

CASE NO.

172

NORTHERN DISTRICT

PART OF ENTRE NAPA GRANT

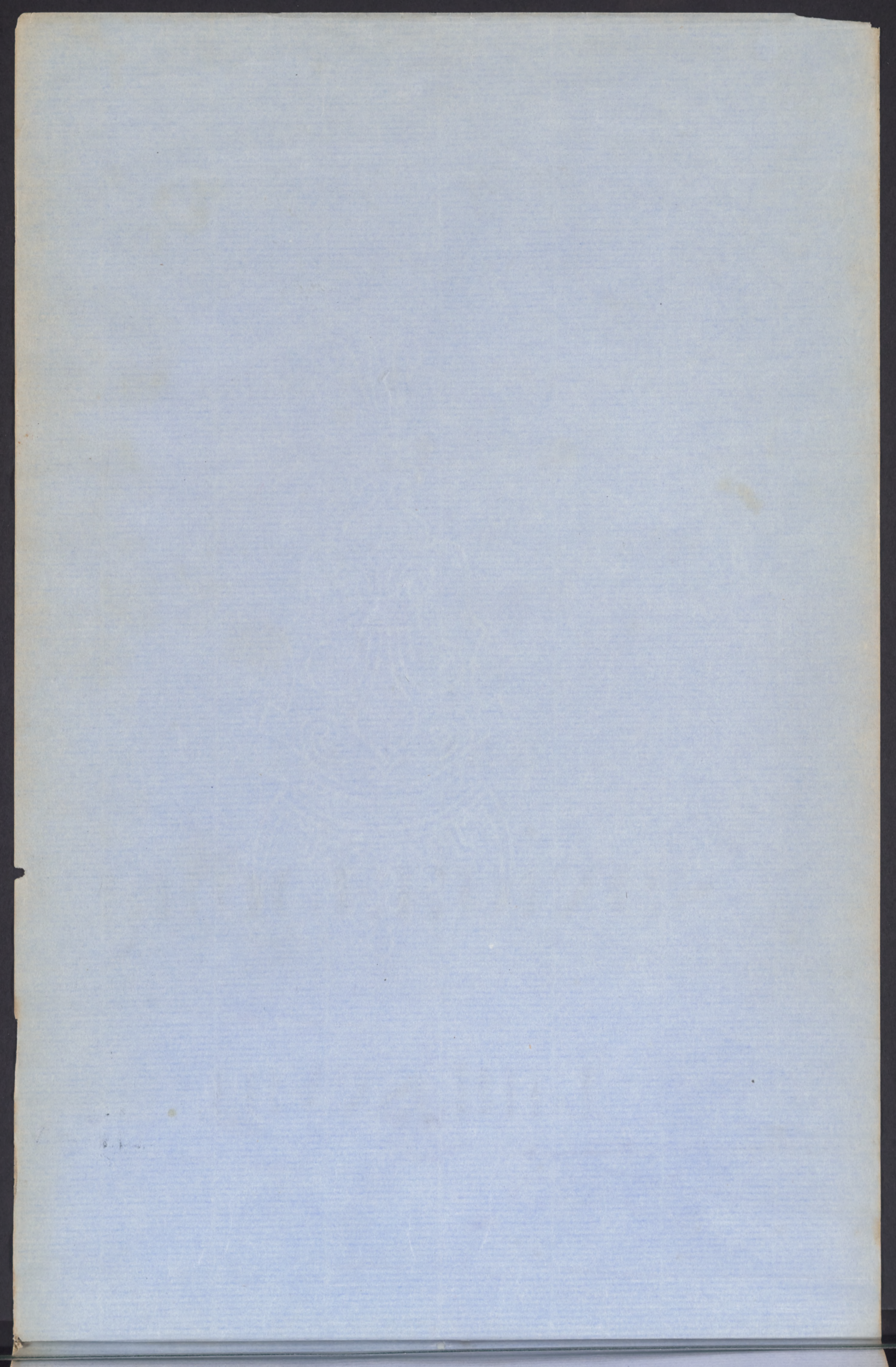
JOSEPH GREEN

CLAIMANT

NOV 1 1962

Guaranteed
Plover Bond
52% Cotton Fiber
U.S.A.

585



TRANSCRIPT

OF THE

PROCEEDINGS

IN CASE

NO. 585

Joseph Green

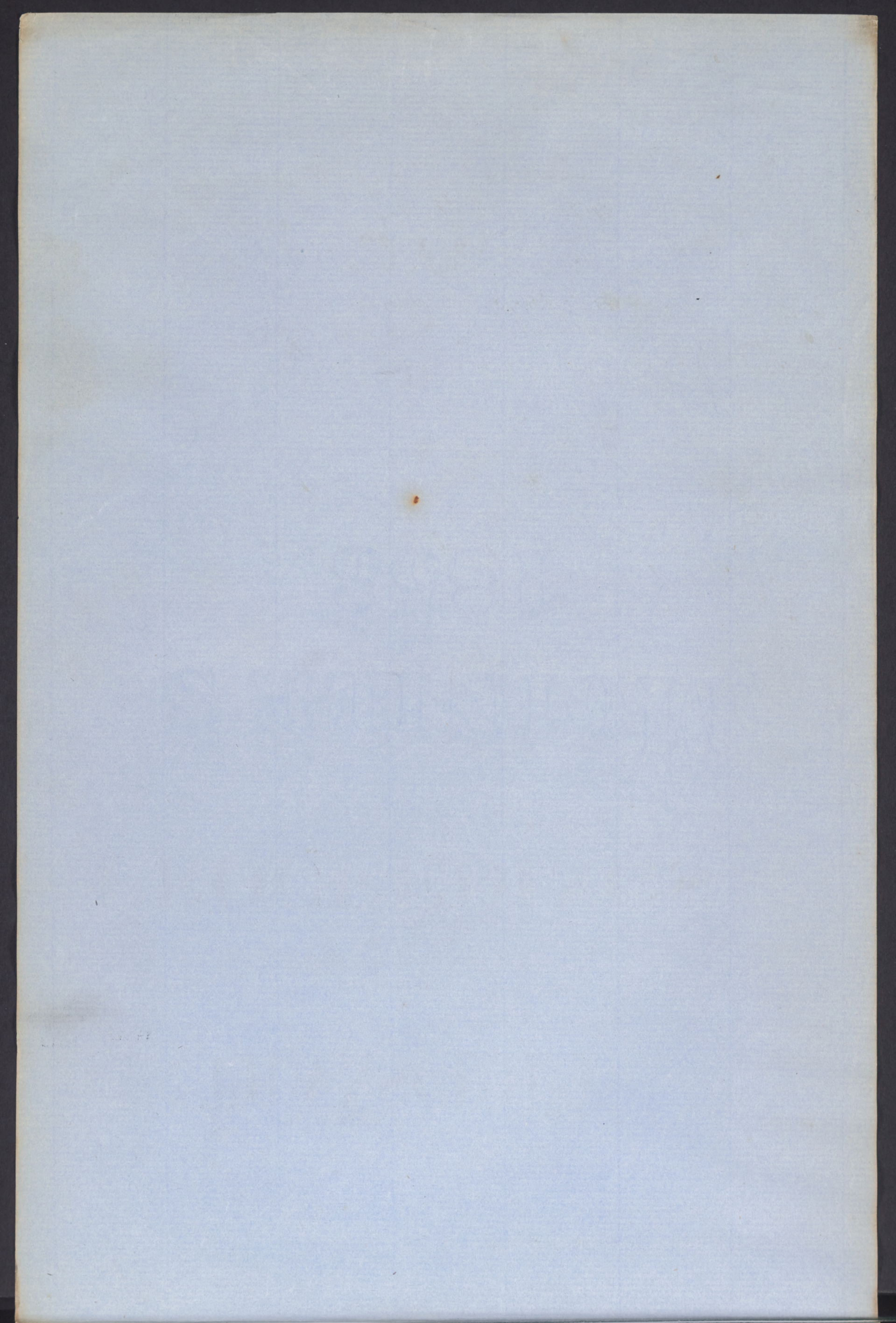
CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

part of
FOR THE PLACE NAMED

Entre Napa



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 Eleventh 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 Joseph Green ^{for part of} the Place named "Entre Napa," was presented, and ordered to be filed and docketed with No. 585, 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, December 14th 1853.
In Case no. 585, Joseph Green for part of the place named "Entre Napa", the deposition of Gilbert A. Grant, a witness in behalf of the claimant, taken before Commissioner Alpheus Felch, was filed;
(Vide page 5 of this Transcript.)

San Francisco July 7th 1854.
In the same case the deposition of Em. A. d'Amecourt, a witness in behalf of the claimant, taken before Commissioner R. Aug. Thompson, with a map marked R. T. no. 1, annexed thereto, was filed;
(Vide page 6 of this Transcript.)

(see ³ * on p. 2 for entry on the 8th July.)

San Francisco July 11th 1854.
In the same case, the counsel for the claimant filed the following motion to wit;
(Vide page 43 of this Transcript.)

Which motion was granted and the amendment filed:

(Vide page 45 of this Transcript.)

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In the same case the counsel filed the following stipulation, with the papers therein mentioned in accordance therewith, to wit:

(Vide page 46 of this Transcript.)

On motion of the counsel for the claimant, with the consent of the U. S. Land Agent, this case was submitted on briefs and taken under advisement by the Board.

San Francisco Sept. 19th 1854.
In the same case Commissioner Alpheus Felch delivered the opinion of the Board, confirming the claim;

(Vide page 47 of this Transcript.)

and the following order was made to wit:

(Vide page 51 of this Transcript.)

☞ * See p. 1

San Francisco July 8th 1854.

In the same case the deposition of Ramon G. de la River, a witness in behalf of the claimant, taken before Commissioner Peter Sott, was filed;

(Vide page 4 of this Transcript.)

To the Honorable the Board of Land Commissioners of the United States for the settlement of Private Land Claims in California

Your Petitioner Joseph Green of the County of Napa respectfully represents to Your Honorable Body that on the 9th day of May A.D. 1836 Manuel Olvera a former Governor of Upper California made a grant of one square league of land of what was called San Nicolas in the County of Napa to one Nicolas Hey-
 - una who deceased that said grant was only confirmed according to the custom and usages then prevailing under the Government of Mexico and that Judicial possession thereof was made and delivered to said Heyuna as well fully appear by the papers and entries still remaining in the Public Archives in the Office of the Surveyor General of the United States for the State of California and which your Petitioner craves leave to produce and prove that the said lands thus granted and conveyed were bounded as follows beginning at the corner towards the East on Napa creek thence running along said creek to its junction with Napa River thence down said River to the mouth of Casavos Creek thence up said Casavos Creek to the Canal at the lower Pass (pass de abajo) thence North to the said Napa Creek that said Nicolas Heyuna took possession of said lands under said grant and held them until the time of his death except such parts thereof as he conveyed to your Petitioner and others in his lifetime your Petitioner further shows that on the 27th day of December A.D. 1835 the said Nicolas Heyuna for a valuable consideration paid him by your Petitioner by deed bearing date of that day a copy whereof is annexed hereto and conveyed to your Petitioner all that part of said lands which are described as follows

beginning at John E Brackets North East corner and running eight hundred yards along said Brackets North line thence in a direct line to the top of the hills on the west thence along the hills to Salvador Gallego's line thence along said Gallego's line to John P. Watkins thence with said Watkins line to the place of beginning your Petitioner further shows that on the

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Eighteenth day of April AD 1851 the said Nicolas
 Reyna by deed a copy whereof is annexed mar-
 ked B. conveyed to Ramon G de la Riva another
 parcel of said lands described as follows begin-
 ning at the mouth of Cameros Creek run-
 ning thence up to Cameros Creek one half a mile
 thence a cross to Napa Creek to a point one and a half
 miles above the mouth of Cameros Creek thence
 down said Napa Creek to the place of beginning
 That on the seventh day of February AD 1852 the
 said Nicolas Reyna by deed of that date a
 copy whereof is annexed marked C conveyed to
 said Ramon G de la Riva another parcel of said
 lands containing one square league of land and
 on the 28th day of March AD 1852 said Ramon
 G de la Riva by deed of that date a copy whereof
 is annexed marked D conveyed the whole of said
 lands so conveyed to him as aforesaid to Maria
 Francis Reyna and Inmaculada Cachero Reyna the
 daughters of said Nicolas

That on the thirtieth
 day of October AD 1852 said Maria Francis
 by deed of that date a copy whereof is annexed
 marked E conveyed all her right and title to all
 that part of said lands then conveyed to said
 Inmaculada Cachero and her heirs as follows

Commencing
 at a house formerly occupied by Nicolas Rey-
 na on the north side of the Arroyo de Napa
 thence bearing towards the east to Napa Creek
 thence down Napa Creek to the mouth of Cam-
 eros Creek thence up said Creek eighteen thousand
 varas to an old canal at the lower end thence
 on a north line to Napa Creek

And your Petitioner
 further shows that on the 8th day of November
 AD 1852 said Inmaculada Cachero Reyna
 by deed of that date a copy whereof is annexed
 marked F conveyed said lands last above men-
 tioned to your Petitioner

And your Petitioner fur-
 ther shows that immediately upon said con-
 veyance to him as aforesaid he took possession
 of said two parcels of lands and has recently
 caused a survey thereof to be made by a Deputy

5-

Surveyor appointed by the Surveyor General of the United States a plan returned is truly amended marked to which said two parcels of land your Petitioner claims title by virtue of said enclosures that there is no other person claiming the same or any part thereof to the knowledge of your Petitioner and he respectfully asks that his title thereto may be confirmed

Joseph Green,
By N. N. Morrison
His Attorney

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Filed in Office February 11th 1853
Geo Fisher Secretary
Recorded in Vol 1 of Petitions Pages 369 + 370
Geo Fisher Secretary

Deposition
of
G. A. Grant

Office of the Board of U.S. Land Commissioners &c
San Francisco December 14th 1853

This day before Commissioner Alphonus Felch came
Gilbert A Grant a witness in behalf of
claimant Joseph Green Petitioner No 585 and being
duly sworn depured as follows

Question by Judge Morrison attorney for claimant
Dunston What are your name age and place of
residence

Answer My name is Gilbert A Grant my age is
thirty six years and I reside in San Francisco
California

Question Is the land described in the Petition filed
in this case as claimed by the Petitioner apart
of the grant of land to Nicolas Siguin known by
the name of Centre Napa

Answer It is

Gilbert A Grant

Mr Green has Associate Law Agent was present at
the taking of this Deposition but proposed no
questions

Subscribed and to before me this 14th
day of December 1853

Alphonus Felch
Commissioner

Filed in Office December 14th 1853
Geo Fisher Secretary
Recorded in Vol 3 P 327 Geo Fisher Secy

1. Deposition of United States Land Commission
San Francisco July 4th 1854

Em A de
Humeant

On this day before Commissioner R. Day Thompson
came Em A de Humeant a witness in behalf
of the claimant Joseph Gum in case No 585
who after being duly sworn depose as follows

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Present Claimants Attorney
Witness states his name E. A. de Humeant
his age thirty eight years and residing in Sausalito
County California

1st Question by Claimants Counsel
Are you acquainted with a tract of land formerly
owned by Nicolas Seguin called Cento
mapa of so state whether the map is marked
said and marked No 13. is a correct copy
of said tract

Map

Answer I am acquainted with said land
and the map found to in the question is a correct
representation of it

2 Question by same state whether said map also
contains a correct representation of the tracts sold
and conveyed by the said Nicolas Seguin and
his children

Answer It was the said tracts are mentioned
in said map from 1 to 13 with a marginal
reference to the names of the parties to whom
they were sold the tract marked Gum is the
situation of said tract conveyed

3rd Question by same I refer to the boundaries of
the tract marked in said map Gum with reference
to the copy of the old boundary field marked No
13.

Answer The said tract commences at the crossing
of the town canal into the Caños Creek (pass de Canal
de Abajo) marked in said map with the letter A
and running North $76^{\circ} 15'$ East one hundred
and sixty chains or two miles thence in a westerly
direction to the South West corner of the land owned
to Brown and Walker by Nicolas Seguin being
49 chains 16 links thence on the South line of
said Brown and Walker tract East 141 chains
25 links to the River Mapa thence down said "mapa" River
and with the meanders thereof to a hill near the
end of said farm in canaqui Cachos de Seguin to another
Point de Seguin being one mile and a half

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more or less about the Mouth of the Casanos Creek
Thence South 53° 45' West with said line to the
South East corner of Williams tract marked on
said Map No 13 Thence with the East line of said
Williams tract North 36° 15' West 40 chains to the
South East corner of said Williams tract Thence with
the North line of said Williams tract South 53° 45'
West 9 chains 36 links to Casanos Creek Thence
up said creek and following the Meanders thereof
to the place of beginning
4th Question of Same What Affairs you hold and
how did you ascertain the boundaries above
described

Answer I hold the office of County Surveyor for Caspas
County in which said land is situated and I
know the position and boundaries of the tracts
of land represented on said Map from a actual Sur-
vey made by myself

5th Question of Same State where on said Map the
tract marked by A and above of which marked
A is filed with this case is located

Answer It is situated in the North West corner of
said tract and marked on the map No 10

6th Question of Same State what you know in relation
to the tract including the adobe house and Garden
marked by John E. Brubaker to Nicolas Seguin
and state where on said map the same is located

Answer The adobe house and Garden is situated
in the limits of the tract marked on said Map
as No 6 and is located about the spot marked
B surrounded by dotted lines It contains about
twelve and a half acres

Em ad. Hincant

Given to and subscribed before me July 7th
1834

R. Aug. Thompson
Commissioner

Filed in Office July 7th 1834

Geo. Fisher
Secretary

Record in Encumbr B Vol 5. Page 49

Geo. Fisher Secretary

Disposition of Case No 585 Joseph Guin Claimant
Gde la Riva On this 8th day of July 1834 personally came
before Peter Lott Commissioner for taking testimony

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to be used before the Board of U.S. Land Comm-
— issions in the State of California Ramon G de
— La Riva witness on behalf of the above named cla-
— imant who being duly sworn testified in English
as follows

Ramon Claimants Attorney and U.S. Associate Land Agent
witness says his name is Ramon G de la Riva his
age is thirty years and resides in Los Angeles
County California

1 Question by Claimants Are you acquainted
with the tract of land from Yuma by Nicolas
Sequin called Coto Napa and if so state whether the
— map filed in this case number No. 3. is a ca-
— rect map of said tract

Answer I am acquainted with said tract I know
— three several years with Nicolas Sequin and
this is a correct map of the tract

2nd Question by Claimant Does said map
— contain a correct representation of the tracts sold
and conveyed by said Sequin and his children
Answer Yes Sir it does and the reference in the
margin of the map to the several conveyances
account I know all about this because I was
Nicolas Sequins Agent I attended to his business
relating to the sale of this Rancho and had a
full power of Attorney from him in the tract not
mentioned in the map mentioned I am the
agent that remained on the land the present
Claimant Mr Green bought the remainder of the
tract and was conveyed to him by said Sequin
to is the one a certified copy of which is filed in this case
number No. 2 N.S.

3 Question by Claimant State where on said tract
the tract conveyed by said Sequin is located

Answer It is located in the north west corner and men-
— tioned No. 6 on the map

4th Question by Claimant Where is the tract conveyed
by John C. Markert to Nicolas Sequin in clearing the adobe
house and garden located on said map

Answer At the place mentioned B in claim in the dotted line in the map in tract No. 3
5 Question by Claimant Are you the N G de la Riva mentioned in claim No. 3
— No. 3 filed in this case Answer Yes Sir I am & such claims come etc certified
to me & gone as shown set forth N G de la Riva

Subscribed and sworn to before me on this 6th day of July 1854
Peter H. Linn per Attorney Testimony

Filed in Office
July 8th 1854
Geo. Wilson
Scrib

9 M
Translacion
de
Judicial
Posesion in
No 334

To The Justice of the Peace of the Frontier
I Citizen Nicolas Reyna resident of this Juris
diction some of the Rancho of Napa Alaji as I
may best proceed in Law before you appear and
say that as appears by the title which I possess
with the necessary solemnity and oath I have
in my Rancho a little more than one square league
within the boundaries mentioned in said title
and as it is necessary for me that it may be all
things appear where they seek to and whether they
prejudice me or Her Highness any one of my neigh-
bors you will be pleased to order that performing taking
the necessary examinations of identity and ex-
amination and the colonias being summoned
the measure must of my lands be proceeded to for
which purpose I appoint for this time and when the
time may arrive as measure Citizen Rafael Navarro
resident of this Jurisdiction shall be in this matter
of measure must and let any other person who
may be interested appear another measure which
part and having done so let those whom they may
appoint and the aforesaid Rafael Navarro by order
appointed appear accept and take the oath and
in conformity with it let the said measure must
be proceeded to wherefore I pray you that admitting
said document you will be pleased to have that
what I have asked be done and being made
that said titles be returned to me with the requisite
recusos which may be made for the security of
my right this Petition and whatever else may be
necessary for the request of my Father

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In the Pueblo of Sonoma on the 10th day of the
Month of January 1842 before me Citizen Salva-
dor Valljo Notary Commendant and Magistrate
of this Jurisdiction this Petition was read and being
seen I admitted it with the document men-
tioned and I order that summoning the coloni-
as information be taken of identity and
examination of said lands at which I am ready
to assist personally I thus provide and
signify with those of my assistance

Salvador Valljo
assisting witnesses
apoderado Mariana Cayetano Juarez
In the aforesaid Pueblo of Sonoma on the tenth day of

the same month and year, I the Magistrate again
 said with three of my assistants in order to proceed
 to the information of identity caused to appear
 before me Citizen Ramon Musa resident of
 this Jurisdiction by occupation a laborer of
 whom I received an oath which he made by
 the sign of the Holy Cross in form of law by
 which he promised to speak the truth and being
 questioned as to the number he has of the lands
 and places terms and boundaries pertaining
 to the Rancho of Nappa Abaji he said that for
 eight years he has lived in this frontier and he
 does that the lands belonging to said place
 are (the property) of Citizen Nicolas Segura and
 that their boundaries are the arroyo de Los Cameros
 the arroyo de Nappa and the main road below
 a little less and that he has seen and examined
 said lands several times and that since the
 said Segura has owned them he has worked
 and cultivated them and his cattle have pas-
 tured on them and for a proof of that which he
 has said he is ready to go to said lands with
 the present Magistrate and permit to him
 the places terms and bounds and how far they
 extend which he affirmed and satisfied under
 the oath which he has made he declared that
 he was twenty five years old and that the
 legal exceptions do not appear him and he
 signed it with me and three of assistants
 Salvador Vallyi Ramon Musa & his mark
 Assistant witnesses

Apolinaria Munanda Gayetano Juarez
 In continuation I caused to appear before me and
 three of my assistants citizen Jorge Noc and
 having made him take the customary oath he
 promised to speak the truth and being asked
 for the lands places terms and boundaries be-
 longing to the Rancho of Nappa Abaji he said
 that for eight years he has been a resident of this
 town he knows that the lands belonging to
 this Rancho are the property of Nicolas Segura
 and that its boundaries are the same which the
 preceding witness has just declared and
 that he has seen and examined them several
 times and that this is all he has to say agreeing
 with the foregoing declaration and measure

with the foregoing declaration and he said
that he was forty one years old and the
legal exceptions do not affect him, and he
signed with me and those of my assistance ac-
cording to Law
page No 0

Salvador Kally's
Assisting witnesses

Apolinario Miranda Cayetano Juarez

In continuation I caused to appear before me
and those of my assistance Angel Boyerguez
and having made him take the usual oath
he promises to speak the truth and being asked
for the lands pertenencias and boundaries pertain-
ing to the Rancho of Nappa Abaji he said that for
thirty years he has been assistant of this Jurisdiction
and knows that the lands pertaining to said
Rancho all of the names of the citizens Nicolas de
Lima and its boundaries are those which the
preceding witness has just declared that he has
seen and examined them on various occasions
and this is all he can say under the oath which
he has made which he affirms and ratifies
he declared that he was thirty years old and
that the legal exceptions do not affect him and
he signed it with me and those of my assistance

Salvador Kally's Angel Boyerguez ^{his} mark
Assisting witnesses

Apolinario Miranda Cayetano Juarez

Being in the field in the place of Nappa Abaji on
the 10th day of the month of January next
and eight hundred forty two I the Magistrate ac-
tually in virtue of my office with two assisting
witnesses for want of a notary public the wit-
nesses me examined being present citizens Ni-
colas de Lima owner of said lands and citizens
Cayetano Juarez and Apolinario Miranda
the colonos and neighbors I proceeded to see
and examine the lands of said Rancho and
for greater clearness mounting whereabout in
company with all the parties and witnesses re-
ferred to I caused the last named to promise
to me the places terms and boundaries of them ac-
cording to the signs which they have declared in their
Declarations and in compliance they led the way
to the part in the East which looks from said Rancho

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coasting the Estero towards the South until we arrive at the arroyo de los carneros thence we continued examining taking up the arroyo which runs to the west to the Carrizal del Paso de abajo (canal of the lower Pass) thence taking a westerly direction to the arroyo of Nappa on the west where was concluded the examination and view of said lands as far as the witnesses said and the furthest Plans times and boundaries of said lands which Plans of the said Magistrate saw and examined with those of my assistance the witnesses examined and published pursuant and the acts of the aforesaid examination being compared that the identification of the aforesaid lands was certain according to the declaration of said witnesses and in testimony is was officially recorded and signed in with those of my assistance and others who hereunder I certify.

Salvador Vallyo
 Asisting witnesses Naimm Mesa +
 Apolinario Miranda Jorge Roe +
 Cayetano Juarez Jacob P. Lese

Immediately the Magistrate said that in order to proceed to the measurements referred to in those acts I order that citizen Nicolas Segura the owner of the lands be notified that he may satisfy the appointment of Surveyor and also that all the colindantes by common consent appoint one on their part it being proper that he should be skilled in the matter of measurements and this being done I am ready to designate a day for said measurements I thus pronounced and signed with those of my assisting witnesses

Salvador Vallyo
 Apolinario Miranda Cayetano Juarez

On the same day month and year the aforesaid Magistrate read and certified the act of referring to them to citizen Nicolas Segura and his colindantes in their persons which I have as it appears above and having heard and understood it they said that they heard it having appointed Lutzen Dolans Leautua as measurer and the aforesaid Segura satisfied his appointment of Lutzen Rafael Torrey both skilled in matters of measurements who are notified to appear accor-

take the oath and in continuation proceed to said measurements as has been ordered thus they signed it with a sign of the Holy cross before me and those of assistance I certify assisting witnesses Dolores Cantua x Apolinaria Miranda Rafael Navarro x Cayetano Juanz Salvador Kallaji

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In the town of San Juan on the same day month and year I the Magistrate acting in virtue of my office with two assisting witnesses for want of a Public Notary read and notified the act and appointment of measures to Cayetano Navarro and Dolores Cantua residents of this Pueblo in their persons which I read and having heard and understood it they said that they accept the change entrusted to them and they made oath by God and a sign of the Holy cross in form of law that they would use their office legally and faithfully and will verify said measurements with fidelity and exactness as they are bound to do and to the satisfaction of the Pueblo interested and having expressed they signed it with me and those of my assistance

Assisting witnesses Rafael Navarro x Apolinaria Miranda Dolores Cantua x Cayetano Juanz Salvador Kallaji
Immediately afterwards the foregoing act was made known to the party interested Cayetano Navarro and the measures Rafael Navarro and Dolores Cantua and having understood it they acknowledged notice and signed it with the present Magistrate and those of assistance assisting witnesses Dolores Cantua x Apolinaria Miranda Rafael Navarro x Cayetano Juanz

On the same day month and year written summons were issued to the Colindantes Cayetano Juanz Don Luis Liz that they should appear on the seventh day of the month in the aforesaid Ranch of rapa Abaji at eight o'clock in the morning of this day and in testimony signed it with those of my assistance Salvador Kallaji Assisting witnesses Apolinaria Miranda Cayetano Juanz
In the Ranch of rapa Abaji on the seventh day of the month of January one thousand eight

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hundred and forty two present the Parties the neigh-
 - ours of said lands I caused to appear before me
 (and) those of my assistance citizens Cayetano
 Iruary and Apolonia Mucania these admiri-
 - ted measures when I found to take a compass
 and to measure off fifty varas of from least than
 palms each which they did in the sight
 and presence of the persons interested and
 the neighbors and in testimony hereof that
 it be officially recorded and said measure must
 be recorded to as is named to which I certify
 also signing it with those of my assistance
 assisting witnesses Salvador Nallyjo
 Apolonia Mucania Cayetano Iruary
 being in the fields on the lands belonging to the
 Rancho of Napa abapi this day Tuesday of the
 same month and year of the magistrature of this
 jurisdiction acting in virtue of my office with two ass-
 - isting witnesses for want of a Public Notary present
 the Quasimus citizens Rafael Navarro and
 Dolores Caution appointed by the Parties in
 - testada and commitments I found them to pro-
 - ceed to the measurement of one square league
 a little more which comprises to the Rancho
 of Napa abapi according to the title presented
 in obedience to which they commenced said me-
 - asurements beginning from the house tower
 - and the East coasting the Ester towards
 the South to the arroyo de los Cañones and
 following up the arroyo westerly to the canal
 of the lower pass (canal de paso de abapi) where
 we counted eight thousand cristenos
 then taking a westerly direction where three leagues
 were placed to the arroyo of Napa where the last
 bond was placed and there were counted twenty
 four thousand varas by which was marked out a
 little more than one square league finally and
 in sign of true possession and a accustomed ceremony
 he pulled up stumps and grass and there them to
 the four winds in manifestation of his legal and legi-
 - timate possession which he has really took & that in
 - may in all times appear and they be recognized
 as the terminations and boundaries of his lands
 by the others neighbors to them and that said
 measurements were quietly and peaceably made he

asked for a testimony and I the aforesaid may
state with those of my assistance give it that
every thing passed as has been said and that
the said measurements have been executed
to the best knowledge and understanding of
the measurers as the aforesaid without any fraud
receipt against any person and for the greater
security and the authentication of the oaths which
they have made they signed with me and
those of my assistance

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Assisting witnesses Rafael Navarro x his son
(Sgo) Apolinario Miranda Dolores Gaudin x do do
(u) Cayetano Juarez (Signed) Salvador Valdez

In view of this Escribano being concluded in which
it appears that Judicial possession of the lands
named Mapa Abapi few leagues distant from
this Pueblo has been given to citizen Nicolas Siguan
by the original with the documents referred to be
delivered to the Party for his command was
citizen Salvador Valdez Military Command
and of this frontier and Magistrate of this juris-
diction acting in virtue of my office with two
assisting witnesses for a writ of a Notary Pub-
lic thus provided read and signed on the eleventh
day of the month of January eight hundred
forty two

Signed Salvador Valdez

Assisting witnesses
(Signed) Apolinario Miranda (Sgo) Cayetano Juarez

I George Fisher Secretary of the Board of U.S.
Land Commissioners to ascertain and settle the
Private Land claims in the State of Califor-
nia do hereby certify the foregoing to be a full
and correct copy of a document filed in
this office in case No 334 marked D and that
the same is among the Archives of the said Board
and in my care and custody as such Secretary
Witness my hand
this 13th day of July AD 1854

Geo Fisher
Secretary

Filed in Office July 13th 1854

Geo Fisher
Secretary

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No 585. Claim of Joseph Guen to part of
Entru Napa -

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Stipulation
It is hereby agreed between the Law
Agent on the part of the United States, and
the Attorney for the claimants, that the
original title papers filed in Case No 323,
and referred to in the copy of the deposition
of Jose de la Rosa filed in this case, may be
considered as being read and submitted in
this case, and be regarded as evidence in this
case to the same extent as if the same
original documents were actually on file
among the papers in this case, and the
same to form part of the record herein -
And also that the said copy of the deposi-
tion of Jose de la Rosa filed herein marked
II. may be used as evidence the same
as though it had originally been taken in
this case -

And also that the translated copies
of the Expediente of Grant filed in this case
marked V. & VI. respectively, being copies of
papers filed in case No 334, - claim by
Joseph P. Thompson to part of Entru Napa,
may be read in evidence herein the same
as though the original papers of which they
are translated copies, had been proved and
filed as evidence -

(Signed) J. H. McKune.

Law Agent -

(Signed) Crocker & Robinson -

Consul for claimant -

Filed in Office July 11' 1854

Geo: Fisher,
Secy

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Copy
Conveyance

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Know all men by these presents that I Nicolas
Seguira of Napa County and State of California
for and in consideration of two hundred and fifty
dollars paid by Joseph Gunn of Napa County
and State aforesaid the receipt whereof is hereby
acknowledged do hereby give grant bargain sell
and convey unto the said Joseph Gunn a certain
tract or parcel of land with all the privileges and
appurtenances to the same belonging situated in
the said County bounded and described as
follows to wit: Beginning at John E. Brack
the North East corner and running eight hun-
dred yards along the said Brack the North line
thence in a direct line to the top of the hills in the
west thence along the hills to Salvaan Kelly's
line thence along Kelly's line to Joel P. Watkins
thence with said Watkins line to the place of be-
ginning be the same more or less.

To Have and To
Hold the above granted premises with the privileges
and appurtenances thereto belonging to the said
Joseph Gunn his heirs and assigns to his and
their use and behoof forever and I the said Ni-
colas Seguira for my self and my heirs Executors
and administrators do covenant with the said Joseph
Gunn his heirs and assigns that I am lawfully
seized in fee of the above granted premises that
they are free from all incumbrances that I have
good right to sell and convey the same to the said
Joseph Gunn his heirs and assigns forever as aforesaid
and that I will and my heirs Executors and
administrators shall warrant and defend the
same to the said Joseph Gunn his heirs and
assigns forever against the lawful claims and
demands of all persons.

In witness whereof I the said
Nicolas Seguira have hereunto set my hand and
seal this twenty seventh day of December in the
year of our Lord one thousand eight hundred
and fifty

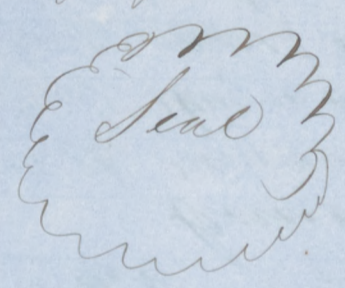
Agueda Culea and } Nicolas Seguira
Alameda in presence } his
Marked }
N. G. de la Roca Seal
G. W. Eganmaster Agent for
P. D. Bailey } Nicolas Seguira

172 ND
PAGE 19

State of California }
 County of Napa ss } I, Pasqually appointed by me the said Recorder of Napa County, Nicolas Higgins herein to me to be the person who executed the foregoing instrument when a claim was made that he executed the same freely and voluntarily for the reasons and purposes therein expressed that he does not wish to retract the same on any part thereof and admits that the same might be recorded according to Law

In testimony whereof I have hereunto set my hand and affixed my seal of office this twenty seventh day of December A.D. 1850
 R. D. Bailey
 Recorder Napa County
 Filed for Record December 27th 1850 at 10 O'clock Am

State of California }
 County of Napa ss } I, John H. Sewell Recorder in and for the County of Napa and State of California hereby certify that the foregoing is a full true and correct copy of the Record of a Deed from Nicolas Higgins to Joseph Gunn as recorded in Book A Pages 230 & 231 in the Records of said County of Napa



Witness my hand and official seal at Napa City this 6th day of January A.D. 1853
 John H. Sewell
 Recorder
 By G. S. Hoffmeyer
 Deputy Recorder

Filed in Office February 11th 1853
 Geo Fisher
 Secretary

19 B.

Copy
being done

172 ND
PAGE 20

Know all men by these presents that I
Nicolas Sequia of the County of Napa and State
of California in consideration of one thousand
two hundred dollars to me in hand paid by
Ramon G de la Riva of the County and State
of said the receipt whereof I do hereby acknowledge do hereby give grant bargain
sell and convey unto the said Ramon G de
La Riva all the following described Real Estate
to wit

Commencing at the mouth of Carrizo
Creek running thence up Carrizo Creek one half
mile then across to Napa Creek to appoint me
and about mile above the mouth of Carrizo
Creek thence down said Napa Creek to the
place of beginning being and being situated
in the County of Napa and State aforesaid with
all the privileges and appurtenances thereto
belonging or in anywise appertaining
To Have and
To Hold the above granted premises with the
appurtenances and all things pertaining to
the same unto the said Ramon G de la Riva his heirs and
assigns forever and I the said Nicolas Sequia
do for myself my heirs executors and adm-
inistrators covenant with the said Ramon G de
La Riva his heirs and assigns that I am
lawfully seized in fee of the above granted pre-
mises and that I have good right and full
power and authority to sell and convey the afove-
said premises to the said Ramon G de la Riva
aforesaid and that I will and my heirs shall
firm warrant and defend the aforesaid prem-
ises to the said Ramon G de la Riva his heirs
and assigns forever against the lawful dem-
ands of all persons whatsoever

In testimony whereof
I the said Nicolas Sequia have hereunto set
my hand and seal this 18th day of April AD
1851
Nicolas Sequia & his mark
Signed sealed and delivered in presence of
Johnston Howell

172 ND
PAGE 21

State of California }
County of Napa }
Record of Napa County by Deputation Nicolas
Jegonia Numan to me to better person described
in and who executed the foregoing conveyance
who acknowledged to me that he executed the
same freely and voluntarily for the uses and pur-
poses therein expressed

[Handwritten signature]
Seal
[Handwritten signature]

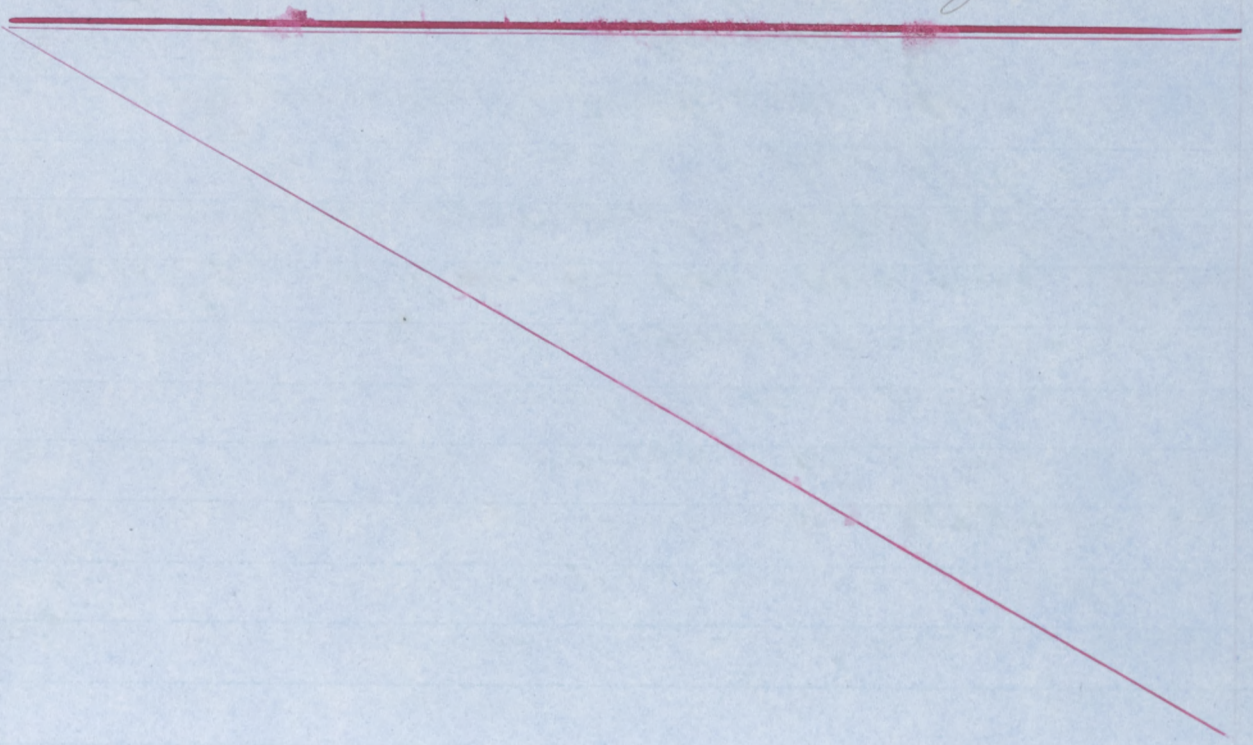
Given under my hand and
seal of office at Napa City
this 18th day of April A.D. 1851
George W. Cornwall Deputy Recorder
Filed for Record this 18th day of April 1851 5/4
P.M.

State of California }
County of Napa }
County of Napa and state
of California hereby certifies that the foregoing is
a full true and correct copy of the Record of a
and from Nicolas Jegonia to Numan See
La Riva as recorded in Book C Page 296
in the Records of said Napa County

[Handwritten signature]
Seal
[Handwritten signature]

Witness my hand and official
seal at Napa this 17th day
of January A.D. 1853
John St. Seavel
Recorder of Napa County

Filed in Office February 11th 1853
Geo. F. Fisher
Secretary



21 to
copy
bearing and

172 ND
PAGE 22

Now all men by these presents that I Nicolas
Higuera and Juan Antonio Narquez of the County
of Oapa and State of California for and in consid-
eration of the sum of fifteen hundred dollars
to us in hand paid by Ramon Gde la Sierra
of the County and State aforesaid the receipts whereof
we a chainage hereby do by these presents give
part bargain sell and convey unto the said
Ramon Gde la Sierra his heirs and assigns from
the following described real estate to wit) Commen-
encing at a house formerly occupied by the said
Nicolas Higuera on the South Side of the canyon
de Oapa thence running towards the East to Oapa
cuch thence down said creek to the mouth of Oca-
mos creek and following up said creek eight
ten thousand varas containing one league
more or less To Have and to Hold the above gra-
nted premises with all the privileges and appur-
tenances thereto belonging to the said Ramon
Gde la Sierra his heirs and assigns from having
and reserving to Maria Francisca Higuera and
Mariana Cacho de Higuera the daughters of
the said Nicolas Higuera the right of action aga-
inst John Walker and John C. Brown for the
recovery of certain lands purporting to have been
conveyed to the said Walker & Brown by deed
bearing date the fifteenth day of April A.D. 1851
and recorded in the archives of Oapa County
and also reserving all other lands heretofore law-
fully sold and conveyed within said boundaries
intending whomever we have hereunto set our
hands and seals this the seventh day of Febru-
ary A.D. 1852

Higuera & Higuera } Nicolas Higuera & his wife
& children in } Juan Antonio Narquez & his wife
Presence of }
Janus Prachitt } State of California }
Washington Cull } County of Oapa }
} Presumably appeared before

me John M. Howell County Judge of Oapa
County Nicolas Higuera and Juan Antonio Narquez
herein to wit the persons whose names are
signing and of our own accord and a chainage
that they signed the same fully and voluntarily
for the uses and purposes therein expressed and

contained in the said *Ma Antonio Pasquero* being
examined by me separate and apart from and
without the hearing of the said *Nicolas Segovia*
declared that she signed the same of her own free
will and accord without fear or compulsion on
the part of the said *Nicolas Segovia* Given under
my hand this tenth day of February AD
1852

Johnson Howell
County Judge of Napa County
State of California } I the undersigned County
County of Napa } Clerk in and for the county
aforesaid do hereby certify
that Johnson Howell whose name appears
subscribed in the within certificate of Ackn-
nowledgment was at the time of taking the
same County Judge of Napa County within
and for said state duly commissioned and
qualified that I am well acquainted with
his hand writing and truly believe that
his signature to the within certificate is
genuine

Johnson Howell
County Judge

In testimony whereof I have
hereunto set my hand and
official seal at office in Napa
city this 13th day of March
AD 1852
H. H. Lawrence Clerk
By J. W. Edmondston Dep. Clerk

State of California } I John H. Lawrence
County of Napa } County Recorder in
and for said County
of Napa and State of California do hereby certify
that the foregoing is a full true and correct
copy of the record of a deed from *Nicolas Seg-
ovia* and *Ma. Antonio Pasquero* to *Adam
Gallatison* as recorded in Book B Pages
141 and 142 in the Records of said Napa
County witness my hand and official
seal at Napa City this 10th day of Jan'y
AD 1853 John H. Lawrence Recorder
By G. G. Coffman Dep. Recorder
Filed in Office Feb'y 11th 1853
Geo. Fisher Secretary

23 D
Copy
Compliance

172 ND
PAGE 24

Know all men by these presents that I Naran Gode la
Nivia of the County of Napa and State of California
in consideration of twenty seven hundred dollars
to me in hand paid by Martha Fairs de Reguina
and In consideration Cacho de Reguina of the County
and State aforesaid the receipt whereof I do hereby
acknowledge do hereby give grant bargain sell and
convey unto the said Martha Fairs de Reguina
and In consideration Cacho de Reguina all the fol-
lowing described real estate (to wit) Commencing
at the mouth of Leannos Creek running thence
up Leannos Creek one half mile thence across to Napa
Creek to a point one and a half miles above the
mouth of Leannos Creek thence down said Napa
Creek to the place of beginning also the following
real estate (to wit) Commencing at a house
formerly occupied by Nicolas Reguina of County
and State aforesaid on the North side of the
Arroyo de Napa thence running thence the
East to Napa Creek thence down said creek to the
mouth of Leannos Creek and following up said
creek eighteen thousand varas to an old canal
at the corner first thence on a North line to Napa
Creek being twenty four thousand varas con-
taining one league of land more or less To Have
and to Hold the same granted premises with
all the privileges and appurtenances thereto
belonging to the only proper use benefit and
 behoof of the said Martha Fairs de Reguina
and In consideration Cacho de Reguina their heirs
and assigns forever having and reserving
all other lands thence lawfully sold and
conveyed within said boundary by Nicolas Reguina
and assigns to the tenth day of February AD
1857 and that the said Naran Gode la Nivia do for
myself my heirs executors and administrators con-
sent with the said Martha Fairs de Reguina
and In consideration Cacho de Reguina their heirs
and assigns that I am lawfully seized in fee
of the above granted premises and that I have
good right and full power and authority to
sell and convey the aforesaid premises to the
said Martha Fairs de Reguina and In considera-
tion Cacho de Reguina aforesaid and that
I will and my heirs shall forever warrant and

depend the aforesaid premises to the said
Mentha Paris del Rey and Incuracion
Cacho del Rey and their heirs and assigns for
ever against the lawful claims and demands
of all persons whatsum.

172 ND
PAGE 25

In testimony whereof I
the said Ramon G de la Riva have hereunto set
my hand and seal this 28th day of March
A D 1852

In presence of } M G de la Riva Seal
J N Edmouastom }
Joseph Green } State of California
County of Napa ss }

On this 28th day of March A D 1852 before me
the undersigned Recorder in and for the county
aforesaid personally appeared Ramon G de
la Riva known to me to be the person described
in and who executed the foregoing instrument
who acknowledged to me that he executed
the same freely and voluntarily and for the
use and purposes therein mentioned

Given under my hand and
seal of office at Napa City this the day and
year in this certificate fully above mentioned

J J Lawrence Recorder
By J N Edmouastom Dep Recorder

Filed for Record March 29th 1852 at 10 o'clock AM
State of California }
County of Napa ss }

John H Seawell County
Recorder in and for the Co
of Napa and State of California hereby certifies that
the foregoing is a full true and correct copy of the
Record of a deed from Ramon G de la Riva
to Mentha Paris del Rey and Incuracion
Cacho del Rey and their heirs in Book
B. Pages 149 and 150 in the Records of Napa Co
County

In witness my hand and Official Seal
at Napa City this 4th day of June
A D 1853

John H Seawell Recorder
By G G Coffin Dep Recorder
Filed in Office February 11th 1853
Geo Fisher Secretary

Copy
Conveyance

From all and singular of these presents that I Matherias Prais
Hegueria of the County of Napa and State of California
in consummation of a certain deed of conveyance
signed sealed and acknowledged to me and bearing
concrete tenor by Inconnacuin Cacho Hegueria
do hereby bargain sell and convey and of these
presents do grant bargain sell and convey and
confirm unto the said Inconnacuin Cacho Hegueria
— and in aid to the following described real estate
— in said County of Napa and State of California

172 ND
PAGE 26

Commencing
at a house formerly occupied by Nicolas Hegueria
— and on the north side of the Campa Napa
thence bearing thence the East to Napa creek
thence down Napa creek to the mouth of same
creek thence up said creek eighteen thousand
varas to an old canal at the lower end thence
in a north line to Napa creek passing and
excepting all the lands heretofore legally sold
and conveyed for a part and benefited consid-
— ation and also all the lands or interest in
said lands this day sold and conveyed
to me by the said Inconnacuin Cacho Hegueria
and also saving and reserving all my right
title and interest in a certain piece or parcel
of land conveyed to Nicholas Hegueria by John
& Brackett

To Have and To Hold the said real
estate hereby sold to the sole use benefit and
 behoof of the said Inconnacuin Cacho
Hegueria his heirs and assigns forever

In testimony
whereof I the said Matherias Prais Hegueria have
hereunto set my hand and seal this 13th day
of October A.D. 1852

Matherias Prais & Hegueria
Signed sealed and acknowledged in presence of
John Smith
John J. Glosser
on this 13th day of October A.D. 1852 personally
appeared before me John Smith County Judge
of Napa County Matherias Prais Hegueria to me

known to be the person who executed the foregoing
and of consequence and acknowledged that she freely
and voluntarily executed the same for the uses and
purposes therein expressed and contained

Johnson Howell

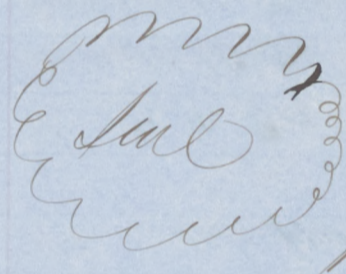
County Judge of Napa County

Filed for Record October 13th 1852 at 3 o'clock
P. M.

State of California }
County of Napa } 25

I, John S. Sewell, County Recorder in and for the County of Napa and State of California hereby certify that the foregoing is a full true and correct copy of the Record of a deed from Martha Prius Segura to Inconna com Cache Segura as recorded in Book B. Pages 233 and 234 in the Records of said Napa County

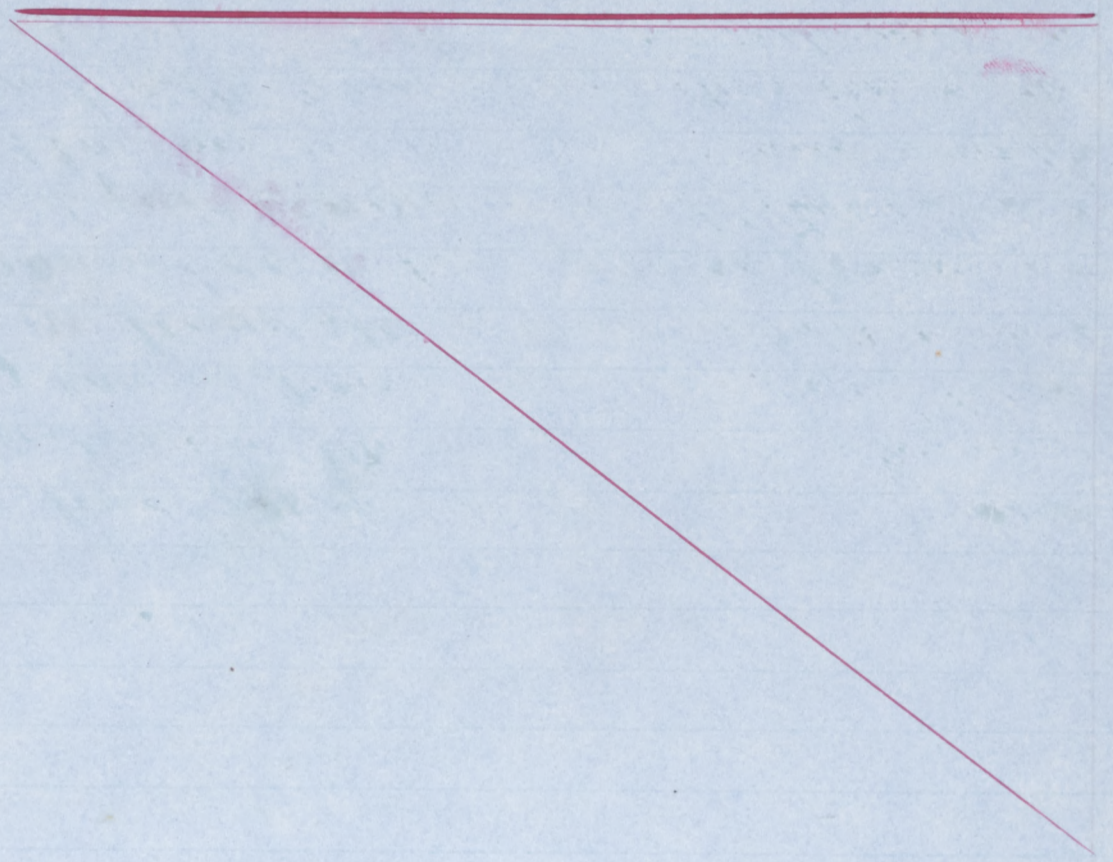
Witness my hand and seal of
Office at Napa City this 7th day
of January A. D. 1853



John S. Sewell
Recorder
By G. S. Coffey
Deputy Recorder

Filed in Office February 11th 1853
Geo Fisher
Clerk

172 ND
PAGE 27



A Copy
Conveyance

172 ND
PAGE 28

This Indenture made this eighth day of November AD 1852 between In conuinc Cachos of the County of Napa and State of California party of the first part and Joseph Brown of the same place party of the second part witnesseth that the said party of the first part for and in consideration of the sum of sixteen hundred dollars lawful money of the United States to them in hand paid the receipt whereof is hereby acknowledged have granted bargain sold and quit claimed and by these presents do grant bargain sell and quit claim unto the said party of the second part their heirs and assigns forever all their rights title and interest in and to all the land and appurtenances thereto belonging in the Rancho known as the Nicolas Higgins Rancho lying and being in the County of Napa and State aforesaid

To Have and to hold the premises above described to the party of the second part their heirs and assigns to their only proper use benefit and behoof forever

In witness whereof the said party of the first part have hereunto affixed their hand and seal on the day and year above written

In conuinc Cachos Seal
Sequid' Cecilia and
delencia in presence of
C P Briggs
Justis Manuel Castro
State of California
County of Napa
me John H. Seavey
County personally appeared In conuinc
Cachos herein to me to be the person described in
and who executed the foregoing instrument and
acknowledged to me that she executed the same
freely and voluntarily for the uses and purposes
therein expressed

Witness my hand and official
Seal at Napa City the day and year
above written John H. Seavey Recorder
Prof W. Coffman Deputy Recorder

Record for Record Number 8th 1852 at the Court in
State of California

County of Napa ss } I John H Samuel County

Recorder in and for the
County of Napa and State of California hereby
certifies that the foregoing is a full true and correct
copy of the Record of Adjudgment in case
Cacho to Joseph Gum as Record in Book
B. pages 230 and 231 in the Record of said
Napa County

172 ND
PAGE 29

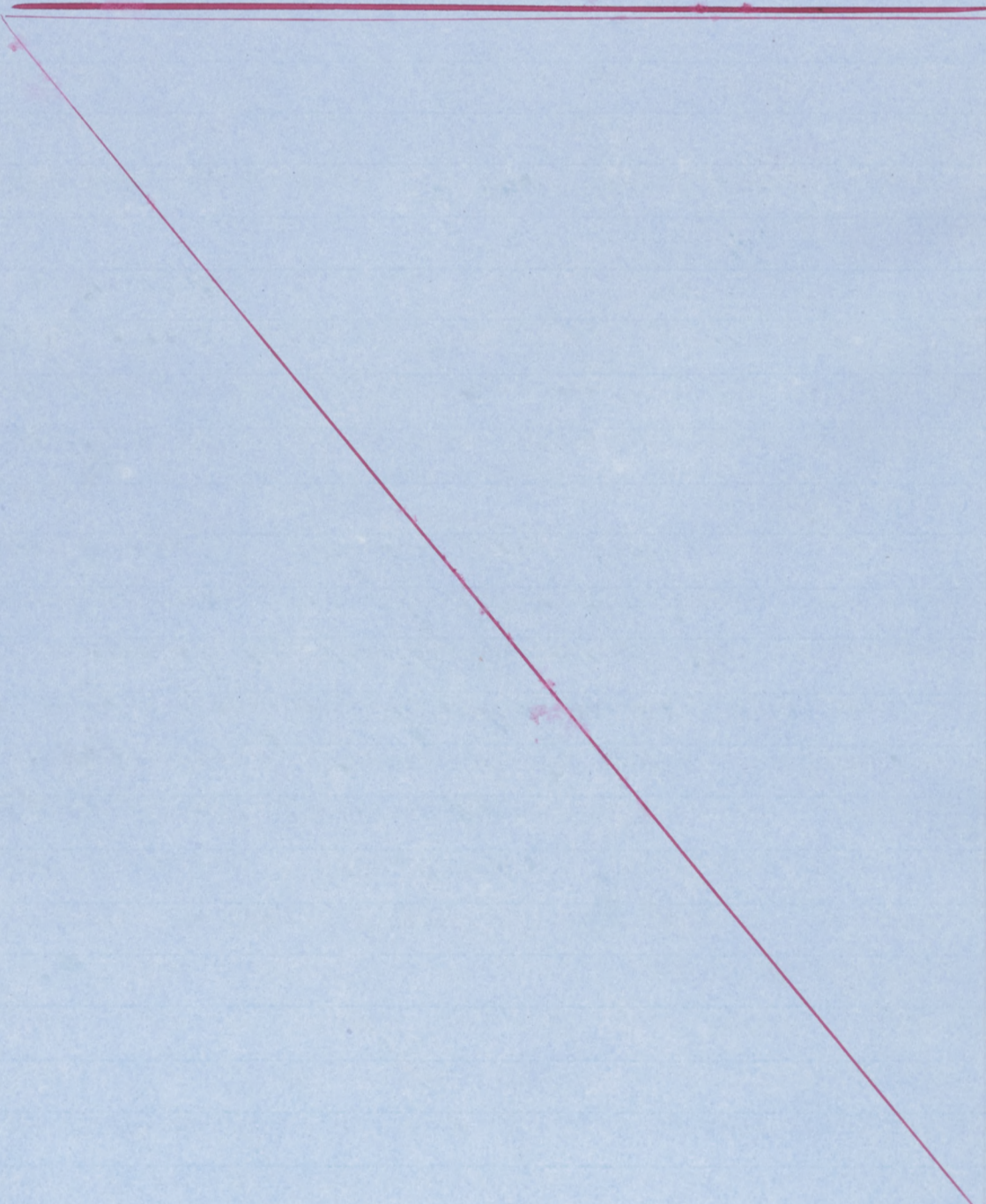
[Handwritten signature]
Seal

Witness my hand and official
seal at Napa City this 16th day
of January AD 1853

John H Samuel Recorder
By Geo Goppinger
Deputy Recorder

Filed in Office February 11th 1853

Geo Goppinger
Secretary



Deed

Copy
of
Certificate

Marta Farris del Rey and to Joseph Gum
This instrument made this 18th day of April
1853 witnesses that in pursuance of the
sum of six hundred dollars to me paid by Joseph
Gum of Napa County State of California I hereby
grant and convey to him the undivided half
of the adobe house and other buildings together
with all the land and springs and appurtenances
belonging formerly conveyed by John C. Frank to
to Nicolas del Rey situated on the former road
in Napa County and State aforesaid the other undi-
vided half belonging to said Joseph Gum of
purchase from me in cash

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PAGE 30

To Have and
To Hold the same to said Joseph Gum his heirs
and assigns forever and I do hereby covenant with
said Gum that I am well seized of said houses
and land and have good right to convey the same
In witness whereof I have hereunto
set my hand and seal the day and year above
written

Marta Farris & del Rey seal
mark

In presence of
M Gal la Nova }
State of California } On this 18th day of April
County of Napa ss } A.D. 1853 before me John
H Seavel County Recorder in and for said
County personally appeared Marta Farris del
Rey and she acknowledged to me to be the person described
in and who executed the foregoing instrument who
acknowledged to me that she executed the
same freely and voluntarily and for the uses
and purposes therein mentioned in witness whereof
I have hereunto set my hand and official seal the day and year
above written

John H Seavel Recorder
E Seal } by G. S. Coffman, Dep. Recorder
for Nevada on Nevada April 18 1853 at 4
o'clock P.M. and recorded at the request of Joseph
Gum

State of California } I A. I. Watson County Recorder
County of Napa ss } in and for the county and State
aforesaid do hereby certify that the foregoing is a
true and correct copy of a deed from Marta

30

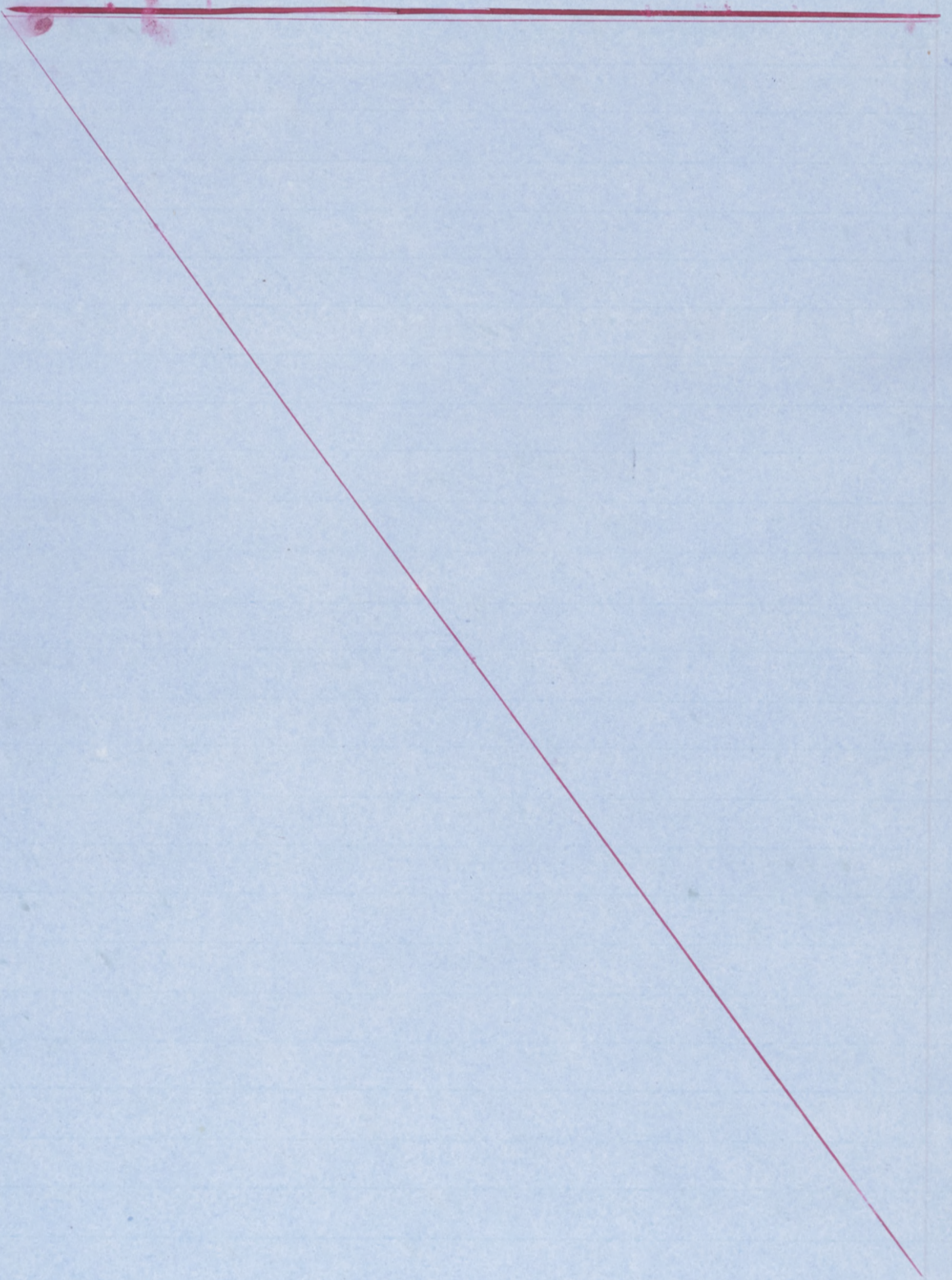
Deeds de Regina to Joseph Greenman in Record
in Book B of Deeds pages 353 and 356 in
the Records Office of Cass County Indiana
my whom I have been unto at my hand and
affixed my official seal on this the 10th day
of July A.D. 1854

172 ND
PAGE 31

[Handwritten signature]

A. J. Watson
Recorder
By Chas Page Dep. Recorder

Filed in Office July 12th 1854
Geo Fisher
Clerk



31 A

Copy
of
Conveyance

Deed

John E Brachett to Nicolas Segura's Heirs
for Record October 28th 1850 at 10 O'clk Am

This instrument made this 28th day of October
A D 1850 between John E Brachett of Napa County
California of the first part and Nicolas Segura
of the same place of the second part witnesseth

That the said party of the first part in con-
sideration of one hundred dollars to him in
hand paid the Receipt whereof is hereby acknowl-
edged hath granted bargained and conveyed and

by these presents doth grant bargain sell and convey
unto the said party of the second part that cer-
tain tract of land known and described as con-

— running in the said hill back of the house owned
by Nicolas Segura at a point where a line run-
ning thirty yards in rear of said house and from
north to south intersects the road thence along

the road to a point where a north and south line
which shall include the lower spring intersects
the road being in all two hundred and thirty
yards more or less thence north two hundred yards

thence west with the western line intersects the
north and south line just mentioned thence
south to the beginning together with the appur-
tenances pertaining to the party of the first part the
right of way and use and improvements of the
said land being

To Have and To Hold the same
unto the said party of the second part his heirs
and assigns forever and their sole and only
proper use benefit and behoof

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

In presence of J. E. Brachett

N. Galaberna
Benito Carrero

State of California
County of Napa

Personally appeared before me Notary of Napa
County J. E. Brachett to me known to be the person
who executed the foregoing deed and acknowledged
— that he executed the same for the use
and purposes therein expressed

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PAGE 32

Given under my hand and seal at Napa City
this the 28th day of October A.D. 1850

[Handwritten signature]

M. H. N. Hinder
Recorder

172 ND
PAGE 33

State of California }
County of Napa ss } I A. J. Watson county Recorder

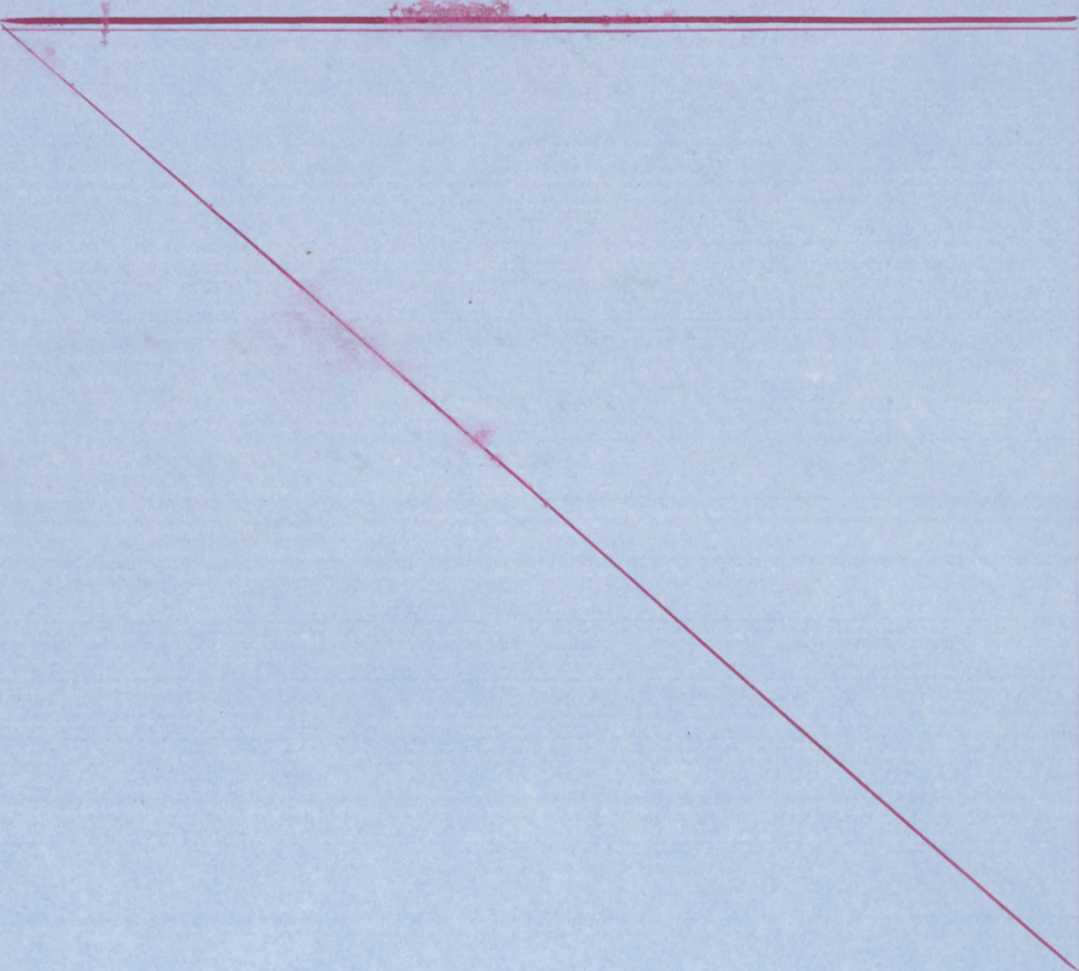
do hereby certify that the foregoing is a full true and correct copy of a deed given by De Bracon to Nicolas H. H. and son in Book A Page 153 of Deeds in my office at Napa City

[Handwritten signature]
Seal

testimony whereof I have
unto set my hand and affixed
my official seal at office
on this 10th day of July A.D. 1854
A. J. Watson
Recorder

By Chas Page Dep Recorder

Filed in office July 12th 1854
Geo Fisher
Clerk



Copy
of
Conveyance

In conuincion Lecho Segunia to Monte Farias
Segunia Felix for the said October 13th 1853
at 3 o'clock P M

Know all men by these presents that I In conuincion
Cacho Segunia of the County of Napa and state
of California in consideration of a deed of conveyance
and made sealed and returned to me for a
certain piece of land described and
set forth in said deed and signed by Monte
Farias Segunia I do hereby sell and convey unto
the said Monte Farias Segunia and to his heirs
and assigns all my rights title interest claim
and demand within the Law or equity to the full
and undisturbed estate to wit

172 ND
PAGE 34

Commencing at
a given point in the bank of Caminus creek
marked with three nails on the East side
and some old axe marks Thence running
in an easterly direction to a rock on the hill
side about forty yards from an old canal
Thence in a straight line to Napa creek Thence
down Napa creek to the mouth of Caminus creek
Thence up Caminus creek to the place of begin-
ning

To Have and To Hold said real estate to
the sole use benefit and behoof of the said
Monte Farias his heirs and assigns from the
testimony whereof the said In conuincion Segunia
has hereunto set his hand and seal this 13th
day of October AD 1852

In conuincion Lecho X Segunia Seal
signed sealed and }
returned in presence of }
Johnson Howell }
John J Gleason } State of California
County of Napa SS
On this 13th day of October AD 1852 personally
appeared before me Johnson Howell Judge of the
County court within and for said Napa County
the said In conuincion Cacho Segunia to me known
to be the person who executed the foregoing deed
and acknowledged that she fully and volun-
tarily executed the same for the uses and
purposes therein expressed

Johnson Howell do Judge of Napa Co

34

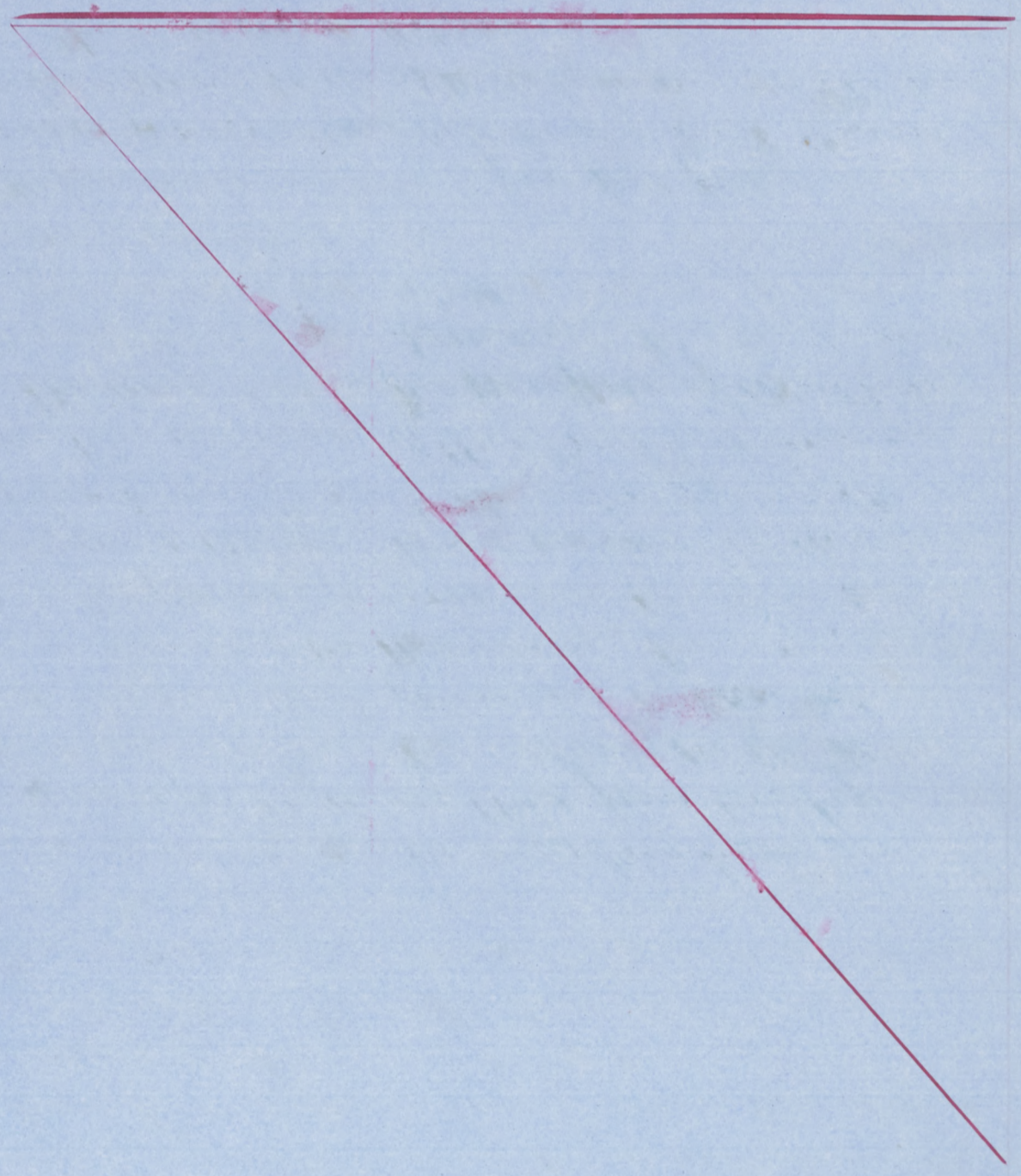
State of California } I A Watson County
County of Nassau } Recuer in and public
County of Nassau } County of Nassau do hereby
certify that the foregoing is a full true and
correct copy of a deed from Incommaneri Cacho
Higuera to Monte Huis Higuera now in
Recuer in Book B. of Deed in Pages 234
and 235, of the Recuer of Nassau County

172 ND
PAGE 35

[Handwritten signature]
E Seal

In testimony whereof I have
signed at my hand and
affixed my official seal at
Ojai in Nassau County on this
the 10th day of July A.D. 1854
A Watson Recuer
By Chas Page Dep. Recuer

Filed in Ojai July 12th 1854
Chas Fisher
Secretary



35-1

Stamp Three Two Reales

Translation
of
Expediente

Provisionally authorized by the administration
of the Maritime Custom House of Monterey of Alta
California for the years 1834 and 1835
signed Castro signed Angel Ramirez
Monterey January 22. Don Juan Supervin Political
1836. In compliance with the laws relating
to the matter the Ayuntamiento of San Francisco by calling in the
commissary report of the said petitioned by law represents
that in possession of the said land some time ago he has
requisites provided remind the stock which he
in the Law of August read in San Francisco
28th 1824 to enable him to the other side of the Port
Petition to be attended of this Public of Summa for
to if the land asked the purpose of establishing
for belongs to any private person with his own
ratey possession of land having had of a
of Pueblo if it is being Private Land for cultivation
also dependent on the land for his future subsistence
fields or pasture land and being such that which
and what may be its is marked out in the map
extent these ~~is~~ is ~~an~~ an ~~area~~ area which comprises
acres being furnished square league in the
this will be passed to place of Napa where he
the Mayor don't prays you Excellency to be
of the Ex. Missini of please to grant this request
San Francisco with you accustomed
also that he may report equity for which he will live
what he may deem entirely grateful

172 ND
PAGE 36

Commissary Juan Don Garcia December 30th 1835
Nicolas Gutierrez and Nicolas Goyena
tenant Colonel of Pleas Don Juan Supervin Political Chief
ally in the present in compliance with the
ent Army General Superior decree of the 22nd
and 23rd of January of the present year
Sector and Political in this Petition of citizen
Chief of California Goyena respecting the
thus named de land of Napa the Ayuntamiento
and signed of which Ayuntamiento of this I indicate
I certify
signed Nicolas Gutierrez the Petition possesses the
signed Pedro de las Alas requisites necessary to be
requete Secretary attended to that the Land

asked for is not comprehend in the treaty
 Indian leagues but is in the ten natural leagues
 it is irrevocable dependent on the seasons and pas-
 - time land said place was occupied by the mis-
 - sion of San Lorenzo but this Ayuntamiento is
 is ignorant whether it is now occupied by
 that Pueblo But the Commissioner or Mayor
 I am of Sonoma Can Inform
 Pueblo de San Francisco, March 11th 1836

Señor José Joaquín Estudillo
 (Señor) Francisco Sanchez Secretary
 Administration of San Francisco de Asis
 Under date of the 11th of March last the Alcalde
 of the Pueblo of San Francisco sent me two Espe-
 - dientes for reports in compliance with the su-
 - preme decree in the margin of these Expedientes
 as I have no knowledge of these causas in as
 much as they do not belong to my charge and
 as I have that they pertain to that of the Ex Moss
 - ion of San Lorenzo you alone can report upon
 the matter being the administrator of said
 (causas) God and Liberty Pueblo of Dolores
 April 16th 1836

Señor Simón Flores
 To the Administrator of San Lorenzo
 The Administrator of San Francisco de Asis
 in an official note of the 16th of the present month
 sends me two Expedientes moved by Citizens
 Ygnacio Pacheco and Nicolas Ygnacio to re-
 - port as asked in his said Expediente (con su
 - mención) and in view to facilitate their accom-
 - plement I will say that the causas asked for
 are not occupied by the natives of this Pueblo
 and by the stock or cattle under my charge
 for the former have their Ranchos established
 in common and the latter occupy the place
 of Loscoe to the straits of Conguisingone they
 trouble me not by their location with respect
 to the seasons who petition they possess the equi-
 - tates to entitle them to be attended to and
 - the causas are not included in the treaty Indian
 leagues but are in the ten natural leagues
 referred to in the law of August 18th 1824
 according to the report of the Illustriss
 Ayuntamiento of San Francisco

de Adis The three above annexed documents I have the honor to send herewith to your Excellency for the use which you may please

God and Liberty
Veracruz April 24th 1836
Signed Antonio Ortega
Don Yusef P. Political Chief of Upper California
Veracruz
Veracruz May 5th 1836
Veracruz May 9th 1836

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PAGE 38

Having seen the Petition at the beginning of this Esposicion the report of the Ayuntamiento of San Francisco that of the Administrators of the Mission of San Francisco Tolomeo with all the present and proper to be seen in conformity with what is provided in the laws and regulations on the matter Nicolas Pagan is declared in fee of the land known by the name of Cinto Napa as explained by the map which goes with the Esposicion

Let the corresponding dispatch issue take note of it in the respective book which is to the party interested and reserve this Esposicion in order to report to the Excellent Deputation for its approbation Don Don Manuel Alvarado Political Chief of Upper California thus read and read and signed of which I certify

Signed Manuel Alvarado
Signed Francisco Castano Regente
On the 31st of May passed to the Comodoro Probi Land

Signed Manuel Alvarado Secretary
I Gorge W. Weston Secretary to the U.S. Land Commission to ascertain and settle the Private Land Claims in the State of California
I do hereby certify the foregoing to be a true and correct copy of a document in case No 334 in which Joseph P. Thompson is the claimant against the United States now on file in this office

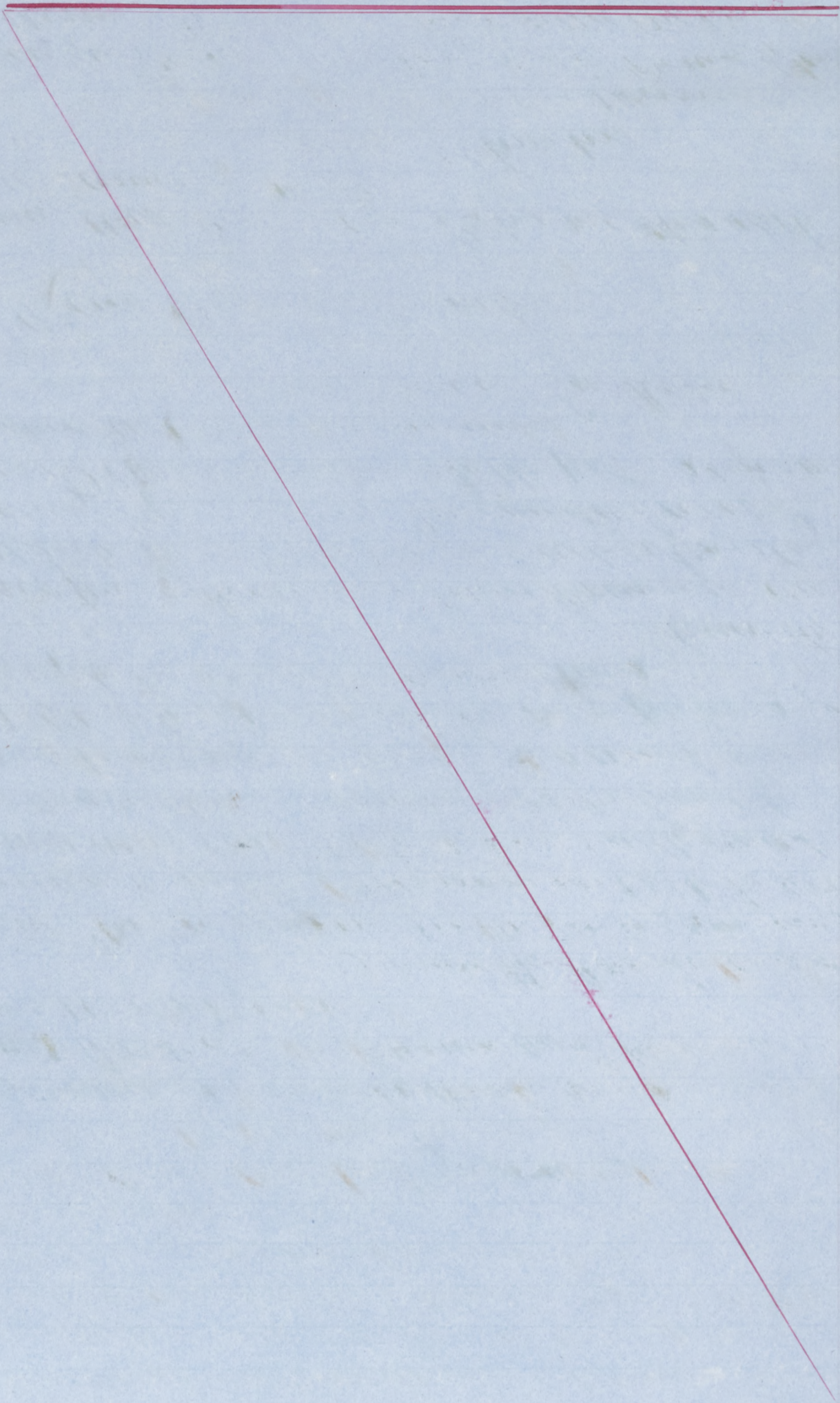
In testimony whereof I have hereunto signed my name Office of the Secretary of the same

38

named Commission at the City of San
Francisco this 8th day of July A.D. 1834
Geo. Fisher
Secretary

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Filed in Office July 12th 1834
Geo. Fisher
Secretary



39 Copy of
the Deposition
of Jose de la Rosa
in Case No
323
L

San Francisco Jan 15th 1853

On this day before Commissioner Harry J. Hunt
Don Camilo Jose de la Rosa a witness in behalf
of the claimant Julius Winton No 323 and was
asked by me his evidence being introduced
by the Secretary
The U.S. Associate Law Agent was present

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

I know the Rancho called
Cento Napa it is in Napa Valley and was
granted to Nicolas Figueroa in 1836 he built
a house on it and cows and cattle and horses
on it and cultivated a portion of the land he con-
tinued to occupy it until his death he died
in 1852 before his death he sold portions of it
to Joseph P. Thompson and others

I know the
signature of Nicomachi Leui Francisco de
Cassio Regio Sabagan Calypso Jay stano
grary Apolonia Mauda Jacob P.
Leseo their signatures to the papers before me
marked 1st and are genuine
Signed Jose de la Rosa

U.S. Law Agent Present

Given and subscribed Before me this 15th
day of January 1853

Harry J. Hunt

Commissioner

I George Fisher Secretary to the Board of Com-
missioners 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 the Deposition of Jose de la Rosa taken
before Commissioner Harry J. Hunt on the
15th day of January A.D. 1853 in case No
323 now on file in this office and in my
care and custody as such Secretary
Given under my hand this 8th day of July A.D.
1854 Geo Fisher Secretary
Filed in Office July 12th 1854 Geo Fisher Secy

[Faint, illegible handwriting covering the majority of the page]

[Faint handwritten notes or markings]

41 Fraudation
of
Title
N

Stamp Five Dollars

Personally authorized by the administration
of the Maritime Custom House of Monterey of
Upper California for the years 1834 + 1835

Agencia A Ramirez
Validated for the two years of 1836 and 1837
Signed Antonio Aguirre A Ramirez
Citizen of the Colony Mexican Uchi Representa
two of the Nation Spanish and then commanding
General of Upper California

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PAGE 41

Antonio Aguirre a Mexican by birth has for his own
personal benefit and that of his
family petitioned for a title over them

one square league in the name of the name
of Papa the proper measures and examinations
being previously made according to laws and
Regulations in the matter using the forms

Aug 20 of

which are confirmed in me in the name of the
Mexican Nation have granted him the agree-
said land according to him the ownership of it
by these presents subject to the approval of the
most excellent Deputation and under the fol-
lowing conditions viz

1st He shall submit to third conditions which
shall be established by the Regulation which is
to be formed for the distribution of vacant lands
and in the mean time neither the grantee nor
his heirs can divide nor alienate that which
is granted to them subject it to any tax, estate
pledge mortgage or other incumbrance for
sums present or coming it in whatever
form he may dispose it without prejudice to
the crossing roads and sentries and enjoy
it fully and exclusively making such use and
cultivation of it as may best suit him but
within one year as far as he shall build a
house and it shall be inhabited

2d He shall request the proper Magistrate
to give him the Judicial possession in virtue
of this title by whom the boundaries will be sur-
veyed in the limits of which besides the bonus
he shall have some fruit or first tier of some
utility

4th The land of which donation is made is a

little more than one league (square) as shown
by the map which goes in the expediente the
magistrate who may give the possession will
cause it to be measured agreeably with the
ordnance bearing to the nation for its commitment
uses the papers which may result
3th If he continues these conditions he will lose
his right to the land and it will be alienable
by another person

In consequence of the fact that the
present being being private and being held
as free and valid note be made of in the
proper book and it be added to the person in
trust for his security and other purposes

Given in Monterey
on the 9th of May 1836 signed Manuel Alvarado
Signed Francisco Castello Regente
Fees \$10.00 Secretary
Note has been made in folio 117 and marked
with the number 108 of the corresponding book
which exists in the Secretary's Office in my charge
Monterey May 10th 1836

signed Castello

I George Fisher Secretary of the Board of
Commissioners to ascertain and settle the Pri-
vate Land Claims in the State of California
do hereby certify that the foregoing is a full true
and correct copy of the translation of title in
case No 334 wherein Joseph P. Thompson
is claimant on file in this office and
in my care and custody as such Secretary

Given under my hand this
10th day of July A.D. 1834
Geo Fisher Secretary

Filed in Office July 12th 1834
Geo Fisher
Secretary

Motion to
Amend
Petition

No 585,

Joseph Green Part of Cuto Napa

The Warrant moves the Board for leave to file
an amendment to his Petition heretofore filed
in this case.

Motion granted and Amendment filed case
submitted on briefs

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Filed in Office July 12th 1854

Geo Fisher

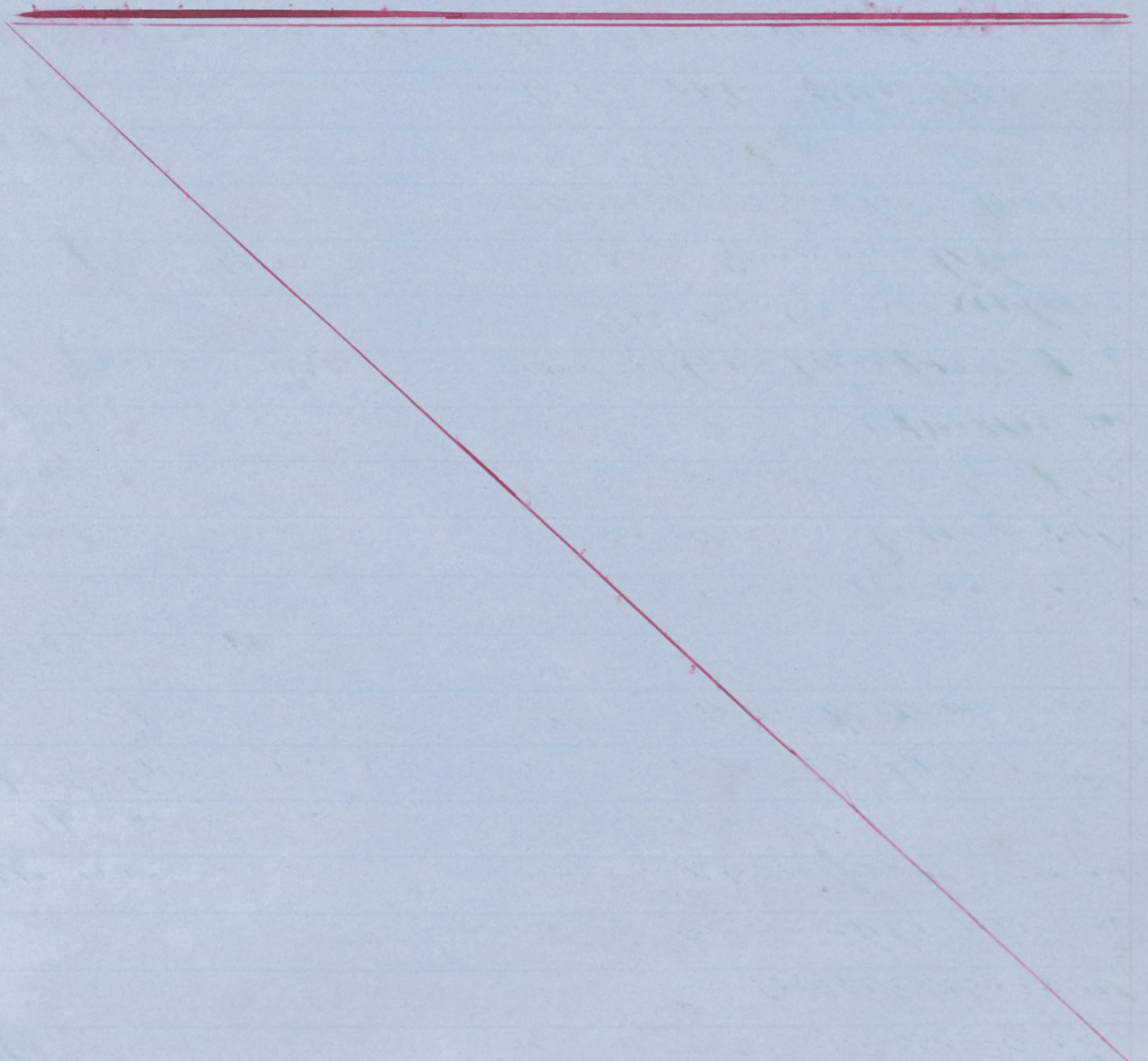
Secretary

Granted July 12th 1854

Recorded in Annual Volume 3 Page 714

Geo Fisher

Secretary



44

45
Amended
Petition

Joseph Gunn
vs.
The United States

} Before the Board of US
Land Commissioners
Claim No 585.

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Your Petitioner the said Joseph Gunn by way
of Amendment to his Petition heretofore filed
in this cause says that by virtue of the survey
and set forth in said Petition and copies of
which have been filed in this case and others
herewith filed he claims the following tracts
of land in said tract originally granted to said
Nicolas Segura and him by the name of
Entire paper to wit

1st Commencing at John E. Brackets South
East corner and running thence eight hundred
yards along the said Brackets South line
thence in a direct line to the top of the hills in the
west thence along the hills to Salvaan Valley's
line thence along Valley's line to Joel P. Walkers
thence with said Walkers line to the place of begin-
ning

2nd Commencing at the crossing of the corner
rod or coral in the Cannon Creek marked on
the map filed in this case with the letter
A thence running North $76^{\circ} 15'$ East 160
chains or two miles

Thence in a direct line due
- true to the South West corner of the land added
to Brown and Walker by Nicolas Segura
being 79 chains 16 links thence along the South
line of said Brown and Walker tract East
141 chains 25 links to the River of Seapa thence
down said River and with the meanders thence
to above mentioned in the end of said form in
- connection with Cach de Segura to Matthew Frias
de Segura being one mile and a half more
less along the North of the Cannon Creek
thence South $53^{\circ} 41'$ west with said line
to the South East corner of E. Wilsons tract
marked on said map No 13 thence with the East
line of said Wilsons tract North $36^{\circ} 15'$ west
140 chains to the South East corner of said Wilsons
tract thence with the North line of said Wilsons
tract North $53^{\circ} 45'$ west 91 chains 36 links to

the Cameros creek thence up said creek and following the Meander thence to the place of beginning being the remaining portion of said tract originally granted to Nicolas Seguin which was on the 8th day of November 1832 conveyed and which was on that day conveyed by the said benevolent filed marked 70 to Jean Pitotier 3rd Commencing with said well back of the house formerly owned by the late Nicolas Seguin a rapids where about running thirty yards in the run of said house and from North to South intersects the road thence along the road to a point where a North and South line will include the Burn Spring intersects the road being two hundred and thirty yards more or less thence North two hundred yards thence West until the Western line intersects the North and South line just mentioned thence South to the place of beginning Jean Pitotier further says that he claims said just described tract under and by virtue of the deed of conveyance from Nicolas Seguin a certified copy of which was before him to file marked A and he also claims said second described tract under and by virtue of a deed of conveyance from Inconnu Caché Seguin a certified copy of which has been before him to file marked F and he also claims said third described tract under and by virtue of said deed of conveyance from Inconnu Caché Seguin marked H and also a deed of conveyance from Martha Paris Seguin a certified copy of which is before him to file marked G which said last mentioned conveyance refers to a deed executed by J. C. Pratt to Nicolas Seguin for a description a certified copy of which last mentioned deed is before him to file marked I and he further says that the deed from Martha Paris to Inconnu Caché except from the conveyance such lands as were at that date conveyed to said Martha Paris by said Inconnu Caché a certified copy of which last mentioned conveyance is before him to file marked J and Jean Pitotier prays that the title to said three tracts of land above described may be confirmed to them of the acquiescence of the Board of Commissioners in his acts

Filed in office
July 12th 1834
Geo. H. Fisher
Sentry

47
Opinion of
the Board

Joseph Green
is
the United States

} Traps and of the place
} called Ento Napa in
} Napa County

The premises claimed are
a part of the Rancho called Ento Napa which
was granted to Nicolas Seguin by Governor Man-
uel Pico on the 9th day of May 1836. Judicial
possession under the grant was given to him
on the 11th day of January 1842 with proper ac-
quaintance of the vicinians. It is shown that said
grantee commenced the occupancy of the premises
the same year in which the grant was made built
houses and made other improvements upon
of the land and continued to occupy until his
death which occurred in 1832 having in the
mean time sold some portions of the premises.
True distinct parts of the Rancho are now
in demand in this case under some
alias of conveyance.

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In support of his title to
the first parcel the Petitioner has given in
evidence a duly certified copy from the Records
office of Napa County of a deed from said
Seguin to him bearing date December 27
1850. In proof of title to the second parcel duly
certified copies of the following deeds are presented
First a conveyance from said Seguin and
wife to Richard Galusha dated February 7th
1832 conveying all the remaining unsold lands
of the entire Rancho.

Second a conveyance from said Richard
to Martha Pias de Seguin and Manuel Cacho
de Seguin dated March 26th 1832 conveying the
same premises described in the last mentioned
deed.

Third a conveyance from said Martha Pias
to said Manuel Cacho de Seguin of the whole
- of the former in the lands described in the
last mentioned deed with the exception of
such portion thereof as had been sold before that
time and also a parcel conveyed the same day
to said Martha Pias de Seguin and also
reserving the rights of said Martha to a part
of said land which had been conveyed to Pedro

Dequina of John E Brackett this deed is dated October 13th 1852

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From the deed from said Memna cunich to Joseph Gunn the present claimant dated November 8th 1852 conveying all the interest of the former in the entire Rancho Sustaining both oral and documentary evidence to show that the premises claimed under these deeds are within the description of the lands conveyed by them and passed thereby to the present claimant. The title to the third parcel of land claimed is derived through the following conveyances First a deed from John E Brackett to Nicolas Dequina dated October 28th 1850 The title then passed from said Dequina to Ramon Gallardon and from said Ramon to Matthew Paris and In car name Cacho de Dequina under the deeds above mentioned and in the before mentioned deed from Matthew to In car name the interest of the former in these premises is reserved to himself.

The claimant then derives his title by conveying all of the interest of said Matthew & Ramon in two separate deeds that executed by In car name being dated November 8th 1852 conveying the whole Rancho and then by Matthew of an undivided half of the premises dated April 16th 1853 The Proof sustains the Petitioners rights to the property and a decree will be entered accordingly.

Comprova
Filed in Office September 19th 1854
Geo Fisher Secretary

Deed of Joseph Gunn
Confirmation vs
The United States

In this case on hearing the proof and allegations it is adjudged by the court

missouri that the claim of the Petitioner is valid and it is therefore decreed that the same be confirmed. The land so confirmed is hereby made an apart of the same known by the name of Santa Rosa which was granted to Nicolas Dequina which place so granted is situated in Santa Rosa County and is bounded

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and described as follows to wit commencing
 in the Estero East of the house where said Segura
 lived and in the East side of said Rancho then
 crossing the Estero to reach the South to the camp
 delos Caminos and thence following up said
 Camp to the crest of the low pass thence in a
 westerly direction where three points were pla-
 ced in giving judicial possession of said land
 to said Segura in 1842 to the Camp of Napa
 at a point where the last point was placed thence
 by said Camp and Estero to the place of beginning
 as the same was measured and located with the
 judicial measurement when the possession was
 given to said Segura under his said grant
 to the testimony of which with the Secretary
 of this Commission reference is to be had.

That portion of the above described premises of which
 Confirmation is hereby made is bounded and as-
 cribed as follows to wit commencing at Point
 Bracketts North East Corner and running eight
 hundred yards along the said Bracketts South
 line thence in a direct line to the top of the hills
 in the west thence along the hills to Gabrielus
 Beckers line thence along Beckers line to point
 P. Beckers thence with said Beckers line to the
 place of beginning by the same manner &c being
 the same premises conveyed to said Grant of
 said Nicolas Segura by deed dated Dec-
 ember 27th 1850 Also that certain other portion
 of said Rancho bounded and described as
 follows to wit commencing at the crossing of
 the low pass or corral in the Caminos Creek
 marked in the map filed in this case with
 the letter A thence running North forty
 six degrees (76) West one hundred
 and forty (140) chains a two miles thence in a
 westerly direction to the south west corner of the
 land owned to John C Brackett and marked
 No 9 in said map being seventy one chains (71)
 and forty (16) links thence along the South line
 of said tract marked No 7 East one hundred and
 forty one (141) chains twenty five (25) links to the
 River of Napa thence down said River and with the
 meanders thereof to where mentioned in the deed of
 sale from Juan Ramon Cacho de Segura to Weather

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Pias del Reyona being one mile and a half more
 or less above the mouth of the Cannons creek
 than South fifty three (53) degrees forty five (45)
 minutes west with said line to the South East
 corner of Edulms tract marked on said
 Map No 13 thence with the East line of said
 Edulms tract North thirty six (36) degrees fifteen
 (15) minutes west forty (40) chains to the North
 East corner of said Edulms tract thence with the
 North line of said Edulms tract South fifty
 three (53) degrees forty five (45) minutes west
 (41) ninety one chains thirty six (36) links to the
 Cannons creek thence up said creek and follow-
 ing the meanders thereof to the place of beginning
 thence and returning by the premises are
 described that portion of the premises originally
 granted to said Nicolas Del Reyona which passed
 to said Juan Pineda and by virtue of deed of
 conveyance from Mariano Cacho to said Juan
 on the eighth day of May 1852 which deed is duly
 recorded in the Records office of Napa County
 also that other portion of the above described
 Rancho bounded and described as follows to
 wit beginning on the side hill back
 of the house formerly owned by Nicolas
 Del Reyona at a point where a line running thirty
 years in view of said house used from North
 to South intersects the road thence along the
 road to a point where a North and South line
 which shall include the Spring (lower) intersects
 the road being in all two hundred and
 thirty years more or less than two
 hundred years.

Thence west unto the western
 line intersects the North and South line just
 mentioned thence South to the beginning being
 the same premises described in deed from
 John C. Prickett to Nicolas Del Reyona dated let
 ter 28th 1850 and recorded in the Records
 office in Napa County which premises are
 subsequently conveyed to said Juan Pineda
 from Mariano Cacho and mentioned in said
 Deed.

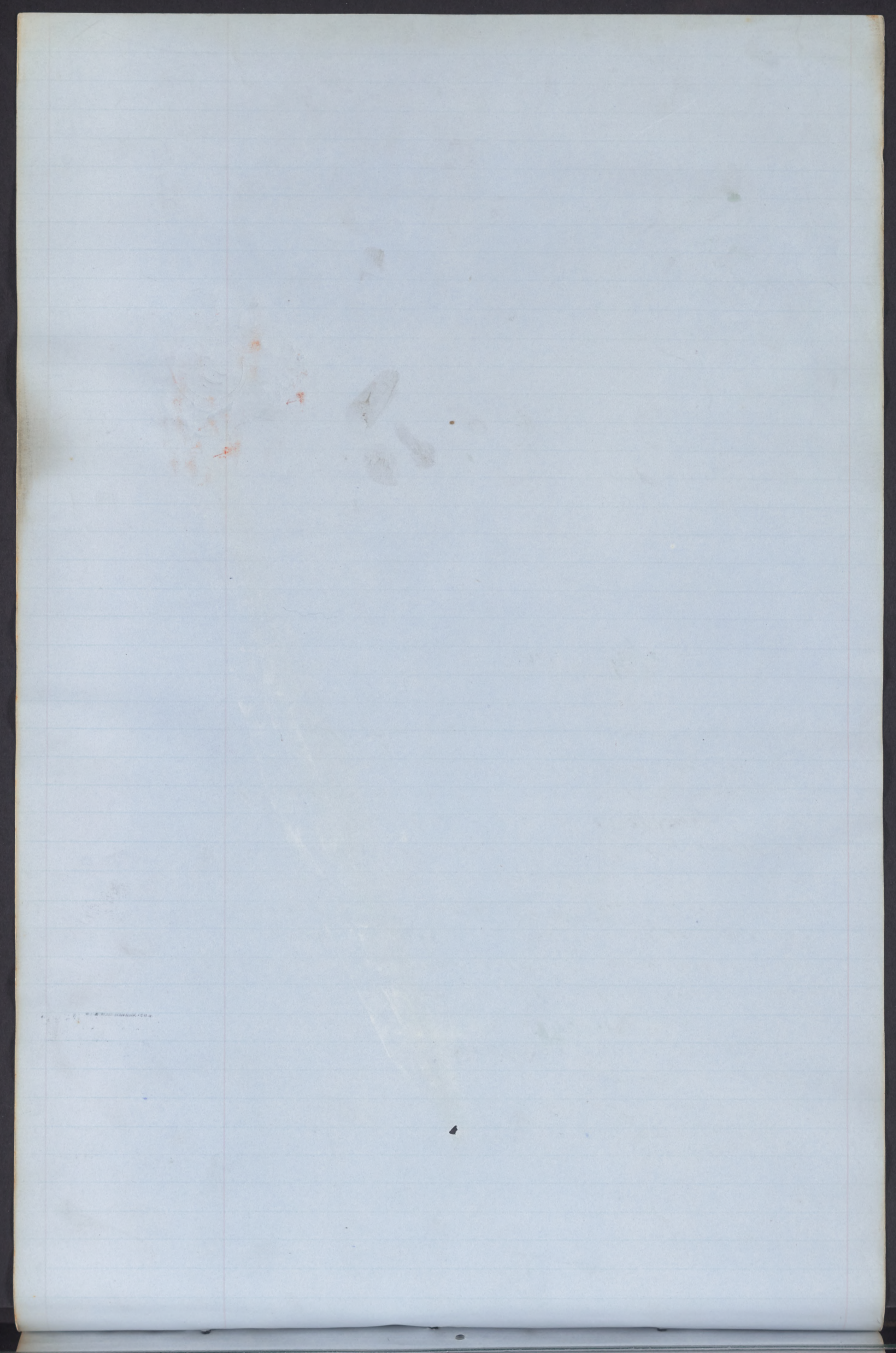
Made in presence of }
 Alphonse Felch }
 N. Aug. Thompson }
 J. B. Fenwick }
 Comm.

Apr 9th 1854
 in witness whereof

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

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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 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.

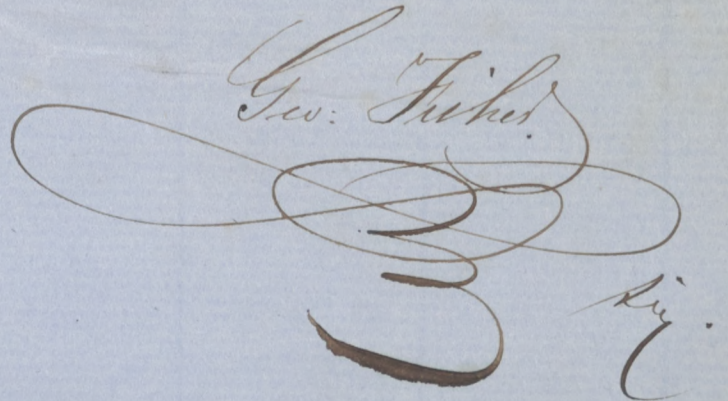
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I, *George Fisher* Secretary to
the Board of Commissioners to ascertain and settle the Private
Land Claims in the State of California, do hereby certify the
foregoing *Fifty one* pages, numbered from
1 to *51*, both inclusive, to contain a true, correct 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. *585* on the Docket of the said Board,
wherein

Joseph Green is
the Claimant, against the United States, for the place known by
the name of *Part of Entre Nevas*

In Testimony Whereof, I hereunto set my hand
and affix my private Seal (not having a Seal
of Office) at San Francisco, California, this
Thirty first day of *January*
A. D. *1855*, and of the Independence of the
United States of America the seventy=*ninth*.

Geo. Fisher



U. S. DISTRICT COURT,

Northern Dis. Ct. of California.

No. ~~555~~ 172

THE UNITED STATES

vs.

Joseph Green

TRANSCRIPT OF THE RECORD

FROM THE

BOARD OF U. S. LAND COMMISSIONERS,

In Case No. *J.S.*

Filed, *February 3rd* 185*2*

John A. Morrow
Clerk

Office of the Attorney General of the United States,

Washington, 7th April 1855.

Joseph Green

vs.

The United States.

} 585.

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 27th day of January 1855, the appeal in the district court of the United States for the Northern district of California will be prosecuted by the United States.

Clauising

Attorney General.

No. 172 —

U. S. District Court
Northern Dist. of Cal^o

The United States
" "
Joseph Green.

Notice of Appeal
in Case No. 585.

Filed June 18, 1855,
by W. A. Chivers
Deputy.

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No 172

The United States

vs
Joseph Green

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It is hereby stipulated
& agreed that the transcript of the
record in the above cause may
be withdrawn from the files of
the court, to have the same
corrected, & omitted papers inserted
by the Secretary of the Board of
U. S. Land Commissioners.

Nov 17, 1855-

Crocker & Robinson
Atty for claimant
Andrew Glassell
Asst Atty to U. S. Dist. Ct.

Let the order be entered.

To the Honorable District Court of
the United States in and for the
Northern District of California

The United States
Appellants
vs
Joseph Green } No. 172

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 reference to the records in
the case; That a transcript of the
said Records was filed in this Court
on the 1st day of May 1835; that a
notice of appeal was filed on the 1st
day of May 1835 and that the land
claimed lies in the said District.

That the said claim is invalid.
Wherefore appellants pray that the said
decision of the Board be reversed and
that the Court decree the said title
to be invalid.

Respectfully

J. W. Dwyer
U. S. Dist. P. Atty

No. 172
U.S. Dist. Court

The U. States
&
Joseph Green
Petitioner

Filed Nov: 21. 1855.
by Cheney
Deputy.

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Green

United States of America } District Court
State of California } Northern District

No 172 The United States } Appellants
vs }
Joseph Green } Respondent.

The said respondent
for answer to the petition in said
cause denies that said claim
is invalid, but avers that the
same is just & valid, & he there-
fore prays this Honorable court
to affirm the decree of the
Board of Land Commissioners
confirming said claim.

Crocker & Robinson
Attys for Respnt.

1715

No 172

The United States

vs

Joseph Green

Answer

Filed Nov: 21, 1855,

by Thomas
Deputy.

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Crocker & Robinson
Attys for Respdt.

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

Stated Term, February 13 1857.

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The United States }
vs Appellants } Decree No. 172
Joseph Green }
Appellee. }

An appeal from the final decision of the
Board of Commissioners to ascertain & settle the
private land claims in the State of California

This cause came on to be heard
at a stated Term of the Court on appeal from the
decision of the Board of Commissioners to ascertain
& settle the private land claims in the State of
California under an act of Congress approved
on the 3^d day of March 1851, upon the transcript
of the proceedings and decision of the said Commissioners
and the papers and evidence on which the said
decision was founded; and it appearing to the
Court that the said transcript has been duly
filed according to law and counsel for the respective
parties having been heard, It is by the Court
ordered, adjudged, and decreed, that the said
decision be, and the same is hereby in all things
affirmed; and it is likewise further ordered,

advised, 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 to the said appellee Joseph Green to ~~that~~^a portion of the Rancho of Entre Napa which was granted to Nicholas Niquera, situate in Napa County in said State, described & bounded as follows, Commencing in the Etero East of the house where said Niquera lived and on the East side of said Rancho thence coasting the Etero towards the South to the Arroyo de los Carreros, and thence following up said Arroyo to the Corral of the lower part, thence in a northerly direction where three bounds were placed in giving judicial possession of said land to said Niquera in 1842 to the Arroyo of Napa at a point where the last bound was placed, thence by said Arroyo and Etero to the place of beginning, as the same was measured and located in the judicial measurement when the possession was given to said Niquera under his said grant to the testimonial of which on file with the Surveyor General of the U. S. for the State of California in No. 185. reference is to be had.

That portion of the above described premises of which Confirmation is hereby made is bounded and described as follows to wit, Commencing at John E. Brackett's North East Corner and running eight hundred yards along the said Brackett's North

line thence in a direct line to the top of the hills on
the West, thence along the hills to Salvador
Vallejo's line, thence along Vallejo's line to
Joel P. Walker, thence with said Walker's line
to the place of beginning - being the same
premises conveyed to said Green by said
Nicholas Figueroa by deed dated December
27 1850.

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Also that certain other portion of said
Rancho bounded and described as follows, to wit,
Commencing at the crossing of the lower ford or
coul on the Carreros Creek marked on the
map filed in this case with the letter A
thence running North Seventy Six degrees (76°)
fifteen (15') East One hundred and Sixty (160)
chains or two miles, thence in a Westerly direction
to the South West Corner of the land deeded to John
E. Brackett and marked No. 9 on said map, being
Seventy nine chains (79) and fifteen (15) links,
thence along the South line of said tract marked
No. 9 East One hundred and forty one (141)
chains twenty five (25) links to the River of Sapa,
thence down said River and with the meanders
thereof to a line mentioned in the deed of Sale
from Incañacion Cacho de Figueroa to Martha
Trias de Figueroa, being one mile and a half
more or less above the mouth of the Carreros
Creek, thence South fifty three (53°) degrees.

forty five (45') minutes West with said line to the South East corner of E. Wilsons tract marked on said map No. 13, thence with the East line of said Wilsons tract North thirty six (36°) degrees fifteen (15') minutes West forty (40) chains to the North East Corner of said Wilsons tract, thence with the North line of said Wilsons tract South fifty three (53°) degrees forty five (45') minutes West (91) ninety one chains thirty six (36) links to the Cameron creek, thence up said creek following the meanders thereof to the place of beginning meaning and intending by the premises above described that portion of the premises originally granted to said Nicholas Pignera which passed to said Green under and by virtue of a deed of conveyance from Incarnacion Lecho to said Green on the eighth day of Nov^r 1852, which deed is duly recorded in the Recorder's Office of Napa County

Also that other portion of the above described Rancho bounded and described as follows, to wit: Commencing on the side hill back of the house formerly owned by Nicholas Pignera at a point where a line running thirty yards in rear of said house and from North to South intersects the road, thence along the road to a point where a North & South line which shall include the spring (lower) intersects the road being in all two hundred and thirty yards more or less

thence North two hundred yards, thence West
until the Western line intersects the North
and South line first mentioned, thence South
to the beginning - being the same premises
described in a deed from John E. Brackett
to Nicholas Niquero dated October 28' 1850, and
recorded in the Recorder's Office in Santa County,
which premises were subsequently conveyed to said
Green by deeds from Inmaculacion Gachs and
Martha Francis de Niquero

John Hoffman
Deputy Judge

No. 172.

U. S. Dist. Court,

The United States

Joseph Green.

Decree.

Filed July 13. 1857,
W. A. Cherec,
Deputy.

No 172 The United States } State of California
vs } Northern District.
Joseph Green }

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Claim to part of "Entre Napa"

Brief for Claimant.

Joseph Green, files his claim in this case, claiming three separate tracts of land, which are fully described by metes & bounds in his amended petition. (See Record p. 45) These tracts are portions of a grant made to Nicholas Niguera by the Mexican government & called "Entre Napa". Niguera sold & conveyed his interest to different persons, & the several owners instead of uniting & filing one claim before the Board of Land Commissioners have each filed their separate claims.

The Record shows that on the 30th day of December, 1835, Nicholas Niguera, petitioned for this tract, containing one square league more or less. The petition was duly reported on, by the proper officer, March 11, 1836, (Record page 35 to 38 Exhibit J) & on the 9th day of May, 1836, the grant was duly issued to him, containing the usual conditions. (Record page 41 Exhibit K) executed by Manuel Chio.

On the 10th day of January 1842, a juridical survey was made a translated copy of which is marked Exhibit M. (Record p. 9 to ~~15~~¹⁵)

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The execution of these papers are all duly proved by the deposition of Jose de la Rosa Exhibit L. Page 39 -

The original papers relating to the "Entre Rapa" grant, having been filed before the Land Commission in other cases, a stipulation was entered into, that duly certified copies of these papers might be filed in this case, & used as evidence the same as the originals, & under this agreement these certified copies were duly filed - (Record p. 16)

The deposition of Jose de la Rosa (Record p. 39) also shows that the original grantee, took actual possession of the land, built a house & corral on it, kept his stock of cattle & horses thereon & cultivated a portion of it - & that he continued in possession up to his death in 1852 -

This evidence clearly shows that Nicholas Niziera was vested with a clear equitable title to the land, if the full legal title was not vested in him -

The next question is, has that title been conveyed to the claimant -

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The first tract described in the amended petition, was conveyed directly to the claimant by Nicholas Niquera, by deed marked A. dated Dec. 27, 1850. (Record p. 17)

The second tract described in the amended petition, is claimed under the following chain of title -

1st Deed marked "C." executed by Nicholas Niquera to Ramon G. De La Riva dated Feb. 7, 1852. This deed includes the whole tract originally granted (Page 31)

2^d Deed marked "D." from Riva to Martha Frias & Incarnacion Leacho de Niquera, daughters of Nicholas Niquera, dated March 28, 1852, being for the whole tract originally granted (P. 23)

3. Deed marked "E." (Page 25) from Martha to Incarnacion Niquera dated Oct. 13, 1852, being for all her right & title to ^{the} whole tract originally granted - excepting the lands which had been sold to others, & the lands that day sold to Martha by Incarnacion, & also a tract conveyed to Nicholas Niquera by John E. Brantlett -

Here are three exceptions in the deed, neither of which as the evidence shows includes the 2^d tract the title to which we are now tracing. The tract conveyed by John C. Brackett is shown by Exhibit H (page 31) which is a copy of Brackett's deed. The tract conveyed by Lucarnacin is shown by Exhibit I (page 33) which is a copy of the deed.

Record
pages 6.
to 9

The other exception is of all lands which had before then been sold & conveyed to other parties, & to explain this exception, & thus show precisely what land was conveyed by this deed marked "C." the claimant has procured the depositions of Emile De Humecont & Ramon G. de la Riva both of whom state that they are well acquainted with the "Entre Napa" tract & the conveyances thereof by Nicholas Higuera & his children, & they state that the map filed herein marked "A, 1, R, V." is a correct representation of the tracts thus sold & conveyed marked from No 1 to 13. & that the large tract marked "Green", & which is the tract we are now examining, was left unconveyed at the date of this & the next deed we shall refer to. De Humecont was the County Surveyor of Napa Co. & had surveyed out these tracts to the several claimants & made this map from those surveys. De La Riva was the agent of Nicholas

Higuera & his children, & attended to the sales of the tract for them, & was well acquainted with all the sales & conveyances made by them.

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Under this deed marked "E," the title was conveyed to Incarnacion Cacho Higuera -

Record 4 - Deed marked "F," from Incarnacion Higuera to Joseph Green, the present claimant, dated Nov. 8, 1852, ^{conveys} for all her right, title & interest in the Ranch, which would convey the title to this tract. This completes the chain of title to the claimant for the 2^d tract.

The Third tract described in his amended petition, is claimed under the following chain of title.

1st Deed marked "H," (page 31) from John C. Brackett to Nicholas Higuera dated Oct. 28, 1850, which describes the tract fully.

Record 2 - Deed marked "C," from Nicholas Higuera to Ramon G. de la Riva dated Feb. 7, 1852, for the whole one league tract, which includes this. See Map & depositions of De Humeant & Riva before referred to.

3^d Deed marked "D," (page 23)

from De La Riva to Martha Guas
& Incarnacion Cacho Niguera dated
March 28, 1852, for the whole
grant -

4th Deed marked "F." (page 27)
from Incarnacion Niguera to Joseph
Green the present claimant dated
Nov. 8, 1852, for his interest in the
whole grant - & which conveyed his
undivided half of this 3^d tract -

5th Deed marked "G." (page 29)
from Martha Niguera to Joseph
Green, the present claimant for the
undivided half of the House & lot
conveyed by John C. Brackett to
Nicholas Niguera dated April 16,
1853 - This completes the chain
of title to the claimant of this
third tract -

We have thus shown that
the original grantee Nicholas
Niguera, had a good & valid grant
of the land from the Mexican
Government, that he complied
with the laws respecting the
settlement of the land, & that
his title to these three portions
of the grant have been regularly
conveyed to the claimant, &
we therefore ask that the
decree of the Board of Land
Commissioners, which confirmed the

claim, be affirmed by this
court -

Crocker & Robinson
Attys for claimant -

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Claimants Brief

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Crocker & Robinson
Atty's for Claimant

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M^r J
Joseph Green

No 585 before Land Com.

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Please insert certified
copy of Map mounted "No 1 R. T."

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M. S. } No 585
Grim }
}

Please insert
Map marked "No 1 R. T."
referred to in deposition of
De Kemmourt -

Office of the Board of Commissioners,

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

San Francisco, *July 31st*, 1855

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. 5-85 on the Docket of the said Board, wherein *Joseph Green is* —

the Claimant against the United States, for the place known by the name of *"Part of Entre Napa"*

and request your receipt for the same.

I am, Respectfully,

Your Obedt Servant,

Geo. Fisher
