

CASE NO.

168

NORTHERN DISTRICT

PART OF NAPA GRANT

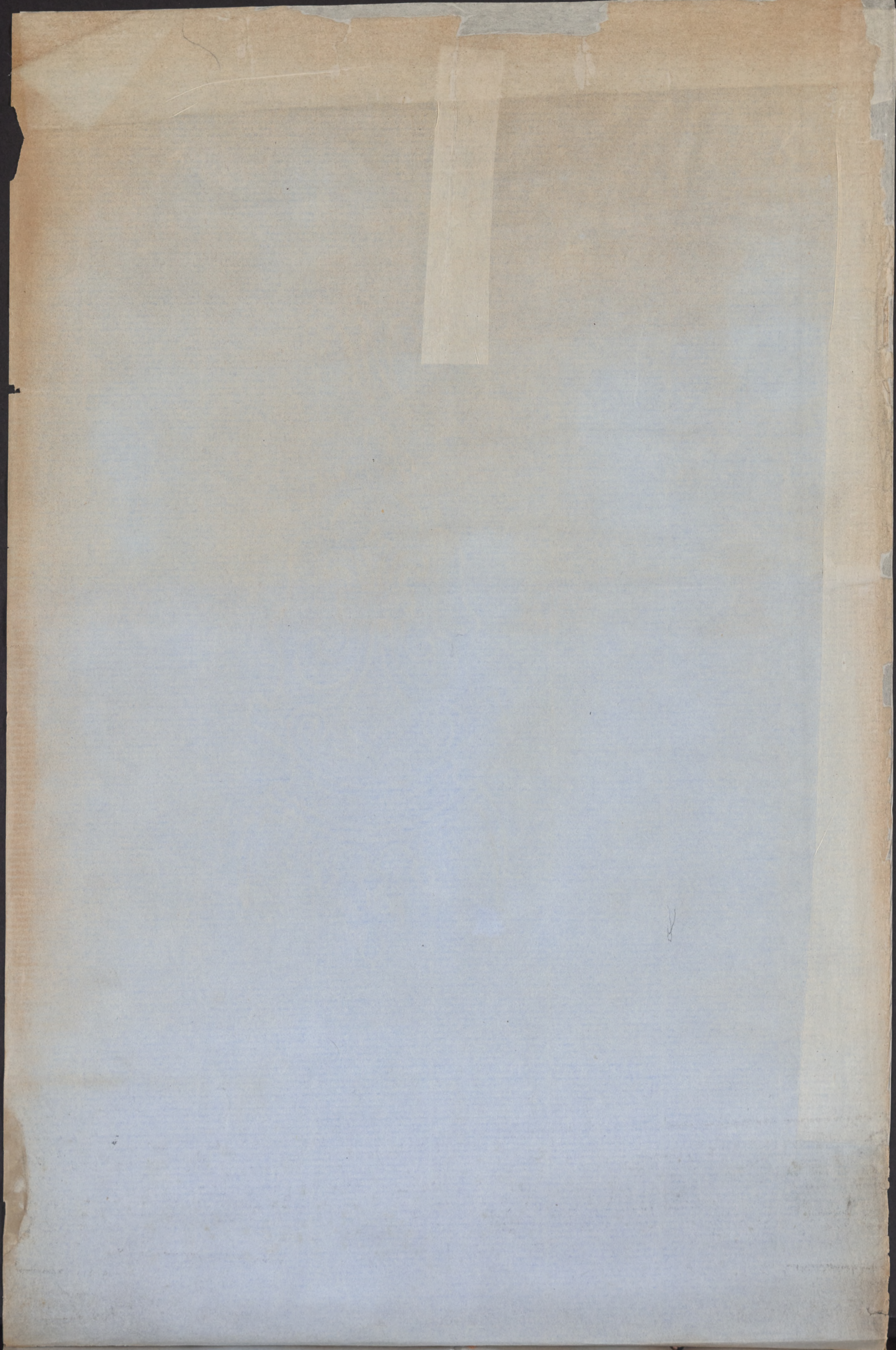
ULADISLAO VALLEJO

CLAIMANT

NOV 1 1962

COMMERCIAL
PLOWERS BOND
50% COTTON FIBER
U.S.A.

3710



TRANSCRIPT
OF THE
PROCEEDINGS

IN CASE

NO. 570

Mudislaw Vallejo CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

^{^ part of}
FOR THE PLACE NAMED

" *Nasra* "

1871
MAY 11 1871

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 Eleventh day of January, 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 Wladislao Vallejo,
for the Place named
"Napa",
was presented, and ordered to be filed and docketed with No. 510, and is as follows, to wit;

(Vide page 3 of this Transcript.)

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

San Francisco January 15th 1853.
In Case no. 510, Wladislao Vallejo for part of "Napa", the deposition of José de la Rosa, a witness in behalf of the claimant, taken before Commissioner Harry J. Thornton, was filed.

(Vide page 4 of this Transcript.)

San Francisco, Sept. 13th 1853.
Case no. 510 Called: on motion of the Counsel for the claimant, ordered to the foot of the Docket,

San Francisco June 20th 1854.
Case no. 510, on motion, was ordered to be placed at the foot of the Calendar of the 1st Class cases on the Trial Docket.

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San Francisco Aug. 17th 1854.
Case no. 510 was submitted without argument.

San Francisco, Aug. 22nd 1854.
In the same case Commissioner Alpheus Felch
delivered the opinion of the Board rejecting the
Claim:

(Vide page 13 of this Transcript.)

San Francisco Aug 29th 1854.
In the same case, on motion of the U. S. Law Agent,
the following order was made, to wit;

(Vide page 15 of this Transcript.)

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To the Honourable Commissioners to settle Private
Land Claims in California;

The Petitioner Blas Valero,
respectfully represents;

That on the 31st day of September
A.D. 1838, Juan B. Alvarado, Governor
of California, granted to Salvador Valero
the Tract of land called "Kapa" within the
boundaries described in the map and title,
which original grant, map, approval,
and act of judicial possession are filed
in Claim No. 498 and hereby referred
to and prayed to be taken as a part of
this petition.

That on the 29th day of June
A.D. 1849, sold and conveyed to Guadalupe
Lopez Soberanes and Thomas Soberanes,
a part of the said Tract of land, as is
more particularly described in the said
Deed of conveyance which, with a Trans-
cription, is submitted herewith and
marked "A".

That on the 12th day of July A.D. 1851,
the said Guadalupe Soberanes sold and
conveyed his interests in said Tract of
land to the petitioner as shown by the
original deed submitted herewith and
marked "B".

The Petitioner will also submit on
or before the trial of this case a duly
executed conveyance from the heirs of
said Thomas Soberanes, now deceased;

The Petitioner also submits herewith
the notes of a survey of said Tract of
land more particularly describing its
boundaries, marked "C".

The Petitioner also further represents
that he and those under whom he
claims have been for more than 14
years, and that he now is in the quiet
and peaceable possession of said Tract
of land;

That he knows of no conflicting claim;
 That he relies for confirmation of title
 upon the original papers submitted here:
 with and those referred to in this pe-
 tition; upon the notes and minutes
 now in the Archives of the former
 Government of California; and upon
 such other and further proofs as he
 may be advised are necessary.
 Wherefore he prays the Commissioners
 to confirm to him the herein described tract of
 land.

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By his Atty
 Hecker Peachy & Billings
 Filed in Office July 11, 1853. Ge. Fisher Sec

San Francisco July 15th 1853.
 On this day before Com^r Harry L. Thornton
 came Jose de la Rosa. a witness in behalf
 of the claimant, Medislag Vallejo, petition
 No. 510 and was duly sworn, his evidence
 interpreted by the Secretary

Deposition
 of Jose de la
 Rosa.

My name is Jose de la Rosa; my age
 is 61 years; I reside in Sonoma, and have
 resided there 21 years;

I know the Rancho called "Tapa" in Tapa
 Valley, which was granted to Salvador in
 1838. The grantee first occupied it
 in 1838 or 9; he built a house on it,
 and corrales, had cattle and horses on it,
 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 Aree, Jacob P. Leese,
 Victor Poudon, Camaso A. Rodriguez, Gasario
 Berrayesa, and Rafael Navarez, their sig-

atures to the documents before me marked No.
 1, in 495 and purporting to be the original title,
 approval and juridical possession are genuine
 Jose de la Rosa.

W. P. Law Agent present, Sworn to and subscribed before
 me this 15th July 1853, Harry L. Thornton Com^r

En el pueblo de Sonoma de la Alta California
 à los veinte y nueve dias del mes de Junio del
 año de mil ochocientos cuarenta y nueve ante
 mi el Alcalde del mismo pueblo comparecio
 Dⁿ Salvador Vallejo y dijo: que por si y en nom-
 bre de sus herederos, sucesores y de quien ellos
 hubiere titulo voz y causa en cual quiera
 manera, vende y da en venta real y enajena-
 cion perpetua por puro de heredad para siem-
 pre jamas à Dⁿ Tomas y à Dⁿ Guadalupe
 Goberanes vecinos tambien de la misma juris-
 diccion de Sonoma y à los suyos un tercio de
 seiscientas yardas en cada uno sujetandose à
 la delimitacion de los colindantes en el embar-
 cadero de Chapala por el Sur, con Dⁿ Matem.
 Comoy Dⁿ Bernardo Kollner al Este con Dⁿ
 Mariano G. Vallejo al Nor. Noroeste con Dⁿ
 Jeronico Salazar al Oeste con Dⁿ Salvador
 Vallejo. Y se obliga à que dicho terreno sea
 cierto seguro y efectivo al comprador ni contra
 el aparecer à gravamen alguno y como tal lo
 vende con todas sus pertenencias por el valor de
 tres mil seis cientos pesos de plata acuñada
 habiendo recibido al contado Dos mil ochenta
 pesos, quedando obligados los expresados Dⁿ To-
 mas y Dⁿ Guadalupe Goberanes à pagar el balan-
 ce de ocho cientos pesos en dos años contados des-
 de esta fha. Y para que la Venta del terreno
 mencionado tenga toda la Validacion que
 espresan las leyes lo firmo ante mi y testigos de
 asistencia.

Testigo. Salvador Vallejo
 José de la Rosa
 Alberto Boggs.

Territory of California

Filed in Office District of Sonoma } Personally appeared
 June 11th 1853 before me the Undersigned Alcalde of said
 Geo. Kisher District, Salvador Vallejo and acknowledged
 Secy the above Deed to be his Act and Deed in the
 purposes above mentioned.

Given under my hand and Seal
 at Office at Sonoma this 28th day
 of June A. D. 1840
 L. W. Boggs.

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" Translation "

In the Pueblo of Sonoma of Upper California
 in on the Twenty ninth of the month of
 June in the year One Thousand eight
 Hundred and forty nine, before the Alcalde
 of the same Pueblo appeared Don Salvador
 Vallejo and said; that for himself and in
 the name of his heirs, successors and
 whoever of them may have title, voice
 and claim in any manner, he sells,
 and gives in real full and perpetual
 alienation, with the right of inheritance
 forever to Don Tomas, and Don San Guadalupe
 Soberanes, also residents of the same juris-
 diction of Sonoma, and to theirs, a piece
 of land six hundred yards square, subject
 to the demarkation of the colindantes in
 the Embarcadero of Napa, on the South
 by Don Nathan Coors and Don Bernada
 Holmeq, on the East by Don Mariano G.
 Vallejo, on the North North west by Don
 Francisco Julapa, and on the West
 by Don Salvador Vallejo.

And he binds himself that said land shall
 be certain pure and effective to the pur-
 chasen, and that no incumbrance will
 appear against it, and as such he sells it
 with all its appurtenances for the value of
 Three Thousand Six Hundred Dollars of
 coined silver, having received in cash
 Two Thousand Eight Hundred Dollars
 leaving the aforesaid Don Tomas and Don
 Guadalupe, Soberanes, bound to pay
 the balance of Eight Hundred Dollars in
 two years counted from this date, and
 that the sale of the aforesaid land may
 have all the validity which the laws
 express, he signed it before me and
 assisting witnesses,

Signed, Salvador Vallejo
 witness

/signed/ Jose de la Rosa
 /signed/ Albert G. Boggs.

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" A "
 Translation

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Territory of California }
District of Sonoma }

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Personally appeared before me the undersigned Alcalde of Said District, Salvador Vallejo and acknowledged the above deed to be his act and deed, for the purposes therein mentioned,
Given under my hand at Sonoma this 28. day of June A.D. 1849,
/signed/ V. W. Boggs.

Filed in Office Jan'y 11, 1853,
Geo. Fisher Sec

This Indenture made and concluded this Twelfth day of July A.D. One Thousand Eight Hundred and fifty one between Guadalupe Soberanes of the County of Monterey State of California of the first part, and Madislaq Valleys of the County of Sonoma and state aforesaid of the second part, witnesseth,

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"B"

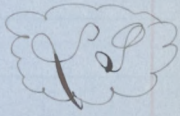
Transfer
Deed,

That the said Guadalupe Soberanes for and in consideration of the sum of Five Thousand Dollars well and truly paid, at or before the sealing and delivery hereof the receipt whereof is hereby acknowledged, hath granted, bargained, sold, transferred and conveyed, and by these presents, doth grant, bargain, sell transfer and convey unto the said Madislaq Valleys his heirs and assigns forever, all that piece or parcel of land (lying adjacent to Sappa City in Sappa County and state aforesaid and transferred and conveyed by Salvador Valleys to the said Guadalupe Soberanes on the twenty ninth day of June A.D. One Thousand Eight Hundred and forty nine, and recorded in the Archives of Sonoma District in Book "C" on pages 288 and 289)

Beginning at the North East Corner of a tract of land owned by Nathan Combs and runs N 70 E / 690 / yards to a stake, thence N 83° W 600 yards to a stake, thence S 70 West 488 yards to the North West Corner of a tract of land owned by Mrs McCombs (thence S. 73° E (with the Northern boundaries of said Mrs McCombs land) 300 yards to the North East Corner of Mrs McCombs, thence S. 70 W. (with Mrs McCombs eastern line) 150 yards to Nathan Combs North West Corner, thence S 83° E (with said Combs Northern boundary) 300 yards to the place of beginning containing 74 acres and 6 perch

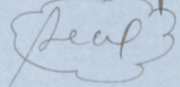
of land,
 Declination of the needle 16° E.
 To Have and to Hold all and singular
 the above described piece or parcel of
 Land, together with all the rights, profits,
 privileges and appurtenances whatsoever
 belonging in and to the same, as fully
 as the same was held and possessed
 by the said Guadalupe Sobranes, unto
 the said Madislag Valleys his heirs
 and assigns, to the only proper use,
 benefit, & behoof of the said Madislag
 Valleys his heirs and assigns forever,
 and further the said Guadalupe Sobranes
 doth by these presents bind himself and
 his heirs, executors and assigns forever to
 defend the above granted and bargained premises
 unto the said Madislag Valleys his
 heirs and assigns against all lawful
 claims and demands whatsoever.

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In witness whereof the said
 Guadalupe Sobranes hath hereunto set
 his hand and seal the day and date
 herein before written.
 Guadalupe Sobranes 
 Thomas O. Farlin.

State of California }
 Solano County } ss.

And this twelfth day of July A.D. 1857
 personally appeared before me a Notary
 Public in and for said County,
 Guadalupe Sobranes well known to me to
 be the person described in, and who
 acknowledged to me that he executed
 the foregoing Indenture freely and volun-
 tarily and for the uses and purposes
 therein described.

Witness my hand and private seal
 there being no official seal yet provided
 W. D. Sweasey 
 Notary Public.

Filed in Office July 11. 1853.
Geo. Fisher Sec.

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" © "
Survey

Survey of a Tract of land lying adjacent to
 Napa City in Napa County California Transferred
 by Salvador Vallejo to Guadalupe Sobreros;
 Beginning at the north East corner of
 a tract of land owned by Nathan Combs
 and runs N 40 E. 690 yds to a stake
 Thence N 83° W. 600 yards to a stake
 Thence S 70 W. 488 yards to the North
 West corner of a tract of land owned
 by Mrs Sarah McCombs,
 Thence South 73° E. (with the northern
 boundary of said Mrs McCombs land)
 306 yards to the North East corner of
 Mrs McCombs,
 Thence S 70 W (with Mrs McCombs
 eastern line) 150 yards to Nathan Combs
 North West corner.
 Thence S. 83° E (with said Combs northern
 boundary) 300 yards to the place of beginning,
 contents of land 74 acres and 6 perches
 Declination of the needle 16° E,
 Surveyed November the 1850
 By Richard E. Cook

Filed in Office July 11. 1853,
Geo. Fisher Sec

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Adislag Valleys
vs
The United States

Don 600 Varas Square
of land a party Tapa
in Tapa County.

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Opinion by
Commissioner
A. Felch.

No Grant is given in Evidence and
no competent testimony is presented of
title to the premises claimed in the
petition derived from the Spanish or
Mexican Government, a decree of confirmation
cannot therefore be granted.
Rejected.

See

Adislag Valleys
vs
The United States

In this case on hearing the proofs and allega-
tions it is adjudged by the Commission that
the claim of the said Petitioner is not valid;
and it is therefore decreed that a confirmation
thereof be denied.

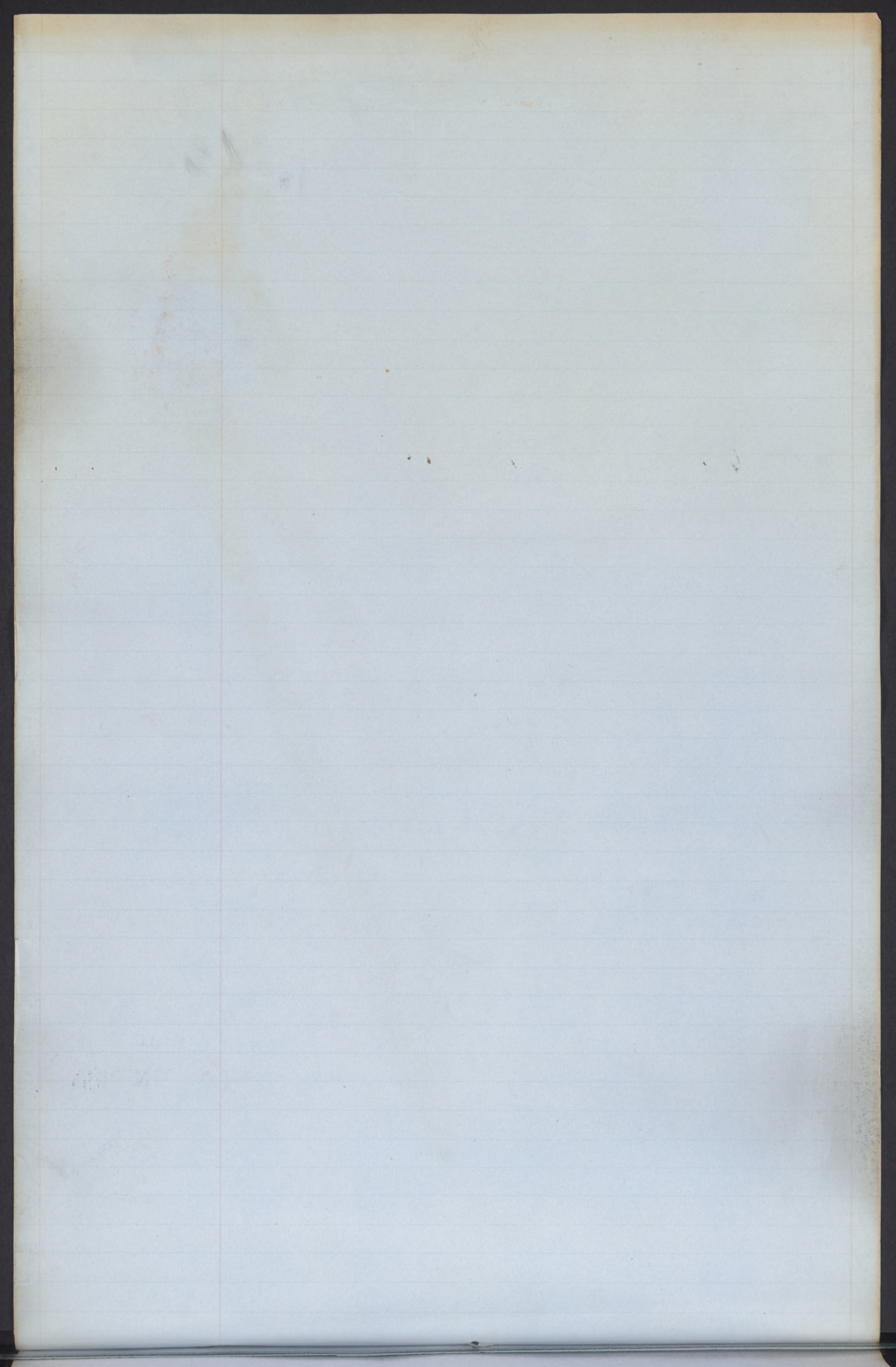
Alpheus Felch
R. Aug. Thompson
S. B. Farwell
Commissioners

Filed in Office Aug 22nd 1854
Geo. Fisher Sec

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And it appearing to the satisfaction of this Board that the land 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 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.

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I, George Fisher — Secretary to
the Board of Commissioners to ascertain and settle the Private
Land Claims in the State of California, do hereby certify the
foregoing Fifteen — pages, numbered from
1 to 15 —, 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. 570 on the Docket of the said Board,
wherein *Wladislaw Vallejo* 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
Thirtieth — day of December
A. D. 1854, and of the Independence of the
United States of America the seventy-ninth.

Geo. Fisher
[Handwritten signature]

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Office of the Board of Commissioners,

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

San Francisco, Dec 30th 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. 5711 on the Docket of the said Board, wherein *Madislae Vallejo* 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.