

C. 10.

"Agua Caliente"
 Belonged to
 Joseph Hooker
 Sent to Sur. Genl of the Act of Congress approved the third day of March one thousand eight hundred and fifty one entitled "An Act to ascertain and settle the Private Land claims in the State of California," Joseph Hooker as claimant, filed his petition on the 2nd day of March, 1853, with 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 which petition he claimed the confirmation of his title to a tract of land called "Agua Caliente" situated in the County of Sonoma and State aforesaid: said claim being founded on a Mexican Grant to Lorenzo Linares made on the 13th day of July 1840 by Juan B. Alvarado Governor of California and also approved by Pico Pico Governor, and intendant, of the Department of the California, on the 8th day of October 1845, and whereas the Board of Land Commissioners aforesaid on the 26th day of April 1855, rendered a decree of confirmation in favor of the claimant and the said decree or decision having been carried by appeal to the District Court of the United States for the Northern District of California, the said Court doth judge, order and decree that the claim of the said Joseph Hooker as set forth in the transcript of the proceedings and decision of the said Commission is valid and is hereby affirmed.

The United States of America:
 To all to whom these Presents shall come Greeting:
 Whereas, it appears from a duly authenticated transcript filed in the General Land Office of the United States, that pursuant to the provisions of the Act of Congress approved the third day of March one thousand eight hundred and fifty one entitled "An Act to ascertain and settle the Private Land claims in the State of California," Joseph Hooker as claimant, filed his petition on the 2nd day of March, 1853, with 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 which petition he claimed the confirmation of his title to a tract of land called "Agua Caliente" situated in the County of Sonoma and State aforesaid: said claim being founded on a Mexican Grant to Lorenzo Linares made on the 13th day of July 1840 by Juan B. Alvarado Governor of California and also approved by Pico Pico Governor, and intendant, of the Department of the California, on the 8th day of October 1845, and whereas the Board of Land Commissioners aforesaid on the 26th day of April 1855, rendered a decree of confirmation in favor of the claimant and the said decree or decision having been carried by appeal to the District Court of the United States for the Northern District of California, the said Court doth judge, order and decree that the claim of the said Joseph Hooker as set forth in the transcript of the proceedings and decision of the said Commission is valid and is hereby affirmed.

The land of which confirmation is made is a part of the land known as "Agua Caliente" situated in the County of Sonoma and containing one mile square being the same land described in the aforesaid conveyance, copies of which are contained in the said transcript and through which title to the said one mile square is transferred and conveyed to the said Joseph Hooker, and of which land the said Hooker has been, in the enjoyment of and possession under said conveyance.

Whereupon at a stated term of the aforesaid Court on the 27th day of March, 1857, the Attorney General of the United States having given notice that appeal will not be prosecuted in this case on motion of the District Attorney it is ordered, adjudged and decreed, that claimant have leave to proceed under the decree of this Court heretofore rendered in his favor as under final decree.

And whereas, under the 13th section of said Act of 3rd March 1851, there have been presented to the Commission of the General Land Office a plat and certificate of the Survey of the tract of land confirmed as aforesaid authenticated on the 16th day of January

A. D. 1862 by the signature of the Surveyor General of the Public Lands in California, which plat and certificate are in the words and figures following, to wit:

U. S. Surveyor General's Office
San Francisco California

Whereas and by virtue of the provisions of the 13th section of the Act of Congress of the 3rd of March 1851, entitled 'An Act to ascertain and settle private land claims in the State of California, and of the 12th section of the Act of Congress approved on the 31st of August 1852, entitled 'An Act making appropriations for the civil and diplomatic expenses of the Government for the year ending the thirtieth of June eighteen hundred and fifty three and for other purposes, and in consequence of a certificate of the United States District Court for the Northern District of California of which a copy is annexed having been filed in this office where by it appears that the Attorney General of the United States having given notice that it was not the intention of the United States to prosecute the appeal from the decision of the said District Court, said decision having confirmed the title and claim of Joseph Hooker to the tract of land known as Agua Caliente the said appeal has been vacated and thereby the said decision in favor of the said Joseph Hooker has become final. The said tract of land has been surveyed in conformity with the grant thereof and the said decision, and I do hereby certify the accompanying map to be a true and accurate plat of the said tract of land as appears by the field notes of the survey thereof made by G. C. Frary Deputy Surveyor in the month of May, 1861, under the directions of this office, which having been examined and approved are now on file therein.

And I do further certify that in accordance with the provisions of the Act of Congress approved on the 14th day of June 1860, entitled 'An Act to amend an act entitled 'An Act to define and regulate the jurisdiction of the District Courts of the United States in California in regard to the survey and location of confirmed private land claims', I have caused to be published once a week for four weeks successively in two newspapers to wit: The Sonoma County Journal, a newspaper published in the county of Sonoma, being the newspaper published nearest to where the said claim is located, the first publication being on the 24th day of August 1860, and the last on the 16th day of September 1860. Also in the San Francisco Herald, a newspaper published in the City and County of San Francisco, the first pub-

location being on the 15th day of August, 1860, and the last on the 5th day of September, 1860, a notice that the said tract had been surveyed and a plat made thereof and approved by me.

And I do further certify that the said approved plat of survey was retained in this office during all of said four weeks and until the expiration thereof, subject to inspection.

And I do further certify that an order for the return thereof to the United States District Court has been served upon me.

And I do further certify that under and by virtue of the said Confirmation, Survey, Deeds and Publications the said Joseph Hooper is entitled to a patent from the United States upon the presentation hereof to the General Land Office for the said tract of land, the same being bounded and described as follows, to wit:

Beginning at a point in the center of Sonoma creek from which a witness stake marked 'T.H. 1' in a mound of rock bears about fifty five degrees forty five minutes East distant eighty links.

Thence according to the true meridian the variation of the magnetic needle being sixteen degrees East up the center of Sonoma creek following the meander thereof as follows, North eleven degrees fifty minutes West five chains and ninety seven links to Station.

Thence North seventy nine degrees forty five minutes West seven chains to Station.

Thence North twenty eight degrees West four chains to Station.

Thence North thirty five degrees West ten chains to Station.

Thence North seventy four degrees West ten chains and fifty links to Station.

Thence South seventy six degrees thirty minutes West ten chains and fifty links to Station.

Thence North twenty five degrees forty five minutes West thirteen chains to Station.

Thence North thirty two degrees West fifteen chains to Station, from which Harker's house bears North forty four degrees thirty minutes East.

Thence North fifty three degrees West four chains and fifty links to Station.

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Thence, North sixteen degrees West twelve chains and thirteen links to Station, from which Lockwood's house bears North eighty-eight degrees forty five minutes East.

Thence, North seventy degrees forty-five minutes West four chains and thirty eight links to Station.

Thence, North fourteen degrees forty-five minutes East six chains to Station.

Thence North twenty-four degrees fifteen minutes East five chains to Station.

Thence, North one degree West nine chains and thirty-two links to Station.

Thence, North thirty-five degrees East ten chains and fifty links to Station.

Thence, North ten degrees fifteen minutes East, ten chains and forty links to Station, at a point in the center of creek on the boundary line of C. P. Stone's tract, from which a witness post marked J. H. 2, bears North fifty-five degrees forty-five minutes East, distant one chain and an oak tree and a half feet in diameter bears South fifty-five degrees forty-five minutes West distant fifty links.

Thence, leaving creek North fifty-five degrees forty-five minutes East, at ten chains and fifty links crosses a dry run fifty links wide comes West of North, at eight chains crosses same course South, at eleven chains and fifty links crosses same, course North West, at thirty-seven chains and fifty links crosses a fence, course South sixty-two degrees thirty minutes East at thirty-eight chains crosses a road comes South East, thence ascending sixty-five chains and thirty-three links to a post marked J. H. 3, Station, from which an oak one foot in diameter bears North twenty-six degrees thirty minutes West, distant twenty-eight links.

Thence, South seventeen chains and thirty-six links to an oak ten feet and six inches in diameter on line, at twenty-four chains and forty-five links crosses a creek fifteen links wide, course West, at twenty-four chains and ninety-four links crosses a branch of the same creek fifteen links wide course West thirty-five chains and seventy links to a post marked A. C. 17 & J. H. 4, in a pile of oak, Station, from which a White Oak bears North forty-eight degrees thirty minutes East, distant one hundred

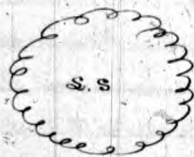
and thirteen links.

Thence ascending East twenty chains to a post marked A.C. 1845
"H 6," in mound of rocks Station.

Thence, descending South forty chains to a post marked A.C. 194,
"H 6," in a pile of rocks at the foot of a hill, Station.

Thence ascending East eleven chains and fifty links to a post
marked "H 7" on the top of a ridge Station. Eight chains and fifty links
West of corner to sections twenty-five, twenty-six, thirty-five and thirty-six
in Township six North of Range six West, and from which a black
oak bears South seventy-six degrees fifteen minutes East, distant sixty
one links.

Thence descending South fifty-five degrees forty-five minutes West,
at twenty-nine chains and six links crosses Sonoma and
Santa Rosa road at foot of a hill, course North West, thirty
chains and forty-six links to the fence dividing Heacock's and
Kemp's tracts, thence along said fence sixty chains and forty
six links to the point of beginning; containing Five hundred and
fifty acres and eighty-six one hundredths of an acre, and being
designated upon the plat of the public surveys as Lot number
thirty eight, Township six North Range six West of the Annual
Diablo Meridian.



In witness whereof I have hereunto signed my
name officially and caused the seal of my
office to be attached at the City of San
Francisco this fourth day of January
A.D. one thousand eight hundred and
sixty-two.

E. J. Beale

U. S. Survey General.

New York. That the United States of America in consideration of the premises and pursuant to the provisions of the Act of Congress aforesaid of 3rd March, 1851, Have Given and Granted and by these presents Do Give and Grant unto the said Joseph Hooker and to his heirs the tract of land embraced and described in the foregoing Survey; but with the stipulation that in virtue of the 15th Section of said Act the confirmation of the said claim and this patent shall not affect the interests of third persons.

To Have and to Hold the said tract with the appurtenances unto the said Joseph Hooker and to his heirs and assigns forever with the stipulations aforesaid.

In testimony whereof I, Andrew Johnson, President of the United States have caused these Letters to be made Patent and the seal of the General Land Office to be hereunto affixed.

Given under my hand at the City of Washington this ninth day of June in the year of our Lord one thousand eight hundred and sixty six, and of the Independence of the United States the twentieth.

By the President Andrew Johnson

By Edwin D. Beall Secretary

J. A. Granger Recorder of the General Land Office

(U.S.)

Edw.