren  
 para resguardo de mi derecho esta escrito y  
 todo lo necesario. A Puego de mi Dña madre  
 Joaquín Carrillo.

En el pueblo de Donoma a los 30 dias del mes  
 de Dto. de 1891. Ante mi el Ciudadano Sal-  
 vador Vallejo Coman[de]nte Militar y Juez de esta  
 jurisdicción se leyó esta petición y en lista la  
 hubo por presentado con el documento q[ue] espresa  
 y mando q[ue] con citación de los circunvecinos  
 se haga información de identidad de vista de

afos y reconocim<sup>to</sup> de otras tierras a que este  
 pronto para asistir personalmente. Asi lo preve  
 yo, mando y fomo con los de su asistencia  
 Salvador Vallejo: Lo agr. Pina # ant. Pico Aso.  
 En el espresado pueblo a los 30 dias del mismo  
 mes y año yo el referido juez con los de mi Aso.  
 para proceder a la informacion de identidad  
 hizo comparecer ante mi el ciudadano Mar  
 co West vecino de esta jurisdiccion de Oficio  
 Carpintero del cual recibí juramento que hizo  
 por Dios y la señal de la Cruz en forma de emp  
 derecho por el cual prometió de evi Verdad  
 siendo preguntado por el conoem<sup>to</sup> q<sup>ue</sup> tiene  
 de las tierras y parages, terminos y linderos per  
 tenecientes al Rancho de Cabeza de St<sup>a</sup> Rosa  
 digo, q<sup>ue</sup> hace dos años es vecino de esta juris  
 diccion y sabe q<sup>ue</sup> las tierras perten<sup>tes</sup> a otro sitio  
 y rancho son de la D<sup>ña</sup> Maria Ignacia Lopez  
 y q<sup>ue</sup> tiene por linderos los mismos q<sup>ue</sup>. En un rescon  
 testigo acababa de declarar q<sup>ue</sup> otras tierras  
 ha llisto q<sup>ue</sup> conocido varias veces y q<sup>ue</sup> desde  
 q<sup>ue</sup> las posee la referida D<sup>ña</sup> los ha labrado y  
 cultivado y han pastado en ellas los gana  
 dos y para prueba de lo que tiene dicho está  
 pronto a ir a otras tierras con el juez para  
 señalarle los parages terminos y linderos  
 ya donde llegare en q<sup>ue</sup>. Se afirma y actifica  
 a cargo del juramento q<sup>ue</sup> tiene hecho, de clarar  
 ser de cincuenta años de edad y no tocarle  
 las generales: Lo fomo conmigo y los de mi  
 Aso: Salvo Vallejo:

Lo agr. Pina Aso: ant. Pico Aso.  
 En seguida hice comparecer ante mi y los de  
 asistencia al ciudadano Rafael Mesa y  
 habendolo hecho prestar el juram<sup>to</sup> de cos  
 tumbre ofrecio de evi Verdad y preguntado p<sup>or</sup>:

Las tierras parages, terminos y linderos pertenecientes al Rancho de la Cabeza de Sta Rosa digo q<sup>d</sup> hace dos años q<sup>d</sup> existe en esta poblacion y sabe q<sup>d</sup> las tierras pertenec<sup>tes</sup> a otro rancho son de la propiedad de D<sup>a</sup> Maria Ignacia Lopez y tiene por linderos los mismos q<sup>d</sup> su antecesor testigo acababa de declarar q<sup>d</sup> ha visto y reconocido varias veces y q<sup>d</sup> es cuanto tiene q<sup>d</sup> decir quedando conforme con la declaracion anterior y de claro ser de treinta y cinco años de edad y no tocarle las generales de la ley y lo firmo con mi go y los de mi as<sup>to</sup> segun derecho. Salvador Vallejo.

Doña<sup>a</sup> Piña As<sup>a</sup> Rafael Mesa<sup>a</sup> # Ant<sup>o</sup> P<sup>o</sup> Res<sup>o</sup>  
A continuacion hizo comparecer ante mi y los de as<sup>a</sup> al ciudadano D. Nicasio Berreyesa y habiendolo hecho prestar el juram<sup>to</sup> de costumbre o precio de ver<sup>dad</sup> y preguntado por las tierras, terminos parages y linderos pertenec<sup>tes</sup> al Rancho de la Cabeza de Sta Rosa digo q<sup>d</sup> hace tres años q<sup>d</sup> existe en esta poblacion y sabe q<sup>d</sup> las tierras pertenec<sup>tes</sup> al otro Rancho son de la propiedad de D<sup>a</sup> Maria Ignacia Lopez y tiene por linderos los mismos q<sup>d</sup> su antecesor testigo a decir q<sup>d</sup> los ha visto y reconocido varias veces y es cuanto tiene q<sup>d</sup> decir y declarar quedando conforme con la declaracion anterior declaro ser de cuarenta y nueve años y no tocarle las generales de la ley y lo firmo con mi go y los de mi as<sup>a</sup> segun derecho.

Salvador Vallejo # Nicasio Berreyesa #  
Doña<sup>a</sup> Piña As<sup>a</sup> Ant<sup>o</sup> P<sup>o</sup> Res<sup>o</sup> As<sup>a</sup>  
Estando en el campo parage nombrado Cabeza de Sta Rosa a los 31 dias del mes de Oct<sup>bre</sup> de mil ochocientos cuarenta y uno y.

23

De: de mil ochocientos cuarenta y uno y

Fuez actuando por receptoria con dos testigos  
 de Asosa por falta de Escribano publico los  
 testigos por mi examinados, presentes Lucia  
 Maria Ignacia Lopez dueña de dhas tierras  
 y los ciudadanos José Antonio Pico y Joa-  
 quin Piña los colindantes y en un ve cino  
 procedi a ver y reconocer las tierras de dho  
 Rancho y para mayor claridad puesto a  
 caballo en comp<sup>ia</sup> de todas las partes y testigos  
 referidos mande a los susodichos me señale  
 ser los parages, terminos y linderos de ella  
 segun las señales q<sup>se</sup> han de clarado en sus  
 deposiciones y en su conformidad quise ir  
 a la parte del N. E donde se halla una loma  
 y desde alli se prosiguió al reconocer y  
 vista de Ojo de dhas tierras al rumbo N. O.  
 hasta llegar a la parte donde se hallaba un  
 roble muy conocido de aqui continuado al  
 Rumbo Oeste. llegamos hasta otro Roble muy  
 conocido por las partes, de alli se siguió al  
 N. E. hasta llegar a una loma pedregosa donde  
 los testigos dijeron ser los ultimos terminos  
 y linderos de las expresadas tierras q<sup>se</sup> se hace  
 reconocim<sup>to</sup> en los parages y el referido juez  
 vi y reconoció con los de mi Asosa testigos exami-  
 nados y papeles presentados y estejado con esto  
 el referido reconocim<sup>to</sup> ser cierta la identi-  
 ficacion de las mencionadas tierras segun y es-  
 -mo lo declararon otros testigos y para q<sup>se</sup> conste  
 se puso por honor diligencia y lo firmé con los de  
 mi Asosa y demas q<sup>se</sup> supieron firmas de y fee  
 Salvo Vallejo y Rafael Mesa y Naserio Borrayta  
 Joaqu<sup>n</sup> Piña Ass<sup>o</sup>.                      Anton<sup>e</sup> Pico Ass<sup>o</sup>

126 ND  
 PAGE 30

Inmediatamente yo el juez digo, q<sup>se</sup> para proce-  
 der a las medidas contenidas en estos autos  
 se notifiquen a dha Sr<sup>a</sup> Maria Ignacia

Lopez el titulo de las tierras para q. ratifique  
 el nombramiento de medidor como asi mismo  
 quedara de a cuerdo todos los colindantes  
 nombren por su parte al suyo havendo ser  
 inteligentes en materias de medidas y  
 hecho esto estoy pronto a señalar dia para  
 otras medidas asi lo provei mande y firme  
 con los de mi casa. Salvo Vallejo.  
 Joaquin Piña Asso. Ant. Pico Asso.  
 En el mismo dia mes y año yo el juez lei  
 y notifiqué el auto de según y como en  
 el se contiene a la Srta Maria Ignacia  
 Lopez y ~~con~~ colindantes en sus personas q.  
 conosco habiendolo oido y entendido dijeron  
 lo olieron y entendieron el primero digo q. el cui  
 dadano Dolores Carrillo puede muy bien desem  
 peñar el destino de medidor y la segunda q.  
 ratifica su nombramto. en el curd. José de  
 Jesus Berreyesa ambos inteligentes y de legati  
 dad a quienes se les notifico parecieron aceptar  
 y juran y a consecuencia se proceda a otras  
 medidas como está mandado asi lo firmaron  
 con la señal de la cruz ante mi y los de asse.  
 doy fe. Jesus Berreyesa y Dolores Carrillo  
 Salvo Vallejo. Joaquin Piña Asso.  
 Ant. Pico Asso. #  
 En el pueblo de Sonoma a los 31 dias del mis  
 mo mes y año yo el juez actuando por recep  
 toria con dos testigos de asse. por falta de  
 escribano publico lei y notifiqué el auto de  
 su uso y nombramto. de medidores a los civ  
 dadanos Dolores Carrillo y José de Jesus Ber  
 reyesa vecinos de este pueblo en sus personas  
 q. conosco y habiendolo oido y entendido dije  
 ron que aceptan el encargo de medidores  
 q. se les confia y por un a Dios y a una señal



de la Ota Cruz en forma de derechos of. usaron de su encargo fiel y legalmt. según su leal saber y entender y otras medidas las verificaron con fidelidad y exactitud como es de su obligación y a satisfacción de los interesados y habiendo así respuesto lo firmaron con mi go y los de mi assa.

Jesus Berreyeda f. Dolores Carrillo f.  
Salvador Vallejo ff. Joaquin Piña Assa.  
Ant. Pico Assa.

Inmediatamnt. se hizo saber el auto of. antecedente a la parte interesada Maria Ignacia Lopez a los medidores Ciudadanos Dolores Carrillo y José de Jesus Berreyeda y entendidos dijeron of. de dar por extractos y lo firmaron con presente juez y los de Assa.

Jesus Berreyeda f. Dolores Carrillo f.  
Salvador Vallejo ff. Joaquin Piña<sup>no</sup> ff.  
Ant. Pico Assa. ff.

En el mismo día mes y año se libraron boletas de comparendo a los colindantes Marcos West y el apoderado de D<sup>n</sup> Juan Wilson para of. compareceran el proximo día 31 en el mencionado rancho de Ota Rosa a las ocho de la mañana de este día y para conotancia lo firmé con los de mi assa. Salvador Vallejo Joaquin Piña Assa ff. Ant. Pico Assa.

En el rancho de Ota Rosa a los tres días del mes de Enero de mil ochocientos cuarenta y dos presente y cinco me comparecieron a otras tierras hise comparecer ante mi a los de mi assa a los Ciudadanos Dolores Carrillo y José de Jesus Berreyeda medidores nombrados a quienes mandé tomar en un cordel de Cañamo y midiesen en cuenta varas de cubito palmo castellanas lo of. verificaron

à vista y presencia de los interesados y  
 concurren en os y para of. con este mandado se  
 ponga por diligencia y se proceda à otras  
 medidas como esta mandado lo of. certifica  
 asi mismo firmandolo con los de mi casa  
 Salvador Vallejo # Joaquin Pina Ass.  
 Ant. Pico Ass. Estando en el campo  
 de las tierras pertenecientes al Rancho de  
 Sta Rosa, hoy lunes del mismo mes y año  
 yo el juez de esta jurisdiccion actuando por  
 receptoria con dos testigos de casa por falta de  
 Escribano publico presentes los medidores  
 ciudadanos Dolores Carrillo y José de  
 Jesus Berreyesa nombrados por la parte in-  
 teresada y colindantes mandè proceder  
 à la medida de dos sitios de ganado ma-  
 yor of. por como ó menos tocan al Rancho Ca-  
 beza de Sta Rosa segun el titulo presentado  
 en cuyo obede cimnt. principio à otras medidas  
 comengando desde la loma of. esta al N. N. E.  
 de otros rancho de alli se començo à medir to-  
 mando el rumbo O. E. N. E. hasta llegar à un  
 roble muy conocido por los colindantes yhta  
 alli fueron medidas diez mil varas de largo  
 donde se le hizo levantar à la interesada un  
 monton de piedras en señal de mohonera of.  
 alli pondria en efecto, de este punto siguiendo  
 la medida al O. N. E. se contaron cinco mil varas  
 à donde se puso la correspondt. Señal para  
 poner alli mohonera respectiva se proseguio  
 mediendo al rumbo N. N. E. hasta llegar à  
 una loma pedregosa donde se contaron diez  
 mil varas en donde otra vez se puso otra Señal  
 para levantar en ella otra mohonera y prosi-  
 guiendo de alli al N. Noroeste se midieron  
 cinco mil varas donde igualmt. se puso la

ultima mohonera donde quedaron delinca-  
dos dos sitios de ganado mayor por todo lo  
cual en señal de verdadera posesion y cere-  
monial acostumbrada arcanos picetas y  
Yerbasy tuis por todo los cuatros vientos en ma-  
nifestacion de su legal y legitima posesion  
y tomo por si y para si en todo tiempo conste  
he conosecan por terminos y linderos de sus  
tierras los demas circunvecinos de ellas y  
de haberse efectuado otras medidas que  
pacificamente lo pidio por testimonio y por  
el referido juez con los de mi as<sup>ta</sup> los doy de  
haberse pasado como otras y de las copreca-  
das medidas han sido practicadas a todo  
el legal saber y entender de los medidores  
segun depusieron sin dolo fraude ni en-  
gano contra de ninguna persona y para  
mayor seguridad y satisfaccion del ju-  
ramento que tienen hecho lo firmaron con mis  
y los de mi as<sup>ta</sup> Jesus Berreyesa +  
Dolores Carrillo + Salvador Callejo #  
Joaq<sup>n</sup> Pina as<sup>ta</sup> Ant<sup>o</sup> Pico as<sup>ta</sup>

En vista de hallarse concluido este expedite  
en que consta haberse dado posesion juridica  
del Rancho nombrado Cabeza de Sta Rosa  
a siete leguas de este pueblo a D<sup>ca</sup> Maria  
Ignacia Lopez en heguesele a la parte el  
Original para los usos que le convengan con los  
doy de expresada. El ciudadano Salvador  
Callejo Comandte militar de esta frontera y  
juez de esta jurisdiccion actuando por re-  
ceptoria con dos testigos de as<sup>ta</sup>: por falta  
de Escribano publico asi lo proveyo mande  
y firme a tres dias del mes de Enero de mil  
ochocientos cuarenta y dos.

Salvador Callejo

38

assa.  
Loagn. Pina

assa.  
Ant. Pico

Filed in Office Febry 28<sup>th</sup> 1853

Geo: Fisher Secy

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126 ND  
PAGE 35

"B"

Translation of  
Act of Judicial  
possession,  
being Exhibit No. 2  
to depo. of M. G. Vallejo  
in Case No. 6434, J. T.

Court of Sonoma

Expediente made to measure and give possession of two leagues de ganado Mayor in the Rancho of Santa Rosa to M<sup>a</sup> Ygnacia Lopez the 3<sup>d</sup> day of January 1842.

Judge  
The Citizen Salvador Vallejo

Asseg  
Joan<sup>m</sup> Pena

Asseg  
Jose Anto Pico.

126 ND  
PAGE 36

To the Justice of the Peace of the Frontier

I Maria Ygnacia Lopez a resident of this jurisdiction and owners of the Rancho of Santa Rosa, in the form most legal appears before you, and say, that as appears from the title which I herewith present with the necessary solemnity and oath I have in my said Rancho two leagues of large Cattle with the boundaries stated in said title, and it being necessary that for all time it should appear where those boundaries are, and whether I intrude upon any of the adjoining owners or they intrude upon me, will you be pleased

40

to order that, the usual steps being taken to identify the land upon actual view and information, the measurement of my said lands may be made upon citation to the neighbours; for which purpose now and for the time when the measurement is to be made I name as a measurer José de Jesus Berreyesa, a resident of this jurisdiction, skilled in such matters; and any other person who may be interested may name another measurer for his part, and having done so, I ask that those who may be thus named, together with the said José de Jesus Berreyesa, named by me, may appear, accept and be sworn, and that the measurement be then properly proceeded with.

Wherefore I beseech you that, receiving the documents herewith presented you will order what I ask to be done, and that when done, the said documents be returned to me, with the original statements of the proceeding, for the protection of my rights, this is written &c.

At the request of  
my Mother  
Joag<sup>n</sup> Canillo

41

In the Pueblo of Sonoma on the 30<sup>th</sup> of Dec<sup>r</sup>, 1831,

Before me the Citizen Salvador Vallejo, Military Commandant and judge of this jurisdiction, this petition was read and received with the document referred to and I order that, with citation to the neighbours, information be taken of said lands upon actual view and knowledge at which I shall be present in person to assist.

Thus I decreed ordered and signed with assisting witnesses.

Asy  
Joag<sup>n</sup> Pena.

Salvador Vallejo  
Asy  
Ant<sup>o</sup> Pico

In the said Pueblo on the 30<sup>th</sup> of the said month and year, I, the said Judge, with the assisting witnesses, for the purpose of proceeding to take the information of identity, caused to appear before me the Citizen Marcos Mesh, resident in this jurisdiction, a carpenter by trade, and in due form of law administered to him the oath which he took before God and the sign of the Holy cross, to declare the truth, and being questioned as to his knowledge of the lands and places, limits and boundaries of the Rancho "Cabeza de Santa Rosa" he said: that that he has been a resident of this jurisdiction for two years and knows that the lands belonging to said place are the property of Maria Ignacia Lopez, and its boundaries are those just stated by the proceeding witnesses;

42  
that he has seen said lands often and knows them, and that since the said Maria Ygnacio has occupied them, she has cultivated them and pastured cattle on them; and in proof of what he has said, that he is ready to go upon said lands with the judge and point out to him the place, its limits boundaries and extent all which he affirmed and verified upon the oath which he took. declaring that he is fifty years of age, and suffers no legal impediment and he signed this with me and assisting witnesses.

Assy  
Joag<sup>n</sup> Pena.

Salvador Vallejo  
Assy  
Ant<sup>o</sup> Pico

Then I caused to appear before me and the assisting witnesses, the citizen Rafael Mesa, who took the customary oath, binding himself to speak the truth; and being asked concerning the lands, places, limits and boundaries of the Rancho "Cabeza de Santa Rosa", he said; that he has lived here for two years and knows that the lands of said Rancho belong to the said Maria Ygnacio Lopez; that the Rancho has for its boundaries those which the preceding witness has just declared, and that he has seen and recognized those lands often - which is all he has to say - assenting to this declaration he declares that he was



thirty five years of age, and under no  
 legal disability - and signed this with  
 me and my assisting witnesses,

Asseg  
 Joaquin Pena,

Salvador Vallejo  
 Assg  
 Ant<sup>o</sup> Pico

126 ND  
 PAGE 40

Then I caused to appear before me  
 and the assisting witnesses the Citizen  
 Gasario Benegas who having taken the  
 customary oath to speak the truth, and being  
 asked about the lands, places, limits and  
 boundaries of the Rancho Cabeza de Santa  
 Rosa, said that he had been in this  
 settlement three years, and knows that the  
 lands of this Rancho are the property  
 of M<sup>a</sup> Ygnacia Lopez, and has for  
 boundaries the same stated by proceeding  
 witnesses. That he has seen them often  
 and knows them, that this is all he  
 has to say and declare - assenting to the  
 correctness of the proceeding statement

He declared that he was forty nine  
 years of age, and under no legal dis-  
 -ability - and he signed this with  
 me and the assisting witnesses according  
 to law.

Asseg  
 Joaquin Pena

Salvador Vallejo  
 Assg  
 Ant<sup>o</sup> Pico

44

126 ND  
PAGE 41

Being on the grounds of the place called Cabeza de Santa Rosa on the 31<sup>st</sup> of December 1841, I, the judge acting with two witnesses, for want of a Notary Public: the witnesses examined by me Maria Ygnacio Lopez, owner of said lands, and the citizens Jose Antonio Pico and Joaquin Pena, the adjoining land owners and neighbours being present proceeded to see and recognize the lands of said Pancho, and for greater clearness being on horseback, in company with all the parties and said witnesses, I ordered the latter to point out to me the places, limits and boundaries according to what they had declared in their depositions. Accordingly, they went to the N.E. where there is a hill, and from there the actual view and recognition of the land was made - Towards the south west to the place where there is an oak well known: going on from there towards the S.S.E. (S Salsta) we came to another oak well known to the parties - from there we went on to the N.W. (North) till we came to a rocky hill, where, the witnesses said, were the last limits and boundaries of said lands which we were examining.

Which places I the said Judge, saw and recognized with the assisting witnesses, the witnesses examined and the papers presented and compared with the said recognition in order to make certain the identification of the said lands according and as the said witnesses declared

and in order that this may appear, it was entered, and I signed this with my assisting witnesses, and the others who knew I have to sign as I certify

126 ND  
PAGE 42

Ass'y  
Joagm<sup>m</sup> Pena  
Rafael Mesa  
Nasario Beneyesa.

Salvador Vallejo  
Ass'y  
Anto Pico

X Immediately, I, the judge, say - that for the purpose of proceeding with the measurements referred to in these decrees, I order that the title of the said lands be notified to the said Ma Ygnacia Lopez that she may satisfy the appointment of measurement, as also that all the adjoining owners agree in naming one upon this part. The persons named being skilled in the matter of measurements; and when this is done I am ready to appoint a day for said measurements. Thus I directed ordered and signed with my assisting witnesses.

Ass'y  
Joagm<sup>m</sup> Pena.

Salvador Vallejo  
Ass'y  
Anto Pico

On the same day, month, and year I, the Judge read and made known the decree in this matter and what it contains, to Maria Ygnacia Lopez and the adjoining owners personally - and they heard and understood it as

they said: the former said the Citizen Dolores Carrillo may well perform the duty of measurer; and the latter ratified the appointment of the Citizen Jose de Jesus Beneyesa, both skillful and legally qualified; I ratified them to appear, accept and take oath, and consequently the measurement is proceeded with as it is ordered, and they signed this with the sign of the cross, before me and the assisting witnesses - as I certify.

Jesus Beneyesa + Dolores Carrillo +  
 Salvador Vallejo  
 Ass'g Ass'g  
 Joaquin Pena. Auto Diego

In the Pueblo of Sonoma on the 31<sup>st</sup> day of the same month & year I, the Judge, legally acting with assisting witnesses for the want of a Notary Public, read and made known the decree of their appointment to the Citizens Dolores Carrillo & Jose de Jesus Beneyesa, residents of this Pueblo, whom I knew and having heard and understood it, they said I that they accepted the appointment that was confided to them, and took the oath according to Law before God and the sign of the Holy Cross, to discharge their duty faithfully and legally according to the best of their knowledge and understanding, and to execute said measurements with fidelity and exactness

as they should do, and to the satisfaction of the parties interested - and having thus declared they signed this with me and my assisting witnesses,

Jesus Beneyesa Salvador Vallejo  
Dolores Carrillo Ass'g  
Ass'g Joaquin Pena Ant<sup>o</sup> Pico

126 ND  
PAGE 44

Immediately the proceeding decree was made known to the party interested Maria Genacio Lopez & to the measures, Dolores Carrillo and Jose de Jesus Beneyesa, and having heard it they admitted themselves cited; and they signed this with the Judge, who was present and the assisting witnesses.

Jesus Beneyesa Salvador Vallejo  
Ass'g Dolores Carrillo Ass'g  
Joaquin Pena Ant<sup>o</sup> Pico

On the same day, month and year, citations to appear were delivered to the adjoining owners, Marcos West, and the attorney in fact of John Wilson to appear on the 31<sup>st</sup> Inst. on the said Rancho of Santa Rosa at eight o'clock in the morning of that day.

In evidence whereof I signed this with assisting witnesses

Salvador Vallejo  
Ass'g Joaquin Pena Ass'g Ant<sup>o</sup> Pico

On the Rancho of Santa Rosa on the third of the month of January 1842, the party and adjoining owners being present, I caused it to appear before me the Citizens Dolores Carrillo and Jose de Jesus Beneyesa, named measurers, whom I ordered to take a cord of \_\_\_\_\_ and to measure fifty varas of \_\_\_\_\_ which they did in view and presence of those interested and the neighbours; and in order that it may appear, I directed that this be entered and that the measurement should be proceeded with as it is ordered.

To which I certify also signing this with my assisting witnesses.

Ass'g  
Joan Pena,

Salvador Vallejo  
Ass'g  
Antonio Pico

Being upon the lands belonging to the Rancho of Sta Rosa this day Monday of the same month and year, I, the Judge of this Jurisdiction, acting legally with two assisting witnesses for want of a Notary Public, the Citizens Dolores Carrillo and Jose de Jesus Beneyesa, named measurers by the party interested and the adjoining owners, being present, ordered them to proceed to the measurement of two square leagues, which, a little more or less, belong to the Rancho Cabera de Santa Rosa according to the title presented, in obedience to which the measurements were commenced.

Beginning at the hill at the N.E. (Norte) of said Rancho, thence in a direction (O.E. Ste) ten thousand Varas to an Oak Tree well known to the neighbours where a pile of stones was raised by the Grantee, to mark the place where she should put a Land mark - thence (S Ste) five thousand Varas where the place was marked for the proper boundary. Thence (Norte) ten thousand Varas to a rock hill where also the spot was marked on which to place another monument. Thence towards the (W Noroeste) five thousand Varas where also the last monument was placed. By all which two leagues (de ganado mayor) were marked out. In sign of true possession and according to the usual ceremony, the grantee pulled up stones and grass and threw them to the four winds, in evidence of the legal and legitimate possession which she took for herself; and in order that it may appear in all time, and that her neighbours may know the limits and boundaries of her lands and that it may be known that these measurements were effected quietly and peaceably she asks this for evidence, and I the said Judge, with my assisting witnesses, give it declaring that every thing took place as stated, and that the said measurements have been made according to the best knowledge and understanding of the measurers without malice, fraud or deceit, against

any person, and for greater security,  
and in ratification of the oath which  
they have taken, they signed this with  
me and my assisting witnesses.

Salvador Vallejó

Ass'g Jesus Benyesa + Ass'g  
Ass'g Dolores Camilo + Anto Pico  
Joagm Pena.

126 ND  
PAGE 47

This Expediente having been completed  
from which it appears that Judicial  
possession has been given of the Rancho  
called Cabeza de Sta Rosa, seven leagues  
distant from this Pueblo to Maria  
Ygnacia Lopez, let the original be delivered  
to the party, for the purposes for which  
she may require it, with the documents  
which it refers to, I, the Citizen Salvador  
Vallejó, Military Commandant of this fran-  
tier, and Judge of this jurisdiction,  
legally acting with two assisting wit-  
nesses for want of a Notary Public  
thus directed, ordered and signed, this  
3<sup>rd</sup> day of the month of January 1842.

Salvador Vallejó

Ass'g  
Joagm Pena

Ass'g  
Anto Pico

Filed in Office Feb 28<sup>th</sup> 1853  
Geo. Fisher Sec

Span Doc follows



"m"  
Deed from Vally's  
wife et al.  
To  
James Eldridge

126 ND  
PAGE 48

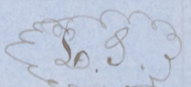
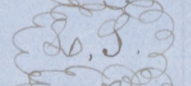
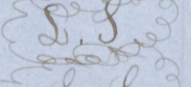
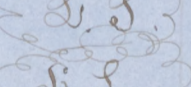
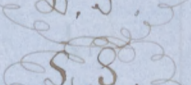
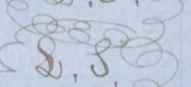
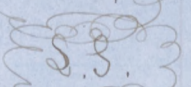
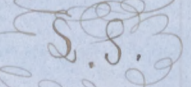
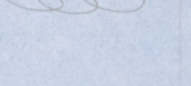
This Indenture made this 15<sup>th</sup> day of January  
A.D. one thousand eight hundred and fifty  
three, between Mariano G. Vallyo and  
Benicia Francisco, his wife, David  
Mallight and Juan de Jesus Canillo de  
Wilson his wife, Joseph Canillo de Pitech  
and Joaquin Canillo, of the first part,  
and James Eldridge of the second part,  
witnesseth - That the said parties  
of the first part, for and in consideration  
of the sum of four thousand dollars,  
to them in hand paid by the said party  
of the second part, the receipt whereof  
is hereby acknowledged, have granted bar-  
gained, sold, released and confirmed,  
and by these presents do grant, bargain,  
sell, release and confirm unto him,  
the said party of the second part, his  
heirs and assigns, all the right, title,  
interest, estate, claim and demand of  
whatevers kind or nature, which they  
the said parties of the first part, or  
any of them have in or to all that tract  
or parcel of land, situate in Sonoma  
County in the State of California,  
which is part of the Rancho called  
"Cabeza de Santa Rosa," and bounded  
and described as follows, to wit:  
Commencing at the intersection of the  
western boundary line of said Rancho  
with said Arroyo and running thence  
south South East, with said boundary  
line, to the southern termination thereof;  
thence North North East with southern  
boundary line of said Rancho to the  
intersection thereof with the most

Southern branch of said Arroyo; thence with said Southern branch, Northwestwardly to the junction thereof with said Arroyo; thence Westwardly with said Arroyo to the place of beginning; saving and excepting out of said tract or parcel of hereby conveyed six hundred and forty acres, the southernmost portion thereof heretofore agreed to be sold to one Salvador Vallyjo of Sonoma County;

Together with all the Tenements and appurtenances thereto belonging or in any manner appertaining. I do have and do hold the premises to the sole use of him, the said party of the second part his heirs and assigns forever.

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

In presence of  
 Martin E. Cook

	David Mallagh	
	Juana Canillo Mallagh	
	Julio Canillo	
	Joaquin Canillo	
	Josefa de Pitech	
	Mo. G. Vallejo	
Witness in San Luis	Benicia P. de Vallejo	
Obispo.	John Wilson	
Mariano Pacheco	Ramona Wilson	
John Bryson		

126 ND  
 PAGE 49

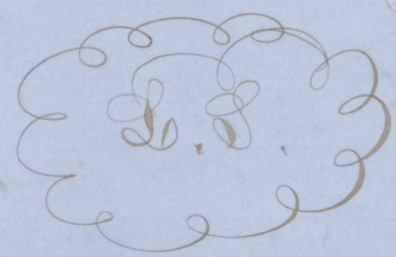
State of California J. P.  
County of Sonoma J. P.

126 ND  
PAGE 50

On this 28<sup>th</sup> day of January  
A.D. 1853 personally appeared before me  
the undersigned Notary Public in and for  
said County David McLaugh and Juana C.  
his wife, Julia Canillo, Joaquin Canillo,  
Josefa de Pitech, M. E. Valljo & Benicio  
P. de, his wife to me personally known  
to be the persons described in and who  
executed the foregoing instrument & each  
for himself acknowledge that they executed  
the same freely & voluntarily for the  
uses and purposes therein mentioned  
and the said Juana C. and the said Benicio  
P. being examined by me separate and apart  
and without the hearing of their said husbands  
& being by me made acquainted with the  
contents of the foregoing instrument, each for  
herself acknowledged that she executed the  
same freely and voluntarily, without fear  
or compulsion or undue influence of  
her said husband & that she did not  
wish to retract the execution of the  
same.

In testimony whereof  
I have hereunto set my hand  
and affixed my Notarial Seal  
the day and year first above  
written.

Martin E. Cook  
Notary Public



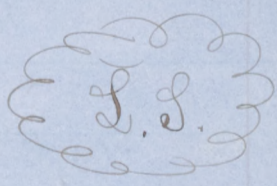
State of California  
County of San Luis Obispo

126 ND  
PAGE 51

On this second day of March  
A.D. 1853 personally appeared before me  
County Clerk in and for said County  
John Wilson and Ramona Canillo, his wife,  
known to me to be the persons described in  
and who executed the within instrument,  
who acknowledged to me that they executed  
the same freely and voluntarily and for the  
uses and purposes therein mentioned,  
and the said Ramona Canillo, the wife of the  
said John Wilson having been by me  
made acquainted with the contents  
of said instrument, and having been by  
me examined apart from and without  
the hearing of her husband, acknowledged  
that she executed the same freely and  
voluntarily, without fear or compul-  
sion or undue influence of her husband  
and that she wished not to retract  
the execution of the same.

In testimony whereof I have here-  
unto set my hand and affixed my  
private Seal, having no seal of office  
provided, the day and year above  
written.

Elliot Gibby  
County Clerk



I, George Fisher Secretary to the Board of  
 W.S. Commissioners, to ascertain and settle  
 the Private Land Claims in the State of California,  
 do hereby certify that the foregoing is a true  
 and correct copy of a Deed (m) from  
 M.G. Vallejo & wife to James Eldridge  
 in case No 645, in which case James Eldridge  
 is claimant of a part of a place called Cabera  
 de Santa Rosa, now on file in this Office  
 and in my care and custody as such Secretary.  
 Given under my hand this fifth  
 day of June A.D. 1854.

Geo. Fisher Sec

Filed in Office Oct 14, 1883

Geo. Fisher Sec

This Indenture, made this  
 Twenty fourth day of November A.D. One thou-  
 sand Eight Hundred and fifty one; between  
 Felicidad Carrillo of Sonoma County, in the  
 State of California, of the first part; &  
 James Eldridge of San Francisco, in the  
 said State, of the second part; Witnesseth  
 That said party of the first part for and  
 in consideration of the sum of Four  
 Thousand Dollars, to her in hand paid  
 by the said party of the second part, at or  
 before the enacting, and delivery of these  
 presents, the receipt whereof is hereby  
 acknowledged, has granted, bargained  
 and sold, aliened, released and confirmed,  
 and by these presents does grant, bargain  
 and sell, release and confirm unto  
 him, the said party of the second part,  
 his heirs and assigns; all the right  
 title, interest, estate possession, claim,  
 and demand of whatever kind or nature  
 of her, the said party of the first part,  
 to and in all that tract or parcel of  
 land, situate in Sonoma County  
 in said State, being all that part of  
 the Rancho called "Cebasa de Santa  
 Rosa" lying and being south of the  
 Arroyo de Santa Rosa, and bounded and  
 described as follows, to wit: Commencing at  
 the intersection of the western boundary  
 line of said Rancho with said Arroyo; and  
 running thence, south South East, with the  
 said boundary line, to the southern termination  
 thereof; thence, north North East, with the

"w"

Deed from  
 Felicidad Carrillo  
 To  
 James Eldridge

126 ND  
 PAGE 53

47

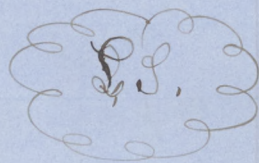
126 ND  
PAGE 54

southern boundary line of said Rancho to the intersection thereof with the most southern branch of said Arroyo, thence, with said southern branch, Northwestwardly, to the junction thereof with the said Arroyo; thence westwardly, with the said Arroyo to the place of beginning; saving and excepting of said tract or parcel of land hereby conveyed Six hundred and forty acres the south easternmost portion thereof heretofore agreed to be sold to one Salvador Valero, of Sonoma County, in said State; Together with all and singular the Tenements, hereditaments and appurtenances unto the same belonging or in any manner appertaining,

To have and to Hold these premises unto, and to the sole use and behoof of him, 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, the day and year first herein written.

Felicidad Carrillo

 F.S.

Sealed and delivered  
in the presence of  
John W. Fisher.

State of California }  
County of Sonoma }  
}

On this 24<sup>th</sup> day of November  
A.D. 1857 Before me, personally appeared  
Felicidad Carrillo, known to me to be the  
person described in, and who executed the

58

foregoing deed, or instrument of writing; and the said Felicidad Canillo, acknowledged to me, that she executed the same, freely and voluntarily, for the uses & purposes therein mentioned.

In witness whereof I have hereunto set my hand and private seal the day above written.

Seal

Peter Campbell  
Notary Public

The words interlined at the bottom of the first page of this deed were written before the signing & sealing of the same.

Filed for record on the 5<sup>th</sup> Decr. A.D. 1857  
at 11 O'clock A.M.

John Wendley Recorder

Recorded in Book 11 pages 21 and 22.  
Dec 11<sup>th</sup> A.D. 1857.

John Wendley  
Recorder

Recorder's fee  
7 folios 75. \$ 5.25

Filed in Office Oct 5, 1883

Geo. Fisher  
Sec

126 ND  
PAGE 55



59

"6"

Salvador Vallej's  
wife.  
To  
James Eldridge

This Indenture, made this 27<sup>th</sup> day  
of November, A.D. One thousand eight  
hundred and fifty one between Salvador  
Vallej's and Maria Louisa Vallej's of the  
County of Napa in the State of California  
wife of said Salvador, of the first part,  
and James Eldridge of San Francisco,  
in said State, of the second part:

Witnesseth: That said parties of the  
first part, for and in consideration  
of the sum of Four thousand Dollars,  
to them in hand paid by said party of  
the second part, at or before the sealing  
or delivery of these presents, the receipt  
whereof is hereby acknowledged: have  
granted bargained and sold, aliened, released  
and confirmed, and by these presents,  
do grant, bargain and sell, release  
and confirm unto him, the said party of  
the second part, his heirs and assigns,  
all the right, title, interest, estate, possession,  
claim and demand of whatever kind or nature,  
of them, the said parties of the first part: to,  
and in all that tract or parcel of lands,  
situate in Sonoma County, in said State, being  
all that part of the Rancho, called "Cubaya de  
Santa Rosa", and bounded and described as  
follows to wit: Commencing at the inter-  
section of the Western Boundary line of  
said Rancho with said Arroyo, and running  
thence, south South East, with the said boundary  
line, to the Southern termination thereof, thence  
North North East, with the Southern boundary  
line of said Rancho to the intersection thereof  
with the most Southern branch, North  
Westwardly, to the junction thereof, with the

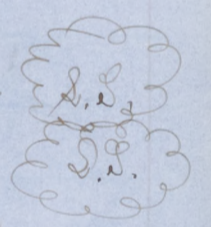
126 ND  
PAGE 56

68

said Arroyo, thence westwardly, with  
the said Arroyo to the place of beginning,  
saving and excepting of said tract or parcel  
of land, hereby conveyed; six hundred and forty  
acres, the south easternmost portion thereof,  
heretofore agreed to be sold to one Salvador  
Vallejo, of Sonoma County, in said State;  
Together, with all, and singular the  
incumbrances, hereditaments, and appurtenances  
unto the same belonging, or in any manner  
appertaining. To Have and to hold these  
premises, unto and to the sole use & behoof  
of him the said part of the second part,  
his heirs and assigns forever.

In witness whereof, the said parties  
of the first part, have hereunto severally  
set their hands & seals, the day & year  
first herein written.

In presence of  
William W. Culver Salvador Vallejo  
M.<sup>a</sup> Louisa Canillo



State of California }  
County of Yuba } ss

On this 23<sup>rd</sup> day of November  
A.D. 1857 before me, W. W. Culver Notary  
Public in and for said County personally  
appeared Salvador Vallejo, and Mary Louisa  
Vallejo his wife, known to me to be the  
persons described in, and who executed, the  
foregoing deed, or instrument of writing,  
and the said Salvador Vallejo acknowledged  
to me, that he executed the same freely

and voluntarily, for the uses and purposes therein mentioned, and the said Mary Lou Vallejo, being by me made acquainted with the contents of said Deed, and examined apart from, & without the hearing of her said husband, whether she executed the same freely & voluntarily, without fear or compulsion, or undue influence of her husband; said that she did, and that she wishes not to retract the same.

In witness whereof, I have hereunto set my hand and private seal having not been able to procure a notarial seal

William W. Culver  
Notary Public Seal

Filed for record on the 5<sup>th</sup> Dec<sup>r</sup> A.D. 1857  
at 11 o'clock A.M. J. Hendley Recorder

Recorded in Book H. pages 16, 17, & 18  
Dec 11<sup>th</sup> A.D. 1857. J. Hendley Recorder

Recorder's fee  
8 folio's 6.00

Filed in Office October 5<sup>th</sup> 1853,  
G. L. Fishers Sec

This Indenture, made this \_\_\_\_\_ day  
of \_\_\_\_\_ A.D. One Thousand Eight Hundred  
and fifty one, between Marta Carrillo of  
Sonoma County, in the State of California  
of the first part; and James Eldridge  
of San Francisco, in said State, of the  
second part; (Witnesseth, That said  
party of the first part, for and in  
consideration of the sum of Four  
Thousands Dollars, to her in hand paid  
by the said party of the second part, at  
or before the sealing and delivery of these  
presents, the receipt whereof is hereby  
acknowledged; has granted, bargained,  
and sold, aliened released, and confirmed,  
and by these presents, does grant, bargain  
and sell, release and confirm unto him,  
the said party of the second part, his heirs  
and assigns, all the right, title, interest,  
estate, possession claim and demand  
of whatever kind or nature, of her,  
the said party of the first part, to, and  
in all that tract or parcel of land, situate  
in Sonoma County, in said state, being  
all that part of the Rancho, called "Cajon  
de Santa Rosa", lying and being south of  
the Arroyo de Santa Rosa, and bounded  
and described as follows, to wit; Commencing  
at the intersection of the western boundary  
line of said Rancho, with said Arroyo, and  
running thence, South South East, with  
said boundary line, to the southern termina-  
tion thereof; thence North North  
East with the southern boundary line

"p"

Deed from  
Marta Carrillo  
To  
James Eldridge

126 ND  
PAGE 59

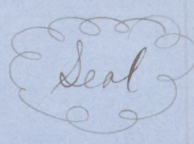
126 ND  
PAGE 60

of said Rancho, to the intersection thereof with the most southern branch of said Arroyo; thence with said southern branch, north westwardly, to the junction thereof with said Arroyo; thence westwardly, with said Arroyo to the place of beginning; saving and excepting of said tract of parcel of land, hereby conveyed, six hundred and forty acres, the fourth easternmost portion thereof; heretofore agreed to be sold to one Salvador Valdez of Sonoma County in said state.

Together with all and singular the tenements, hereditaments and appurtenances unto the same, belonging or in any manner appertaining.

To Have and to hold these premises unto and to the sole use and behoof of him 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, the day and year first herein written.

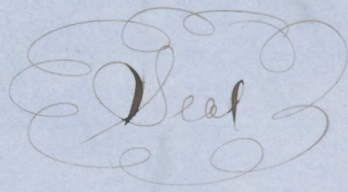
Marta Carrillo <sup>her</sup> X   
<sub>mark</sub>

State of California }  
County of Sonoma } }

On the 24<sup>th</sup> day of November A.D. 1851, before me personally appeared, Marta Carrillo known to me to be the person described in, and who executed the foregoing deed or instrument of writing; and the said Marta Carrillo, acknowledged to me that she executed the same, freely and voluntarily, for the uses & purposes therein

mentioned.  
set my hand and private seal the day above  
written.

In witness whereof, I have hereunto



Peter Campbell  
Notary Public

126 ND  
PAGE 61

Filed for record on the 5<sup>th</sup> Dec<sup>r</sup> A.D. 1857  
at 11 O'clock A.M.

J. Wendley Recorder

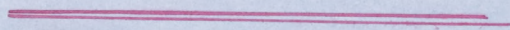
Recorded in Book No. pages 20 & 21  
Dec 10<sup>th</sup> A.D. 1857.

J. Wendley Recorder

Recorded Fee  
7 folios . 5. 30

Filed in Office Oct 5, 1853.

Geo. Fisher  
Sec



" r "

Deed from  
Jose Ramon  
Carrillo & wife  
To  
James Eldridge

126 ND  
PAGE 62

This Indenture made this nineteenth day of November A.D. One thousand eight hundred and fifty one between Jose Ramon Carrillo of Las Angeles in the State of California and Vicente Sepulveda his wife, of the first part & James Eldridge of San Francisco in the said State of the second part. Witnesseth: That said parties of the first part for and in consideration of the sum of Four Thousand Dollars to them in hand paid by the said party of the second part at or before the sealing & delivery of these presents the receipt whereof is hereby acknowledged have granted, bargained & sold, aliened, released & confirmed and by these presents do grant, bargain & sell release & confirm unto him the said party of the second part his heirs & assigns all the right title interest estate possession claim & demand of whatever kind or nature of them the said parties of the first part to & in all that tract or parcel of land situate in Sonoma County in said State being all that part of the Rancho called "Cajasa de Santa Rosa" lying and being south of the Arroyo de Santa Rosa & bounded & described as follows to wit, commencing at the intersection of the western boundary line of said Rancho with said Arroyo and running thence south south east with said boundary line, to the southern termination thereof, thence north north east, with the southern boundary line of said Rancho to the intersection thereof with the most southern branch of said Arroyo, thence with the said southern branch north

Northwardly to the junction thereof with  
the said Arroyo, thence westwardly with  
the said Arroyo to the place of beginning  
saving and excepting of said tract and  
parcel of land hereby conveyed, six hundred  
and forty acres, the south easternmost  
portion thereof heretofore agreed to be  
sold to one Salvador Valles of Sonoma  
County in said State; Together with all  
singular tenements hereditaments and  
appurtenances unto the same belonging or in  
any manner appertaining.

To have and to hold the premises  
unto and to the sole use and behoof of  
him the said party of the second part  
his heirs & assigns forever.

In witness whereof the said parties  
of the first part have hereunto severally set  
their hands & seals the day & year first  
herein written.

Jose Ramon Canillo  
Bicente <sup>de</sup> Sepulveda Canillo  
<sub>mark</sub>



Witness  
Victor Sepulveda  
John Hendley

State of California  
County of Los Angeles

On the 7<sup>th</sup> day of September A.D.  
one thousand eight hundred & fifty two  
before me Wilson W. Jones Clerk  
personally appeared Jose Ramon Canillo  
& Bicente Sepulveda, his wife. Known



64

to me to be the persons described in & who executed the foregoing deed or instrument of writing of the said Bicenta Sepulveda Cañillo I acknowledged to me that she executed the same freely & voluntarily for the uses & purposes therein mentioned & the said Bicentia Sepulveda Cañillo being by me made acquainted with the contents of said deed & examined apart from & without the hearing of her said husband whether she executed the same freely & voluntarily without fear or compulsion or undue influence of her husband, saith that she did & that she wishes not to retract the same.

In witness whereof I have hereunto set my hand and seal as Clerk of the County of Los Angeles this 7<sup>th</sup> day of September A.D. 1882,  
 Wilson W. Jones Clerk  
 per H. R. Myles D. P.

State of California }  
 County of Sonoma }

On this 19<sup>th</sup> day of November A.D. 1857. Before me the Undesigned County Clerk of said county, Personally appeared Low<sup>o</sup> Jose Ramon Cedillo 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.

In testimony whereof I have hereunto set my hand and seal of

126 ND  
 PAGE 64

68

copy affixed at office in the City of  
Sonoma this day and year last above  
written.

John Hendley Clerk

E. S. I.

126 ND  
PAGE 65

Filed for Record on the 19<sup>th</sup> day of November  
1851 at 9 o'clock A.M.

John Hendley Recorder  
Sonoma County

Recorded in Book "D" pages 237  
Nov: 19<sup>th</sup> 1851

John Hendley Recorder

Recorders fees

6 folios 75	4.50
ackg <sup>t</sup>	2.00
	<u>6.50</u>

Filed in Office Oct 5<sup>th</sup> 1853,  
Ct: Fishers See

" 9"

Deed from Julio  
Carillo

To

James Eldridge

126 ND

PAGE 66

This Indenture, made this 31<sup>st</sup> day of November, A.D. One thousand eight hundred and fifty one, between Julio Carillo of the County of Napa in the State of California of the first part, and James Eldridge of San Francisco, in said State of the second part - Witnesseth: That the said parties of the first part, for and in consideration of the sum of Four Thousand Dollars, to them in hand paid by the said party of the second part, at or before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged; has granted bargained and sold, aliened, released and confirmed, and by these presents, do grant bargain and sell, release and confirm, unto him the said party of the second part, his heirs and assigns, all the right, title, interest, estate, possession, claim and demand, of whatever kind or nature of them, the said parties of the first part, in and to all that tract or parcel of land, situate in Sonoma County, in said State, being all that part of the rancho called "Cabezo de Santa Rosa", situate and being bounded with the Arroyo de Santa Rosa, bounded and described as follows, to wit: Commencing at the intersection of the western boundary line of said Rancho, with said Arroyo, and running thence, South South East, with said boundary line, to the southern termination thereof, thence North North East, with the southern boundary line of said Rancho, to the intersection thereof with the most southern branch of said Arroyo, thence, with the said southern branch, Northwestward

70

to the junction thereof with the said Arroyo, thence westwardly, with the said Arroyo, to the place of beginning; saving and excepting of said tract or parcel of land, hereby conveyed; Six hundred and forty acres, the south easternmost portion thereof, heretofore agreed to be sold to one Salvador Valles, of Sonoma County, in said state, together with all and singular the tenements, hereditaments, and appurtenances, unto the same belonging, or in any manner appurtening.

126 ND  
PAGE 57

To Have and to Hold these premises, unto and to the sole use and behoof of him, the said party of the second part, his heirs and assigns forever.

In witness whereof, the said party of the first part has hereunto severally set his hand and seal, the day and year first herein written.

Julio Canillo (Seal)

State of California  
County of Napa

On this 25<sup>th</sup> day of November A.D. 1851 before me William W. Culver Notary Public in and for said County personally appeared Julio Canillo and I know him to be the person described in and who executed the foregoing deed or instrument of writing; & that said Canillo acknowledged to me that, he executed the same freely & voluntarily for the uses and purposes therein mentioned. In witness whereof I

27  
61

have hereto set my hand and private seal  
having not been able to procure a notarial  
seal

William W. Culver Seal

126 ND  
PAGE 68

Filed for record on the 5<sup>th</sup> day of December  
A.S., 1857 at 11 o'clock A.M.

John Hendly Recorder

Recorded in Book 26, pages 18 & 19, Dec  
11<sup>th</sup> A.S., 1857.

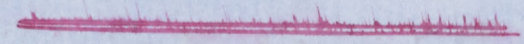
J<sup>n</sup>. Hendly Recorder

Recorder's Fee

3 folios 30' . 5.25'

Filed in Office Oct 5<sup>th</sup>, 1853,

Ch<sup>o</sup>. Fisher Secy



St: 645'

James Eldridge

vs

The United States

}  
}  
}

Motion

The claimant  
moves the Board for leave to withdraw  
temporarily the original mesne conveyances  
filed in this case, for the purpose of  
having them recorded.

A. P. Crittenden  
Atty.

Filed in Office May 23<sup>rd</sup>, 1854,

Ch<sup>o</sup>. Fisher Secy

72

N<sup>o</sup>. 648.

Stipulation

James Eldridge Claimant of  
Part of Cabeza de Santa Rosa

126 ND  
PAGE 69

It is stipulated that all papers filed and  
depositions of witnesses taken in Case  
N<sup>o</sup>. 643, in which Julio Canillo is Claimant  
of part of the same Rancho called  
Cabeza de Santa Rosa, shall be considered  
as filed and taken in this Case

Oct 5<sup>th</sup> 1883.

Robert Greenham  
Asst. Survey Agent.

Filed in Office Oct 5<sup>th</sup> 1883,

Geo. Fisher Sec.

---

James Eldridge } Part of "Cabeza  
 as } de Santa Rosa"  
 The United States } In Sonoma County,

Opinion by  
 Commissioners  
 Thompson  
 Campbell

126 ND  
 PAGE 70

It is stipulated in this case that all papers (except the Mesne conveyances) filed and depositions of witnesses taken in Case N<sup>o</sup>. 643, in which Julio Canillo is claimant of part of the same Rancho called Cabeza de Santa Rosa, shall be considered as taken and filed in this case.

By the depositions and documentary evidence filed in said case, it is shown that, on the 31<sup>st</sup> day of September A.D. 1841, a grant for the place called "Cabeza de Santa Rosa" was made by Manuel Guimond, acting Governor, to one Maria Ygnacio Lopez, and that on the 31<sup>st</sup> day of December A.D. 1841, judicial possession of the same was duly given to the grantee, and the limits and boundaries thereof marked and defined; and it is also shown that the original grantee as early as the year 1835, or 1838, entered upon said place, built a large adobe house, cultivated two or three hundred acres of the land, and continued to live there until her death, which happened after the Americans had taken possession of the Country.

It is further shown that the said grantee at the time of her death left ten children as her heirs, and whose names are as follows: Joaquin, Ramon, Julio, Ramona, Josefa, Francisca, Louis,

Inana, Felicidad, and Marta.

The evidence shows a substantial compliance with all the material conditions of the land by the original grantee, within the time limited in her grant.

The present petitioner for the purpose of deducing title to that portion of the said Rancho for which he claims confirmation, has placed on file in this case the following Mesne Conveyances.

First — A Deed for the premises described in the petition to the Commission from Jose Ramon Canillo and Vicente Sepulveda his wife for their interest to the petitioner dated November 19<sup>th</sup> A.D. 1851.

Second. — A Deed for the premises described in the petition to the Commission from Marta Canillo for her interest to the petitioner dated A.D. 1851.

Third — A Deed for the premises described in the petition to the Commission from Salvador Vallejo and Mary Long his wife for their interests to the petitioner dated November 23<sup>rd</sup> A.D. 1851.

Fourth — A deed for the premises described in the petition to the Commission from Felicidad Canillo for her interest to the petitioner, dated November 24<sup>th</sup> A.D. 1851.

Fifth — A Deed for the premises



described in the petition to the Commission from, Marián G. Valljo and Benicú Francisco, his wife, David Mallagh & Juana de Jesus Cañillo de Mallagh, his wife, John Wilson & Ramon Cañillo, his wife, Josefa Cañillo de Pitech, and Joaquin Cañillo for their interests, to the petitioners, dated 15<sup>th</sup> January A.D. 1853,

Sixth, A Decree for the premises described in the petition to the Commission from Julio Cañillo for his interest to the petitioners, dated 25<sup>th</sup> of November A.D. 1851,

The foregoing Conveyances are satisfactorily shown to be duly executed by the heirs of the original Grantee, and entitle the petitioners to a confirmation for that portion of the place called "Cebaya de Santa Rosa", which is described in his petition to the Commission.

The objections urged by the Land Agent to a confirmation of this claim are considered and disposed of in the opinion filed in Case N<sup>o</sup> 643, and to which reference is now made.

A Decree of Confirmation will be accordingly entered.

Filed in Office April 4<sup>th</sup> 1854  
Genl. Fisher  
Sec

James Eldridge  
 vs  
 The United States

Decreed

126 ND  
 PAGE 73

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

The lands of which confirmation are hereby made are a part of the place called "Cabeza de Santa Rosa" which place is bounded and described as follows, to wit: Commencing at a hill at the N.E. (N. N<sup>te</sup>) and running in a direction (W. E. N<sup>te</sup>) to an oak tree well known by the neighbors where there is a pile of stones the distance of two thousand Varas, thence running S. E. five thousand Varas, thence running N. N<sup>te</sup> ten thousand Varas to a rocky hill thence running towards the N. West five thousand Varas to a place where there is a monument, containing in all two square leagues a little more or less.

That portion of the above described premises of which confirmation is hereby made, to the said petitioner is known as all that part of said Rancho lying south of the Arroyo de Santa Rosa, and which is bounded and described as follows to wit: Commencing at the western boundary line of said Rancho (called Cabeza de Santa Rosa)

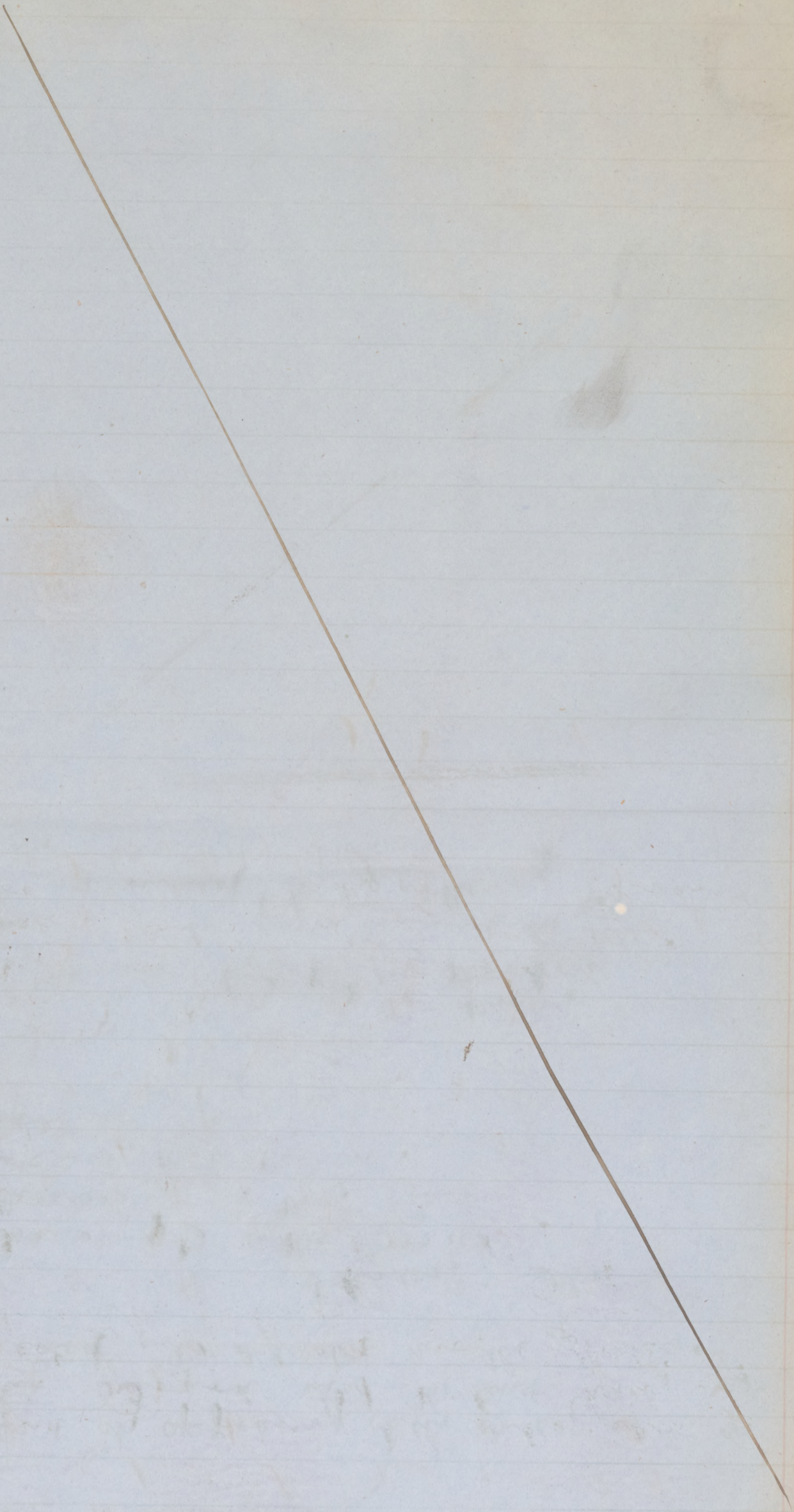
77

126 ND  
PAGE 74

with said Arroyo, and running thence South South East, with the said boundary line to the southern termination thereof; thence North North East with the southern boundary line of said Rancho to the intersection thereof with the <sup>of said Arroyo, thence with said southern branch</sup> ~~south~~ southern branch, Northwestwardly with the said Arroyo to the place of beginning saving and excepting of said tract of land situated within the boundaries as above described, six hundred and forty acres, being the south Easternmost portion thereof. Reference for further description to be had to the six several deeds filed as evidence in the cause, and to the translation of the original record of Judicial possession, which is also filed as evidence in the cause

Alphens Deleh  
Thompson Campbell  
R. Aug. Thompson  
Commissioners

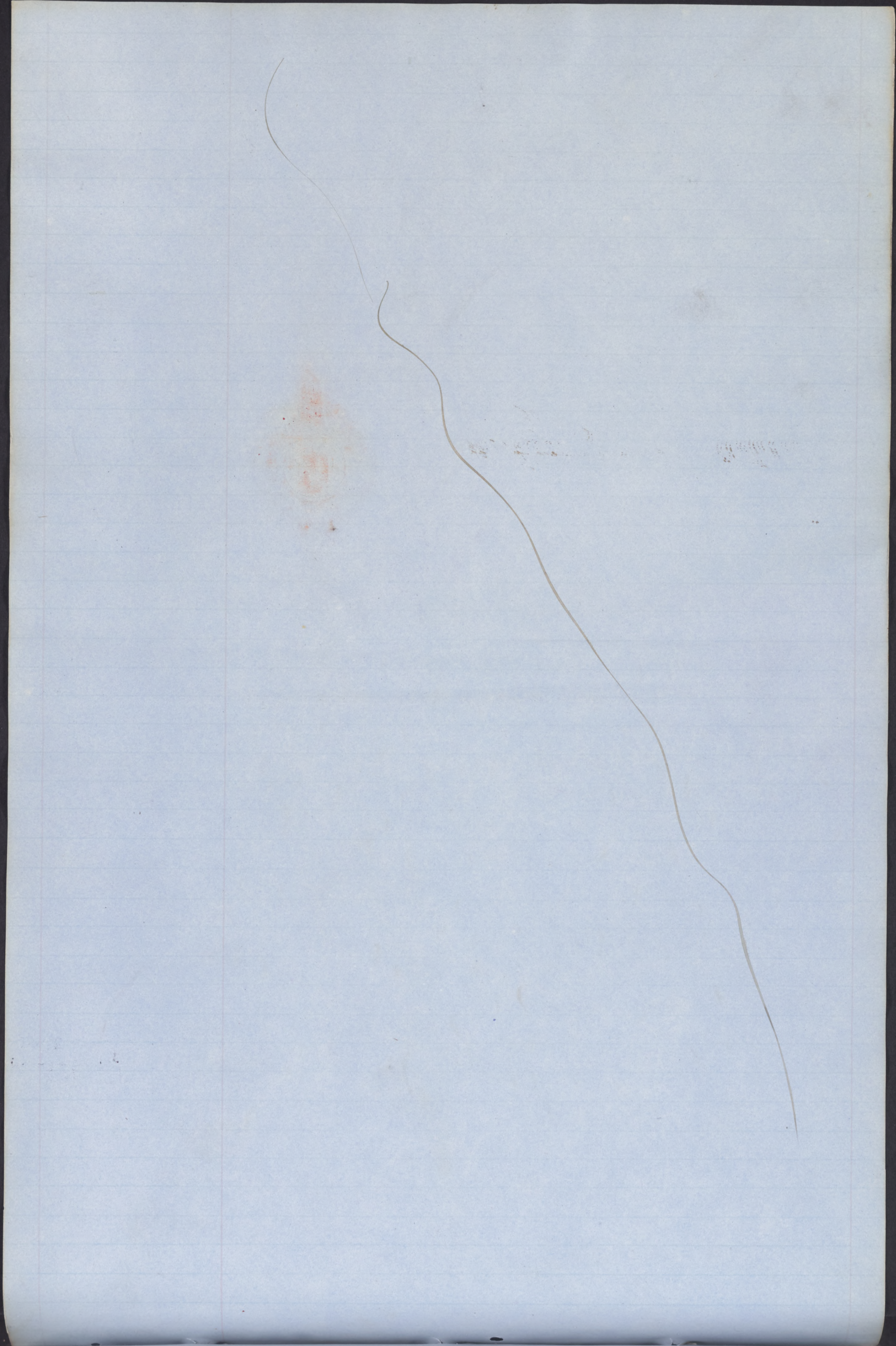
Filed in Office April 4<sup>th</sup> 1854  
G. L. Fisher Sec.



49

126 ND  
PAGE 75

And it appearing to the satisfaction of  
this Board that the land hereby adju-  
dicated, is situated in the Northern  
District of California it hereby  
Ordered; That two  
Transcripts of the Proceedings and of the  
Decision in this Case, and of the  
papers and evidence upon which the  
same are founded, be made out and  
duly certified by the Secretary, one of  
which Transcripts shall be filed  
with the Clerk of the United States  
District Court for the Northern Dis-  
trict of California, and the other be  
transmitted to the Attorney General  
of the United States.



Office of the Board of Commissioners,

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

126 ND  
PAGE 76

I, *George Fisher* Secretary to  
the Board of Commissioners to ascertain and settle the Private  
Land Claims in the State of California, do hereby certify the  
foregoing *Seventy nine (79)* pages, numbered from  
1 to 79, both inclusive, to contain a true, correct and full Tran-  
script of the Record of the Proceedings and of the Decision of the  
said Board, of the Documentary Evidence and of the Testimony  
of the Witnesses, upon which the same is founded, on file in this  
Office, in Case No. 645 on the Docket of the said Board,  
wherein *James Blaridge*, is

the Claimant against the United States, for the place known by  
the name of *Verbeza de Santa Rosa*,

In Testimony Whereof, I hereunto set my hand  
and affix my private Seal (not having a Seal  
of Office) at San Francisco, California, this  
*thirtieth (30<sup>th</sup>)* day of *October*  
A. D. 1854, and of the Independence of the  
United States of America the seventy-ninth

*Geo. Fisher*  
Secy.

*Geo. Fisher*

126

AD

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

No. — 126 —

THE UNITED STATES,

vs.

*Samuel Eldredge*

TRANSCRIPT OF THE RECORD

FROM THE

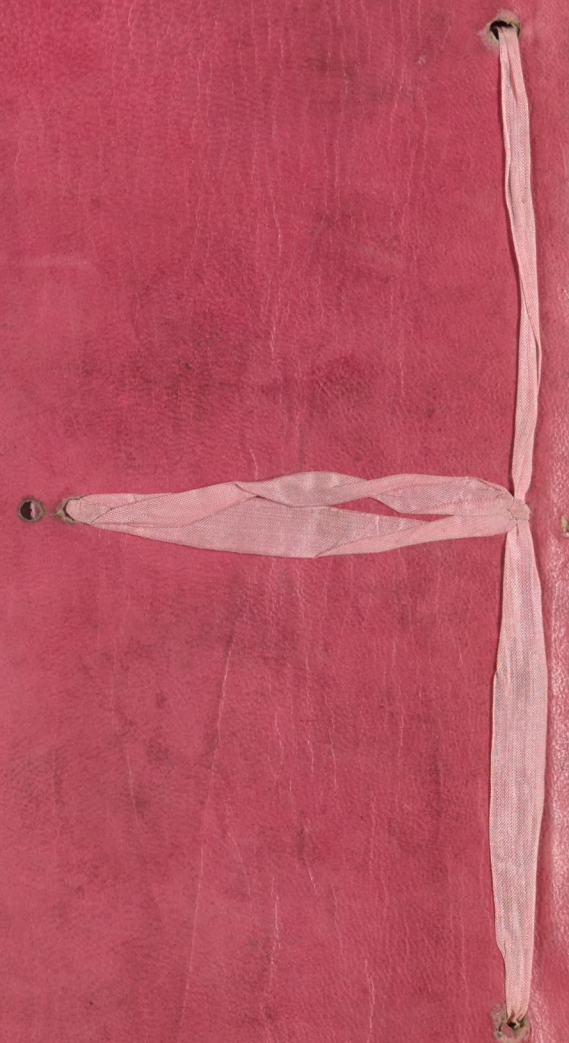
BOARD OF U. S. LAND COMMISSIONERS,

In Case No. 645

Filed, *November 2* - 1854

*Wm. S. Moore*  
clk

*MS  
No 645*





Office of the Attorney General of the United States,

Washington, 17th January 1854

126 ND

PAGE 77

James Eldredge

vs.

The United States.

} 645.

You will please take notice that in the above case, decided by the Commissioners to ascertain and settle private land claims in the State of California in favor of the claimant, and a transcript of the proceedings in which was received in this office on the 30th day of October 1854, the appeal in the district court of the United States for the Northern - district of California will be prosecuted by the United States.

Clarking

Attorney General.

No 126

U.S. District Court  
Northern District

The United States  
vs -  
James Eldridge

Filed Feb. 20. 1873 -  
Jas A. Monroe  
CB

126 ND  
PAGE 78

To The Hon Dist Court of the United States for  
the Northern District of California -

126 ND

PAGE 79

N<sup>o</sup> 126 -

The United States - Appellants

vs

James Eldridge - Appellee

The petition of the United States by their Attorney  
represents that this cause is an application  
for a review of the decision of the Board of  
Commissioners whereby the claim of the said  
Appellee was confirmed as appears by refer-  
-ence to the records in the case;

That a transcript of the said records  
was filed in this Court on the 2<sup>d</sup> of  
November 1854, that a notice of appeal  
was filed on the 20<sup>th</sup> of February 1855, and  
that the land claimed lies in said  
District;

That the said claim is invalid.

Wherefore the appellants pray that  
the said decision of the Board be re-  
-versed and that this Court decree  
the said title to be invalid.

W. Glassell

Asst. U.S. Dist. Atty

N<sup>o</sup> 126

U. S. Dist. Court

The United States  
Appellants  
vs  
James Eldredge  
Appellee

Petition

Filed March 21, 1886,  
Chevers,  
Deputy.

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

126 ND

PAGE 81

No 126

The United States - Appellants

vs

James Eldredge - Appellee

For answer to the petition of the  
Appellants, the appellee admits all  
the allegations thereof except the  
allegation that his said claim  
is invalid, which he denies.

He says that his said claim is  
good and valid and prays that the  
decision of the Board of Commissioners  
confirming it be affirmed by this  
Court -

A. P. Plentinden  
Atty for Appellee

N<sup>o</sup> 126

U. S. Dist. Court

The United States  
vs Appellants  
James Eldredge  
Appellee

Answer -

A P Cuttenden  
Atty for Appellee

Filed March 21, 1856,  
Chester,  
Deputy.

126 ND  
PAGE 82

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

126 ND

PAGE 83

N<sup>o</sup> 126

The United States. Appellants

vs

James Eldredge - Appellee

It is agreed that the deposition of  
Juan B Alvarado taken in this Court  
in N<sup>o</sup> 124, The United States Appellants  
vs Julio Camillo, Appellee, shall be  
considered as taken in this case  
and be read in evidence on the  
trial hereof

C. Russell

Acting U.S. Dist. Atty

A. P. Cullender

Atty for Appellee

No 126

U. S. Dist. Court

The United States  
vs Appellants  
James Eldredge  
Appellee

Agreement to admit  
deposition taken in  
No 124—

Filed April 7—

Filed April 7, 1856,  
Chas. H. ...  
Deputy.

126 ND  
PAGE 84



United States District-Court  
Northern District of California

The United States

vs  
Julio Carrillo

San Francisco Cal.

April 4<sup>th</sup> A. D. 1856

On this day before me Geo. Fox Johnston a Commissioner of the United States for the Districts of California duly authorized to administer Oaths &c. &c. came Juan B. Alvarado a witness produced on behalf of the Claimant - in case, No. 124 being an appeal from the Board of Commissioners to ascertain and settle the Private Land Claims, in the State of California, in case No. 643, on the docket of the said Board of Commissioners and was duly sworn and testified as follows:

Present: The Acting U.S. Atty. on behalf of the U.S. and A. P. Brittenden on behalf of the Claimant -  
Questions by the Atty. for the Claimant -

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

"John B. Alvarado, 46 years of age, and reside at San Pablo Contra Costa County"

"Who was Governor of California on the 30<sup>th</sup> of September 1841?"

"I was the Governor at that time"

"Please look at the copy of the original grant, which appears in the Transcript in this case, and say how it happened that on that day while you were Governor Don Manuel Jimenez exercised the

authority of granting Land?"  
"Don Manuel Jimena exercised at that date, the  
office of Governor at interim, in consequence of my  
temporary sickness, - according to the Mexican law  
he being the first-vocal of the departmental assembly -  
and he acted by my directions" - (The witness answered  
the foregoing question, after having examined the paper  
referred to.)

"Have you any interest direct or indirect in the  
result of this suit?"

"I have none whatever"

Sworn & subscribed } (signed) Juan B. Alvarado -  
before me this 4<sup>th</sup> day }  
of April a. D. 1856 }  
(~~1856~~) Geo. Pen. Johnston  
U.S. Commissioner

St. John A. Monroe, Clerk of the District Court  
of the United States of America, for the Northern District  
of California, do hereby Certify the foregoing to be a  
full, true, and correct Copy of the original now  
on file and remaining of record in my office

In testimony whereof I have here-  
unto set my hand, and affixed  
the Seal of the said Court - this  
4<sup>th</sup> day of April a. D. 1856 and of  
the Independence of the United  
States of America the Eightieth -  
John A. Monroe, Clerk  
by W. H. Cherris, Deputy,

No. 126

U. S. Dist. Court

The United States.

*vs*

Jas: Eldridge,

Certified Copy of  
Deposition of J. B. Alvarado

Filed April 7, 1856

Cherred.  
Deputy

126 ND  
PAGE 87

N 126-

The United States

James Eldredge -

The words "thence Westwardly with  
the said Arroyo", after the word  
Arroyo at the place marked are  
omitted in the decree by clerical  
error and I consent to their in-  
sertion - The error appears upon  
comparison of the decree with the  
enoyances which are of record -  
May 19. 1857 -

Wm Blanding  
District

126

ND

PAGE

vi

88

N<sup>o</sup> 126.

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

The United States, Appellants & Cabeza de Santa Rosa  
vs  
James Eldredge, Appellee

Transcript from Board of  
Land Commissioners,  
N<sup>o</sup> 645

126 ND  
PAGE 89

Stated Term March 2<sup>d</sup>, 1857

On Appeal from the final decision of the Board of  
Commissioners to ascertain and settle private  
land claims in the State of California,

Decree.

This Cause came on to be heard at a stated  
Term of the Court on appeal from the final decision  
of the Board of Commissioners to ascertain and  
settle the private land claims in the State of  
California under the Act of Congress approved  
on the 3<sup>d</sup> of March AD 1857 upon the transcript  
of the proceedings and decision of the said  
Board of Commissioners, the papers and evidence  
on which the said decision was founded, the  
petition of the Appellants and answer of the  
Appellee, and the further evidence taken in  
this Court by leave of the Court, and it appear-  
ing to the Court that the said transcript  
and that the land claimed is within said Northern District  
has been duly filed according to law,

and Counsel for the respective parties having been heard, it is by the Court hereby Ordered, adjudged and decreed that the said decision be and the same is hereby in all things affirmed; And it is further Ordered, adjudged and decreed that the claim of the appellee is a good and valid claim and that the said claim be and the same is hereby confirmed. The land of which confirmation is hereby made is a part of the place called "Cabeza de Santa Rosa" which place is bounded and described as follows: Commencing at a hill at the N.E. (N. Ne) and running in a direction O. E. S. E. ten thousand varas to an oak tree well known by the neighbors, where there is a pile of stones; thence running S. S. E. five thousand varas; thence running N. Ne ten thousand varas to a rocky hill; thence running towards the N. Northwest five thousand varas to the place of beginning, where there is a monument, containing in all two square leagues, a little more or less. That part of the above described premises of which confirmation is hereby made to the said Appellee is all that portion thereof lying South of the Arroyo de Santa Rosa and which is bounded and described as follows, to wit:

Commencing at the intersection of the Western boundary line of said Rancho (called Cabeza de Santeo Rosa) with said Arroyo, and running thence South South East with the said boundary line to the Southern termination thereof; thence North North East with the Southern boundary line of said Rancho to the intersection thereof with the most Southern branch of said Arroyo, thence with said Southern branch North westwardly to the junction thereof with the said Arroyo, to the place of beginning, saving and excepting out of said tract of land included within the said boundaries six hundred and forty acres of land the South Easternmost portion thereof; for further description of the land here by confirmed reference to be had to the six several deeds filed as evidence in the cause, and to the original record of judicial possession, which is also filed as evidence in the cause.

John Hoffmann  
U. S. Dist. Judge

This decree is correct.

Wm Blanding  
Dist. Atty

N<sup>o</sup> 126

U. S. Dist. Court

The United States  
vs Appellants  
James Eldredge  
Appellee

Decree of Confirmation

Filed March 2, 1857,  
W. H. Cherris,  
Deputy.



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

The United States

✓ } D.C. 126; L.C. 640

James Eldridge

126 ND  
PAGE 93

In pursuance of a notice  
from the U.S. Attorney General, herewith en-  
closed, it is hereby stipulated and agreed that  
no further appeal be taken in this case on  
the part of the U.S., and that claimant  
have leave to proceed under the decree of  
this Court heretofore rendered in ~~the~~ his favor,  
as under Final Decree

San Francisco, Mch 26, 1857

Wm Blanding  
Dist Atty  
A P Cullen  
Atty for Appellee

California Land Claims.  
Attorney General's Office  
6 Feby 1857.

126 ND  
PAGE 94

Sir: In the case of the claim of  
James Eldredge, confirmed to the  
claimant by the Commissioners,  
case no. six hundred and forty-  
five, (645), appeal will not be  
prosecuted by the United States.

I am,  
Respectfully,  
Ours,

Wm. P. Auding Esq  
U. S. Attorney,  
San Francisco.

126  
645

U. S. District <sup>Court</sup> Attorney

The United States

James Eldridge

Stipulation

Filed March 27<sup>th</sup> 1857

John A Monroe <sup>Clk</sup>  
by W. H. Cheever  
<sup>Deputy</sup>

126 ND  
PAGE 95

*Faint handwritten notes on the right margin, possibly including the name 'Cheever'.*

*Faint handwritten notes on the left margin, possibly including the name 'Cheever'.*

At a Stated Term of the District Court of the  
UNITED STATES OF AMERICA, for the Northern District of  
California, held at the Court Room, in the City of SAN FRANCISCO,  
on *Friday* the *27<sup>th</sup>* day of  
*March* in the year of our Lord one thousand  
eight hundred and fifty-seven.

126 ND  
PAGE 96

Present :

*The Honorable* OGDEN HOFFMAN, *District Judge.*

*The United States*

*James Eldridge*

*D. C. 126; L. C. 645*

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

*On motion of the District  
attorney it is hereby ordered adjudged and  
decreed that claimant have leave to  
proceed under the decree of this Court  
heretofore rendered in his favor, as under  
final decree.*

*Ogden Hoffman*  
*U. S. Dist Judge*

126

United States District Court, Northern  
District of California.

*The United States*

vs.

*James Eldridge*

ORDER.

*Final Decree*

Filed *March 27<sup>th</sup>* 1857

*John Amoroso*

CLERK.

By *W. A. Chevers*

DEPUTY.

126 ND

PAGE 97



of the land finally confirmed herein, and  
that the said Motion be made returnable  
on Wednesday the

And your petitioners will ever  
pray &c.

Said San Francisco Sept 26 1860

Shafter & Meydenfeldt,  
Attys for Petitioners.

126 ND  
PAGE 99

38

101





No. 126

U. S. Dist. Court

The United States

vs  
James Eldred

Petition & affidavits  
for return of papers

Filed Sept. 26, 1860,

W. H. Cheves,  
Clerk

126 ND

PAGE 101

Sept. 12  
Oct 17  
In files of the clerk  
for petition.

At a Stated Term of the DISTRICT COURT OF THE UNITED STATES OF AMERICA, for the Northern District of California, held at the Court Room, in the CITY OF SAN FRANCISCO, on Wednesday the 26th day of September in the year of our Lord one thousand eight hundred and sixty.

126 ND  
PAGE 102

Present:

The Honorable OGDEN HOFFMAN, District Judge.

The United States,

v.

James Eldridge,

IN LAND CASES.

District Court No. 126.

Land Com. No. 645.

AND now at this day  
on application of Shafers & Heydenfeldt Attorney  
for Claimant IT IS ORDERED, that the Surveyor  
General of the United States for California return into this Court, on or before Wednes-  
day, the 17th day of October A. D. 1860, his  
Official Survey and Plat of the land finally confirmed in the above entitled cause, known  
as "Cabeza de Santa Rosa" and situated in the County  
of Sonoma in said District; AND IT IS FURTHER OR-  
DERED, that the United States Marshal for this District serve upon the said Surveyor  
General, without delay, a certified copy of this order, and make due return hereon.

U S Marshals Office  
San Francisco Sept 27<sup>th</sup> 1860

I have this day made personal service of  
this notice by copy on J W Mandeville  
U S Surveyor General for the State of  
California

P L Solomon  
U S Marshal

No. 126

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

THE UNITED STATES,

v.

James Shubidge,

ORDER TO RETURN SURVEY.

Returnable

1<sup>st</sup> Octbr. 1860.

Issued

Sept. 26<sup>th</sup> 1860.

Filed

Sept. 26<sup>th</sup> 1860.

W H Deane,  
Clerk.

126 ND

PAGE 103

United States of America,)

SS.

Northern District of California.

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

GREETING:—

WHEREAS, objection has been made to the official survey and location of the land finally confirmed, in case No. 126, to *James Eldridge* known as "*Cabeza de Santa Rosa*", and situated in the County of *Sonoma* in said District.

NOW THEREFORE YOU ARE HEREBY COMMANDED, in the name of the President of the United States of America, to give due notice to all parties having, or claiming to have, an interest in such survey and location, that they be and appear before the District Court of the United States for said District, sitting in Land Cases, on or before Wednesday, the *17th* day of *October* A. D. 1860, at 11 o'clock, A. M. (if that day shall be a day of jurisdiction, and if not, on or before the next Wednesday thereafter,) then and there to intervene for the protection of such interest, or their defaults will be taken. And what you shall have done under this writ do you then and there make return thereon.

WITNESS, the Hon. OGDEN HOFFMAN, Judge of said Court, at San Francisco, in said District, this *26th* day of *September* A. D., 1860 .

*W. H. Chever*

CLERK.

The within Motion was received by me on  
*Wednesday* the *26* day  
of *September* 1860, and in obedience thereto  
I have given due notice, as therein commanded, by causing  
the publication of said notice, for *3* consecutive  
Wednesdays, in the San Francisco Herald, commencing  
on the *30* day of *September*  
1860; and for *3* consecutive Saturdays, in the  
*Sonoma Democrat*  
a paper published nearest the land, commencing on the  
*29* day of *September* 1860.

Dated San Francisco, *October 17* 1860

*P. L. Solomon*  
U. S. Marshal.

(2)  
No. *126*

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

THE UNITED STATES.

v.

*James Eldridge*

MONITION.

Returnable *17th October* 1860.

Issued *Sept 26th* 1860.

Filed *October 17* 1860.

*W. A. Chivers*

126 ND

Clerk.

PAGE 105

At a Stated Term of the DISTRICT COURT OF THE UNITED STATES OF AMERICA, for the Northern District of California, held at the Court Room, in the CITY OF SAN FRANCISCO, on *Wednesday* the *17th* day of *October* in the year of our Lord one thousand eight hundred and sixty.

126 ND  
PAGE 106

Present:

The Honorable OGDEN HOFFMAN, District Judge.

The United States,

v.

*James Eldridge.*

IN LAND CASES.

District Court No. *126,*

Land Com. No.

AND now at this day the United States Marshal having made return upon the Motion heretofore issued in this cause, that he had given due notice as therein commanded; on motion of  
..... Attorney for .....

proclamation was made that all parties having, or claiming to have, an interest in the survey and location of the land finally confirmed in the above entitled cause, appear and intervene for the protection of such interest;

*the U.S. atty appeared for the U.S. C. Cassady & John B. Williams appeared for Daniel Gibb, and filed intervention, no one else appearing*

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

No. 126.

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

THE UNITED STATES,

v.

Ames Eldridge.

ORDER ON RETURN OF MONITION.

Filed October 17. 1860.

M. A. Cheves,

Clerk.

126 ND

PAGE 107

*[Faint, illegible handwritten notes and bleed-through from the reverse side of the page.]*

U. S. District Court,  
New West Cala.

The United States

James Eldridge.

3 N<sup>o</sup>: 126; L. C. 1,45,  
Part of  
"Cabeza de Santa Rosa"

126 ND  
PAGE 108

And now comes  
Daniel Gibb, by his attorneys E. Casserly  
and John B. Williams, and respectfully  
petitions this Hon. Court that he may  
intervene herein.

And your petitioner, by his said attorneys,  
avens as follows:

That the land finally  
conformed herein, and of which an  
official survey has been made by  
the Surveyor General of the U. S. for  
California, and which survey is now  
before this Court for examination and  
adjudication, is part of the Rancho  
Cabeza de Santa Rosa, originally granted  
to Maria Ignacia Lopez de Carrillo;

That another part of  
the said Rancho was finally conformed  
to Mayer & Schanz, in case known as  
N<sup>o</sup>: 128 in this Court;

That your petitioner



holds by conveyance, dated Jan'y 26. 1859  
from J. B. G. Isham, one of the conferees  
in said case N<sup>o</sup>. 128, an undivided  
third part of the land confirmed to  
said Meyer and Isham;

That by virtue of said  
conveyance your petitioner has an  
interest as "colindante" in the survey  
and location of the land finally con-  
firmed herein.

Therefore your petitioner  
prays that he may be allowed to  
intervene for the protection of his interest  
herein, by

E. Casserly  
& Jno B Williams  
his attorneys.

Northern District of Cala  
San Francisco, Oct 17, 1860.

David Gibb  
being duly sworn, on oath says, that he  
has <sup>heard</sup> read the foregoing petition, and that  
the facts stated therein are true to the  
best of his knowledge and belief.

Sworn to & Subscribed before  
me this 17<sup>th</sup> day of Oct a. d. 1860

} *James Gibb*

126

U. S. District Court

The United States

James Eldridge

---

Intervention of  
Daniel Gibb

---

Filed Oct. 17, 1860.

W. G. Chivers,  
Clerk

126 ND

PAGE 110

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E. Casperly  
and B. Williams  
attys for D. Gibb

In the United States District Court,  
Northern District of California

126 ND  
PAGE 111

The United States } No. 126.  
" }  
James Eldridge }  
" }

And now comes the  
Intervenor, James S. Thayer, and makes and  
files therewith his exceptions to the survey filed  
herein by the Surveyor General of the United  
States for California, viz -

1. Said survey does not correspond with  
the grant, cession, or decree.
2. Said survey is not in accordance with  
the judicial possession shown to have  
been given herein.

Shafter & Meyersfeldt  
for Intervenor.

No. 126.

In U. S. Dist. Court

The United States

vs.

James E. Cludge

Objections to Survey by  
Jos. S. Shayer.

Filed Oct. 22, 1860,

W. A. Cheever,  
Clerk

126 ND

PAGE 112

Shupler & Heydenfeldt  
for Shayer



1  
2 to the Court from the records and  
3 files thereof, that on the 26th, day  
4 of September A. D. 1860, the petition  
5 of Thayer, a successor in  
6 interest of said claimant was duly  
7 filed herein, praying for the return  
8 of said survey into this Court for  
9 examination and adjudication,  
10 and that this Court did thereupon  
11 and on the same day, under and  
12 in pursuance of the provisions of  
13 the Act of Congress of June 14th,  
14 1860 make an order directing the  
15 Surveyor General to return said  
16 survey into this Court for examin=  
17 ation and adjudication; and it  
18 further appearing that on the  
19 17th, day of October 1860, Daniel  
20 Gibb filed his petition of inter=  
21 vention herein for the protection  
22 of his rights as colindante, and  
23 that on the 22nd, day of October  
24 1860 Thayer, as successor  
25 in interest of the said claimant,  
26 filed objections to the said survey;  
27 and it further appearing to the  
28 Court that the said survey has  
29 not been returned into this Court  
30 in pursuance of said order, and  
31 that the same is not now in or

126 ND

PAGE 114

page  
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126 ND  
PAGE 115

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before this court; and it further appearing that no proceedings have been had in the matter of said petition or intervention or objections to the survey, since the filing of the same respectively as aforesaid, and that neither the said Gibb or Thayer have prosecuted either the said matter of petition for return of the survey, or the matter of the intervention, or the objections to the survey as aforesaid, and have utterly failed to take any steps or proceedings in reference thereto: \_\_\_\_\_

Now therefore, it is hereby ordered, adjudged and decreed that the said petition for the return of said survey into this Court and the proceedings had thereunder as above recited, be and the same are hereby pronounced deserted and abandoned and that the same be and hereby are dismissed. And it is further ordered that the said order for the return of said Survey into this Court, together with all proceedings had in this Court subsequent thereto

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with reference to said survey, be,  
and the same hereby are vacated,  
set aside and held for naught,  
and that such proceedings may  
be had under the final decree  
of confirmation herein as if said  
petition and order for the return  
of said Survey into this Court  
and the subsequent proceedings  
thereunder had not been made  
or had.

Done in Open Court this 8th,  
day of November A.D. 1878.

*Cydon Hoffman*  
District Judge



No. 126

United States District Court  
District of California

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The United States

v.

James Eldridge

Order and Judgment  
vacating and dismissing  
proceedings in  
relation to survey etc.

Filed November 8th

AD 1898.

Southard Hoffman Clerk

By W. Greenwood  
Deputy Clerk

126 ND

PAGE 117

U. S.  
Surveyor-General's Office,  
CALIFORNIA.

Post Office Box No. 2260.

NO. 610 COMMERCIAL STREET.

126 ND

PAGE 118

San Francisco, March 20<sup>th</sup> 1879,

L. D. Latimer, Esq.,  
309 Montgoy St. City,

Sir-

The papers in the case of the part of the Rancho Cabeza de Santa Rosa, Confirmed to James Eldredge having been returned to this office by the Commissioner of the General Land office for publication under the Act of 1864, and said publication having been made, you are hereby requested to deposit in the U. S. District Court in this city, under the provisions of Sec. 6 of said Act, the sum of fifty dollars for payment of costs of publication and

THEO. WAGNER,  
U. S. SURVEYOR GENERAL.

J. A. ROBINSON,  
CHIEF CLERK.

*U.S.*  
**Surveyor-General's Office,**  
**CALIFORNIA.**

Post Office Box No. 2260.

NO. 610 COMMERCIAL STREET.

126 ND

San Francisco, ..... 187

PAGE 119

office work in said case.

You will please take duplicate receipts for the deposit, one of which you will file in this office.

Respectfully  
*Theo Wagner*  
U.S. Surveyor Genl.

126. ND

U.S. District Court  
West of Cal  
~~Recd April 10~~

Receipt 237 from  
The United States

vs

James Eldredge

Request of U.S. Surveyor  
General for deposit of  
\$50<sup>00</sup> for payment of  
Cost of publication &c

126 ND

PAGE 120

Dated April 10 1879  
Southard & Hoffmann Clerk  
Byt J. Grimwood  
Deputy Clerk

sales book folio 217

**U. S.**  
**Surveyor-General's Office,**  
**CALIFORNIA.**

Post Office Box No. 2260.

NO. 610 COMMERCIAL STREET.

126 ND

PAGE 121

San Francisco, April 15<sup>th</sup>, 1879,

I hereby certify that the plat and descriptive notes in the matter of the survey of the part of the Rancho Cabeza de Santa Rosa confirmed to James Eldredge were forwarded to Washington for patent in accordance with the provisions of Sec. 6 of the Act of July 1st, 1864, on the 24th day of March, 1879; and I further certify that there is due this office on account of office work on said survey, the sum of \$49. payable from deposit made in the U. S. District Court April 10th 1879, by L. D. Latimer Esq.

Attest, Theo Wagner

U. S. Sur. Genl.

176 N.D. - U.S. vs James Eldredge  
Cabega de Santa Rosa  
Sales Book folio 217

176 N.D.

U.S. District Court West  
of California  
No. \_\_\_\_\_

**THEO. WAGNER,**  
U. S. Surveyor-General for California.

Date, \_\_\_\_\_ 187

SUBJECT:

The United States  
vs  
James Eldredge

Certificate of U.S. Surveyor  
General as to expenses  
in office month to to

126 ND

PAGE 122

Filed April 15th: 1879  
Southard Hoffman Clerk  
By J. D. Greenwood  
Deputy Clerk

Referred to Division .....

Received (G.L.O.) ..... 187

N<sup>o</sup> 126

The United States

vs

James Eldridge

Dist. Ct of the U. S. for the  
Northern Dist of California

126 ND  
PAGE 123

Abstract.

This transcript is the same as N<sup>o</sup> 124  
(U. S vs Julio Camillo) except in the same  
conveyance -

The claim in this case is under the  
same grant as in N<sup>o</sup> 124, which is  
referred to for everything relating to the  
grant -

The proper mesne conveyances appear  
in the transcript (p. 57 to 71) showing  
the transfer to the claimant by all  
parties interested of their interest  
in this portion of the land claimed  
in this case -

The claim was confirmed  
See opinion & decree -

A P. C. B. T. T. T. T. T.

N<sup>o</sup> 126.  
U. S. District Court

The United States  
vs Appellants  
James Eldredge  
Appellee

Abstract—

126 ND  
PAGE 124



120

Office of the Board of Commissioners,

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

126 ND

PAGE 125

San Francisco,

1854

John A. Monroe, Esq.

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

Sir;

I herewith transmit you, pursuant to the requirements of the Act of Congress, approved August 31st, 1852, a Transcript of the Record of the Proceedings and of the Decision of this Board, of the Documentary Evidence and of the Testimony of the witnesses upon which the same is founded, in Case No. 645 on the Docket of the said Board, wherein

James Claridge is <sup>Part of</sup> the Claimant against the United States, for the place known by the name of "Cabeza de Santa Rosa",

and request your receipt for the same.

I am, Respectfully,

Your Obedt Servant,

Geo. Fisher