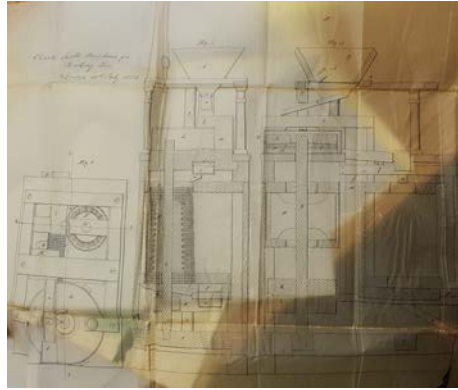


# Equity Case Files

1855-1863

District Court of the United States  
[RG 21](#)



Overview of Record Set

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By Martha Wallace - 2016

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## EQUITY CASE FILES, 1855-1863

Arranged in three subseries:

Private cases (boxes 1-12)

Southern District case 2 (Farnham v. Russell)(box 13)

U.S. cases (box 14)

Thereunder arranged numerically by case file numbers 1 through 116 for the private cases and 1 through 4 for the U.S. cases.

The U.S. cases are:

U.S. v. John Parrott, Henry W. Halleck, et al.;

U.S. v. Manuel Castro;

U.S. v. Edward Barry (missing); and

U.S. v. The Heirs of J.G. Pena, deceased, et al.

Cases involve land claims, land sales, mining claims, mortgages, lands in San Mateo, San Francisco (many water lots), Santa Clara, and Alameda counties and others in Northern California, patent infringement (telegraph, crushing quartz to get gold, gold digger fork, self-rising flour, mould grooving machine, boxes for axles & gudgeons, rice hullers), cutting down trees, ferries in San Francisco Bay, people like John Charles Fremont, Maria Bernal de Bereyesa, Wm T Sherman, James Phelan, Samuel F B Morse as plaintiffs and defendants.

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Box	Docket Book	Case #	Other Case #	Plaintiffs	Defendants	Witnesses	Date of Offense	Date Filed	Location	Subject	Other	Disposition
1 & 2	1	1	7 file folders in boxes 1 (files 1-5) & 2 (files 6-7)	Edwin G Adams, Thaddeus Grimes	Hiram Grimes, William H Talmadge, Madlena Cuccei, Charles D Carter, Richard & Catherine Watterman, Laurence Parnell, Frederick Schmitt, James Duffy, David M Locke, Silas M Locke, Solomon Rich, Louis Constant Fissot, Adolphus Kellesburger, Theoph De Rutte, Dennis J Oliver, Ernest E Cordier, Benjamin Carte, Robert Gunn, Paul E De Candier, John Dall, Henry Darrow, Mary Jane Blair, widow of James Blair, deceased, William W Neale, D Landerbock, Frederick W Macondray, William Norris (and Samuel Norris, Jr, Sacramento)	Henry Mellus, Jas B McClug, Jasper O'Farrell, Theodore Shellabar, P B Redding, Edward L Stetson, Jacob P Leese, Henry L Ford, William P Reynolds, Juan N Padilla, J B Haggin, L H Washburn, E L Gould, E D Baker, Joseph P Thompson, H F Teschmaker, Francis Mellus, Thos O Larkin, Jacob Priest, Abner Grimes, Seymour Lane (Orleans County, Vermont), H R Covey, E S Goote, A B Hamilton, Thomas F Gould, E A Laurence, Jasper O'Farrell, James Muldrow, Wm Childs, D N Hunt, Francis Mellus, Isaac L Brooks, Abel Stearns, S J Hensley, John Lapsley, J G Cleale, Thomas O Larkin, William Smith, Jose de Jesus Noe, John Temple, William A Streeter, Jonathan Detterman, James A Forbes, Jose Noriega, Richard H Hinton, Thomas Hayes, Benito Diaz, James C Crane, William H Davis, Jose de la Cruz Sanchez,		4 Jun 1855		Contains copy of will of Eliah Grimes. Contains copy of land sale from John Augustus Sutter on the American Fork to Eliah Grimes, Hiram Grimes and John Sinclair. Also copy of land sale from Hiram Grimes to Samuel Norris between the Mexican Grant, the Rancho San Juan, and the Rancho Del Passo. Also copy of land sale from Joseph A Haines and George L Hodgkins to Samuel Norris on the American River. This real estate and more was owned by Eliab Grimes, who died 7 Nov 1858 with heirs in New England. Hiram Grimes sold (some of) the property with no authority to do so.	Bates & Lawrence, solicitors, Geo C Bates of counsel for plaintiffs; Sidney V Smith for defendants Kellersburger, De Rutte & Cordier, Jno V Watson for Grimes, F M Haight for Norris, Delaney for Oliver, E D Baker for Norris, Hambly for Gunn, A P Crittenden for Saml Norris	21 Jan 1861 Entered judgment for defendants Norris and Grimes, dismissing bill
2	1	2		Jules B Bayerque	John N Homer & Elizabeth Homer, his wife, William Y Homer & Anna Homer, his wife, Felix Argenti, John McCreia, Lemuel P Gates, Levi C Matthews, George Leland, W J Wallace, J C Nail, C C Scott, Alexander McLean, Simon Stivers, Samuel D Parker, William F Imley, F B Granger, William Hopkins, J B Homer, John Ralph, Christian Swensden, James Gregg, H D Webster, George Cannon, George Simpson, Fritz Johnson, J W Carrick, José de Jesus Noe, Andrew Forbes, Richard Philips, C J S Stephens	Joseph C Palmer, Edward Jones	9 Aug 1854	19 Jun 1855	Union City, Alameda County	Promissory notes were signed to purchase the land (described in file). The payments were not made. All defendants except John and William and their wives were discontinued. The Horners sold some of the property.	Levi Parsons, solicitor for the plaintiff	10 Aug 1855 Final decree - the Horners were ordered to pay \$21,441.50 plus \$2815.38 costs.
2	1	3		Lewis Teese, Lewis Teese, Jr	J D Hunt	N D Phelps, R B Parker, James M Roberts, William M Perkins, William McNeill, William F Bryant, Ward Tower, Arthur Forbes, Jonathan Kittridge, Joanathan Wales, Mr Jones, Mr Rose, Mr Girard, James J Green	9 Jul 1855		San Francisco,	The Teese's invented an improved fork for gold digger (fork for removing stones from sluice boxes). They were granted a patent for the fork. Hunt was making and selling forks made to the same description in violation of the Teese's rights.	Chas H F Williams for plaintiff; Brooks for defendant	2 Jun 1857 Judgment Roll - cause discontinued
File not located	1	4		Alexander Matheson, David Jardine, Joseph Jardine, Alexander G Dallas, A C Maclean	William A Richardson, Barton Ricketson, Donald Davidson, Benjamin Davidson, Julius May, James Black, William Hord, Robert Walkenshaw	Jno Parrott, J K Hatchett, S R Throckmorton, D W Parley	18 Aug 1855				Sanders & Hepburn for complainant; Howard & Porley for defendants	
3	1	5	Two file folders; potential item for larger folder; some very delicate items may need more care	James Tobin, trustee, Maria Z Bernal de Bereyesa, widow of José Reyes Bereyesa, deceased, José de los Santos Bereyesa, Fernando Bereyesa, Ignacio Bereyesa, José Incarnacion Bereyesa, Maria del Carmen Bereyesa and her husband Lorenzo Paneda, Loretto Bereyesa and her husband Juan Bejoquis, Magdalena Bereyesa and her husband Maximo Fernandez, Benita Rodriguez de Bereyesa, widow of Nemesio Bereyesa, deceased, and Paula Fileberto, Maria and Feliciana, minor children of said Nemesio Berreyesa deceased by their next friend Benita Rodriguez de	Robert Walkenshaw, Norman S Bester, John Young, James Alexander Forbes, William E Barrow	B F McDonald, Manuel Castro, H W Halleck, William J Lewis, F Arce, Justo Laries, H C Malone, J Noriego, A Suñol, M Fernandez, J Tranham, J Tentz, M Fernandez, R Dodge	22 Sep 1855		Rancho de la Cañada de los Capitancillos or Rancho of San Vicente, Santa Clara County	On 20 Aug 1842, the governor of upper California granted land to José Reyes de Bereyesa. In 1850 his heirs demised the land and mines to Richard Roman Charles V Stuart and James Hepburn for 20 years. In 1855 the leasehold was transferred to James Tobin in trust for the widow and heirs of José Reyes de Bereyesa. The land contained mines of cinnabar, quarries of limestone, and many trees, which constituted the principal value of the estate. In 1849 the defendants moved into the land west of Alamos Creek and cut down 5000 trees, value \$20 each. They opened quarries and removed lime, value \$5000, opened mines and removed quicksilver, value \$5 million. An ejection had been instituted. There's more - and a good story to tell!! Contains several hand-drawn maps, several documents in Spanish on parchment paper from as early as 1842.	E L Gould, E W F Sloan for plaintiffs; Arch'd C Peachy for defendants	Case continued several times, finally transferred to Circuit Court, Northern California, in 1863.
File not located	1	6		John Sullivan	José Oreno, Pedro Medeles, Fernando Flores, Henriques Casaneuva, Jose Herrera, Padro José Lopez, Jose Dennerara, Juan Pene		1 Nov 1855				Delaney, E Cook for plaintiff	
3	1	7		Jules B Bayerque	Jasper O'Farrell		30 Aug 1855	23 Nov 1855	Rancho de Capay, Yolo County	O'Farrell agreed to pay for a loan of \$8000 due in three months at 3% to Pioche Bayerque & Co for a mortgage on 7 1/2 square league of land in Yolo County. The mortgage was due and unpaid. The land was sold and \$8909.17 was paid to Bayerque.	Levi Parsons, solicitor for the plaintiff; Chas M C Delany for defendant	The land was sold at public auction and \$8909.17 was paid to Bayerque.

Box	Docket Book	Case #	Other Case #	Plaintiffs	Defendants	Witnesses	Date of Offense	Date Filed	Location	Subject	Other	Disposition
3	1	8		Alfred Pioche, J B Bayerque, surviving partners of Pioche, Bayerque & Co	Lucien Hermann, George Cook, Jean Francois Benguol		2 May 1855	17 Jan 1856	Rancho San Antonio, Temescal, Alameda County.	Hermann borrowed \$15,000, due in six months at 3% interest, for a mortgage on Temescal land. \$19,001. 54 remained due and unpaid.	Levi Parsons, solicitor for the plaintiff; Bigler, Thomas & Hempstead for defendants	31 Jan 1856 Enrollment of decree; the land was foreclosed and sold, \$19,533.58 was paid.
3	1	9		John Fowler	Austin Walrath, R B French, A A Newfelder	Emery T Pease, W S Alton, bondsmen		17 Jan 1856		Henry Jones of Bristol, Great Britain, invented an improvement in the preparation of flour (self-rising flour) for bread making, and assigned the rights to it to John Fowler of New York. A patent was issued. The defendants were making and selling flour using the improvement, infringing on the patent. An injunction and penalty was	F M Haight for complainant	12 Apr 1856 Pease obtained the patent and discontinued the case
3	1	10		John Fowler	Edward P Figg			6 Feb 1856		Fowler held the patent for self-rising flour. Figg was producing and selling flour using the process	F M Haight for complainant; Baker, Davis, & Wistar for defendant	11 Feb 1856 or 12 Apr 1856 Case discontinued
File not locate	1	11		Jules B Bayerque	Jacob S Cohen, John R Coryell, David Gallaway			25 Feb 1856			Parsons & Ganahl for complainant; Bigler, Thomas & Hempstead for defendants	
3	1	12		Jules B Bayerque	The Jackson Water Company (James F Hubbard, Moses Hill, William Heigby, T C Ham)	Charles Brown, John Campbell, Henry Welch, George Carpenter, John doble, R M Ballard, J D bell, E C McIntyre, John H Horsley, D B Lentzen, Bernard Reynoldo, Terrence McBride.	3 Oct 1855	26 Feb 1856	Amador County	The Water Company borrowed \$50,000, to be paid in 12 months, with 3% interest, with a mortgage on the Corporate property and franchise works, water claims and rights (described in file). The mortgage had not been paid; requested sale of property. A lien was put on the property	Parsons & Ganahl for complainant	The property was sold and \$17,882,15 was paid.
File not locate	1	13		Jules B Bayerque, Alfred L Pioche	Jacob S Cohen, David Gallaway, J R Coryell			10 Mar 1856			Parsons & Ganahl for complainant	
4	1	14		Jules B Bayerque	Manuella Torres Smith, executrix of Stephen Smith dec'd, L Henry Smith, Giles Smith, Samuel A Morrison, Elanor Morrison his wife, G H Pond, Eliza Pond his wife, James Bowman		2 Feb 1850	17 Mar 1856	Blucha Ranch, Sonoma County	Stephen Smith borrowed \$10,000 from Samuel Moss, Jr., to be repaid in 12 months at 3% interest. A mortgage for Blucher Rancho was given. Moss turned the note over to Joseph Mora Moss, who turned it over to the complainants. The note had not been paid and it was requested that the property be sold and the note paid.	Parsons & Ganahl for complainant	25 Oct 1856 Final decree. The land was sold for \$17,000
4	1	15		Jules B Bayerque	Manuella Torres Smith, executrix of Stephen Smith, dec'd, Manuella Smith & James Smith , minor children of Stephen Smith, & Manuella Torres Smith	George Pen Johnstone appointed guardian ad litem for the minor children	29 May 1855	17 Mar 1856	Bodega Ranch, Sonoma County	Stephen Smith borrowed \$12,000 from Joseph Mora Moss to be paid in six months at 3% interest, with a mortgage on La Bodega on the Russian River. Moss turned the mortgage over to Bayerque. The note had not been paid and it was requested that the property be sold and the note paid.	Parsons & Ganahl for complainant	30 Jul 1856 Decree - the property was sold. \$17,791.01 was paid
4	1	16		Jules B Bayerque	George Durha, Amador County sheriff, Charles Brown, John Campbell, Henry Welch, George Carpenter, and his partners whose names are unknown, O D Bell & Geo C McIntyre and his partners whose names are unknown, John Horsley, D B Soutzen, Bernard Reynolds, Terrence McBride	Wm Higby	3 Oct 1855	1 Apr 1856	Amador County, Calaveras County	Bayerque advanced \$50,000 to Jackson Water Company in return for a mortgage on the company. The company did not comply with the terms of the note and mortgage and a bill was filed for foreclosure and sale. The defendants were party to that pending suit. Charles Brown received a judgment for \$463.62 against the water company. Other defendants had liens on water company property and the property was to be sold to pay those debts and liens. The request was to set these aside and refrain from selling the property to settle them.	Parsons & Ganahl for complainant	24 May 1856 Discontinuance
4	1	17		Lester L Robinson, Silas Seymour, Alvin C Morton	Joseph Mora Moss, The Sacramento Valley Rail Road Company	J L Wilson, H R Payson	24 Nov 1854	8 May 1856		Complainants. contractors for building railroads, contracted to build 40 miles of railroad from Sacramento on the south side of the American River to a crossing of the river and then north to a point in the Sacramento River Valley for \$1,800,000: \$800,000 in capital stock, \$300,000 in cash, \$200,000 in a promissory note, and \$500,000 in first mortgage bonds. The 40 miles were complete, but the company refused to deliver the	F Ganahl, Levi Parsons for complainant; Mcdougall aldrich & sharp for defendants	5 Jan 1857 Order of discontinuance
4	1	18		Emery T Pease	W L Bromley	Chas Bertody	1 May 1849	31 May 1856	San Francisco, San Francisco County	John Fowler received a patent in 1849 for creating self-raising flour. He sold the exclusive use of it in California and the Territories of Washington and Oregon to Pease in 1855. Bromley was making self-rising flour in violation of patent rights.	F M Haight for complainant; Janes, Doyle, Barber, Boyd for defendant	1 Dec 1856 Entered order for discontinuance
4	1	19		Jules B Bayerque	John J Haley, James Thompson	L Hermann, J M Moss, Col Jos Stevenson	14 Jan 1854	11 Jul 1856	San Francisco, San Francisco County	Zoe Mousoult., wife of Pierre J Lefevre paid \$12,000 to Haley and Thompson for a mortgage on a property on Commercial Street near Front and Battery (described in file). Mousoult and Lefevre sold the mortgage to Sam'l L Moss, Jr in Jul 1855, who then sold it to Bayerque in Aug 1855. The defendants had defaulted on payments, still owing \$8,000.	F Ganahl, Levi Parsons for complainant; J B Haggin for defendant	22 Jan 1861 Order for discontinuance
4	1	20		Charles Bedford Young	James Street, George Brown, John Pery, Jr		15 Sep 1855	12 Jul 1856	San Francisco, San Francisco County; Tuolumne County	Young formed a partnership with Street, Brown, & Perry to construct and operate a canal for water distribution in Tuolumne. The partners hadn't held up their end of the business and Young had put in much more money than they had.	F Ganahl for complainant	

Box	Docket Book	Case #	Other Case #	Plaintiffs	Defendants	Witnesses	Date of Offense	Date Filed	Location	Subject	Other	Disposition
4	1	21		Thomas J Wells, John Falconer, Jonathan Purdy	Andrew J Pope, William C Talbot, Josiah Killer, Charles Foster		13 Nov 1849	24 Jul 1856	California, Territories of Oregon & Washington	In 1828, William Woodworth invented a machine for planing, tonguing, grooving, and cutting into mouldings or plank boards and reducing them to equal width and thickness and facing and dressing brick and cutting moulding on metallic mineral or other substances. and received a patent for the machine. After he died, his administrator assigned the patent (extended) to James G Wilson through 1849. In Nov 1849 Wilson sold the license to Thomas J Wells for \$12,000 for another seven years to be used only in Oregon Territory and some parts of California. Falconer paid \$7200 and Purdy paid \$2400 to Wells for shares. The defendants were operating in Puget Sound, Washington Territory, which was part of Oregon Territory when the license was issued.	J K Rose, D Lake, for complainant	
4	1	22		Isaac McKim Bowley	Joseph Corbear, Charles Corbear, Hamilton Dill, Columbus Runnels, Henry C Bailey, ?? Rankin, ?? Kane, et al unknowns	H C Bailey, J A Tutt, Samuel Morrison		1855 6 Aug 1856	Colusa County	in 1844 Manuel Jimeno received a grant of 11 leagues along the Sacramento River. In 1847 Thomas O Larkin and John J Missroon purchased the land. Missroon sold his part (9 leagues) to A C Whitcomb, James Morreson and Samuel A Morrison and Josiah Belden in 1852. In 1853 they divided the land (description in file). Samuel Morrison made many improvements (saw mill) valued at \$12,000 and sold his portion to Bowley. In 1855 the defendants got together to take over the land unlawfully, especially cutting and selling the timber, building houses and fields, wearing out the land, sometimes pretending that they were the owners and other times that the land is public land and they were taking it by right of preemption.	Shattuck & Spenser for complainant; C A Laurence, Geo C Bates for defendants, Crockett and Page for defendants	29 Mar 1857 Bill dismissed for defendant henry C Bailey; 6 Dec 1861 Decree for \$2500 complainant
4	1	23		Jacques Besse	Armand Guyol, Thomas A Kimball, Matilda Revello			13 Aug 1856	San Francisco, San Francisco County	Guyol owed Besse \$2500 for a mortgage on land on Broadway and Kearny streets (described in file). He had not paid. Kimball and Revello had an interest in the property, either by mortgage or lien.	Sloan, Hartman, & Blood for complainant	3 Oct 1857 Discontinued
5	1	24		Nicholas Luning	Stephen A Wright, Susan Wright, his wife, David S Turner		Jun-56	20 Aug 1856	San Francisco, San Francisco County	Wright owned land on Clay and Sansome (described in file) which he conveyed in 1852 to his wife, who lived in South Kingston, Washington County, Rhode Island. It was community property acquired after their marriage. In 1856 Wright sold the property to Turner for \$50,000 (mortgage). Wright owed Luning \$10,000 and wanted the	S M Bowman, for plaintiff	2 Dec 1856 Discontinued, dismissed without action
File not located	1	25		George Gordon	South Fork Canal Co	D K Newell, L B Harris, T Sunderland, John Hume, J M Reynolds, Charles Hosmer, T Robinson, Hewitt, Johnson, Douglass, Larr, Williams, Baker, Atkinson, Hunter, Hand, Kirk, Binney, C C Batterman, Albert T Taylor		5 Sep 1856			J T Boyd, McDougal & Sharpe for complainant; Crockett & Page, Baldwin & Haggins for defendants	
5	1	26		Beverly C Sanders, customs collector	Richard P Hammond			19 Sep 1856		Sanders was owed \$48,605.34 in compensation and fees for his job as customs collector. As a separate position, he was also Assistant Treasurer of the United States. As such her receive \$2,850.000 which he disubrsed. He received no compensation for that job. As Assistant Treasurer and Commissioner of Public Buildings he deposited \$49,000 with Hammond to be held until the claim was settled. The claim was settled and Hammond did not turn over the money.	Geo C Bates, Charles Brenham for complainant; S W Inge for defendant	24 Jul 1854 bill of complaint dismissed with right of complainant to litigate his claim
5	1	27		Edward T Steen, George V Swan	E B Goddard, E B Galusha, W A Palmer, Cyrus Palmer, Wales L Palmer	Thomas Young, Geo I Pracy, H Pease, C W Lightner, H B Angell, Geo Cumming, E B Bonney, Chas McCarty		18 Oct 1856	San Francisco, San Francisco County	Isaac Babbitt invented an improvement in making boxes for axles and gudgeons, and received a patent for it in 1839. In 1840 he submitted further improvements for annexation. The patent was extended seven years several times, most recently in 1853. Steen and Swan paid \$3000 for its use in California and the Territories of Washington and Oregon. The defendants for three years had been making the boxes without license.	Williams, Shafter & Park for Orators; Crockett & Page for defendants	31 Jan 1860 order dismissing cause for want of prosecution & Judgment for defendants; complainants to take nothing and to pay \$44.20 in costs.
File not located	1	28		John W Patterson, et al	Duncan W Henser, et al	Wm Howser, J T Mott, J S Lynn, H E Robinson, Chas H Hoyt, Woodruff, T H Tighlman, Allison, J M Hooper,		8 Nov 1856			Crittenden & Inge for complainants; John Wilson for defendants	10 Feb 1857 Order granting perpetual injunction, entered decree
5	1	29		Henry Parrish Conrey	George Clifford			10 Nov 1856			Howard & Gould for complainant; Wm S Reese for defendant	
File not located	1	30		Geo B Field	Edward Vischer, Abel Grey, Davidson, Stein, Popper, Touchard, J Guillardou, Piper			21 No 1856			E A Lawrence, Geo C Bates for complainant; Saunders & Hepburn, Hall Mcalister for defendants	23 Jan 1860 Judgment for Abel Grey; 27 Mar 1860 Judgment for Davidson, Stein, Popper & Touchard; 2 Apr 1860 Judgment for J Guillardou; 11 Sep 1861 Dismissal of Piper



Box	Docket Book	Case #	Other Case #	Plaintiffs	Defendants	Witnesses	Date of Offense	Date Filed	Location	Subject	Other	Disposition
File not locate	1	31		Anne H Tams	Joseph Emeric, et al			20 Dec 1856			McDougal, Aldrich & Sharpe for complainant; Sloan & Hartman for defendant	
5	1	32		John Charles Fremont	The Merced Mining Co, William Paine, Ambrose Paine, David B Stevens, Abraham Mullen, Geo Wallace, Josiah Norton, Hugh Leper, William Ramsay	J E Palmer, Vanderwater, Smythe Clarke	25 Nov 1856	31 Dec 1856	Mariposa County	Fremont owned Las Mariposas (Fremont Grant). The northwestern portion, Bear Valley, contained a small village, Bear Valley or Simpsonville. The area contained valuable veins of quartz, one known as the Josephine Vein. From Jul 1856 the veins were worked. In Nov 1856 the defendants forcibly entered the Josephine Vein and took possession, expelling agent Clayton, throwing out the tools, implements and chattels and taking possession of many tons of quarried quartz. They also attempted to do the same thing at other veins in the area. They would not return the vein and were continuing to work it. They were also cutting timber and selling it.	Lochwood & Wallace for plaintiff; Cook & Fenner for defendants	7 May 1858 Order to dismiss; costs to be paid by complainant
5	1	33		Peter Smith	Isaac N Thorne, James Van Ness		24 Dec 1851	7 Jan 1857		Thorne owed Smith \$2,484.45 with interest for a mortgage on land between David and Green streets and between 2nd and 3rd streets on the waterfront. The money was not paid back. Van Ness was Smith's attorney, and if payment was made or changes were made in the agreement, Smith didn't know about them.	J J Papy for complainant	17 Mar 1857 Decree of foreclosure, \$6,708.01 owed.
File not locate	1	34		Jacob K Olwine	Washington Tams, et al (Joseph Emeric, S Tams, John Johnson)	D D Holland, O Holland, Tewkesbury		7 Jan 1857			McDougal, Aldrich & Sharpe for complainant; Sloan & Hartman for defendant Josphe Emeric	
5	1	35		James S Lawson	John Hastings, Edward G Flint, Alfred Peabody, Joseph C Palmer, Benjamin Davidson, William Kerr	O P Sutton, John Hackett, Kellogg		10 Apr 186		Lawson owned land on Lombard and Montgomery for the six previous years. The defendants were claiming some title to the land, perhaps based on a grant from T M Leavenworth, alcalde, to J D Hoppe in 1848, but previous judgments had cleared this up.	C M Brosnan for complainant; Eugene Casserly for respondent	21 Jul 1863 case transferred to Circuit Court, Northern District of California #288
5	1	36		Emery T Pease	J Riley Jennings			18 Apr 1857	Marysville	John Fowler had a patent for making self-rising flour. In 1855 he gave the right to it in California and the Territories of Oregon and Washington to Pease. Jennings was making self-rising flour in Marysville without permission and Pease wanted him to stop.	F M Haight for complaint	
5	1	37	Contains drawings of the machine; contains a document for another case - US v St Losky Leve & Co	Abram Waite, William Ward Battles, Henry Baker	George A Dunn, Michael Garvey	C B Stover, Benj Pratt, G B McCreary, N B Stone, Wm Osborn, H Gibbons, Bell, Hawks, Wm r McCall, Kellogg, F Knox, G S Balley, G Castle, Saml P Goodale, Henry Reed	George B McGreavy, Benjamin Pratt, Charles B Stover	23 Apr 1857	San Francisco, San Francisco County	Clark Jacobs on Brooklyn, New York, invented an improvement in rice hullers and received a patent for it in 1852. Jacobs assigned the title to John Vanderbilt, Jr in 1854. In 1856 Vanderbilt assigned it to Waite and Battles for use in California. They assigned a moiety to Baker. The defendants purchased one of the machines and were operating it without a license.	Shafter, Park & Shafter for complainant; Crockett & Page for defendants	1 Dec 1858 Entered judgment for complainant
File not locate	1	38		Daniel Chase	Joshua W Redman	L Ransom, Peleg Rush, Peter J Davis, W T Wallace, S S Johnson, A Redman		7 May 1857			Gregory Gale for complainant; Hoge & Wilson for defendant	
5	1	39		John B Weller, Augustine B Caldwell, administrator of the estate of James M Jones, deceased, and Josphe D Hornsby, an infant under the age of 21 years, & Arabella L Hornsby, an infant under the age oaf 18 years, by their guardian and next friend J L Hornsby.	John B Gray, James B Taylor, Knowles Taylor, William Wiggins	Andrew Glaswell, Charles B Strode, S M Wilson		4 Ju 1857	Santa Clara County	in 1850 Weller, Wiggins and Jones, since deceased, filed a bill against Gray and Knowles Taylor, since deceased, regarding land purchased in 1845 by Wiggins and Grove B Cooke from Justo Larios in Santa Clara County (described in Spanish in the file), Rancho de los Capitancillos. Cooke, who could not read, held the deed in trust and signed the mineral rights to Gray and Taylor. The mining interests were conveyed to the Santa Clara Mining Company (Cooke, Jose Abrigo, Josiah Belden, Jacob R Snyder, ?? Blackburn, Thomas O Larkin, John J Christie, John Ricard, Henry F Pitts), then to John B Gray. The decree was proven and this case was asking for a review of the findings.	Hoge & Wilson, Sawyer & Crittenden for complainants	1 Mar 1858 Filed opinion
5	1	40		Charles Wiggins	Henry Laurencel, William Wiggins, Joseph W Berrien, Samuel Plume, Kate Clement, widow of George W Plume, deceased, Kate Clement, daughter of George W Plume, deceased, both sole heirs at law fo George W Plume, deceased			17 Jul 1857	Santa Clara County	Wiggins owed P Dexter Tiffany \$26017.25 for a mortgage on Rancho de los Capitancillos (described in Spanish in the file), including the New Almaden Mine and other mineral rights. The note was not paid. George and Samuel Plume became trustees. Laurencel and Berrien claimed some interest in the premises.	S M Bowman for complainant; Wm H Patterson for defendant	22 Apr 1858 Entered order dismissing bill
File not locate	1	41		Franklina C Gray, by her next friend, Eugene B Gibbs	Joseph C Palmer, Cornelius J Eaton, William H Gray			31 Aug 1857			W W Crane, Jr. H McAllister for plaintiff; Chas H S Williams for defendant Palmer, B W Leigh for Eatons	
6	1	42		Wm T Sherman	Calhoun Benham		12 Jan 1857	9 Sep 1857	Yolo County	Benham owed Sherman \$1610 for a 60-day promissory note, plus interest, with a mortgage on land in Yolo County (described in file). \$1050 was paid, \$600 was	S M Bowman for plaintiff	8 Jan 1858 Entered default of defendant Benham

Box	Docket Book	Case #	Other Case #	Plaintiffs	Defendants	Witnesses	Date of Offense	Date Filed	Location	Subject	Other	Disposition
File not locate	1	43		Frederick Griffing	Daniel Gibb, Donald Frazer	D Flint, W E Dennis, D Saville, E A King, C W Brooks, M Hoadly		11 Sep 1857			Holladay & Cary, P W Shephard for complainant; Hall McAllister & W S Reese for defendant	18 Jan 1861 Order for judgment, allowing for appeal
File not locate	1	44		Emery T Pease	William F Tombs	Riley Jennings		25 Sep 1857			Williams & Haight for complainant; J B Hart for defendant	
File not locate	1	45		John G Boker, et al	Lucien A Barbier			2 Oct 1857			Shafters, Park & Heydenfelt for complainant	14 Oct 1857 Entered order denying motion for injunction
6	1	46		Emery T Pease	Francis Cunningham			5 Oct 1857	Marysville, Yuba County	John Fowler received a patent for self-rising flour. Pease received a license to produce the flour for California and the territories of Washington and Oregon. Cunningham was manufacturing the flour - an infringement on the patent.	Williams & Haight for complainant; J B Hart for defendant	24 May 1858 Filed discontinuance
6	1	47		Thomas S Page	John Payne, William Sproule, Vincent D Lambert	A B Grogan	1 Sep 1857	6 Nov 1857	Cotate, Sonoma County	The defendants were trespassing on the land, committing acts of waste, cutting and felling valuable shade and timber trees, value at lest \$2000, taking them to Petaluma and selling them. The defendants were itinerant and a restraining injunction was requested.	Balie Peyton for complainant	2 Dec 1857 Issued 4 injunctions
6	1	48		Thomas J A Chambers	Tennison Coryell, John A Coryell			28 Nov 1857	San Francisco, San Francisco County	Tennison Coryell was suing Chambers and Jonas G Clark to recover land in San Francisco near Jackson and Samson (described in file). The plaintiff claimed that Tennison Coryell had no interest in the land, that it was fraudulently conveyed to him for nothing by John Coryell in order to gain jurisdiction for a case.	Crockett & Page for complainant	
File not locate	1	49		Romain Bayerque	William J Paugh, sheriff & ex officio tax collector of Amador County			7 Dec 1857	Amador County		Levi Parsons for complainant; Hoge and Wilson for defendant	
6	1	50		James Phelan, William L Cashman	Peter Smith		17 Mar 1857	15 Dec 1857	San Francisco, San Francisco County	Phelan and Cashman owned land in San Francisco near Washington and Drumm streets (described in file). Smith received a judgment against James Van Ness and Isaac N Thorne for \$6780 and an order of sale was declared. This order was made for the foreclosure of a mortgage owned by Thorne. The plaintiffs, owners, were not made party to the suit, the mortgage was paid, and the land should not have been sold. Further information is in the	W S Reese, Hall McAllister for complainant; J J Papy for defendant	15 Jan 1858 Suit Discontinued
File not locate	1	51		Joseph Emeric	Cross Bill, Jacob K Ovwine, et al	S & W Tams		26 Dec 1857			E W F Sloan for complainant; McDougall & Sharp for defendant	
6	1	52		Victor Marzion, Henry Matthey, dba Marsion & Co	William Y Patch, tax collector of the city and county of San Francisco			11 Dec 1857	San Francisco, San Francisco County	The plaintiffs had been assessed \$172,000 for personal property, much of which was goods for their business. The Board of Supervisors and the Board of Education had passed new levies and the suit questions their right to pass such levies.	W S Reese for complainant	
6	1	53		Peele, Hubbell & Co	William Y Patch, tax collector of the city and county of San Francisco	C B Polhemus		28 Dec 1857	San Francisco, San Francisco County	The plaintiffs had been assessed \$50,000 for personal property, much of which was goods for their business.		
6 & 7	1	54	7 folders; 1-5 in box 6; 6-7 in box 7	Edward C Moore	Vicente Peralta, et al wife Encarnacion Galindo de Peralta, Francisco Galindo, John Clar	Joseph Black, John Clar, O C Pratt, Charles Curell	13 Mar 1852	29 Dec 1857	Alameda County, Contra Costa County	Peralta was seized in fee of land in Contra Costa County, now in Oakland, Alameda County, a Spanish land grant known as Encinal or Encinal de Temescal (described in file). Peralta sold the land to Clar for \$10,000. The land was divided between Clar, Joseph K Irving, Jacob A Cost, B de la Barra, John C Hayes and John Carpenter. The deed was lost. The city of Oakland was built on the land. Peralta also conveyed the land to Galindo for an unknown consideration and then married Galindo's sister. Includes Spanish version of complaint.	E Casserly for complainant; Campbell & Pratt for defendants	5 Oct 1858 Filed stipulation dismissing cause
6 & 7	1	54	7 folders; 1-5 in box 6; 6-7 in box 7	Edward C Moore	Vicente Peralta, et al wife Encarnacion Galindo de Peralta, Francisco Galindo, John Clar	Joseph Black, John Clar, O C Pratt, Charles Curell	13 Mar 1852	29 Dec 1857	Alameda County, Contra Costa County	Peralta was seized in fee of land in Contra Costa County, now in Oakland, Alameda County, a Spanish land grant known as Encinal or Encinal de Temescal (described in file). Peralta sold the land to Clar for \$10,000. The land was divided between Clar, Joseph K Irving, Jacob A Cost, B de la Barra, John C Hayes and John Carpenter. The deed was lost. The city of Oakland was built on the land. Peralta also conveyed the land to Galindo for an unknown consideration and then married Galindo's sister. Includes Spanish version of complaint.	E Casserly for complainant; Campbell & Pratt for defendants	5 Oct 1858 Filed stipulation dismissing cause

Box	Docket Book	Case #	Other Case #	Plaintiffs	Defendants	Witnesses	Date of Offense	Date Filed	Location	Subject	Other	Disposition
7	1	55		James Phelan, William F Cashman	Peter Smith-R E Cole		14 Jun 1850	18 Jan 1858	San Francisco, San Francisco County	Isaac N Thorne owned water lots in San Francisco near Washington and Drumm and 1/3 to Benjamin F Carr. Carr then sold to J B Hill, Hill sold to J M Merrill, Merrill sold 1/2 to Russell Warren. Merrill and Warren mortgaged their lands for \$7000. In 1854 they sold the land to Phelan and Cashman. In 1853 Thorne mortgaged his part to Charles Brown for \$6000, IN 1857 Smith recovered a decree against James Van Ness and Thorne for \$6708 and a sale was ordered. The complainants should have been part of the proceedings and were not notified; the sale of Thorne's part of the propety was enough to satisfy the	Hall McAllister for complainant	27 May 1858 Entered decree; cause settled
7	1	56		James Phelan, Michael Phelan	Peter Smith			18 Jan 1858	San Francisco, San Francisco County	Isaac N Thorne owned water lots near Washington and Drumm streets. In 1853 he sold 1/3 to Andrew Randall and 1/3 to Benjamin F Carr. Carr sold to J B Hill sold to J M Merrill. Merrill sold 1/2 half to Russell Warren. Merrill and Warren mortgaged their lands to Phelan and Wm F Cashman, and then sold the land to Phelan and Cashman. Thorne mortgaged his interest to Charles Brown for \$6000. Brown assigned the mortgage to Phelan and Cashman for a consideration. The debt was not paid and the property was sold in foreclosure. Smith received a decree against James Van Ness and Thorne for \$6700 to sell the property; complainant claimed the Van Ness was not a necessary party to the suit. Further detail in file.	Hall McAllister for complainant; J J Papy for defendant	2 Jun 1858 Issued execution; cause settled
7	1	57		William T Shaw	J Jones Griffith, Charles G Girdner, George Stead			27 Feb 1858	Colusa, Colusa County; Placer County	Griffiths gave three promissory notes to Shaw for \$528 each, with a mortgage on land on the Sacramento River in Colusa County (described in file). The notes were due and the money had not been paid.	A C Whitcomb for complainant	13 Jul 1858 Entered order to sell
7	1	58		Harvey Sparks, Wright F Kelsey	Antonio Maria Pico		9 Apr 1851	16 Mar 1858	San Jose, Santa Clara County	Pico delivered a mortgage to James R Bolton and William E Barron for \$2000 for property on San Fernando and First Street. Bolton and Barron assigned the mortgage to Sparks and Kelsey. The defendant did not pay the mortgage.	S B Hart for complainant; Gregory Yale for defendant	30 Mar 1859 Entered decree that defendants were to take land, part of Calavaras Rancho in San Joaquin County or \$2700 from sale of land in San Jose.
7	1	59		Lewis E Ritter	Joel Gates, Garrett C Grover			30 Mar 1858	Soquel, Santa Cruz County	Gates and George K Gluyas and Nelson R Herrick entered into a partnership to build a steam sawmill in Santa Cruz. Each paid \$2633.33. Gates borrowed \$1200 of his share from Grover. Gates and Hettick gave Grover a mortgage on the property for \$1200 plus \$5-600 that the firm was indebted for to Grover. Gates did not pay any of the money owed, although he was in full control of the financial operations of the mill.	S B Hart for complainant	20 Aug 1858 Entered order dismissing bill without prejudice
7 & 8	1	60	Four folders; 1 & 2 in box 7; 3 & 4 in box 8; contains maps and oversize articles	Edward Mintum	James B Larue, Carlisle P Patterson, John R Fouratte	B M Hartshorne, John McHenry, Charles Mintum, Walter B Mintum, Horatio N Squire, ? Hurlburt, ? Barroll, E R Carpenter, H W Carpenter, John McCann, William Warner, John C Hays, Edward McLean, John C Davis, Andrew J Coffee, Edward Gibbons, Amedee Marier, ? Wiggins, John MIntum		1 May 1858	Oakland	Horace Carpentier constructed a wharf and a schoolhouse. Edward Carpentier built a ferry with right to occupy wharf and operate ferry. Edward contracted with Mintum and the Contra Costa Steam Navigation Company to provide and operate ferries. A sand bar between Oakland and San Francisco made the running of the ferry difficult. The defendants began running a ferry without a license, usurping the franchise.	E W F Sloan, Hoge & Wilson for complainant	16 Aug 1858 Entered decree; defendants' demurrer sustained, bill dismissed; complainant to pay costs.
7 & 8	1	60	Four folders; 1 & 2 in box 7; 3 & 4 in box 8; contains maps and oversize articles	Edward Mintum	James B Larue, Carlisle P Patterson, John R Fouratte	B M Hartshorne, John McHenry, Charles Mintum, Walter B Mintum, Horatio N Squire, ? Hurlburt, ? Barroll, E R Carpenter, H W Carpenter, John McCann, William Warner, John C Hays, Edward McLean, John C Davis, Andrew J Coffee, Edward Gibbons, Amedee Marier, ? Wiggins, John MIntum		1 May 1858	Oakland	Horace Carpentier constructed a wharf and a schoolhouse. Edward Carpentier built a ferry with right to occupy wharf and operate ferry. Edward contracted with Mintum and the Contra Costa Steam Navigation Company to provide and operate ferries. A sand bar between Oakland and San Francisco made the running of the ferry difficult. The defendants began running a ferry without a license, usurping the franchise.	E W F Sloan, Hoge & Wilson for complainant	16 Aug 1858 Entered decree; defendants' demurrer sustained, bill dismissed; complainant to pay costs.
8	1	61	Four folders; some items are misfiled from case 123, Northern District.	John Charles Fremont	Merced Mining Company; Ambrose Paines, David B Stevens, Josiah Norton, Hugh Leper, Abraham Mullen, George Wallace, William Ramsay	Hugh Leper, Col James, J T Howard, ? Bosqué, ? Rand, H G Worthington, ? Selaver, J F Bowman, Z Coffin, ? Blake, ? Blake, ? Blake, J Lewis, Thomas S King, Frank Soule, Wm H Hoff, Mrs Scott, John McDougall, Charles James, J P Stevenson, H Sands, D B Hempstead, H C Worth, E R Robinson, L Downey, ? Boggs, ? Jenkins, Donald Frazer, Capt Wm M Sherman, H S Taft, J H Alexander, H W White, Albert Berry, John Satterlee, H P Tracy, Thos O Larkin, George W Wright, Jos C Palmer, Sam Soule, Smyth Clark, George N Shaw, Biddle Boggs, James C Jenkins		8 May 1858	Las Mariposas or the Fremont Grant, Mariposa County	In 1847, Fremont purchased the land of a Mexican grant from Juan Alvarado. Fremont's claim was upheld in US Courts. The Merced Mining Company was coming on to the land and cutting down large numbers of old growth oak trees.	Wm S Reese for Complainant; Cook & Feurier, S W Inge for defendant	17 May 1858 Entered verdict after trial; Fremont was not a citizen of California (he was a citizen of New York)



Box	Docket Book	Case #	Other Case #	Plaintiffs	Defendants	Witnesses	Date of Offense	Date Filed	Location	Subject	Other	Disposition
8	1	62		Geo E Parmelee	John H Moore, William R Forty/Zouty, Edward Stanley			10 Jun 1858	Rancho Solis, Santa Clara County	Parmelee owned 1/6 of Rancho Solis, value \$5000, which he purchased from Julius Martin. In 1853 Martin had sold 1/2 of Rancho Solis to Stanley. The deed was lost and not recorded, but Moore and Forty had knowledge of the transaction. In 1855 Stanley employed Edwin A Laurence to assist him in the confirmation of the claim, agreeing to give him 1/6 of the rancho, and executed a deed for 2/3 of the one half of the rancho to Forty/Zouty and Laurence. Further details in file.	E A Lawrence for complainant	
8	1	63		Leon P Gautier	Abel Guy			17 Jul 1858	San Francisco, San Francisco County	In Aug 1857, Guy obtained a foreclosure on mortgages of John Hastings on four parcels of land. Hastings owed Guy \$22997.90. The lots were to be sold separately, and Guy purchased all of them. The amount then still owed to Guy by Hastings was \$16,997.90 plus interest. Prior to this a judgement in favor of Virgil B Read was docketed against Hastings for \$1472.13, which then became a lien on the property. Read later sold the judgement to Gautier. Twice in 1858, Gauteir offered Guy \$3000 plus 18% for the property, upon which Guy had not paid any taxes. Guy refused the offers. Further details in file.	Wm S Reese for Complainant; Whitcomb, Pringle & Felton for defendant	24 Feb 1860 Filed Judgment and enrolled decrees; demurrer sustained; that the remedy is at law. Complainant to take nothing and to pay costs.
8	1	64		William Wiggins, James M Jones, John B Wells	John B Gray, Knowles Taylor, et al	James M Jones		17 Jul 1858	Santa Clara County	In 1845 Wiggins and Grove C Cook purchased from Justo Larios his land grant. Cook was to own 1/7, Wiggins was to own 6/7, and Cook was to hold the title, with Wiggins' part in trust. In 1848, Cook sold the mining interests and water grazing rights to Gray and Taylor, though all knew he only owned 1/7.	Edmun Randolph & W T Wallace for plaintiffs; Jones & Sherle? for defendants	7 Apr 1858 Filed motion to remand cause to state court; 17 Jul 1858 Gray & Taylor to get the property
8	1	65		Henry Laurence, Theodore Cockrill, Charles Morgan, Patrick Leighy, George W Griffith, William P Henshaw, Abraham Linebaugh, George Campbell, John White, E T Cabell, Milzes Osborn, William C White, Cuthbut White, Elliot W Cofer, William W Cofer, Reuben Carey, Peter Whitaker, Michael Lanfenberger, John Griffin, William Clarke, Abraham C Stout, John Giverson, Nathaiel J Priner, Edward Torr, John Sharon, Eli B Wilson, Loneld S Weber, Isaac Keeffell, Chrles Stewart, Josiah Sharp, Alonzo Walker, Thomas McCune, Exekiel Denman, Peter Ferguson, Edward Linsey, Benjamin G White, Samuel Adams, Henry Mizer, Alexander McCune, James N McCune.	James Bowman	Salvio Pacheco, Antonio M Peralta, Vicento Peralta, Wm Hilligass, Geo M Blake, O P Sutton, John L Bell		23 Aug 1858	Marin and Sonoma counties	The plaintiffs settled and built on Blucher Rancho, US public lands open to preemption, before any Mexican claims were settled. The land was confirmed to Stephen Smith, deceased. An agreement with Smith had been made that if it was confirmed to him, they would be allowed to purchase their lands and improvements at a reasonable price. Smith died, leaving three leagues of his land to his children in his will and three leagues to be sold to pay his debts. Prior to Smith's death, Bowman, Stephen Henry Smith, acting with power of attorney, and Charles B Polhemus conspired to have the weakened Smith convey the land to Polhemus. Polhemus discovered the nature of the deed and conveyed it to Bowman by a quit claim. Bowman then claimed absolute ownership of the land and began actions of ejectment against the plaintiffs.	E L Gould for complainant; Rose & Johnson for defendant	18 Oct 1858 Injunction granted
8	1	66		Francisco San Jurjo	James Leonard	Jos Black, J L Bell,		16 Oct 1858	Alameda County	San Jurjo owned land based on Peralta Spanish and Mexican land grants, confirmed in 1851 and purchased from them in 1853. An act of ejectment against Leonard, a squatter, was in process. Leonard was cutting down old growth oak trees	Wm S Reese, Hall McAllister for complainant; R F Ryan for defendant	
9	1	67		James L Wise, surviving member of the firm of Jones & Wise	J B Bidleman			26 Oct 1858	San Francisco, San Francisco County, Sacramento	Bidleman owed \$5000 on a mortgage on land in Sacramento (between H & I, and 2nd and Front). No payments had been made.	Wm S Reese, James T Boyd for Complainant; Wm W Crane, Jr, for defendant	28 Aug 1862 Filed decree; 8 Apr 1862 Filed Master's report of sale
9	1	68		James L Wise, surviving member of the firm of Jones & Wise	J B Bidleman			26 Oct 1858	Stockton, San Joaquin	Bidleman owed \$5000 on a mortgage on land in Stockton. No payments had been made.	Wm S Reese, James T Boyd for Complainant; Wm W Crane, Jr, for defendant	28 Aug 1862 Filed decree; 8 Apr 1862 Filed Master's report of sale
9	1	69		Manuela Torres Smith, widow and executrix of Stephen Smith, deceased, of Sonoma County, S Henry Smith, Giles Smith, Samuel A Morrison and Eleanor Morrison, his wife, G H Pond and Eliza Pond, his wife, and James	Jules B Bayerque			2 Dec 1858	Sonoma	In 1855, Stephen Smith signed a promissory note to Samuel Moss, Jr., for \$10,000 as a mortgage on the Bucher Rancho (location and provenance described in file). Moss transferred the note to Joseph Mora Moss, who transferred it to Bayerque. Stephen Smith did not pay anything during his lifetime and Manuella did not pay anything after his death. Foreclosure was requested.	E L Gould, F Gavabl, for complainant	The land was to be sold and the debt paid.

Box	Docket Book	Case #	Other Case #	Plaintiffs	Defendants	Witnesses	Date of Offense	Date Filed	Location	Subject	Other	Disposition
9	1	70		Saml F B Morse, Alfred Vail, Francis O J Smith	The Alta California Telegraph Company, Daniel W Welty, John W Coleman, Richard H McDonald, Joseph Lambert, Philip A McRae, John Pattison, Charles H Swift	H P James, Charles Doane, James M McDonald, Jno W Coleman, Alfred H Cummings, John J Haley, A G Richardson, Geo Pen Johnston, Elvin O Wait, George Wood, Saml D King, Horace P James,		8 Feb 1859		Morse had the patent for the telegraph, with exclusive rights for 14 years from 1846. In 1838 Morse had sold 1/4 interest in any future developments to Francis O J Smith, and in 1844 sold 1/8 interest to Alfred Vail. Morse licensed the rights to the use to various persons and companies. Actions were taken previously and successfully against several people who infringed Morse's rights under the patent. The Alta California Telegraph built lines from San Francisco to Sacramento and other parts of the state without any authority or license and refused to	Jas T Boyd, Delos Lake for complainant; Wm S Reese for defendant	14 May 1859 Order denying motion for injunction
9	1	71		Saml F B Morse, Alfred Vail, Francis O J Smith	The Northern California Telegraph Company, Granville Doll, Justios E Strong, Isaac M Hubbard, James Haworth, A B Brown, Benjamin Shurtliff			12 Feb 1859		Morse had the patent for the telegraph, with exclusive rights for 14 years from 1846. In 1838 Morse had sold 1/4 interest in any future developments to Francis O J Smith, and in 1844 sold 1/8 interest to Alfred Vail. Morse licensed the rights to the use to various persons and companies. Actions were taken previously and successfully against several people who infringed Morse's rights under the patent. The Northern California Telegraph Company built lines from Sacramento to Marysville and beyond to Yreka without any authority or license and	Jas T Boyd, Delos Lake for complainant	8 Feb 1860 Suit discontinued on payment of costs by plaintiff
File not locate	1	72		Mary Manny	Thomas Ogg Shaw	? Smith, ? Broughton, ? Haber, ? Larkey, L L Treadwell, S L Palmer, T Grob, E Fales, A B Southworth, J L Pangham, C H Parker		23 Apr 1859			Hall McAllister for complainant; Shafters, Park & Haydenfeld, Parker & Waterman for defendant	
9	1	73		Trenor W Park	John Charles Fremont, Duncan W Perley, John T Howard, Charles James		Mar 1859	16 May 1859, 4 Jul 1859	Mariposa County	Park and Fremont owned Las Mariposas (location and provenance described in file). Fremont decided to sell the land or raise money through a mortgage to make improvements. Fremont and Park were to go to Europe to do this, using Fremont's reputation and connections. To make things easier, it was agreed that legal title would be vested in Fremont's name and Park conveyed the title to him. Then Fremont declined to go to Europe and went to Boston instead in March of 1858 where he got a mortgage (with Park's consent) from John James Dixwell, Franklin Haven, and Thomas W Pierce for \$300,000 (300 bonds worth \$1000 each) for five years. Fremont delivered 50 bonds to Park, 50 bonds to Benjamin Wood to satisfy a mortgage that he held on the lands, and kept the other 200 bonds. Park and Fremont returned to California. The land contained valuable gold mines and it was agreed that Fremont would be the owner of half and be trustee for Park for the other half, while developing and working the gold mines, each contributing to the expenses and acting as co-partners. A major expense arose and they sold 1/4 of the land to Cornelius K Garrison for \$40,000 to raise the money, making him a partner. Then Fremont denied that Park had any interest or claim in the land and the relationship deteriorated. Further details in the file.	Delos Lake for complainant; Hall McAllister for defendant	27 Jul 1859 Filed stipulation of dismissal and discontinuance, each party to pay costs
9	1	74		William Banham	John Nye, J B Johnson, E B Goddard, Ira P Rankin J Hanscom			30 Aug 1859		Banham had developed and patented a new way to crush, pulverise, and amalgamate gold from quartz, the Excelsior Crusher. The defendants were making machines based on this patent without authorization or	William G Wood for complainant	
File not locate	1	75		Henry Behrens	Denis Archy, et als	S Albrecht, Thos McFarland, ? Hayes		10 Dec 1859			McDougall & Sharp for complainant; Burt & Rhodes for defendant	
File not locate	1	76		Paul B Abbate	Thos Dorland			14 Dec 1859			Thompson, Irving & Pate for complainant; J P Treadwel for defendant	
9, 10	1	77	two folders, one in box 9, one in box 10	Hippolyte Battu and wife	Martina Perez, J M Tewksbury	J M Tewksbury, G Touchard, Edward Hartman, Peter Bass, Francis Elias		4 Jan 1860	[San] Pablo, Contra Costa County	Battu and Hartman purchased land on the Potrero from Honore BeauPierre, in the town of Pablo, to build a school. There was no title search and BeauPierre may not have had ownership, only squatter's rights. Battu bought Hartman's portion and built a house where he and his wife lived. In 1859 Perez ejected them and sued for the land, which was the first knowledge that the title was questionable. Perez and her agent Tewksbury had stood by while the house was built without saying anything.	Hart & Johnson for complainant; Sanders & Campbell for defendant	21 Nov 1861 Dismissed with costs

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9, 10	1	77	two folders, one in box 9, one in box 10	Hippolyte Battu and Zoe Battu, his wife	Martina Perez, James M Tewksbury	J M Tewksbury, G Touchard, Edward Hartman, Peter Bass, Francis Elias		4 Jan 1860	San Pablo, Contra Costa County	Battu and Hartman purchased land on the Potrero from Honore Beaupierre, in San Pablo, to build a school. There was no title search and Beaupierre may not have had ownership, only squatter's rights. Battu bought Hartman's portion and built a house where he and his wife lived. In 1859 Perez ejected them and sued for the land, which was the first knowledge that the title was questionable. Perez and her agent Tewksbury had stood by while the house was built without saying anything.	Hart & Johnson for complainant; Sanders & Campbell for defendant	21 Nov 1861 Dismissed with costs
File not locate	1	78		Alexander Weill	Thomas Williams, et al			31 Jan 1860			Alexander Campbell, O C Pratt for complainant; George R Parbut for defendant	27 Mar 1860 Filed order to issue injunction
10	1	79	two folders, fell in the mud!	Virginia Dubois	Joseph Begin, Mary Ann Begin, Jacob E Jorgensen, David Hewes, H B Grogan, Benjamin Belloc, Eliza Folkstadt, Charles Lux, T J L Smiley, Joseph E Loud, J F Smith, A C	Jacob E Jorgensen, David Hewes, Mary Ann Begin, A B Grogan, Benj Bellow, Eliza Falkstadt, Ch's Lux, H Frank Smith, Morris J Marshantz, Marius Chevallier, Lewis Schulze, Samuel Hermann, John F Swift, A M Chapelle		7 Feb 1860	San Francisco, San Francisco County	Begin owed Chevallier \$6000 on a mortgage for land on Kearney Street. No payments were made. Chevallier sold the land to Dubois	E A Laurence for complainant; Wm H Sharp & Charles Spenser, Shatuck, S R, E Pringle for defendant	24 Jun 1863 Dismissal filed; 6 Feb 1903 Ordered decree of dismissal entered. Filed & entered decree.
10	1	80		Peter G Clarke	David Jones, Stephen Franklin, Eliza H, his wife, Michael Dawson			4 Feb 1860	Santa Clara County	Jones owed Clarke \$586 with a mortgage on property on Guadalupe Creek. No payments were made. The other defendants had some claim on the property.	Jeremiah Clarke for complainant; Chas McDelany for defendant Dawson	31 May 1860 Filed discontinuance
File not locate	1	81		George Gordon	J McKinstry Smith, et al (Parke, Hedley, Knight, Lewis)			16 Mar 1860			Saunders & Campbell for complainant; James McCabe for defendant	
10	1	82		Henry Behrens	D Delaney, Peter Bigelow, Henry Gagity, Thomas Capple, Charles Carter, Thomas Squab, John Dice, Richard Throw, John Hew, Richard Ferr			5 Apr 1860	Butte County	Behrens owned land on the Sacramento River in Butte County (location and provenance described in file) containing trees valued at \$20,000. The defendants were cutting down and carrying off the trees and would not	McDougall & Sharp for complainant	
10	1	83		Francis T Eisen	P J Hickey, James Winns, Henry Harms, F O'Connell, Charles B Grant, Catherine E Hickey, John P Hickey, John Genoes, Frederick Meyer, Henry Kelling, John Doe, Richard Roe (Tobin)			11 Apr 1860			Tully R Wise for complainant; S M Wilson for defendant Tobin, S H Prodie for defendant Hickey	
10	1	84		Eugene Kelly	Albert Ruddock, Jose Maria Barboa, Green Martin, Jerome W Love, C C Sullivan, Robinson Mackey, Peter Lish, Saturnino Berujo, Gurdalupe Romero, Moses Deval, David Garland, W W Thornton, George Dale, Julius Rucker, Jose Barelmas, John Poole, George Wallace, H N Williams	Jas W Thrift, John B Ham		19 May 1860	Santa Clara County, Santa Cruz County	Behrens owned land on the Rancho Salsipuedes in Santa Clara and Santa Cruz counties (location and provenance described in file) containing valuable redwood and other trees. The defendants were cutting down and carrying off the trees and would not stop.	Eugene Casserly for complainant	9 Jul 1860 An injunction was issued
10	1	85		Samuell F B Morse, Francis O J Smith, George S Cobb, Theodore Little	The Placerville & St Joseph Overland Telegraph Company, Frederick MacCrelish	H P Janes, Milton E Elatner		30 May 1860		Morse had the patent for the telegraph, with exclusive rights for 14 years from 1840. in 1854 an extension of the patent was granted to 1861. The defendants pirated the invention and built lines in Placerville to Carson Valley, without license or authorization.	James T Boyd for complainant; Lewis Shearer for defendant	
10	1	86		Samuell F B Morse, Francis O J Smith, George T Cobb, Theodore Little	The Alta California Telegraph Company, James M McDonald, Joseph Lambert	H P Janes, Alex H Boyd, William R Youtz		6 Jun 1860		Morse had the patent for the telegraph, with exclusive rights for 14 years from 1840. in 1854 an extension of the patent was granted to 1861. The defendants had been restrained from building and using the invention without authorization or license and continued to do so.	James T Boyd for complainant	9 Jul 1860 Issued two writs of injunction
File not locate	1	87		Lucy Burwell Page	Oliver C Coffin, et als			6 Jul 1860			Crockett & Crittenden for complainant; E W F Sloan for defendants	
10	1	88		Hiram C Lillie	John M Horner, Joseph (or John) Taylor, William Incel, ? Harvey, Joseph Ralph, Abijah Baker and his wife, Henry Curtner, John West			2 Aug 1860	San Francisco, San Francisco County, Santa Clara County, Alameda County	Horner delivered a promissory note to Felix Argenit for \$5000 with a mortgage on land in Santa Clara County, which was actually on Alameda Creek in Union City in Alameda County (description in file). Lillie bought the note from Argenti. Payments were not made. The other defendants held an interest in the property.	L Aldrich for complainant; Hall McAllister for defendants	
File not locate	1	89		Manuel X Harmony	William Bein, et al			23 Aug 1860			James T Boyd for complainant; Geo F & W H Sharp, F C Hambly for defendants	
File not locate	1	90		Jacob A Morenhaut	William H McKee, et al			20 Oct 1860			B S Brooks for complainant; E W F Sloan for defendants	27 Jun 1861 Filed notice of motion for an injunction
10	1	91		James E Munford	John R Jarboe, et al (Middleton)	Rich'd O'Neil, ? McGowan		9 Nov 1860	City and County of San Francisco		Tully R Wise for complainant; F M Haight, Walter H Tompkins, J H Saunders	
10	1	92		J Mora Moss, Horace W Carpentier	The Northern California Telegraph Company & Isaac M Hubbard	H W Carpentier. T Granville Doll, A H Cummings, A B Brown, Chas Duane, J E Strong, L M Dent		14 Dec 1860		Samuel F B Morse held the patent for the telegraph. The defendants built a line from Marysville to Yreka without license or authority	D Lake for complainant; ;Geo Cadwallader for defendants	

Box	Docket Book	Case #	Other Case #	Plaintiffs	Defendants	Witnesses	Date of Offense	Date Filed	Location	Subject	Other	Disposition
File not locate	1	93		Kenneth Bosqui	James Magee, et al (? Chase)	Ramon di Zaldo, Maria de Moraga		17 Dec 1860			Stanley & Hayes for complainant; Chase for himself, William Patterson & W W Stow	
File not locate	1	94		David Calderwood	E B Mastick, et al (? Aughinbaugh, ? Williams, ? Page, ? McAteo, ? Fasking, ? Tubbs)	David Calderwood		12 Jan 1861			B S Brooks for complainant; E B Mastick for defendants	
File not locate	1	95		James Hepburn	Edward D Harmon, et al (? Hepburn)			26 Feb 1861			C Temple Emmet for complainant; H W Carpentier for defendants Hepburn & Harmon	
11	1	96	four folders	Gabriel Maldonado	Charles B Polhemus, William L Boyle, George W P Bissell, J W Alsop, Edwin Bartlett, Henry Chauncey, Edward McCall, Theodore W Riley, George G Hobson, John F Dinion, J S Jackson, Henry H Munroe/Munie; Alsop and Company	Francisco DeLeon, Leon P Gautier, Jesus Alvarez, Theodore Winter, ? Boyle, Ramon San Martin, Donaciano Mazon, Ventura Hernandez, Horace P Janes, John H Atchinson, ? Janes, Henry Hensch, John P Corrigan, J K Osgood, William Blanding, Juan M Luco, Cipriano Thurn, Constantine Heusch	16 May 1860	16 Mar 1861	Virginia City, Carson County, Utah	Maldonado, Boyle, Atchison, and Winter had a claimed 100 feet of mining ground known as the Mexican Mine in Carson County, Utah. Maldonado made a deed of his interest to Polhemus and Bissell, which was to pay his indebtedness to William M Lent and Benjamin F Sherwood, not to exceed \$16,000, and to pay 1/2 of the indebtedness of the owners of the Mexican Mine to Lent and Sherwood, not to exceed \$10,000, all to be released upon repayment within 12 months. Maldonado spoke Spanish and Polhemus had the contract translated; Maldonado claims that it was not truly and faithfully translated, so he thought the mine could not be sold before the 12 months were up. Further details in file.	Calhoun Benham, Hall McAllister for complainant; Delos Lake for defendants	21 Aug 1861 Ordered discontinuance
File not locate	1	97		Samuel M Bowman	Edwin B Mastick	Elizabeth A Bowman		19 Apr 1861			E Casserly for complainant; E Mastick, J Curry for defendants	11 Feb 1862 Order denying injunction
File not locate	1	98		John E F Clarke	S C Hastings, John Curry			15 May 1861			A Williams for complainant; S F & J Reynolds for defendants	
11	1	99	Listing of other cases - copy and place in each file?	Peter Smith	James Van Ness			15 May 1861	San Francisco, San Francisco County	Smith had unsettled business and real estate claims in San Francisco. He was moving to Virginia, so he appointed Van Ness as his attorney to take care of everything. Van Ness disposed of the property, but refused to turn over the money and paperwork.	Baldwin & Papy for complainant	15 May 1861 Suit discontinued
11	1	100		Charles Porter	M E Hughes	N Heath	20 Mar 1861	15 May 1861	Chinese Camp, Tuolumne County	Porter owned Blue Gulch, a quartz mill with machinery, in Tuolumne County near Chinese Camp. He was turned out of possession of it by a pretended certificate of a tax sale made by the sheriff, with Hughes purchasing it.	Tully R Wise for complainant	
11	1	101	two folders	James Morrison	S M Mezes, Maria de la Solidar Ortega de Arguello, José Ramon Arguello, Luis Antonio Arguello	M T Arguello, J R Arguello		29 Apr 1861	Searsville and Woodside, San Mateo County	In 1840 Juan Coppinger obtained a land grant, Cañada de Raimundo, in San Mateo County (boundaries listed in file). Coppinger died intestate leaving a child, Manuel Coppinger, and a widow, Maria Louisa Coppinger. Maria remarried to John Greer. The grant was affirmed upon statehood. In 1846, Juan had conveyed a portion of the land to Dennis Martin. Martin sold the land to Morrison; Martin, John Murphy, and ? Murry then occupied and cultivated the land. The Arguellos and Mezes claimed land adjacent to this and also had it confirmed upon statehood. However, the survey that was done was erroneous and the claims overlapped.	J B Crockett & Crittenden for complainant; S L Johnson for defendant	20 Aug 1861 Denied injunction
12	1	102	Suit transferred from 6th Dist Ct; two folders	Lloyd Tevis	Sam'l Norris	L J Sanders		23 Aug 1861	Sacramento, Sacramento County	Norris owed Tevis \$64,000 for promissory notes with mortgages on properties, Rancho del Paso, Muldrows Old Ferry Toll Bridge, on the American River, and several lots in Sacramento (described in file).	J B Haggins for complainant; Robinson, Beatty & Heacoc, L Aldrich for defendant	30 Sep 1867 Judgment for deficiency; on determining that \$121,728.63 was owed the property was foreclosed and sold at auction
File not locate	1	103		Charles Wheatleigh	Thomas Maguire, et al			29 Aug 1861			Byrne & Freelow for complainant; J B Hart for defendant	3 Sep 1861 Filed injunction
12	1	104		Edwin Forrest	Thomas Maguire, Charles Pope, Junius B Booth, Mary L Woodward, W M Leman, Agnes M Perry		27 Dec 1861	31 Dec 1861	San Francisco, San Francisco County	Forrest owned the copyright to a book, <u>Metamora, or the Ist of the Wampanoags</u> by John Augustus Stone. Maguire owned Maguire's Opera House on Washington Street. He illegally obtained a copy of the manuscript and prepared to perform it. Forrest complained and the performance was withdrawn. However, it was performed on 29 Dec 1861.	A C Whitcomb, Edward J Pringle for complainant; J B Hart for defendants	3 Jan 1862 Decree for complainant; injunction to stop performances
File not locate	1	105		David Calderwood	Joseph Black			22 Jan 1862			A Williams for complainant	
File not locate	1	106		Charles Hubner	B V Merle, et al	E P Flint, E J Pringle, wife of B V Merle, Geo Hyde, S M de Merle, Roland Gelston, Wm N Spear		24 Jan 1862			E Casserly for complainant	

Box	Docket Book	Case #	Other Case #	Plaintiffs	Defendants	Witnesses	Date of Offense	Date Filed	Location	Subject	Other	Disposition
12	1	107		Peter Smith	David C Broderick, James Van Ness, Joseph Palmer, George M Wright, Charles W Cook, Edward Jones, bankers dba Palmer Cook & Co	John A McGlynn, L S Pease, Butler Eyas, Samuel Herman, Andrew J Butler (McGlynn & Butler were executors for Broderick who died during the procedure)		24 Feb 1862	San Francisco, San Francisco County	Broderick owed Smith \$6710, with mortgage on property in San Francisco (described in file). No money was not paid on the note. Smith gave power of attorney to Van Ness to settle the matter, but it was not done. Smith fired Van Ness, who did not return the note and instead deposited it with Palmer & Cook to pay his own debts.	Shafters, H & Gould, Storr & Patterson for complainant; Hoge Wilson & Hall McAllister for defendant; Cook & Olds for Broderick; Edward Jones for Cook & Wright	9 Jan 1863 Filed decree; the property was foreclosed and sold
File not located	1	108		James E Hunford	George G Greely, et al	H E Carlton, Wm B Rowe, J Middleton, Wm Hooper, Saml Knight, Wm M Lent, Chas M Hitchcock, H F Teschemaker, the Mayor & President of the Board of Supervisors of the City and County of San Francisco		5 Apr 1862			J B Townsend for complainant; C Burbank in pp & for others Burbank & Hubbard	
12	1	109	three folders	The Mount Hope Mining Company	Andre Chavanne		16 May 1857	12 Apr 1862	Grass Valley, Nevada County	The mining company owned mining ground and equipment on the south side of Massachusetts Hill, Grass Valley, Nevada County, known as Mount Hope or Rocky Bar. Power of attorney was given to Michael Brennan who pretended to sell the mining premises to Chavanne for \$3000.	Bennett & Love for complainant; Hoge & Wilson for defendants	5 Jan 1863 Filed decree; Chavanne paid \$4599 and got the property
File not located	1	110		Benjamin K Brown	Emerson G Angell			8 Aug 1862			A Williams for complainant; F A Fabers for defendant	28 Mar 1863 Filed discontinuance
File not located	1	111		David Calderwood	The City and County of San Francisco, et al	H F Teschemaker, S McCulloch		8 Aug 1862			Complainant in pp; J H Saunders, city attorney, Stanly & Hayes	
File not located	1	112		David Calderwood	The City and County of San Francisco, et al	H F Teschemaker, Solomon Eckstein, G F & W H Sharp		9 Aug 1862			Complainant in pp	
File not located	1	113		David Calderwood	The City and County of San Francisco, et al (E J Weeks)	H F Teschemaker, Marcus A Braly		13 Aug 1862			Complainant in pp; Williams & Thornton for Braly	
File not located	1	114		Christian L Lien	James F Hutton, et al (L Mejasseeon, B F Hutton)	J L Reed		18 Aug 1862			E L B Brooks for complainant; Pratt & Clarke for defendants	
12	1	115		Josiah Rose, D W Patterson	The City and County of San Francisco and State of California, Henry W Jones, Edward F Hall, George Wycroff, Owen Casten, James Carson, George C Sendle, Doratha Kavinogh, P Denter Tiffany, ?? Casement	Catherine Johnstone		19 Aug 1862	San Francisco, San Francisco County	Rose & Patterson owned land in San Francisco (described in file). The defendants were attempting to claim the land.	R F Ryan for complainant	23 May 1901 Entered decree of dismissal
File not located	1	116		David Calderwood	The City and County of San Francisco, et al (A Reed, J Gordon)	A Reed, J Gordon		27 Aug 1862			E L B Brooks for complainant; JH Saunders for City and County of San Francisco, Hoge & Wilson for defendants	
13		2		Eliza M Farnham	Thomas Russell	John C Wilson		20 Apr 1859	Santa Cruz, Santa Cruz County	Farnham owned land in Santa Cruz (described in file). Russell purchased it for \$7000 on three promissory notes payable in Dec of the coming three years. No money had been paid on the notes.	Isaac Hartman for complainant;	
<b>United States Equity Files 1858-1861</b>												
14	1	1		The United States of America	John Parrott, Henry W Halleck, James R Bolton, Wm E Barron, John Young, Robert Walkinshaw	J Branham, M Castro, J Noriega, A Sunol, J S Berryesa, J W Leese, T G Battaile, Robt Birnie, John Walton, J W Mandeville, J A Forbes, C Hensch, G W P Bissell, A M Pico, J R Snyder, Wm M Lent, W H Chevers, e Grymes, J Frank Miller, M Canto, G Gale, J B Williams, ? Hopkins, ? Castillero, H J Thornton, ? Faxon, e Randolph,		30 Aug 1858		Injunction requested	P Della Torre, US District Attorney	
14	1	2		The United States of America	Manuel Castro			6 Apr 1859	Solano County	The ownership of land located near the Straits of Carquines on the bay of San Pablo, near the mouth of Napa Creek or River, the tract known as "Signor" or "Isla de Yegua" or "Mare Island" was in dispute. The US had occupied the land for a naval facility; Victor Castro and wife Luisa Martinez had a claim under the Mexican government and in 1850 sold the land to John B Frisbie and Bezar Simmons, who in turn sold one tenth of it to Victor Castro who sold it to George W P Bissell. Bissell and William H Aspinwall filed petitions for settlement and private land claims. Bissell and Aspinwall then sold the land to the United States in 1853. Manuel Castro claimed a judgment in Contra Costa County for \$257,280.90 against Victor Castro, and ordered the Sheriff of Solano County to sell the land. An injunction was requested.	P Della Torre, US District Attorney; Wm H Clarke for defendant	8 Apr 1859 Injunction granted



Box	Docket Book	Case #	Other Case #	Plaintiffs	Defendants	Witnesses	Date of Offense	Date Filed	Location	Subject	Other	Disposition
File not locate	1	3		The United States of America	Edward Barry	W H Chevers		27 Apr 1859			P Della Torre, US District Attorney	
14	1	4		The United States of America	William Fitch, et al, the heirs of Jose German Peña, deceased, and others (J Jesus Piña, Antonio Piña, Francisco Piña, brothers, Clara Piña, sister, and her husband, William Fitch, William H Patterson, John B Frisbie, Jose Leandro Luco, Blas Piña)	W H Patterson, John B Frisbie, J W Mandeville, Edwin Corvay, Lewis, Von Schmidt, Beilanksi, Tracey, Wm C Fitch, F Peña,		19 May 1860	Russian River Valley	Requested an injunction against alienating, encumbering, leasing or disposing of the land.	Tully R Wise for complainant; Thornton, Williams & Thornton, W W Storr for defendants	