

Case No. 15,841. UNITED STATES v. MURPHY.
[Hoff. Land Cas. 154.]¹

District Court, N. D. California.

June Term, 1856.²

MEXICAN LAND GRANT—SUTTER GENERAL TITLE.

The validity of claims under the Sutter general title affirmed in Hensley's Case [unreported].

Claim for four leagues of land in Sacramento county, confirmed by the board, and appealed by the United States.

[This was a claim by James Murphy for the rancho Casadores, granted December 22, 1844, by Manuel Micheltorena to Ernest Rufus. Claim filed August 14, 1852. Confirmed by the commission July 17, 1855.]

William Blanding, U. S. Atty.

Thornton & Williams, for appellee.

BY THE COURT. The claim of the appellee in this case is founded on the general title issued by Micheltorena in 1844, the validity of which has already been affirmed by this court in the case of U. S. v. Hensley [unreported]. The testimony of Gen. Sutter shows the original grantee, Ernest Rufus, to have been one of those in whose favor the general title issued. It also appears that the conditions of occupation and cultivation were fully complied with, and the disefio which accompanies the petition indicates the tract granted with clearness and precision. The claim was confirmed by the board, and the case has been submitted without argument or objection on the part of the United States. The decision of the board must therefore be affirmed, and a decree of confirmation entered.

[The case taken by the United States, on an appeal, to the supreme court, where the decree of this court was reversed, and the cause remanded, directing this court to dismiss the petition. 23 How. (64 U. S.) 476.]

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² [Reversed in 23 How. (64 U. S.) 476.]