

CASE NO.

139

NORTHERN DISTRICT

PART OF NAPA GRANT

A. A. RITCHIE

CLAIMANT

PROVER BOND

25% COTTON FIBER

MADE IN U.S.A.

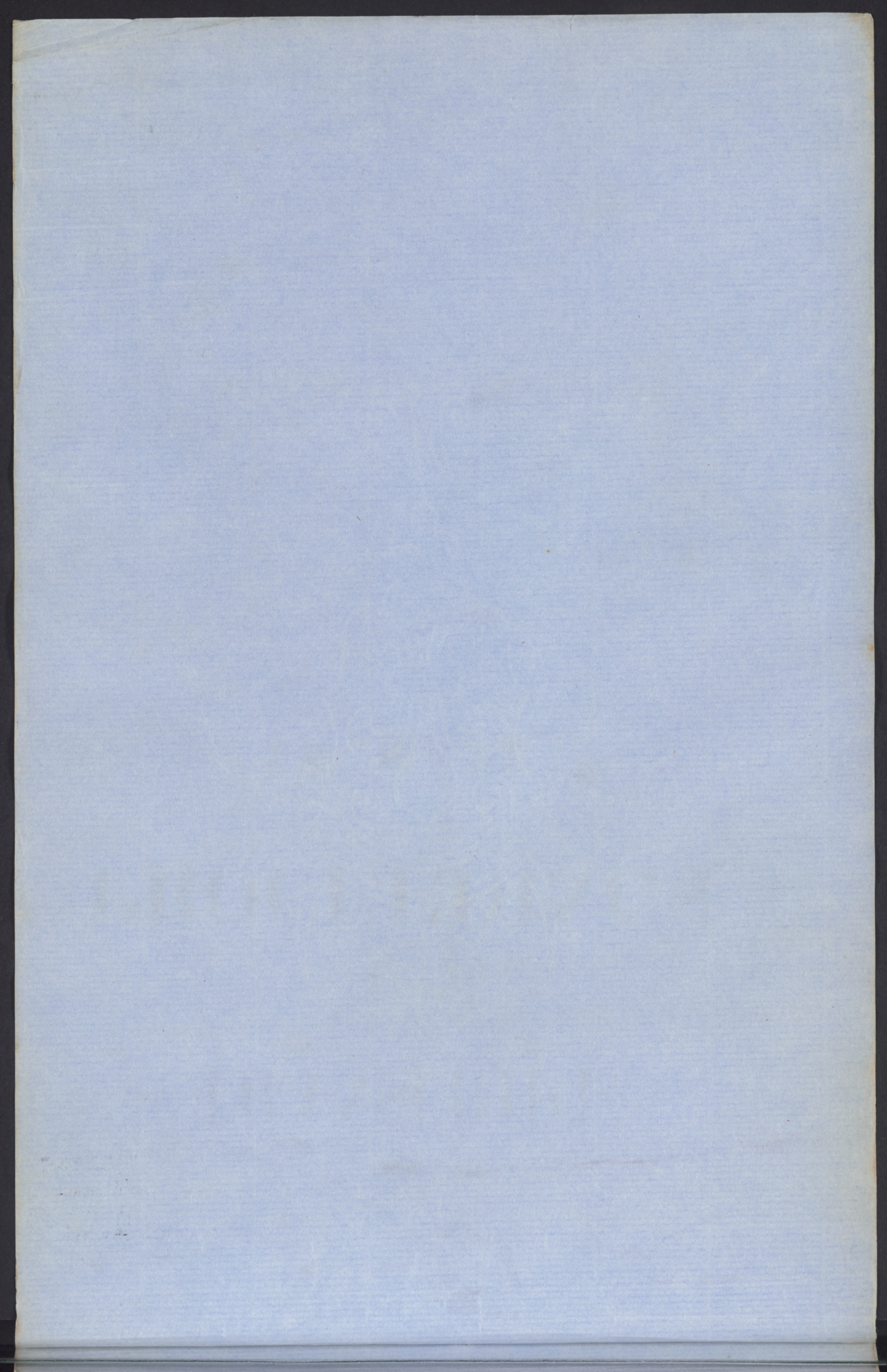
OCT 25 1962

LAND CASE 139 ND

54 pages.

Permanized

737



TRANSCRIPT
OF THE
PROCEEDINGS

IN CASE

NO. 737

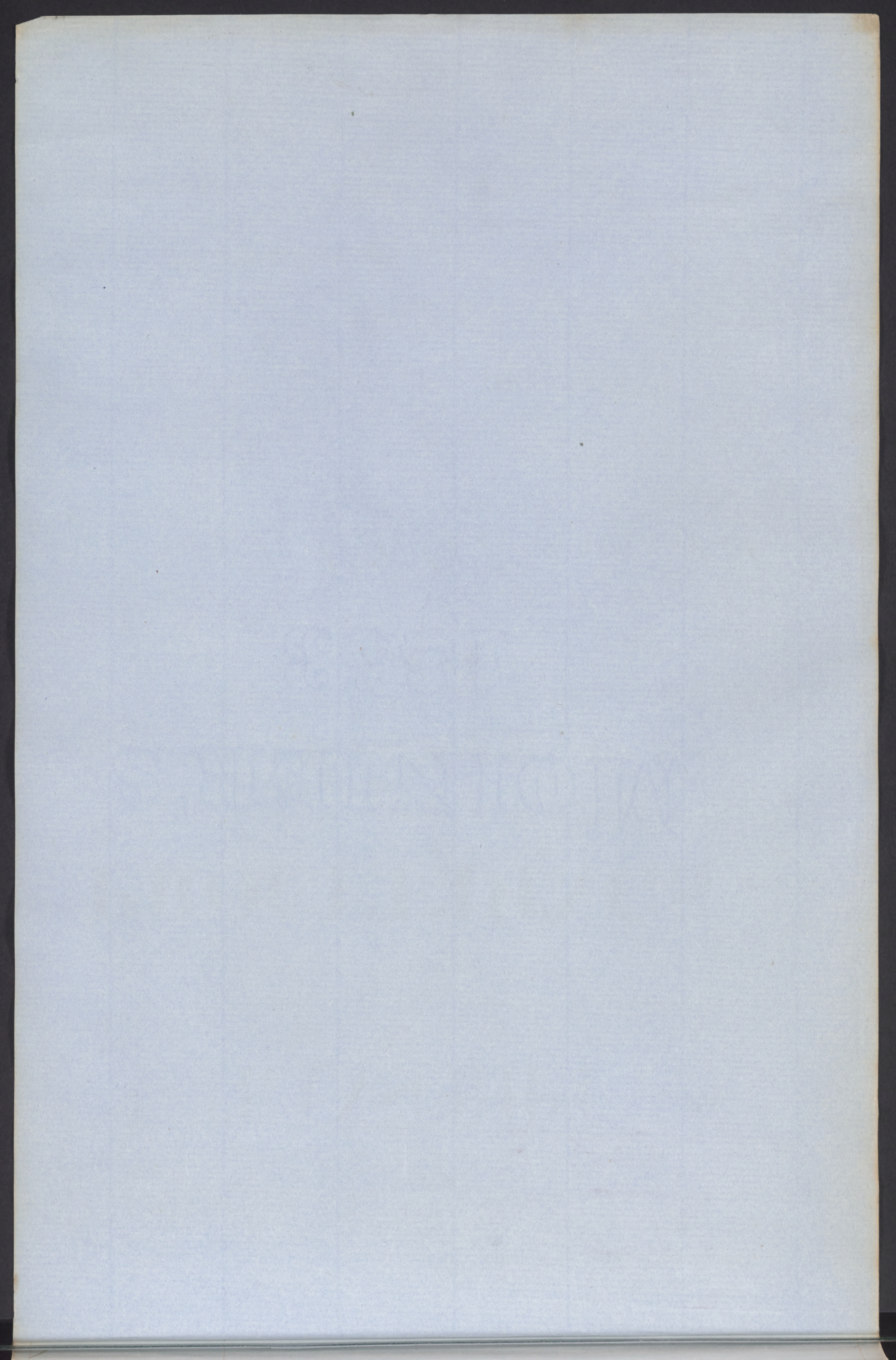
A. A. Ritchie CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

^{^ part of}
FOR THE PLACE NAMED

"Naspa"



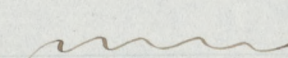

Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

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

The Petition of *A. A. Ritchie* 
 for ^{part of} the Place named
"Napa"

was presented, and ordered to be filed and docketed with No. *737*, 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 November 8th 1853.
Case No. *737*, *A. A. Ritchie* for part of the place named *Napa*, on Motion of the Counsel for the Claimant, ordered to the foot of the Docket.

San Francisco April 10th 1854.
In the same case, the Counsel for the Claimant filed the following Stipulation and Affidavit, to wit:

(Vide page *35 & 36* of this Transcript.)

San Francisco April 17th 1854.
In the same case, the deposition of *José de la Rosa*, a witness in behalf of the Claimant in Case No *495*, *Josefa P. Thompson* for a part of *Napa*, taken before Commissioner *Henry J. Thornton* on the *15th January 1853* was filed as evidence in this Case in accordance with the Stipulation between the Claimant

and the Law Agent;
(Vide page 4 of this Transcript.)

San Francisco April 18th 1854.
Case No. 737 was submitted on briefs and taken
under advisement by the Board.

San Francisco April 25th 1854.
In the same case Commissioner Alphens
Fitch delivered the opinion of the Board
confirming the claim.
(Vide page 38 of this Transcript.)

San Francisco Aug. 15th 1854.
In the same case, on motion of the U. S. Law
Agent, the following order was made, to wit:
(Vide page 43 of this Transcript.)

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To The Honourable Commissioners of the
Private Land Claims in California.

Petition

The petitioner Archibald A. Ritchie respectfully represents:

That on the 21st day of September A.D. 1838, Juan B. Alvarado Governor of California, by virtue of Authority in him vested, granted to Salvador Vallejo the tract of land called "Kapa", with the boundaries described in the map and title, which original grant, map, Approval, and act of Judicial possession are filed in Claim No. 495, and hereby referred to and made a part of this petition, translations of which are submitted herewith marked "A";

That on the 16th day of June A.D. 1851, the said Salvador sold and conveyed to B. Gray and L. de Lamolie a tract of eight hundred acres and some smaller lots of said Kapa tract, as is more particularly shown by the deed of transfer, a duly certified copy of which is submitted herewith marked "B";

That on the 19th day of July A.D. 1851, by a deed of partition between said Gray and de Lamolie, the said Gray became the sole owner of certain tracts of land therein more particularly described and set forth, a certified copy of which deed of partition is submitted herewith marked "C";

4.

That on the 18th day of December A.D. 1851 the said Benedict Doy by a deed of Conveyance sold and conveyed to this petitioner certain lots of land containing some 150 acres, more or less, as is more particularly described in said deed of conveyance which original is submitted herewith marked "B" the same lands being portions of said Rancho of Napa, granted as aforesaid to said Salvador Vallejo;

In support of which claim the petitioner will adduce such proofs as he may be advised are necessary.

Wherefore he prays the Commissioners to confirm to him the land conveyed by said grant and transfer deeds

By his Atty
Walter Peachy Billings

Filed in Office March 2nd 1853,

Geo. Fisher

Sec.

Deposition
of Jose de la
Rosa

San Francisco Jan 15th 1853,
On this day before Court, Henry S. Thornton, came Jose de la Rosa, a witness in behalf of the claimant Josefa P. Thompson - petition N^o 495 and was duly sworn, his evidence being interpreted by the Secretary.

J.

My name is Jose de la Rosa, my age is 61 years; I reside in Donoma, and have resided there twenty one years, I know the Rancho called "Kapa" in Kapa Valley, which was granted to Salvador Vallyo in 1838.

The grantor first occupied it, in 1838 or 9; he built a house on it and corrales, had cattle and horses on it and cultivated portions of the land. Since the Americans took possession of the country, he has sold portions of it to various individuals.

I am acquainted with the signatures of Juan B. Alvarado, Francisco Arce, Jacob P. Seese, Victor Poudhon, Damaso N. Rodrigues, Gaspar Benyasa, and Rafael Narvaes; their signatures to the documents before me marked N^o. 1 and purporting to be the original title, approval and judicial possession are genuine.

(Signed) Jose de la Rosa

U.S. Land Agent present

Sworn to and Subscribed
before me this 15th day
1853.

Henry D. Thornton
Com^r. & c.

I George Fisher Secretary to the Board
of United States Commissioners to ascertain
and settle the private Land Claims in

11.

The State of California, do hereby certify that the foregoing is a true and correct copy of the deposition of Jose de la Rosa in case No. 495 in which Josepha P. Thompson is Claimant, now on file in this Office and in my care and custody as such Secretary,

Given under my hand this seventeenth day of April A.D. 1854,

Geo. Fisher Sec.

Filed in Office April 15' 1854

Geo. Fisher Sec

Span Doe Folios
"Little papers"

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Civil Government
of Upper California

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

Translation of
Litté Papers

"A"

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

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

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

3rd When the ownership is granted to him, he will request the

proper Magistrate to give him the judicial possession in virtue of this patent, by whom its boundaries will be marked out and its bounds placed.

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

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

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

(Signed) Juan B. Alvarado

Note has been made in the proper book
(Signed) Francisco Arce.
Secretary ad interim

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

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

"Approved", the grant-made by the Superior Government of the Department, in title issued with date the twenty first inst- in favor of Citizen Salvador Valles, of the Land of Napa, in entire conformity with the Law of August 18' 1832, and Article 5th of the regulation of November 21th 1828,

And for the security of the person interested I thus make it known,

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

(signed) Juan B. Alvarado

(signed) Francisco Arce

secretary ad interim.

Stamp Fourth. Two Reales.

Provisionally authorized by the Maritime Custom House of the Port of Monterey in the Department of the Californias for the years eighteen hundred and forty four and eighteen hundred and forty five.

(signed) Michelmoreno

(signed) Pablo de la Guerra

Monterey Custom House Seal

To the Magistrate of 1st nomination

Salvador Valles a resident of this jurisdiction, owner of the Rancho of Napa, as I best may proceed in Law, appear and pay; that as appears by the title which I present with the

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

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

Coronia February 4th 1844.
(Signed) Salvador Valleyo

Priest Court of Sonoma

In the Pueblo of Sonoma on the 4th day of the month of February, One thousand eight hundred and forty four, before me Jacob P. Loese, Alcalde of 1st nomination of this jurisdiction, the foregoing petition was read and having been seen I admitted it with the document it refers, and I order that, summoning the Colindantes, information be taken of identity, views, and examination of said lands, at which I am ready to assist, personally; I thus provided, ordered, and signed with those of my assistance.

Assisting Witnesses (Signed) Jacob P. Loese.
(Signed) Victor Poudon
(Signed) Camargo A. Rodriguez

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Declaration of
1st Witness
Nasario Benulles

In the aforesaid pueblo on the 5th day of the month and year, I, the aforesaid 1st Alcalde with those of my assistance, in order to proceed to the information of identity, caused to appear before me, Citizen Nasario Benulles, a resident of this jurisdiction, by occupation a laborer and married, of whom I received an oath which he made by God our Lord and the sign of the Cross in form, under which he promised to speak the truth, and being asked for the knowledge (he may have) of the lands (and) places, terminations, and boundaries, pertaining to the Rancho of Napa he said: that for ten

years he has been a resident of this jurisdiction and knows that the lands pertaining to the Rancho of Tapa are the property of the Captain Don Salvador Vallejó, and have for boundaries on the N.E. the river of Tapa, on the South the Arroyo of Las Cameras, North West the Rancho of Yunta, South East that of Nicolas Neigera, the which he has seen and examined on various occasions, and that since the said Don Salvador Vallejó has possessed them he has worked and cultivated them, and his cattle have pastured on them, and for the proof of that which he has said he is ready to go to the said lands with the present Magistrate, and point out to him the places, terminations and boundaries, how far they extend; and that what he has said is true, by the oath which he has made, which he affirms and ratifies.

He declared that he was fifty six years of age, and that the legal exceptions do not affect him.

He signed with me and those of assistance.

/ signed Jacobo P. Reese
Assisting witnesses / signed Gaspar Berellesca
/ signed / Gaspar A. Rodriguez
(signed) Victor Poudon.

Declaration
of 2nd Witness

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In the same day, month, and year, the said Sr. Alcalde, caused to appear before me and those of my assistance, Citizen Rafael Narvaez, a resident of this jurisdiction, by occupation a laborer, of whom I received an oath in form, to speak the truth, and being asked for the knowledge which he has of the lands and places, terminations and boundaries, pertaining to the Rancho of Tapa, he said; that he has been for six years a resident of this jurisdiction, and knows that the lands pertaining to said Rancho are of the Captain Don Salvador Vallejo, and has for its boundaries, on the North East the river of Tapa, on the South the Arroyo of Las Cameras, on the North West that of the Rancho of Yunta, on the South East that of Nicolas Hejnera; which he has seen and examined several times, and that since the said Don Salvador Vallejo has possessed them he has worked and cultivated them, and his cattle have pastured on them; and for the proof of that which he has said he is ready to go to the said lands with the present Magistrate, and point out to him the terminations, places, and boundaries, how far they extend; and that what he has said is true, by the oath which he has made, which he affirms and ratifies. He declared that he was forty nine years of age, and that the legal exceptions do not affect him.

Assisting Witnesses (Signed) Jacob P. Seese
(Signed) James A. Rodriguez (Signed) Rafael Narvaez,
(Signed) Victor P. Pundon

14 Declaration
of 3rd Witness
Felip Gomez.

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In continuation I caused to appear before me and those of my assistance, Citizen Felip Gomez, resident of this jurisdiction of whom I received oath in due form to speak the truth, and being asked for the knowledge of the lands and places, terminations and boundaries pertaining to the Rancho of Papa, he said; that he has lived on this frontier for five years, and knows that the lands pertaining to said Rancho are of the Captain Don Salvador Vallej^o, and it has for boundaries, on the North East the river of Papa, South the Arroyo de las Carneras, North West that of the Rancho of Yumth, and South East that of Nicolas Heynera: the which he has seen and examined several times, and that since the said Salvador Vallej^o has possessed them, he has worked and cultivated them and his cattle have pastured on them; and for the proof of that which he has said, he is ready to go to the said land with the present Magistrate and point out to him the places terminations and boundaries how far they extend: and that what he has said is true by the oath which he has made, which he affirmed and ratified. He declared that he was fifty two years old, and that the legal exceptions do not effect him, and not knowing how to write he made a sign of the cross to which I certify
Jacob P. Leese

Ass'tg witnesses Felipe Gomez +
 Damaso A. Rodrigues
 Victor Soudon.

Examination

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Being in the fields in the place named Arroyo De Napa, the boundary of Nicolas Neigera, the fifth day of February of the present year, I the first Alcalde, acting in virtue of my office with two assisting witnesses for want of a Notary Public; the witnesses by me examined present Don Salvador Vallejo, owner of said lands, and citizens George Gunth and Nicolas Neigera, Colindantes and neighbors, I proceeded to see and examine the lands of said Rancho, and for greater clearness, being on horseback in company with all the parties and witnesses referred to, I ordered the aforesaid (witnesses) to point out to me the places, terminations, and boundaries of them according to the signs which they have declared in their depositions, and in conforming therewith they led the way to the South until they reached the arroyo de las Carneros, which they showed me, and thence continued the examination and view of said lands in a direction North West to the boundary of the Rancho of Gunth, the upper road, thence continuing N.W. W. following the same arroyo we reached the upper road which goes to the Rancho of Gunth, from which place

they pointed out to me an impassible tract of land as far as the boundary of Guinth. Whence taking the direction N. N. E. we reached the River of Tapa, and going down said River, course, S. E. we reached the Arroyo of Tapa, which we ascended following the direction west, until we found ourselves in the same point - where the examination was commenced; and they said these were all the terminations and boundaries of the aforesaid lands pertaining to Don Salvador Vallejo, which places I the said Alcalde saw and examined with those of my assistance, the witnesses examined, and papers presented, and the said examinations being compared with the latter, the identifications of said lands appears to be certain, according to the declarations of said witnesses, and in testimony it was officially noted, and I signed it with those of my assistance, and others who knew how, to which I certify.

Assisting Witnesses
 Damaso A. Rodriguez Jacobo P. Leuse
 Victor Poudon. Gasario Benellersa
 Rafael Barveys
 Felipe Gomez

Immediately I the first Alcalde in order to proceed to the measurements referred to in these acts, ordered that said Don Salvador Vallejo, owner of the lands be notified to ratify the appointment of

Notification of the
 of the person interested
 to ratify the appointment
 of measures

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measures, as also that all the Colindantes
by common Consent appoint theirs on
their part, they having to be skillfull in
matters of measurements, and that those
they may appoint appear, accept, and
take the oath, and this being done I am
ready to appoint a day for said
measurements; I thus provided,
ordered and signed, with those of
my assistance

Jacob P. Seese
Assisting Witnesses
Samuel N. Rodrigues
Victor Poudon.

Ratification of
of the appoint-
ment of men-
sures

On the same day, month, and year, I
the first Alcalde read and made known
the act referring to them as it there
appears, to Captain Don 'Salvador Vally'
and his Colindantes, in their persons,
which I know, and having heard and
understood it they said that they
heard it; and the first said that he
ratifies his appointment of Citizen
Paulino Vesques, and the latter appoints
Francisco Meignosa, both skillfull
and legally appointed, whom I notified
to appear, accept, and take the oath,
and in consequence proceed to said
measurements as is ordered, and those
signed it with me who knew, before
me and those of assistance to which I
attest.

Assisting Witnesses, Jacob P. Seese

18.

Damaso A. Rodrigues Paulino Vesques +
Victor Pondor, Gasario Benellesa
Rafael Barways
Felipe Gomez,

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Immediately I the aforesaid Alcalde read and
ratification to made known the act referring to them
to the measurers and their appointment to Citizens
Paulino Vesques and Francisco Veiguera,
residents of this Jurisdiction, in their
persons which I know, and having heard
and understood they said that they
accept the Office of measurers which
is entrusted to them, and they make
oath by God Our Lord and the Sign
of the Cross, that they will use their
Office faithfully and legally, and to
the best of their knowledge and under-
standing, and will verify said mea-
surement with fidelity and exactness,
as is their obligation, and to the
satisfaction of all those interested;
and having thus replied, they signed
it with me, and those of assis-
tance to which I certify.

Jacobo P. de Sese
Paulino Vesques

Assisting Witnesses
Damaso A. Rodrigues
Victor Pondor,

Designation of
the day for the
measurements

In continuation I, the aforesaid magis-
trate, having seen the acceptance and
oath made by Citizens Paulino Vasquez
and Francisco Heiguera, appointed
measurers, I said that in order to
proceed to said measurements I was des-
ignating and I designated the 8th
day of the present month at 8 o'clock in
the morning & that it be so made known
to the said measurers, also summoning
for that purpose the neighbours bounding
on him, I thus provided ordered and
signed, with those of my assistance,
Assisting witnesses Jacob P. Leese
Damaso A. Rodrigues
Victor Poudon,

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Notification
of the foregoing
act.

Immediately the foregoing act was made
known to the party interested, Captain
Don Salvador Vallejo, to the measurers,
Paulino Vasquez, and Francisco Heiguera,
and having understood it they said that they
considered themselves summoned, and they
signed it with the present magistrate and
those of assistance
Damaso A. Rodrigues Jacob P. Leese
Victor Poudon. Paulino Vasquez,

Issuing of
written summons

On the same day, month, and year
written summons were issued to Citizens
George Yunth and Nicolas Heiguera to
appear on the day aforesaid at the
designated hour in the said Rancho

of Tapa and in testimony I signed it
with those of my assistance,
Assisting Witnesses Jacob P. Geese
Damaso A. Rodrigues
Victor Pruden.

Measurement
of the Cordel

In the Rancho of Tapa on the 8th
day of the month of February eighteen hun-
dred and forty four, present Don Salvador
Vallejo, and the neighbours to said land
I caused to appear before me and those
of my assistance, citizens Paulino Vieques,
and Francisco Hejnera, measures
appointed, whom I ordered to take
a cordel of hemp and measure of fifty
varas with a vara measure of four
Castilian palms, and in effect the said
measurers, in my presence marked off
the aforesaid number of fifty varas,
on a cordel, twisted and well stretched,
with a stamped Mexican Castilian vara
measure; which was done faithfully
and legally, in the sight and presence
of the party interested and neighbours;
and in testimony I order it to be
recorded officially, and that said mea-
surements be proceeded to as is
ordered; to which I certify, also sign-
ing it with my assistance,
Assisting Witnesses Jacob P. Geese
Damaso A. Rodrigues
Victor Pruden.

Measurement
of the Rancho139 ND
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Being in the fields and lands belonging to the Rancho of Tapa of the Captain Don Salvador Vallejé this 8th day of February 1844. I the first Alcalde of this jurisdiction, acting in virtue of my office with two assisting witnesses for want of a Notary Public, present Citizens Paulino Vesques and Francisco Hejnera measurers appointed by the party interested and Colindantes, ordered them to proceed to the measurement of four square leagues which, a little more or less belong and pertain to the Rancho aforesaid, according to the title and map presented, in obedience to which having again measured and examined the cedula, they commenced said measurements, beginning at the Arroyo of Tapa, boundary of Nicolas Hejnera, from which place, following a southerly direction to the lower pass of the Arroyo de las Cameros, they measured one hundred and twenty cordels of fifty varas each. There the person interested raised a pile of stones as a sign for the land mark which he would place; from this place continuing the measurement towards the N.W. along the Arroyo to the upper road which goes to Tapa, one hundred and twenty cordels (six thousand varas) were counted, and the party interested, placed the corresponding mark in order to fix there the respective bound.

Following the same Arroyo N.W. to the upper road which goes to the Rancho

of Yumth, ninety two Cordels (four
 thousand six hundred varas) were counted;
 and not being able to pass forward
 because it is an impassible mountain
 range, it was estimated by eye that
 there were two hundred cordels, (ten
 thousand varas) to the boundary of
 Yumth, where he also placed another
 mark to fix another bound; and
 continuing towards the N.N.E. to the
 river of U Napa, sixty five Cordels
 (three thousand two hundred and fifty
 varas) were measured, where he placed
 as in the former points, the corres-
 ponding ~~points~~ bounds. Going
 down the same river, course S.E. to the
 Arroyo of Napa three hundred three
 and a half Cordels (fifteen thousand
 one hundred and seventy five varas)
 were measured; he placed there the
 marks for a bound, and following the
 same Arroyo N. we came to the point
 where the measurement was commenced,
 and they counted fifty two Cordels
 (two thousand six hundred varas)
 so that, considering as finished the
 measurement of the land included in
 the rancho of Napa, these results a
 boundary of forty seven thousand
 six hundred and twenty five varas,
 a little less than that which corres-
 ponds to four square leagues;
 and the aforesaid measurers declared
 that Captain Don Salvador Vallejo
 was informed of the lands which correspond

to him according to the title and map which are found at the head of this expediente.

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

In consequence I ordered that for greater clearness of the boundaries which have been described, he should form at his own cost and expense, bounds of masonry, in height more than a vara that in all time it may appear, they be recognized and remain as limits and boundaries of his lands by the others, neighbours thereof; and that said measurements were executed quietly and peaceably without contradiction of any person he prayed for a testimony, and I, the aforesaid Sr. Alcalde, give it with those of my assistance that all passed as has been said, and that said measurements have been executed to the best of the knowledge and understanding of the measures, as they depose without craft, fraud, or deceit against any person; and for greater security and the ratification of the oath which they have made they signed with me and those of my assistance, to which I certify.

Assisting Witness

Lamaso A. Rodriguez. Victor Pando.

Jacob P. Seese

24

Act of the
delivery of the
Expediente to
the person
interested

In view of this Expediente being concluded
in which it appears that judicial possession
of the Rancho named Chapas,
distant four leagues from this Pueblo,
has been given to Captain Don Sal-
vador Valero who took it in person;
Let the original be delivered to the party
for the uses he may find convenient,
together with the document which he
presented.

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I, Citizen Jacob P. Seese 1st
Alcalde of this jurisdiction, acting in
virtue of my office with two assisting
witnesses for want of a Notary Public,
(thus provided, ordered and signed it
on the 12th of February 1844.

(Signed) Jacob P. Seese

Assisting Witnesses

(Signed) Camargo A. Rodriguez
(Signed) Victor Poudon

Filed in Office March 2nd 1883,
Geo. Fisher Sec.

Conveyance
B. Roy to A.A.
Ritchie

"S"

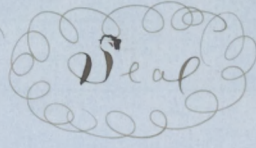
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This Indenture made this (the eighteenth) day of December A.D. 1851 between Benedict Roy of the Town and County of Napa and State of California party of the first part & Archibald A Ritchie of Benicia & state aforesaid party of the second part Witnesseth. That I Benedict Roy for and in consideration of the sum of thirteen hundred dollars lawful money of the U.S. to me in hand paid the receipt whereof is hereby acknowledged have bargained sold conveyed & quit claimed & by these presents do hereby bargain sell & convey & quit claim unto the said party of the second part, all my right title and interest to and in the following described premises lying in the town & county of Napa & State aforesaid to wit: Lots in the Pueblo de Salvador a fraction of Lot No. 7 containing five acres & a fraction of Lot No. 14 also containing five acres, these two fractions to be taken from the eastern side of said lots No. 7 & 14. Also lots No. 8 & 13 each containing forty acres and fractions of lots No. nine & twelve containing together sixty acres together with all the appurtenances. To have and to hold the above described premises to the said party of the second part, to his heirs & assigns to his and theirs only proper use & behoof forever.

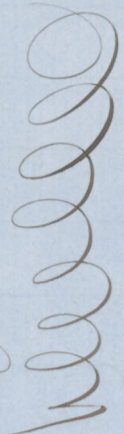
In witness whereof, the said party of the first part hath hereunto set his hand & seal on the day & year

26.

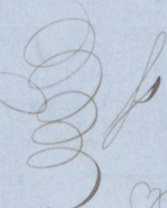
above mentioned.

B. Frey 

signed sealed and
delivered in the
presence of
C. Hartson
J. H. Hamilton



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Napa County 

Before me the undersigned
Personally appeared Benedick Frey whom
I know to be the individual described in
and who executed the within conveyance
for the uses & purposes therein expressed
& contained & acknowledged that he executed
the same for the uses & purposes therein
expressed & contained. Dated the Eigh-
teenth day of December A.D. 1851.

Johnson Neuell
County Judge of Napa

Filed for record Decr 18th A.D. 1851 at
4 O'clock P.M. and Recorded in Book
"B" page 105 archives of Napa County
H. H. Lawrence Recorder
W. Edmonsten Dep Recorder

fees \$3.50,

Filed in Office March 2nd 1853,
C. Fisher Sec.

Deeds

Deed

"E"

Salvador Vallej's & wife to Fry and
de Lamolee. Filed for record June
20th A.D. 1881 at 1/2 past six o'clock P.M.

This Indenture made this sixteenth
/16/ day of June One thousand eight-hundred
and fifty one between Salvador Vallej's
of the County of Sapa and State of California
party of the first part and B. Fry
and de Lamolee of the same place
parties of the second part, Witnesseth
that the said party of the first part
for and in consideration of the sum
of one dollar and also in consid-
eration of the said parties of the second
part, releasing relinquishing and
declaring null and void a certain
lease for and to a certain piece of
land at present occupied by them
under a lease or contract between
them and the said Salvador Vallej's
dated the 12th day of September
A.D. 1850, hath granted bargained and
sold, and by these presents doth grant
bargain and sell and give claim
unto the said parties of the second
part their heirs and assigns all
that certain piece, or parcel of land
lying and being situated in the
County and state aforesaid known
and described as follows, to wit
commencing at a point where the
north line of the Pueblo de Salvador
is intersected by the Arroyo de Sapa

and running on the line of said Pueblo north $79^{\circ}35'$ East 62 chains 85 links thence north $35^{\circ}31'$ West 148 chains 87 links thence south $67^{\circ}30'$ West 44 chains 38 links, thence south $92^{\circ}30'$ East 19 chains 93 links, thence south $67^{\circ}30'$ West 12 chains 34 links, thence south $36^{\circ}55'$ East 115 chains 66 links to the place of beginning containing Eight hundred acres (800) also those certain pieces or parcels of land lying and being situated in the county and state aforesaid known and described as follows, to wit: Lots numbers six (6) seven (7) eight (8) nine (9) twelve (12) thirteen (13) fourteen (14) and fifteen (15) each lot containing 40 acres except lots 9 and 12 which are fractions, all situated and located in the Pueblo de Salvalador according to the survey and plan of the same & Granting and conveying unto the said parties of the second part their heirs and assigns all my right, title interest, claim, demand unto the same with all the hereditaments thereunto belonging or in any wise appertaining to the aforesaid described premises.

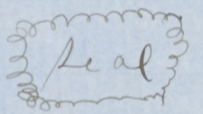
In witness whereof I have hereunto set my hand and seal this day and date before written at the City of Sapa and State of California

M. M. Culver of Salvalador Vallejo
 M^a Luj^a Canillo

State of California
County of Sapa

Be it remembered that Salvador Valles personally known to the subscribers a Notary Public in and for said County to be the person whose name is subscribed to the foregoing deed as party thereto this day appeared before me and acknowledged that he executed the same freely and voluntarily for the purposes therein expressed, as well as for the full and entire relinquishment of all right and title to dowers belonging to his wife M^a Seny Canillo. Given under my hand and private seal as I have not been able to procure a Notarial Seal this 15th day of June A.D. 1851.

W. W. Culver
Notary Public



State of California
County of Sapa

J. A. J. Watson
County Recorder

in and for the County and State aforesaid hereby certify that the foregoing is a full true, and correct copy of a certain instrument or deed now on Record in Book "B of Deeds" on page 5 now in my office, at Sapa City County of Sapa State aforesaid.

In witness whereof I have hereunto set my hand and official seal on this 12th day of March

30.

A. D. 1854.

A. J. Watson County Recorder
by Chas. Page Dep County Recorder

Filed in Office April 14th 1854

Chas. Fisher
Sec

139 ND
PAGE 31

Deed

Benedick Proy to Leon de Samolere.
Filed for records this 21st day of July
A. D. 1854 at 10 minutes past 12
O'clock P. M.

Deeds
"S"

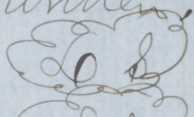
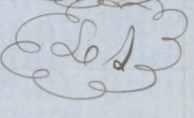
This Indenture made and entered into,
this nineteenth day of July One thousand
Eight hundred and fifty one between
Benedick Proy of the first part and
Leon de Samolere of the second part
both of the County of Napa State of
California; Witnesseth that whereas
the said Proy and Samolere have &
hold in common in equal parts all
that piece or parcel of land lying
in the County of Napa, State afore-
said and described as follows. Viz
commencing at a place where the
Northern line of the Pueblo de Salvador,
is intersected by Napa Creek, and
running along the line of said Pueblo
North 59° 35' East 62 Chains 85
links, thence North 35° 31' West

148 chains 87 links thence \searrow $22^{\circ}30'$ East
 19 chains 93 links thence South $67^{\circ}30'$
 West 12 chs 34 links; thence South 36°
 $35'$ East 116 chs 66 links, to the place of
 Beginning, containing eight hundred
 acres, also those certain pieces or
 parcels of ground situated in the
 County and State aforesaid and known
 and described as lots numbers six
 (6) seven (7) eight (8) nine (9) twelve
 (12) thirteen (13) and fourteen (14) and
 fifteen (15) each. Each containing forty
 acres except lots number nine (9)
 and twelve which are fractional all
 situated and located in the Pueblo de
 Salvador, according to the Survey and
 plat of the same. It is covenanted
 granted and agreed by and between the
 said parties, and each of them grants,
 covenants and agrees that a portion be
 made, of the said lands and premises
 in the manner and form following
 that is to say. To-wit: The said
 Benedict Fordy shall from hence forth,
 have, hold, possess and enjoy in
 severalty by himself and to himself his
 heirs and assigns, for his part, pro
 part and share of the said lands
 and premises, all described as follows
 to-wit: Commencing at the point
 above mentioned where the line of the
 Pueblo de Salvador is intersected by
 Kapa Creek and running along said
 line North $79^{\circ}35'$ East, 62 chains
 88 links; thence South $54^{\circ}29'$ West
 58 chains 88 links, thence South $36^{\circ}55'$

East 47 chains 70 links to the place of
 beginning containing three hundred & fifty
 acres also of the lots in the Pueblo
 de Salvador a fraction of Lot N^o
 seven containing five acres and a
 fraction of Lot number 14 fourteen
 also containing five acres these
 two fractions to be taken on the eastern
 sides of said lots seven and fourteen
 also of lots numbers eight and thirteen
 containing each forty acres, and of
 fractional lots numbers nine
 and twelve containing together sixty
 acres: together with all the appur-
 tenances and the said Leon de
 Samolere doth accordingly grant, release
 and confirm to the said Benedict
 Drey his heirs and assigns to all
 his right title and interests in
 and to the lands and premises to, as
 aforesaid set apart to the said
 Benedict Drey with all and sin-
 gular the appurtenances thereto
 belonging. Second: the said
 Leon de Samolere shall from hence-
 forth have, hold, possess and enjoy
 in severalty by himself and to his
 heirs and assigns for his
 half property and shall in the
 above described lands and premises
 all that portion described as follows,
 to wit: Commencing at Drey's North
 West corner & running along said
 Drey's north line North $84^{\circ} 29'$ East
 58 chains 08 links, thence North $35^{\circ} 31'$

West 52 chains 26 links; thence South
 $67^{\circ} 30'$ West 44 chs 38 lks; thence
 South $29^{\circ} 30'$ East 19 chains 93 links;
 thence South $67^{\circ} 30'$ West 12 chs 34 lks;
 thence South $36^{\circ} 35'$ East 64 chs 05 lks
 to the place of beginning containing Four
 hundred and fifty acres; also the
 following lots and fractions of lots in
 the Pueblo de Salvador above mentioned
 to wit: Lots number six & fifteen
 containing each Forty acres and frac-
 tions of Lots seven & fourteen con-
 taining each thirty five acres, to be
 taken from the eastern limits of said
 Lots seven & fourteen.

And the said Benedict Procy does
 accordingly grant, release and con-
 firm unto the said Leon de Lam-
 oler his heirs and assigns all
 his right title and interest in and
 to the lands and premises so as
 aforesaid set apart to the said Leon
 de Lamoler with and singular the
 appurtenances therunto belonging.

In witness whereof we have
 hereunto set our hands and seals
 to double acts of the same tenor
 the day and year first above written
 De Lamoler 
 B. Procy 

signed sealed and
 delivered in presence of
 Emu Allon de Hemench
 G. W. Cornwell.

note
 (The distance 52 chains and 26 links

34.

in deed is an error, should read 74
chains & 53 links - June 21th 1853
B. Frey

Witness

C. S. Coffinbury, Dep. Recorder,)

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State of California
County of Sapa

On this 21st day of
July A.D. 1851 personally appeared before
me Clerk in and for said County L.
de Lamole and B. Frey known to
me to be the persons described in and
who executed the foregoing instrument,
who acknowledged to me that he executed
the same freely and voluntarily and
for the uses and purposes therein
mentioned.

In witness whereof I have here-
unto set my hand and seal of Office
at Sapa City.

Seal

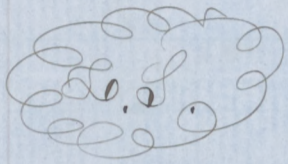
H. H. Lawrence Clerk
by C. W. Comwell Dep. Clk

State of California
County of Sapa

I, A. S. Watson
County Recorder in and for the County
& State aforesaid hereby certify that the
foregoing is a full true and correct
copy of a certain instrument on

Deed Recorded in Book "73" of deeds
 pages 17, 18 & 19, now in my office at
 Napa City, County, and State aforesaid.
 In testimony whereof I have hereunto
 set my hand and official seal on
 this 28th day of March A.D. 1854
 A.S. Watson County Recorder
 by Chas. Page dep^y Co Recorder

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Filed in Office April 14th 1854,
 Geo. Fisher
 Sec.

A.A. Ritchie
 vs
 The United States

No. 737, Part of Rancho
 de Napa.

Affidavit

This day personally appeared before
 me Peter Solly Commissioner &c
 Emile A. De Komesant, who being
 duly sworn deposeth and saith that
 he is the County Surveyor for the
 County of Napa in the State of Cal-
 ifornia, that the land claimed in this
 case was surveyed by him, and that
 it is a part of the Rancho called Napa,
 which was granted by the Mexican
 Government to Salvador Vallejo, and
 is contained within the bounds & limits

36.

of said Grant as described therein and
marked by Judicial Survey,

Em A de Home court

subscribed and sworn to
before me on this 10th day
of April A.D. 1854.

Peter Leary, Commissioner
for taking Testimony &c.

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PAGE 37

It is hereby agreed & stipulated on the
part of the United States by J. H. McKune
W. S. Leary agents, that the above affi-
davit may be received and read as
evidence in this case N^o. 337 in
proof of the facts therein contained,
as fully as though they were proved
by deposition regularly taken and
certified in this case. and further
that the original papers filed in case
N^o. 498 marked "A", Translation thereof
marked "B" (being the original title
to Salvaders Valley, and record of
Judicial possession) and the depositions
of witnesses as far as applicable to this
case taken and filed in case N^o. 337
as though proved taken and filed in
this case, copies whereof if thought
necessary may be filed herein and re-
ceived as evidence in this case by
the Claimants.

April 10th 1854

J. H. McKune
Sandy Agent,

Filed in Office April 10th 1854, Geo. Fisher, Sec.

37.

A. A. Ritchie }
vs }
Stipulation The United States }
N. 737. Don part of }
Kapa. }

139 ND
PAGE 38

It is hereby agreed that the copy of Deed dated 16th of June 1857 from Salvador Vally's wife to B. Gray & de Lamolere and the copy of Deed between B. Gray and Leon de Lamolere dated 19th July 1851, and the Deed of B. Gray to A. A. Ritchie dated the 18th day of Decem-ber 1851 marked respectively D. E. & F. and filed in this case be considered as fully and formally proved and be read as evidence on the part of the Claimants in this case,

April 14, 1854.

J. H. McKune
Counsel Agent,

Filed in Office April 14th 1854
C. Fisher Sec.

N. 737, U. S. Land Commission,
For the Claim of A. A. Ritchie to part of Kapa
To the Secretary of the Board,
Sir

Filed in Office
Dec. 24th 1853
C. Fisher
Sec.

Please take notice that our names as counsel in the above case are hereby withdrawn. Very Respectfully &c.
Walter Peachy & Billings.

Archibald A. Ritchie
vs
The United States

Opinion of
Commissioner
Alphens Delch

For certain parcels of land containing
in all about 150 acres, part of the
Rancho called Kapa in Kapa County,

The land claimed in this case is
alleged to be a part of the Rancho called
Kapa, originally granted to Salvador Valljo
from whom through mesne conveyances
the present claimant derives title.

By written stipulation between
the Land Agent and the Attorney for the
claimant, the testimony and certain
original documents filed in case No. 495,
which relates to the same original grant
are to be used as evidence in this case.

By these proofs is made of the
original grant by Governor Alvarado
bearing date December, 21, 1838 -
the approval of the Departmental Assembly
on the 23rd day of the same month, and
the giving of Judicial possession to the
grantee on the 8th day of February 1844.

They also show that said grantee
went into possession of the land in
1838 or 1839 and occupied the same,
built a house, had horses and cattle
on the place and cultivated the land.

This proof is sufficient to establish
Valljo's right to the land designated in
his grant and to enable him to transfer

his title by conveyance to another.

The conveyances through which the claimant deduces his title to the portion of said premises claimed by him are as follows:

First. A conveyance thereof from said Valijo to B. Grey and de Lamolie dated June 16, 1851,

Second. A conveyance made between said Grey and de Lamolie on a petition of the property described in the above mentioned conveyance to them, by which each relinquishes to the other the separate portion of the land assigned to him. This conveyance is dated July 19, 1851 and by it the premises claimed in this case are relinquished to said Grey.

Third. A conveyance of the premises now claimed made by said Grey to Archibald A. Ritchie the present claimant, dated December 18, 1851.

The claimant is entitled to a decree of confirmation which will be accordingly entered.

Confirmed,

Filed in Office April 25, 1854,

Geo. Fisher Sec

Archibald N. Ritchie
 of
 The United States

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Decree

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

The lands of which confirmation is hereby made are a part of the place known by the name of Tapa situated in Tapa County, which was granted to Salvador Valdejo, which place is bounded and described as follows; to wit: Commencing on the Arroyo of Tapa at the boundary of Nicolas Heigueras; thence following a southerly direction to the lower pass of the Arroyo de las Carneras six thousand varas to the upper road which goes to Tapa; thence along the same Arroyo north north west to the upper road which goes to the Rancho of Gunth, four thousand six hundred varas; thence continuing on the same course to the boundary of said Gunth by estimation ten thousand varas; thence towards the north-north east three thousand two hundred and fifty varas to the river Tapa; thence down the same river, course south east, to the Arroyo of Tapa fifteen thousand one hundred and seventy five varas, and thence following the same Arroyo westwardly two thousand six hundred varas to the place of beginning;

containing four square leagues of land,
apparently to the grant to said Salijo and
the Judicial measurement thereof.

That portion of the above described
premises of which confirmation is hereby
made to said Ritchie is bounded and
described as follows, to wit: a fraction
of Lot known as Lot number 7 / seven
and a fraction of Lot number 5 fourteen
/ No. 14 / each containing five acres, in
the Pueblo de Salvador; these two frac-
tions to be taken on the eastern side of said
Lots No. 7 and 14. Also lots in said
Pueblo known as Lots number Eight-
(No. 8) and Thirteen (No. 13) each containing
forty acres and fractions of Lots number
nine (No. 9) and Twelve (No. 12) containing
together sixty acres; the above mentioned
lots and premises being the same land
conveyed to said Archibald N. Ritchie by
deed from B. Fry to him dated December
18, 1851, to which reference is to be had,

Alphens Deleh
Thompson Campbell
A. Aug Thompson
Commissioners

Filed in Office April 25, 1854.
Chas. Fisher Sec.

42.

"Certificate"

And it appearing to the satisfaction of this Board that the lands hereby adjudicated is situated in the Northern District of California, it is hereby Ordered, that two Transcripts of the proceedings and of the Decisions 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 District of California and the others 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.

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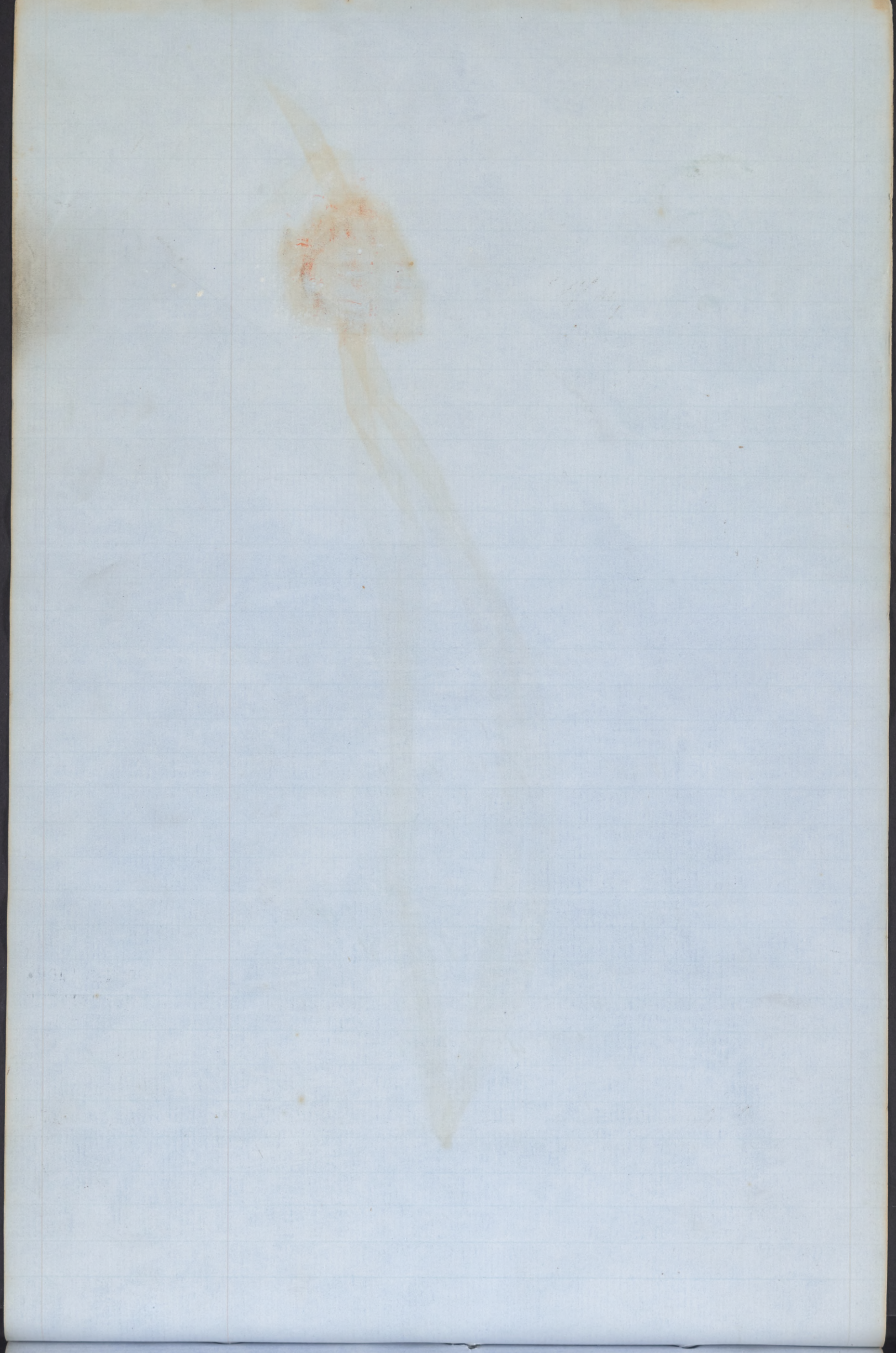
J. George Fisher Secretary to
the Board of Commissioners to ascertain and settle the Private
Land Claims in the State of California, do hereby certify the
foregoing *Forty three* pages, numbered from
1 to *43*, both inclusive, to contain a true, correct and full Tran-
script of the Record of the Proceedings 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. *737* on the Docket of the said Board,
wherein *A. A. Ritchie* is

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

In Testimony Whereof, I hereunto set my hand
and affix my private Seal (not having a Seal
of Office) at San Francisco, California, this
Fourth day of December
A. D. 1854, and of the Independence of the
United States of America the seventy=*fourth*



J. G. Fisher.
J. G. Fisher



Office of the Attorney General of the United States,

Washington, 10th February 1855.

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A. A. Ritchie

vs.

The United States.

} 737.

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 25th day of November 1854, the appeal in the district court of the United States for the Northern Judicial district of California will be prosecuted by the United States.

Cushing

Attorney General.

U. S. District Court for
Northern District, Cal.

The United States

vs

A. A. Ritchie

No. 139

Notice of Appeal.

Liled March 20, 1855,

Wm. A. Murre,

Clerk

Office of the Attorney General of the United States,

Washington, 10th February 1855.

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A. A. Ritchie

v.

The United States.

} 737.

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 25th day of November 1854, the appeal in the district court of the United States for the Northern district of California will be prosecuted by the United States.

Clushing

Attorney General.

C. 12,
No. 139

U.S. Court N. Dist.

The United States.

vs.

A. A. Ritchie

Appeal Notice.

Filed May 5, 1855,
B. W. H. Chevers,
Deputy.

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U. S. DISTRICT COURT,

Northern District of California.

No. *139*

THE UNITED STATES,

139 ND
vs.

Archibald A. Ritchie.

TRANSCRIPT OF THE RECORD

FROM THE

BOARD OF U. S. LAND COMMISSIONERS,

In Case No. *737*

Filed, *December 4th* 1854

Wm A. Monroe Clerk

At a Stated Term of the
District Court of the United States
for the District of California, held
at the Court Rooms of said Court in
the City of San Francisco on the 20th
day of ~~January~~ ~~1879~~ A. D. 1880.

Present Hon. Ogden Hoffman - Judge

The United States } No. 139-
vs } Decree of Confirmation
A. A. Ritchie } Part of Map
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It appearing to the Court
upon inspecting the minutes and entries in
the Register of the Clerk on the 2nd day of
March A. D. 1857, that an order was made
by the Court affirming the decree of the Board
of Land Commissioners made in the above
cause and confirming to the claimant therein
the lands set forth and described in said
decree. It further appearing that said order
of confirmation was made on an appeal duly
taken from the decision of the said Board of
Land Commissioners and was made with
the consent of the District Attorney in open

court: and it further appearing to the court that by neglect or omission of the claimant's Attorney, no formal decree of confirmation was presented to the court for signature, and that no such decree has been signed by the Judge or filed of record, and it being suggested to the court by Philip Seare Esquire, United States Attorney, that the Surveyor General has informed him that it was necessary for the prosecution of public surveys, that a decree in the said cause, describing and defining the boundaries of the land so confirmed as aforesaid, should be entered, and it further appearing to the court, from statements of the District Attorney that no objection exists to the entry of the decree of confirmation of the said lands of claimant, hunc pro hunc, as of the day when said order of confirmation was made as shown by the entry in the minutes and in the Register of the clerk.

Now therefore on the motion of Philip Seare, District Attorney, it is ordered that a decree of confirmation in said cause, be entered, hunc pro hunc, as of said day.

Wherefore in consideration of

the premises it is hereby ordered and decreed

the premises, it is hereby ordered, adjudged and decreed, that the said decree is hereby affirmed, and it is further ordered adjudged and decreed that the claim of the said appellee is a good and valid claim and the same is hereby confirmed.

The lands of which confirmation is hereby made are a part of the place known by the name of Napa, situated in Napa County which was granted to Salvador Vallijo, which place is bounded and described as follows, to wit. Commencing on the arroyo of Napa at the boundary of Nicolas Figuera, thence following a southerly direction to the lower pass of the arroyo de los Carneros six thousand varas to the upper road which goes to Napa; thence along the same arroyo, north north west to the upper road which goes to the Rancho of Tenth four thousand six hundred varas thence continuing on the same course to the boundary of said Tenth, by estimation, ten thousand varas, thence towards the north north east, three thousand two hundred and fifty varas, to the river Napa thence down the same River course south. East to the arroyo of Napa, fifteen thousand one hundred and seventy five varas and thence following the same arroyo, westwardly, two thousand

six hundred varas to the place of beginning containing four square leagues of land agreeable to the grant to said Vallejo and the judicial measurement thereof.

That portion of the above described premises of which confirmation is hereby made to said Ritchie is bounded and described as follows, to wit: a fraction of lot known as lot number seven (7), and a fraction of lot number fourteen (14) each containing five acres, in the Pueblo de Salvador, these two fractions to be taken on the eastern side of said lots numbers seven and fourteen, also lots in said Pueblo known as lots number eight (8), and thirteen (13) each containing 40 acres and fractions of lots numbers nine (9), and twelve (12) containing together 60 acres the above mentioned lots and premises being the same land conveyed to said Archibald A Ritchie by deed from B. May dated December 18th 1851 to which reference is to be had.

Wm. A. Hoffmann
Dist. Judge

No. 139

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

The United States

vs.

A. A. Ritchie

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PAGE 53

Decree of Confirmation

Filed January 7th AD 1880, as
of ~~February~~ March 2nd AD 1857
nunc pro tunc.

Southard Hoffman Clerk
By W. D. Grimwood
Deputy Clerk

Recorded in BK 2 of judgments
& Decrees at p. 266

Lodged in Clerk's office
U.S. District Court, Dist. of
California January 6th 1880
Southard Hoffman Clerk
By W. D. Grimwood
Deputy Clerk

Office of the Board of Commissioners,

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

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San Francisco, Dec 4th 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. 737 on the Docket of the said Board, wherein Archibald A. Ritchie is

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

and request your receipt for the same.

I am, Respectfully,

Your Obedt Servant,

Geo. Fisher