STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

Re: Testimony of Christopher Neudeck
Rudy Mussi, et al., APN 131-170-03
and
Young Pak and Sun Young, APN 131-180-07

Rebuttal Testimony of Stephen R. Wee

July 13, 2010

I, Stephen R. Wee, declare:

The following rebuttal to the testimony of Christopher Neudeck is organized into four parts and is intended to address his testimony in both the Mussi, et al. and Pak-Young CDOs. Generally, the Neudeck testimony in the Mussi and Pak-Young matters have three main parts:

1. Review and mapping of title;

2. Historical Background Related to Duck Slough and the High Ridge Levee;

3. Summary of irrigation and drainage practices of the southern Delta, as they evolved over time.

These three subject areas are addressed in my rebuttal testimony in Parts I through IV. The Neudeck testimony in the Pak-Young case is largely repetitive of his testimony in Mussi, especially with respect to the paragraphs addressed under Parts II and III of my rebuttal. Therefore, Parts II and III of my rebuttal are applicable to both parcels. Part I of my rebuttal covers the issues that are specifically related to the title history of the Mussi Parcel with respect to its riparian character and the severance of the Mussi parcel. Part IV of my rebuttal covers the issues that are specifically related to the title history of the Pak-Young Parcel with respect to its riparian character and the severance of the Pak-Young parcel.

My rebuttal comments are organized to respond to Mr. Neudeck's assertions paragraph by paragraph. These numbered paragraphs are shown in Exhibit 1 which is a copy of Mr. Neudeck's Mussi testimony and in Exhibit 2 which is a copy of Mr. Neudeck's Pak-Young testimony.

Point of clarification on terminology: Late 19th century historical documents commonly refer to only two divisions of Roberts Island – an upper (southern) division which includes that part of the island lying south and east of the High Ridge Levee; and a lower (northern) division which includes that part of the island lying north and west of the High Ridge Levee. With the final organization of the three major reclamation districts on Roberts Island – the lower (RD 684, 1897), middle (RD 524, 1889) and upper (RD 544, 1892) – it became increasingly more common

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for historic documents to refer to these three divisions of Roberts Island. The High Ridge Levee forms the boundary between the lower (RD 684) and middle (RD 524) divisions of the island.

Part I: Review and Mapping of Title to the Mussi Parcel (Numbers refer to my numbered paragraphs from Neudeck testimony in Exhibit 1):

Para. 1-4. No comments.

Para. 5. Counsel instructed Neudeck to ignore deeds prior to issuance of the patent to Joel Parker Whitney, November 24, 1876. Not tracing possible severance of riparian rights back to the Certificates of Purchase on Roberts Island generally has the effect of making more land appear to be riparian. One Certificate of Purchase constituted a single tract of swamp & overflowed land. Eight separate Certificates of Purchase, based upon separate swampland surveys, were issued by the California State Land Office on various dates to different individuals and these certificates of purchase were later acquired by Whitney and assigned to the Whitney patent from the State of California. In the case of the Mussi parcel, the results of the date of severance is not affected by ignoring the Certificates of Purchase in the chain-of-title. By virtue of the April 4, 1891 conveyance of J. R. Stewart, James King, and James Bunten to Joseph Vasquez, the Mussi parcel was no longer contiguous to any existing natural watercourses.

Para. 6. In describing the northwestern boundary line of the parcel conveyed by J. P. Whitney to Morton C. Fisher on January 15, 1877, Neudeck uses the term "High Ridge Levee/Duck Slough," implying the features are coterminous. The deed actually conveys land lying south and east "of the levee constructed along High Ridge and Duck Slough from that branch of the San Joaquin River known as Burns Cut-off to Middle River..." [Exhibit 3 - Whitney to Fisher, January 15, 1877] This sentence construction implies that the boundary was located partially along a levee built on the High Ridge crossing the island and partially along a levee on Duck Slough, which together extended from Burns Cut-off to Middle River.

Para. 7. The March 15, 1877 deed conveying the same property located south and east of the levee and Duck Slough from Morton C. Fisher to James Reid Stewart, et al. contains the same exact language as the earlier Whitney to Fisher deed. [Exhibit 4 - Fisher to Stewart, et al, March 15, 1877] My interpretation of the meaning of the construction of the language in this deed to describe the northwestern boundary of the tract on upper Roberts Island is supported by the deed conveying Whitney's abutting land in the lower division located on the north and west side of the same cross levee on December 12, 1876 to Morton C. Fisher. [Exhibit 5 - Whitney to Fisher, December 12, 1876] That deed is more specific in detailing what property is adjacent to Duck Slough and what property is adjacent to the High Ridge Levee. The land along the south boundary of the Whitney parcel in the lower division in T1N R5E included:

> "the fractional parts of sections one (1) and twelve (12) lying West of the San Joaquin River, Burns Cutoff and Duck Slough and the fractional parts of sections Thirteen (13), Fourteen (14), Twenty-two (22) and Twenty-seven (27) lying West of High Ridge Levee which extends from Burns Cutoff to Middle River . . ."

This description of the parcel forming the south boundary of the lower (northern) division of Roberts Island is clear and unambiguous in its meaning. A short, no more than about a one mile segment of the tract, was contiguous to Duck Slough (Secs. 1 and 12); the remainder bordered on the High Ridge Levee. The abutting property south of the levee on the upper (southern) division of Roberts Island must have bordered on the same two landscape features and this interpretation is consistent with the language in all three of the aforementioned deeds.

Para. 8. The next conveyance of the Mussi Parcel was included in a 149.5 acre conveyance on April 28, 1891 from Stewart, et al. to Joseph Vasquez [Exhibit 6 - Stewart, et al to Vasquez, April 28, 1891]. This conveyance severs the property from Burns Cut-off, Duck Slough, Whiskey Slough, San Joaquin River and Middle River, making it non-riparian to any waterway. The parcel is described as bordering and lying east of "a cross levee separating the middle and lower divisions of said Roberts Island." There is no mention of Duck Slough, because this parcel is located in Section 27 T1N R5E, more than two miles southwest of the historic heading of Duck Slough. Exhibit 7 - 1892 Assessor Map, T1N R5E, and Exhibit 8 – 1893 Assessor Map, T1N R5E depict the newly formed Vasquez parcel abutting the levee; on the 1893 map the levee is clearly marked with the label "cross levee." Another contemporary map introduced into evidence by Mr. Neudeck does not appear to support his contention that the property bordered on Duck Slough in or about 1891. Exhibit 9A, 9B, 9C, 9D, 9E and 9F – 1894 Stockton Bellota Map shows Duck Slough limited to a couple miles in length and bordered by a levee (dashed line). Duck Slough ends along the south line of Section 14, T1N R5E, while the levee (dashed line) continues along the cross levee alignment to its junction with the levee on Middle River. Levees are consistently shown as dashed lines on this map, whereas sloughs are showed by solid parallel lines representing banks of the watercourse. The 1891 deed to Joseph Vasquez describes his parcel as lying east of a "cross levee" because it was contiguous to a levee, not a slough.

Para. 9. Mr. Neudeck states that it is notable that the 1891 deed to Joseph Vasquez contains the statement: *"Together with all and singular the tenements, hereditaments and appurtenances thereto belonging, or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof."* While the language noted does appear in the document, it is noteworthy to add that the deed is executed on a printed form and this is standard language found in many deeds of the era. The printed form itself contains this provision. There is no statement in the deed that specifically reserves riparian rights or maintains a riparian connection to any of the waterways that were formerly contiguous to the Stewart parcel and were severed by this conveyance. [Exhibit 6 - Stewart, et al to Vasquez, April 28, 1891]

Para. 10. No comments, other than Mr. Neudeck presents evidence here and in Paragraph 8 that the current parcel was created in 1950, whereas it was created in 1930. [Exhibit 10 - Neudeck Mussi Exhibit 3F, 1950 Vasquez Decree of Distribution] In fact, the modern parcel was created in 1930 in a conveyance from Josephine Vasquez Jones and her husband to her son John E. Vasquez and his wife. The Parcel's west and north boundary calls to the meanders of the centerline of the cross levee, excepting a strip 20 feet wide for a road deeded to San Joaquin County (i.e., Kingston Road). Again, there is no mention of Duck Slough in this deed, because Duck Slough did not extend into the interior of the island as far as the Vasquez parcel. [Exhibit 11 - Jones to Vasquez, November 6, 1930]

Part II: Historical Background Related to Duck Slough and the High Ridge Levee and their proximity to the Mussi Parcel:

Para. 11. No comments.

Para. 12. Mr. Neudeck refers to the San Joaquin County Assessor's Plat Maps, 1876 through 1919, which are held at the Gerald D. Kennedy Reference Library, San Joaquin County Historical Society & Museum at Micke Grove Regional Park in Lodi, CA. The county tax assessor kept rural plat maps showing land ownership and acreage of each parcel and other information for the purpose of assessing taxes on land and improvements each year.

Neudeck addresses only one of these maps specifically in this paragraph – that is the 1876 plat map which he asserts contains a "blue line" that designates what he calls "Duck Slough/High Ridge Levee." According to Neudeck, his "belief" is that the "blue" line "indicates that Duck Slough had water in it at the time the tax assessor map was drawn" (i.e., that Duck Slough ran along the alignment of the high ridge from Burns Cut-off clear across the island to Middle River).

There are numerous problems with Mr. Neudeck's assertion of what the San Joaquin County Assessor intended by drawing the High Ridge Levee with a "blue" pen. [Exhibit 12 – 1876 Assessor Map, T1N R5E]

1) On the same assessor's plat map (T1N R5E), Burns Cut-off, San Joaquin River and Middle River are all drawn in black, not blue ink. On the adjacent township to the west, T1N R4E, both Middle River and Old River are drawn in black [Exhibit 13a – 1876 Assessor Map, T1N R4E). On the adjacent township to the east, T1N R6E, San Joaquin River, Burns Cut-off, Stockton Channel, and French Camp Slough are all drawn in black. [Exhibit 13b – 1876 Assessor Map, T1N R6E] To the north, in T2N R5E, the Calaveras River, 10 Mile Slough, 12 Mile Slough, 14 Mile Slough, 21 Mile Slough, Disappointment Slough and Black Slough are all drawn in black. [Exhibit 14 - 1876 Assessor Map, T2N R5E] Likewise, in T2N R4E, both Whiskey Slough and Latham Slough are drawn in black. [Exhibit 15 – 1876 Assessor Map, T2N R4E] Furthermore, these watercourses are consistently depicted by two parallel lines indicating the two banks of the watercourse, not a singular line as in the case with the High Ridge Cross Levee. The "colors" used by the Assessor in mapping watercourses does not support Mr. Neudeck's contention that the color "blue" represents "water" on these assessor plat maps. None of the other watercourses – some or all of which probably had water in them in March of 1876 when the assessor collected his tax information – are drawn in blue.

2) My *T1N R5E Assessor Map Table* summarizes the evidence on the High Ridge Cross Levee and Duck Slough as depicted on available Assessor Plat Maps from the period 1876-1919. [Exhibit 16 – T1N R5E Assessor Map Table; table includes all Assessor plat maps for this township]

When one consults the Assessor Plat Maps from other years, the High Ridge Cross Levee is rarely shown in blue. In fact, for the 40 years that we have historic San Joaquin

County Assessor Plat Maps dating between 1876 and 1919 the High Ridge Levee is shown as a "blue line" only 2 times and as both a blue and red line once. In the other 37 years, it is shown as a red or black line – sometimes dashed double or single lines, but most often as a single solid line. Importantly, the lines drawn by the Assessor along the alignment of the High Ridge Levee are **never** identified as Duck Slough on any of the 40 plat maps. In 13 of the 40 years there is no notation made by the Assessor to specifically identify what the line represents. In the other 27 years, the line running from Burn's Cut-off to Middle River across the center of Roberts Island is identified as a "Levee" (19 times) or as the "Cross Levee" (8 times). Again, in no instance is any part of the cross levee labeled "Duck Slough," but in a number of instances the word "levee" appears multiple times along the cross levee alignment on a single map, near Middle River, in the middle of the island, and near Burns Cut-off.

3) The Assessor frequently identifies other prominent sloughs in T1N R5E such as Black Slough, Whiskey Slough and Trapper Slough, but never identified Duck Slough. If Duck Slough was a major watercourse connecting Burns Cut-off with Middle River, as Mr. Neudeck asserts, one would certainly expect that it would have warranted the same identification on these plat maps as the other major sloughs. It was never so identified.

Neudeck also asserts that unidentified "other documents confirm or suggest" that the "route of Duck Slough" was along the alignment of the High Ridge Levee. There is **no** map that labels "Duck Slough" as being in existence along the alignment of the High Ridge Levee and running from Burn's Cut-off to Middle River. In fact, the pre-reclamation era mapping of Duck Slough, when the subject slough is shown on maps at all, is quite consistent about its length and alignment. Of the seven pre-reclamation era maps found that depict sloughs on Roberts Island, only three show a slough in the location of what became known as "Duck Slough." The slough is unnamed on all three maps. In each instance, the slough has its mouth at Burns Cut-off and runs inland along a southwesterly trajectory for a distance of approximately one to two miles and then abruptly bends to the southeast where it divides into several small channels and is lost in the tules. The three maps, dating from 1850 to 1872, that show a slough in the location of "Duck Slough" were produced by the U. S. Navy, by a private reclamation company that owned Roberts Island, and by the U. S. General Land Office and are depicted in Exhibits 17, 18, and 19.

1850: Cadwalader Ringold, Commander, US Navy, *General Chart Embracing Surveys of the Farallones Entrance to the Bay of San Francisco, Bays of San Francisco and San Pablo, Straits of Carquines and Suisun Bay and the Sacramento and San Joaquin Rivers to the Cities of Sacramento and San Joaquin, California* (1850). [Exhibits 17A, 17B, 17C – 1850 Ringgold Map]

This pre-reclamation era map shows Burns Cut-off (unlabeled) west of Stockton on the "East Channel" of the San Joaquin River and a slough connecting to Burns Cut-off in the approximate location of Duck Slough (unlabeled). The slough runs for a short distance into the interior of the island on a trajectory slightly west of south and then turns to the southeast disappearing into the swamp. It does not connect to Middle River and does not follow along the alignment of the later High Ridge Cross Levee. The map does not depict any slough on Middle

River in the general stretch of the river where the High Ridge Cross Levee would later (1875) connect to Middle River.

1869: J. T. Gibbes, *Map Showing the Lands of the Tideland Reclamation Company* (1869). [Exhibits 18A, 18B, 18C – 1869 Gibbes Tideland Reclamation Map]

This pre-reclamation era map shows Burns Cut-off (unlabeled) along the west side of Rough and Ready Island and a slough connecting to Burns Cut-off in the approximate location of Duck Slough (unlabeled). The depiction of the course of the slough is generally consistent with what is shown on Ringgold's 1850 map. The slough runs for a short distance of about one mile into the island on in a southwesterly trajectory and then abruptly turns to the southeast and breaks up into small channels disappearing into the swamp. The slough runs through Sections 12, 13 and 24 in T1N R5E and Sections 19 and 30 in T1N R6E. It does not connect to Middle River and does not follow along the alignment of the later High Ridge Cross Levee through Secs. 14, 23, 22, 27 and 34. The map does not depict any slough on Middle River in the general stretch of the river where the later (1875) High Ridge Cross Levee connected to Middle River.

1872: J. R. Hardenbergh, Surveyor General of California, *Plat Showing the Subdivision of the Two Bodies of Land "Notoriously Swampy & Overflowed"* (1872). [Exhibits 19A and 19B – 1872 GLO Notoriously Swampy Lands Map]

This pre-reclamation era map shows the sloughs on Roberts Island and in surrounding areas of the Delta. It depicts Duck Slough (unnamed) in the same configuration as the Ringgold Map (1850) and the Tideland Reclamation Company Map (1869) – that is, as a short slough connecting to Burns Cut-off that starts into the interior in a southwest direction for about a mile before sharply bending to the southeast. The slough does not connect to Middle River and does not follow along the alignment of what became the "High Ridge Levee," just three years later.

This map is important because it was made by the General Land Office, the federal agency responsible for surveying and platting the public domain, and approving the lists of Swamp & Overflow lands submitted by the State of California to the Surveyor General of California. As noted on the map, the plat of the *"Notoriously Swampy & Overflowed"* land was "carefully compiled from Maps of Official Surveys on file in this office."

The evidence from these three pre-reclamation era maps are consistent and suggest that in 1850 and thereafter there was no slough running clear across Roberts Island connecting Middle River to Burn's Cut-off. In fact, there was no slough at all connecting to Middle River in the vicinity of the cross levee on any of these three pre-reclamation era maps.

Para. 13: Neudeck relies upon a series of assumptions in speculating on "methods by which the levees, such as the 'High Ridge Levee' were created." At the center of his assumptions is that a slough existed next to the "natural" high ridge levee which was built up by excavating an existing adjacent slough using it as a "borrow pit" for levee material, thereby creating "a larger source of open water fed by the main channel to which the slough connected." The whole scenario presupposes that Duck Slough ran parallel to the high ridge and extended from Burn's Cut-off to Middle River, which is not the case. In addition, his scenario of how this particular

levee was built is based upon speculation and is not supported by the historical record, which will become amply apparent in the following sections.

Para. 14 through 19: Drawing exclusively upon an account (p. 267) found in John Thompson's PhD Dissertation entitled *The Settlement Geography of the Sacramento-San Joaquin Delta* (1957), Mr. Neudeck concludes in his written testimony that the steam-powered floating dipper-type dredges *Samson* and *Goliath* were used to "create/improve" the High Ridge Levee between Burns Cut-off and Middle River. Neudeck states that Thompson "confirms the process of using the slough itself as the borrow pit, and the deepening of the slough along High Ridge Levee; Duck Slough." He continues: "The deepening [of the existing slough] was necessary to transport the floating dredge which was improving the levee." Neudeck concludes that as a result the existing Duck Slough became a more substantial watercourse measuring approximately 30 feet wide by 7 feet deep. [Exhibit 20 – Neudeck Mussi Exhibit 3K, p. 267 of Thompson's Settlement Geography]

It may be useful to keep in mind that Dr. Thompson's purpose in drafting this section of his dissertation was to discuss the evolution of dredging technology, not to discuss the details of how the cross levee was built on Roberts Island. Mr. Neudeck does not appear to have conducted any independent investigation of the historic record to support his version of how the Robert Island cross levee was built. His assumptions about the role of the dredges are totally misplaced. What the historic record shows is that the High Ridge Levee was constructed in 1875-76 by a combination of white laborers using plows and common road scrapers pulled by teams of horses or mules and by Chinese contract labor using hand methods -- wheelbarrows and shovels --to shape the final levee. The cross levee on upper Roberts Island was not constructed by dredges digging a borrow pit in the bed of a slough. Details on its planning and construction are contained in the following sections and are based upon contemporary accounts by civil engineers and surveyors who were actually involved with levee construction on Roberts and Union islands in the 1870s and on eye-witness accounts of newspaper reporters covering the reclamation of the islands for local Stockton newspapers of the era.

I will first comment generally on the true role of the dredges on Duck Slough and then focus on the full story of how the High Ridge Levee was planned and constructed across Roberts Island.

Duck Slough:

Neudeck maintains that Duck Slough was a natural body of water that connected Burns Cut-off on the San Joaquin River with Middle River. He further maintained, in his written testimony, that the dredger *Samson* widened and enlarged the natural channel of Duck Slough from Burn's Cut-off to Middle River in 1875 to a depth of at least 7 feet and a width of 30 feet. In his oral testimony, Mr. Neudeck modified his testimony to state that he did not know how far the dredge may have penetrated into the interior of the island via Duck Slough; nevertheless, he maintained that Duck Slough did connect Middle River to Burns Cut-off. Thus, according to Neudeck, Duck Slough was a tributary of both Middle and San Joaquin rivers which made the properties bordering on the High Ridge Levee riparian to these rivers and the slough and served as a source of irrigation water for neighboring farmers.

Historical evidence suggests otherwise. The bottom line is that Duck Slough only extended into the interior of Roberts Island from Burns Cut-off a distance of about one or two miles to what was known as Honker Lake Mound, before abruptly changing course to the southeast. The dredger *Samson* worked around the mouth of Duck Slough on Burns Cut-off for a short time in the fall of 1875. The experiment to use the dredger to build the levee near the mouth of the slough was unsuccessful and its use was withdrawn with the reclamation work near the confluence of Burns Cut-off and Duck Slough not being completed. Flood water poured into the island through this uncompleted levee in late November 1875 and flooded the upper division of Roberts Island. The Whitney dredges were not involved in the repair or reconstruction of the breached levee the following year and were redeployed for levee work on Grand Island in the Sacramento River Delta. The remainder of the High Ridge Levee constructed across the island to Middle River was not built using the Whitney dredges, and in fact, had been largely completed, except for a short distance along the eastern side of the island near the mouth of Duck Slough, before the dredges were even launched in the fall of 1875. The High Ridge levee was built largely by common road scrapers pulled by horses which scraped up the surrounding plowed terrain composed of sedimentary soils and piled up this earth to form the levee. The work was finished with Chinese labor gangs using shovels and wheelbarrows. The evidence for these general conclusions is provided in detail below and in the referenced exhibits.

Evidence on Levee Construction:

The story of the construction of the high ridge cross levee on Roberts Island begins in late February 1875.

April 10, 1875. Charles Drayton Gibbes, son of a plantation owner, came to California from South Carolina via Mississippi in the late 1840s. He was a civil engineer and surveyor by profession and later became the Curator of Mineralogy at the prestigious California Academy of Sciences. Joel Parker Whitney, who recently had acquired Roberts Island from the Tideland Reclamation Company, hired Gibbes in February 1875 to develop a plan of reclamation for upper Roberts Island. Gibbes' letter report to Whitney, dated April 10, 1875, was published in a Stockton newspaper under the title "General Report of Charles D. Gibbs, Civil Engineer, on the Examination of Roberts Island, San Joaquin County, for the Purpose of Reclamation." [Exhibit 21 – *Stockton Daily Independent,* April 15, 1875]

At the request of Whitney, Gibbs proceeded to Roberts Island in February 1875 to study the upper or southern portion of the island which had been targeted for the initial phase of reclamation. [Exhibit 22 - Map of the route of Gibbes 1875 survey of Robert Island] The stage of water in the river at that time was of medium height; his February visit followed a recent freshet the previous month that rose over the banks of the Roberts Island levee on the San Joaquin River. He began his work near the upper end of Burns Cut-off where it departs from the San Joaquin River and moved upstream along the west bank of the San Joaquin River and into the Old River channel. Proceeding from the junction of Old and Middle Rivers, Gibbs traveled down Middle River 1.5 miles to the lower boundary of the Pescadero Grant. The bank of the river was about 4 feet high and the freshet of January 1875 came over it 6 to 8 inches.

He continued down Middle River to Section 13, T1S R5E, being where Whitney's tract met the bank of Middle River. A quarter of a mile above (south) this point he noted the confluence of Willow Slough with Middle River; the slough was 80 links wide (53 feet) and 8 feet deep. It had been dammed twice but not in substantial enough manner to withstand freshets. The breaking of the dam in the recent freshet (in January 1875) was principally responsible for the interior of the island then being covered with flood waters. The current of the slough was running as strong as in the river.

Gibbs continued downstream to Section 1, two miles below, where there was a slough, 25 links wide (16.5 feet) and six feet deep, which was also contributing to the flooding of the interior of the island. Gibbs remarks that the first thing to be done in reclaiming the upper island is to dam these sloughs "which are the only two open sloughs that I found on my portion of the island. The others are all dammed. . . "

From Section 1, Gibbs continued down river to Section 34, T1N R5E "to examine a ridge extending into the interior of the island." Here he met up with John Wallace, San Joaquin County Surveyor, who had been surveying the lower portion of Roberts Island for Whitney. Together they surveyed the ridge "which extends into the interior about three miles by the survey, and is from two to three feet above the level of the low lands, and from one hundred to three or four hundred feet wide of firm, hard ground, affording good situations for residences and gardens. There are also several other ridges running into the interior of the upper portion of the island, and some mounds that will answer the same purpose."

The two surveyors then returned by way of the high ridge to Middle River. From Section 1, T1S R5E Gibbs traveled down Middle River another 6 miles and noted: "the bank is as firm as the ridges, and a natural levee about two feet high, extending nearly all the way." He then returned upriver and at Section 35, T1N R5E standing "near the ridge" he had surveyed with Wallace he commented that the natural levee of Middle River at this location was a firm bank and 2.5 feet above the high freshet of January 1875.

Thus, at the location where Neudeck claims there was a large slough on Middle River that extended into the interior and across the island to Burns Cut-off, Gibbes noted that there was a substantial natural levee along the bank of Middle River and a high ridge extending into the interior of the island at least three miles (i.e., the full distance that he traveled) and he makes no mention of any slough. In fact, he noted that the only two sloughs entering Roberts Island from Middle River were located in Sections 1 and 24 in T1S R5E, far to the south of the high ridge levee.

August 18, 1875. On this date, six months after Gibbes reconnaissance of the upper island, we find the first mention that J. P. Whitney was having two crane and dipper dredge boats, the *Samson* and the *Goliath*, built in Stockton to assist in the reclamation of Roberts Island. However, it was estimated that the dredges would not be ready until late September; it was actually November before they were at work on Roberts Island. The dredges were to be used mostly on closing the upper division of the island along Burns Cut-off and at the mouth of Duck Slough. The levees on the upper division elsewhere were being raised with mammoth road scrapers, excavators with carts, and plows with drapers. The newspaper reporter for the

Independent noted that "a ridge extends nearly across the island, near the center, upon which a strong levee is being built, dividing the island into two divisions." Whitney planned to have the upper division completely enclosed by levees by December 1, 1875. [Exhibit 23 – *Stockton Daily Independent*, August 18, 1875]

Work on the high ridge levee using plows, road scrapers and hand tools was consequently fully underway three or four months before the dredges were completed and at work on Roberts Island.

September 18, 1875. J. P. Whitney extended an invitation to certain persons including a *Stockton Independent* correspondent, to visit the reclamation works being constructed on Roberts Island accompanied by Whitney and his construction engineer, Mr. McAfee. They were transported by Whitney's small steamer *Clara Crow* to the island and disembarked at Burns Cut-off near the mouth of Duck Slough where they abandoned the vessel and mounted horses. There were three construction camps already built and occupied by levee workers. The party landed in the steamer at Camp No. 2 at the mouth of Duck Slough. They passed through Camp Nos. 3 and 4 while crossing the island by horseback along the course of the cross levee to Middle River. The whole distance was lined with "a continuous busy stream of teams and men, piling up the rich alluvial soil into a levee of unusual strength and proportions." The levee was 8' high, with a base varying from 25' to 40', and with a width of 4' at the top; it was reputed to be two feet above the high water mark of the great flood of 1862. Equipment used included the Slusser excavator; Wachope machine which required 10-12 horses and 2 men; McCall scraper; Doty Scraper, and other types of road scrapers. Over 160 horses and mules and 75 to 100 men were employed. For other parts of the reclamation project on Roberts Island where teams could not be used "because of the nature of the ground," the correspondent for the *Stockton Independent* noted that Whitney was having huge dredges built in Stockton with engines manufactured in Troy, New York being sent out from the east coast. These dredges were to be used on the river to "take the material from the bottom of the river, scooping it up and depositing it on the bank to form the levee." [Exhibit 24 – *Stockton Daily Independent*, September 18, 1875]

By this date, construction work had been progressing on the High Ridge Cross Levee for a few months from three construction camps and the dredges had not been launched. The methods being used to build the levee do not comport with Neudeck's theory on how they were created using an adjacent slough as a borrow pit and employing dredges.

September 30, 1875. One of the Whitney dredges, the *Samson*, was launched from Lindsay Point and it was being towed to Weber Point wharf where the boilers were to be installed. Whitney anticipated that the boat would be finished and put to work at Roberts Island "as soon as possible." [Exhibit 25 – *Stockton Daily Independent*, September 30, 1875]

October 2, 1875. The dredges, noted the local newspaper, were being used in conjunction with excavators, scrapers and other horse-powered earth moving implements to reclaim Roberts Island. Whitney intended to use his new floating dredges to a greater degree than had been used in previous reclamation projects (dredges were not introduced to reclamation work until about 1870). Their role, however, was limited to use on the rivers; their use was to be made "more with a view to secure the advantages to be derived by using the mud from the river bottom in

forming the embankment, than for the purpose of deepening the river's channel, though the latter consideration has been duly weighed as an adjunct to the dyking system." [Exhibit 26 - *Pacific Rural Press*, October 2, 1875]

Using dredgers on the rivers would have the added advantage of increasing the carrying capacity of the channels to more efficiently convey flood waters within the river channels rather than allowing them to pour over low banks and find relief by expanding into the vast inland tule swamps.

October 11, 1875. The second dredge, the *Goliath,* was launched at Lindsay Point for Mr. Whitney on this date. The boilers still needed to be installed. [Exhibit 27 – *Stockton Daily Independent*, October 11, 1875]

November 3, 1875. The dredge *Samson* is finally reported as being at work throwing up a levee on Roberts Island. It was reported as being at Duck Slough and cutting a channel and throwing out earth "to strengthen the levee that has been constructed along that slough for the reclamation of the eastern portion of the island." [Exhibit 28 – *Stockton Daily Independent*, November 3, 1875]

As reported ten days later, a late start and low water conditions had impeded the usefulness of the dredge and it appears that it performed only limited work in Burns Cut-off and at the mouth of Duck Slough.

November 5, 1875. An additional labor force of 120 Chinese workers left on Whitney's steamer for Roberts Island to be deployed in the reclamation work to try to hurry construction before bad weather forced an end to the construction season. [Exhibit 29 – *Stockton Daily Independent*, November 5, 1875]

As noted in the article of November 13th, these reinforcements were sent out to try to close the last gap in the levee at the mouth of Duck Slough and Burns Cut-off before the rains came and the river rose. They were driven off by bad weather five days later.

November 10, 1875. One hundred Chinese who "had been engaged in building the levee in the vicinity of Duck Slough" returned to Stockton aboard the steamer *Clara Crow*. Whitney reports that water is rising very rapidly in the San Joaquin due to high water in the Sacramento backing up water. More rainy weather will prevent the waters from receding and retard completion of the reclamation work on Roberts Island. A fall of four feet is required on the San Joaquin River for the work to resume. [Exhibit 30 – *Stockton Daily Independent*, November 10, 1875]

November 10, 1875. "Effects of the Storm." Copious rain fell for two days and caused the streams to rise very rapidly – 3 inches of rain in 48 hours. High water was expected. The anticipated flood had the potential to seriously retard Whitney's reclamation work. The system of levees to reclaim the upper part of the island still was not completed. It looked as if the final work may have to wait until next year. [Exhibit 31 – "Effects of the Storm," *Stockton Daily Independent*, November 10, 1875]

November 13, 1875. Reclamation work on Roberts Island was now focused on closing up the upper division. Five hundred to six hundred Chinese were spread out along Burns Cut-off, Middle River and Duck Slough laying up embankments. Whitney had intended to close about a four mile gap in the levee along Burns Cut-off and Duck Slough using the large dredges recently launched at Stockton. Problems with their construction delayed their usefulness and it was necessary to call in additional Chinese laborers to try to complete the work by December 1st. The water in the San Joaquin River had been very low before the recent rains came. In fact, Burns Cut-off was so low when the dredges were launched that fall that a great deal more material had to be removed from the bed of the river in Burns Cut-off to float the dredge *Samson* than was required for building the adjacent levee. The *Samson* had to cut a 30' wide by 7' deep channel in the river bed in order to float itself and move along the river channel to build the levee in the cut-off. The work done by the dredge in cutting its way along Burns Cut-off, noted the local newspaper, "has demonstrated the ability of these dredges to take material, however hard it may be, from the bottom of our rivers and rapidly deposit it at considerable distance at right angles from the boat." The work completed suggested to the writer for the *Independent* that the new dredges may prove suitable for deepening river channels, cutting canals and building levees. [Exhibit 32 – *Stockton Daily Independent,* November 13, 1875]

The dredge *Samson* was intended to work on only four miles of levee at the northeast corner of the upper division – i.e., along Burns Cut-off and for a short distance up Duck Slough around its mouth. Because the dredges arrived late and proved somewhat ineffective, Whitney found it necessary to employ additional Chinese laborers to try to close this gap. They fell short, largely because of the poor performance of the dredge. It appears that the *Goliath* was never deployed on building Roberts Island levees that year. As will be demonstrated in subsequent documents, the dredge *Samson*'s main role at Duck Slough was intended to be the closure of the mouth of the slough.

Field Books of a second engineer/surveyor collaborate the accounts provided by C. D. Gibbs and local journalists.

Summer/Fall of 1875. E. E. Tucker, who was the levee superintendent on Col. Henry M. Naglee's reclamation project on the Pescadero Grant on Union Island, observed the cross levee being built in the summer of 1875. Two years later, he was employed by Morton C. Fisher as engineer in charge of the reclamation of lower Roberts Island. While working for the State Engineer's Office in 1878 on a field survey on the San Joaquin River, he recounted how the six-mile cross levee was constructed on upper Roberts Island in the summer of 1875. He wrote that four miles of the Roberts Island cross levee on Honker Ridge (a.k.a., the High Ridge) was built running "from Middle River to Honker Mound, at the head of Duck Slough." The work was done with horses and machinery, a great deal of which was experimental in nature – all the land on which the levee was built was first plowed, then McCall Scrapers, Wanchape Graders, and Slusser Excavators were tried at an immense expense but without much success. Common road scrapers worked well and with them most of the cross levee construction work was completed. This four mile stretch was completed in the fall, well before the flood waters arrived on the San Joaquin River in December. The average height of the levee was 6', slopes 2 to 1 and the crown 4' wide, according to Tucker. The two miles of levee along Duck Slough from Honker Mound (i.e., the head of Duck Slough) to Burns' Cutoff was located and construction had been started

when the flood came, but the work had to be left unfinished. [Exhibit 33 - Tucker, SED Field Notes Book No. 90, Book No. 2 (Summer 1878), page 15]

Tucker's comments are authoritative considering his engineering background in the immediate region and his first-hand observation of the actual reclamation work. His observations do not support Mr. Neudeck's theory on how the levee was built. C. D. Gibbes noted in April 1875 that there was a hard sedimentary soil surrounding the high ridge running out from the ridge line some 300 to 400 feet. Gibbes does not mention any slough following along the high ridge and specifically says there was no slough connecting with Middle River at or near the location of the high ridge crossing Roberts Island. Tucker notes that the ground adjacent to the levee was plowed and then road scrappers were used to move this soil to build up the levee. Tucker specifically says that the head of Duck Slough was located about two miles inland from Burns Cut-off, ending at Honker Mound. This observation directly contradicts Neudeck's belief in the existence of a major slough – Duck Slough – running from Burns Cut-off to Middle River. Tucker's description of Duck Slough is consistent with the pre-reclamation era mapping that depicts Duck Slough as a short, one to two mile long watercourse connecting only with Burns Cut-off.

Winter 1875-76. The reclamation work begun in the fall of 1875 was not completed. The island was divided into two divisions by the cross levee and the upper division of 21,000 acres was nearly surrounded by a high levee. However, a short gap of about a mile remained to be closed when the high flood came in late November, suspending operations and filling up the island with water. After the land became dry enough to work, levee building was resumed in the fall of 1876. The levees in 1877 were radically improved being raised two to three feet by the upper island's new owner Morton C. Fisher. Some 350 Chinese laborers worked on the project. [Exhibit 34 – *Stockton Daily Independent*, September 21, 1877]

Fall of 1876. In the fall of 1876 work was resumed on the unfinished levee on Middle River and on Duck Slough and repairs made to damaged portions of the San Joaquin River levee. On the High Ridge Cross Levee in all of the concave curves and places badly exposed to the flood waters that rushed into the island the previous fall, the outer slope of the levee was made 3 to 1, and in some places 4 to 1 with a crown of five feet. [Exhibit 35 - Tucker, SED Field Notes Book No. 90, Book No. 2 (Summer 1878), page 16]

October 11, 1876. Left unfinished in the fall of 1875, nearly a year later (as also noted by E. E. Tucker, see above) the gap at Burns Cut-off and the mouth of Duck Slough still needed to be closed on upper Roberts Island. The *Stockton Daily Independent* reported on this work at Burns Cut-off and Duck Slough: "A large force of Chinamen are at work filling the gap on Burn's cut-off, and building the earthen dam at the mouth of Duck Slough. Two self-acting flood-gates, three feet square and forty feet long, have been put in near the dam at low water mark, and are so arranged that whenever the tide falls lower than the level of the water inside, the gates will open and drain it off. Whenever the water on the outside rises higher than that on the inside the gates will close and shut it out." [Exhibit 36 – *Stockton Daily Independent*, October 11, 1876]

This article makes several important points: 1) it confirms that the work to be accomplished at Duck Slough in 1875 was to build a dam across its mouth; 2) the flood gates constructed at the

mouth of Duck Slough in 1876 were clearly for the purpose of draining the island, not for irrigation use as suggested by Mr. Neudeck. Our historical research did not uncover any evidence that these flood gates were rebuilt to alter their drainage only function. We have found no accounts of irrigation water being conducted into the interior of the island through Duck Slough after it was dammed. In fact, as the USGS Stockton 15' Quadrangle indicates, the slough had been in-filled near its mouth by 1911. [Exhibit 46A and 46B – 1913 USGS Stockton Quad]

August 29, 1877. As noted, in 1877 Morton C. Fisher raised the levees on the upper division of Roberts Island, but reclamation efforts largely shifted to enclosing lower Roberts Island. Some 450 Chinese laborers were reported to be working on the Roberts Island levee along Burns Cut-off and the San Joaquin River below Rough and Ready Island. Duck Slough, where the cross levee left Burns Cut-off had been successfully dammed and the Burns Cut-off levee has been completed on the lower division to near Wakefield, at the mouth of the cut-off. Work on Middle River had also shifted to the lower division to the stretch of the river downstream from the cross levee. [Exhibit 37 – *Stockton Daily Independent*, August 29, 1877]

Thus, the original reclamation of upper Roberts Island was completed in the years 1875 to 1877, but not using the methods suggested in Mr. Neudeck's testimony. Furthermore, absolutely no evidence was found in the historical record of the reclamation process that supports the idea of an open slough running across the island from Burns Cut-off to Middle River. To the contrary, there is no historical documentation of a connection of "Duck Slough" to Middle River in the 1870s or thereafter. Duck Slough's open connection to Burns Cut-off was closed in 1876.

Para. 20 (see my comments under Para. 12): At this point in his written testimony, Mr. Neudeck returns to his discussion of the historic assessor plat books. Neudeck comments on the "blue line" on the 1881 Assessor Plat Map. Neudeck has carefully selected one of only three (out of a series of 40 maps) that contains a "blue" line of some type where the high ridge levee is located. Here he asserts that the map shows Duck Slough and the High Ridge Levee. Why are Burns Cut-off, Middle River, and San Joaquin River in the 1881 map "green" and not "blue"? [Exhibit 38 - 1881 Assessor Map, T1N R5E] If the "blue line" means "water," how does Mr. Neudeck explain the red line (with no blue line present) on the 1879 map which is labeled "levee" twice [Exhibit 39 - 1879 Assessor Map, T1N R5E]; or the 1880 map which contains a red dotted line and is labeled "levee" twice? [Exhibit 40 - 1880 Assessor Map, T1N R5E] What about the other 34 Assessor Plat Maps of T1N R5E that do not show a blue line along the High Ridge Levee?

Para. 21: Neudeck speculates that his Mussi Exhibit 3M [Exhibit 41 – Neudeck Mussi Exhibit 3M, 1883 Tucker & Smith Map of a portion of Roberts Island] shows the cross levee as a hashed line and an adjacent solid black line as a small waterway – "an interior island slough which connects the San Joaquin River to Middle River."

Neudeck's hypothesis that the hashed line represents the levees on upper Roberts Island seems logical. The hashed line follows along the perimeter of the island where the exterior levee was located and along the alignment of the cross levee which is labeled "Cross Levee." There is another "cross levee" dividing the upper division in T1S R5 and 6E that is also represented on the map as a hashed line.

The map shows Roberts Island and its two divisions. The label Roberts Island is scripted so that it runs across both divisions. The upper division and lower division share a common border along the cross levee. The solid line is more logically understood to be a boundary demarcation between the two divisions, than an attempt to designate a "waterway," which Neudeck himself points out in all other cases on the map are not only indicated by parallel solid lines, but they are also clearly labeled as such – Calaveras River, Stockton Channel, San Joaquin River, Middle River, Old River, Burns Cut-off. Since Neudeck harkens back to his conclusion that this evidence supports his theory about the 1876 "blue line" on the Assessor Map, one might ask: What is shown on the 1883 Assessor Map? Does that "confirm his theory about what the line on the 1883 Tucker & Smith map represents"? The answer is no. The High Ridge Levee is shown on the 1883 Assessor Map as a double red line that is labeled "levee" three times. Its depiction is the same as neighboring "Honker Lake Levee." There is no slough shown at either location. [Exhibit 42 – 1883 Assessor Map, T1N R5E]

Finally, Mr. Neudeck's assertion that the solid black line running parallel to the "cross levee" on the 1883 map is "Duck Slough" runs contrary to his own testimony. At several points in his oral testimony he asserted that "Duck Slough" ran parallel to the levee on its south or east side. If Mr. Neudeck has correctly identified "Duck Slough" on the 1883 Tucker & Smith Map, it is on the wrong side of the cross levee.

Para. 22: If one interprets this map (William Hammond Hall's 1886 map of the San Joaquin Valley) as showing Duck Slough running all the way from Burns Cut-off to Section 27, it would be inconsistent with all of the other historic evidence discovered in my research. It is worthwhile to observe that Duck Slough is abbreviated as "Duck Sl." and whereas there is ample room on the map to spell out the words and extend them along the whole length of the line extending into Section 27, the Hall map crams the label against Burns Cut-off wholly within the section of the cross levee where we know Duck Slough existed from the 1850s into late 1870s. One could reasonably argue that the placement of the abbreviated label "Duck Sl. was a purposeful intent by the cartographer to limit the representation of where Duck Slough was located to the one to two mile long stretch of the levee at Burns Cut-off. As I will demonstrate below this interpretation is consistent with the same labeling of Duck Slough employed on another map produced a few years later, in 1894.

Even if one accepted Mr. Neudeck's assertion that the black solid line along the alignment of the cross levee was really a depiction of the full extent of Duck Slough, that line on Hall's 1886 Irrigation Map begins at Burns Cut-off and continues into the interior of Roberts Island on a southwesterly course into the NW ¼ of Sec. 27, T1N R5E. Even so, contrary to what Mr. Neudeck asserts, the line on Halls map stops in the NE1/4 of Sec. 27 and therefore does not reach the Mussi property, which is in the NW ¼ of Sec. 27. Therefore, it does not "abut" the Duck Slough Line as depicted on Hall's 1886 map. [Exhibit 43A, 43B, 43C - 1886 Hall San Joaquin Valley Map]

Para: 23: Mr. Neudeck claims that the 1894 Stockton-Bellota Drainage District Map "shows Duck Slough extending from Burns-Cut-off." This is a vague statement as to what the map depicts and the significance of the line as drawn upon that map.

This map was discussed earlier in my testimony (see paragraph 8), but I will reiterate here. If one zooms in on the line extending from Burns Cut-off to Middle River what is revealed is that Duck Slough is depicted as parallel solid lines from Burns Cut-off to the south boundary of Sec. 14, T1N R5E. The label "Duck Slough" on the map is confined to this area, much as it was on Hall's 1886 map. If you zoom in further on the cross levee, you can see that there is a dashed line following the north bank of Duck Slough that runs continuously from Burns Cut-off to the head of Duck Slough and follows the alignment of the High Ridge Levee all the way to Middle River. This dashed line connects to the levees along Burns Cut-off and along Middle River. Levees everywhere on this map are represented as dashed lines. Obviously, the dashed line represents a levee on this map and is not an extension of "Duck Slough" to Middle River. [Exhibit 44A, 44B, 44C, 44D, 44E, and 44F – 1894 Stockton Bellota Map]

Para. 24: The USGS Holt Map (1913, based on surveys of 1911) does show an intermittent watercourse paralleling the High Ridge Levee for a portion of its course across Roberts Island within the area served by the Woods Irrigation Company, which was incorporated in 1909. The symbol used by the USGS on the map is used for "intermittent streams and ditches." In contrast to Black Slough, Whiskey Slough and Trapper Slough, the intermittent watercourse paralleling the High Ridge Levee is not labeled as "Duck Slough" or "slough" and it does not connect to either Burns Cut-off or to Middle River. Mr. Neudeck notes that "not all portions of the slough were drawn with blue ink?" The implication is that the so-called "slough" existed elsewhere, even though it is not depicted. What is the basis for this assertion? [Exhibit 45A and 45B – 1913 USGS Holt Quad] By the 1911 to 1913 period, Woods Irrigation Company, incorporated in 1909, was building an irrigation and drainage system on the portion of the island where the intermittent stream or ditch is depicted on the 1913 Holt Quadrangle. It is more logical to assume that the water feature depicted adjacent to the cross levee is related to the land modification work being undertaken by Woods Irrigation Company.

By this time Duck Slough had been dammed at its mouth on Burns Slough for thirty-six years and it does not appear as a slough channel on the 1913 USGS Stockton 15' Quadrangle in the vicinity of Burns Cut-off. What may be the last remnant of the old slough appears on the Stockton Quadrangle only as a small depression along the southeast side of the cross levee near Burns Cut-off. [Exhibit 46A and 46B – 1913 USGS Stockton Quad] The water feature paralleling the High Ridge Levee in Woods Irrigation Company service area also does not connect directly to Middle River and runs through the area designated as "the dry lands" in the company's 1911 contract to furnish water to E. W. S. Woods. Its only apparent connection to any water source is to artificial irrigation features serving the remote western edge of the Woods service area.

Para. 25: I do not see what the significance of Mr. Neudeck's comments on this 1921 map are in terms of proving either a riparian water right or a pre-1914 water right for the Mussi Parcel. The "large interior island slough" that he refers to is located at least one-quarter mile west of the High Ridge cross levee and on another adjacent island. It appears to be a ditch, slough or cut on the west side of the Honker Lake Levee – that is, on the west side of "The Pocket," as is clearly shown on the 1921 map.

Mr. Neudeck argues that the existence of this slough means "water was available for use on the lands in the area." But what "area" could be served by this slough? The 1941 map clearly confirms the location of the so-called "slough" as being west of the "Honker Lake Levee," meaning that it is located along the east side of Drexler Tract, not on Roberts Island. In other words, the "slough" was two tracts removed from Roberts Island. Neither the 1921 nor the 1941 map indicates that water from this slough was conducted through the Honker Lake Levee and across the Pocket or across the Honker Lake Tract, then through the High Ridge Levee to Roberts Island. [Exhibit 47 - Neudeck Mussi Exhibit 3Q, 1921 Weathers and Petzinger Map of the California Delta; Exhibit 48 - Neudeck Mussi Exhibit 3R, 1941 Widdows Map of Lands Served by WIC]

Para. 26: Neudeck analyzes the contents of *Denny's Pocket Map of San Joaquin County* (1913) and concludes that a solid black line following the alignment of the High Ridge Levee depicts "Duck Slough/High Ridge" and is "clearly identified as a 'canal' or 'canals'" on the map, as are, he claims, "the slough" running past Kingston School." These, he maintains, are "connected by a short east-west canal from the School's location to approximately where the USGS and State Engineer Department maps show water in Duck Slough." However, neither the 1913 Holt USGS Quadrangle, nor the State Engineering Department's 1886 map show Duck Slough as being anywhere near the Kingston School cross levee.

Denny's map clearly labels canals by writing "*CANAL*" next to the lines representing their location. He also labels sloughs with their names, for example: Trapper Slough, Latham Slough, Whiskey Slough and Black Slough on Roberts Island, along with numerous other sloughs on San Joaquin River above its confluence with the Calaveras River. "Duck Slough" does not appear on the map and the label "canal" – contrary to Neudeck's statement – does not appear on the map at the location of the High Ridge Cross Levee or the Honker Lake Levee. So what does the network of black lines in the vicinity of the High Ridge, The Pocket and Honker Lake Tract represent? They all follow the alignment of the known interior levee system of middle Roberts Island and its surrounding tracts of land to the west and north. I really don't see what other conclusion could be reached from this map evidence other than that these lines described as canals or sloughs by Neudeck really depict the levees and interior levee road system on the east side of Drexler Tract, surrounding The Pocket and Honker Lake Tract, and forming the division between lower and middle Roberts Island. [Exhibit 49 - Neudeck Mussi Exhibit 3S, 1913 Denny's Pocket Map]

One can also consult the Assessor Maps for 1913 and surrounding years which label these structures as "levees." Also the levee system is clearly labeled as such on a 1909 map of the Woods, Wilhoit & Douglass Lands (1909) [Exhibit 50 - 1909 Map of Woods, Wilhoit & Douglass Lands] and the ca. 1909 Map of Woods Bros Land and Reclamation District No. 524, Middle Division of Roberts Island. [Exhibit 51 - Map of Woods Bros Land and Reclamation District No. 524, ca. 1909]

Para. 27: The copy of Neudeck's Exhibit 3T, 1976 DWR Areal Geology Sacramento-San Joaquin Delta that I have is of such poor quality that I cannot make out clearly what is shown by the lines around the cross levee and Kingston School. [Exhibit 52 – Neudeck Mussi Exhibit 3T,

DWR Areal Geology Sacramento-San Joaquin Delta] However, conditions in 1976 had become so altered from 1891, the year of severance for the Mussi parcel, or the pre-1914 era, that to conclude that this map offers proof that Middle River was connected to "old Duck Slough" in the historic period prior to 1914 and continued to remain so connected "even as late as 1976," is not a valid conclusion, especially in light of all the evidence that proves otherwise.

Para. 28: Mr. Neudeck asserts that "Duck Slough" and a feature that he calls "Kingston School Slough" were connected to the Mussi Parcel and provided it with two sources of water. He cites the 1913 *Denny Pocket* Map and the 1941 Woods Irrigation Company Map as evidence that this situation existed from at least 1913 to 1941.

Again, the *Denny* 1913 map [my Exhibit 49] does not label the alleged "waterway" at the location of the cross levee as a "*CANAL*." The reference to the 1941 date, a point in time in which "the Kingston School Slough existed," must be a reference based upon some evidence Neudeck finds on the Map of Lands Served by Woods Irrigation Company (his Exhibit 3R; my Exhibit 48), but the so-called "Kingston School Slough" he refers to does not appear on that map, what appears in that location is the Honker Lake cross levee, a feature identified as such on numerous historic Assessor Maps starting in 1907. [Exhibit 16 - T1N R5E Assessor Map Table] To repeat myself, the slough that is shown on the 1941 map is on Drexler Tract on the west side of the western Honker Lake Levee, two tracts removed from Roberts Island. Also, one can consult the 1909 map of the Woods, Wilhoit & Douglass Lands which actually labels what Neudeck calls "Kingston School Slough" as the Honker Lake and Pocket "Cross Levee." [Exhibit 50 - 1909 Map of Woods, Wilhoit & Douglass Lands]

Para. 29: Mr. Neudeck repeats his version of the story of the dredge *Samson* in the widening and deepening of so-called "Duck Slough" across Roberts Island from Burns Cut-off to Middle River. I have already addressed this issue and refuted this story through eye-witness accounts and the writings of two prominent civil engineers of the period.

There is no evidence of a waterway being riparian to what became the Mussi Parcel in 1930 after its severance in 1891 from Burns Cut-off, San Joaquin River and Middle River. There is just no convincing evidence presented by Mr. Neudeck that the elaborate system of interconnected natural interior waterways he envisions ever existed during the historical period. Ample historical evidence has been presented in my testimony to refute these assertions.

Para. 30: Mr. Neudeck has prepared a map summarizing his evidence that the Mussi parcel was connected to an inland watercourse from a period prior to 1891 until today. My comments on the map compiled by Neudeck are contained in red on the attached exhibit. [Exhibit 53 - Neudeck Mussi Exhibit U with JRP Comments & Exhibits]

Para. 31: The historical evidence can only support a conclusion that there was no slough connecting to Middle River at its junction with the High Ridge Levee during the historic period. Furthermore, historic evidence is compelling that Duck Slough was a natural waterway during the historic period, but it ran into the interior of the island from Burns Cut-off no more than two miles along the alignment of the High Ridge Cross Levee. The slough was dammed at its mouth in 1876 and automatic tidal gates were installed to support drainage of the island. Compelling

evidence from eye witnesses who were civil engineers with personal knowledge of the reclamation works constructed on Roberts Island in the nineteenth century attest to these facts. Their testimony is consistent and supports these facts. There is no evidence in the historic record that supports the notion of a natural body of water extending along the high ridge connecting Burns Cut-off with Middle River and abutting the Mussi Parcel.

By the time the USGS Holt and Stockton Quadrangles were prepared (1911-13), Duck Slough had been dammed and cut-off from Burns Cutoff for some 36 years. Subsequently, it filled-in either naturally, or by the hand of man. In any case, there was virtually nothing left of this one to two mile long channel by 1911-13 at the location where the slough once connected with Burns Cut-off, as can be seen on the Stockton Quadrangle (1913). [Exhibit 54A and 54B – 1913 Stockton USGS Quadrangle]

Part III: Historic Irrigation and Drainage Practices.

Para. 32: No comment.

Para. 33: No comment.

Para. 34: Mr. Neudeck states in his written testimony that the "natural high grounds along the sloughs and other channels were generally used as the foundation, or beginnings of the levee." Thus, he continues, levees "followed the meandering courses of current or historic waterways."

Generally, I don't have a problem with what Mr. Neudeck says in this paragraph, except that his argument in his testimony assumes that the slough that may have once existed along the high ridge across Roberts Island was still in existence during the historic period. The high ridge was built up in geological or pre-historical time. The historical evidence is fairly clear that if any slough once existed at the confluence of Middle River with this high ridge, it had long been closed. In 1875, Charles Drayton Gibbes describes the levee at this location as high and firm and he does not mention the existence of any slough. In fact, he expressly says none existed at this location. He followed the high ridge into the interior for three miles and does not mention any slough being present, but he does mention a broad ridge formed by sedimentation that was up to 400 feet wide. Whatever slough may have existed in geological time, had been closed off from its source on Middle River. E. E. Tucker explicitly states that Duck Slough was the only remnant of the slough along the high ridge and it headed at a place called Honker Mound, located two miles inland from Burns Cut-off.

Para. 35 through 37: In these paragraphs, Mr. Neudeck discusses floodgates and their dual purpose as facilitators of drainage and irrigation on the Delta islands. On a general level, I do not disagree with Mr. Neudeck's statement. However, his discussion is very general in nature and does not address the specific situation at Duck Slough, which is the watercourse he argues was contiguous to the subject parcel in 1891. In the case of Duck Slough, we have specific information about the single purpose of the dam and tide gates installed. I quote from a contemporary newspaper article:

> "A large force of Chinamen are at work filling the gap on Burn's cut-off, and building the earthen dam at the mouth of Duck Slough. Two self-acting flood-gates, three feet square and forty feet long, have been put in near the dam at low water mark, and are so arranged that whenever the tide falls lower than the level of the water inside, the gates will open and drain it off. Whenever the water on the outside rises higher than that on the inside the gates will close and shut it out." [Exhibit 55 - *Stockton Daily Independent*, October 11, 1876]

Thus, the gates were engineered only to effect drainage of the island. I have not seen any evidence in the historic record, or in any testimony in this matter, that these flood gates were ever replaced with new ones that operated differently. The remnant section of slough near Burns Cut-off was filled in over time. Duck Slough was small enough in its natural state during the historic period to be overlooked on many maps of both the pre-reclamation and post-reclamation era and it disappears from any maps in the 20th century. As we have seen, there is no sign of an open slough connecting to Burns Cut-off on the USGS Stockton Quadrangle prepared in 1911-13. No historic evidence has been discovered by me, nor has any credible evidence been presented in this matter, that demonstrates "Duck Slough" was physically connected to Middle River during the historic period.

Para. 38: Neudeck suggests that Duck Slough near and at the Mussi property was improved by farmers over time and converted into a canal or pipeline. This paragraph assumes that something existed to be replaced. The evidence with respect to the Mussi property is that no natural waterway existed to begin with in 1850 or at any other time during the historic period.

Para. 39: Mr. Neudeck again testifies as to "general practices" relating to operation of "sluice gates" on sloughs. Again, the discussion is very general here. It is unimportant whether or not he can cite to "historical references to these practices" because the known historical facts make "general practices" irrelevant in this case – there was no slough remaining at the location of the Mussi parcel in the historical period. There was no open slough along the high ridge that connected to Middle River, per Gibbes statement in 1875. Duck Slough came nowhere near to the Mussi Parcel, as demonstrated on early pre-reclamation era mapping of Roberts Island and the unambiguous description of the extent of the slough by E. E. Tucker in 1878.

Para. 40 through 42: No comments.

Part 4: Rebuttal to Mr. Neudeck's Pak-Young Testimony (Numbers refer to my numbered paragraphs from Neudeck testimony in Exhibit 2):

(Numbers refer to numbered paragraphs in Neudeck's Pak-Young testimony):

Mapping of Title Testimony

Para. 1-4. No new comments.

Para. 5. Counsel instructed Mr. Neudeck to ignore deeds prior to issuance of the patent to Joel Parker Whitney, November 24, 1876. Not tracing possible severance of riparian rights back to the Certificates of Purchase on Roberts Island generally has the effect of making more land appear to be riparian. One Certificate of Purchase constitutes a single tract of swamp & overflowed land. Eight separate Certificates of Purchase, based upon separate swampland surveys, were issued by the California State Land Office on various dates to different individuals. These Certificates of Purchase were later acquired by Whitney and assigned to the Whitney patent from the State of California. In the case of the Pak-Young parcel, the date of severance is not affected by ignoring the Certificates of Purchase in the chain-of-title. By virtue of the November 6, 1896 conveyance of Glasgow California Land Company to John N. Woods and E. W. S. Woods, the Pak-Young parcel was no longer contiguous to any existing natural watercourses.

Para. 6. In describing the northwestern boundary line of the parcel conveyed by Joel Parker Whitney to Morton C. Fisher north and west of the cross levee (December 12, 1876), Neudeck uses the term "High Ridge Levee/Duck Slough," implying the features are coterminous. The deed is actually quite specific about which sections lay next to the slough as opposed to the levee. The deed conveys land in "Sections one (1) and twelve (12) [1N R5E] lying West of the San Joaquin River, Burns Cut-off and Duck Slough, the fractional part of sections Thirteen (13), Fourteen (14), Twenty-two (22) and Twenty-seven (27) lying west of High Ridge Levee which extends from Burns Cut-off to Middle River. . ." In other words the deed from Whitney clearly states that only Sections 1 and 12 abutted Duck Slough or the other two waterways; the property in the other sections (i.e., 13, 14, 22 and 27) abutted the High Ridge Levee. As stated clearly in the deed, the Pak-Young property in Section 27 abutted the levee, not Duck Slough. [Exhibit 56 - Neudeck Pak Young Exhibit 3C, Whitney to Fisher, January 22, 1877]

Note: This deed helps confirm my interpretation of the language in the Whitney to Fisher deed for the upper division located south and east of the cross levee, i.e., covering the land on the other side of the ridge, where the Mussi's property is located. (See my critique of Neudeck's Mussi testimony, Paragraphs 6 and 7.)

Para. 7. The June 20, 1877 deed from Morton Fisher to Glasgow California Land Company contains the same language as the Whitney to Fisher deed. [Exhibit 57 – Neudeck Pak Young Exhibit 3D, Fisher to Glasgow, June 20, 1877]

Para. 8. See JRP chain of title table for the Pak-Young property. [Exhibit 58 – Map showing approximate location of land conveyed by deed A:90:449] Contrary to what Neudeck argues, this conveyance from Glasgow-California Land Company to John N. Woods and E. W. S. Woods on November 6, 1896 severed the parcel from all waterways. The Glasgow parcel

conveyed to Woods had already been severed from its connection to Middle River by virtue of its 1895 or early 1896 conveyance of "The Pocket" tract (Secs. 33 and 34 T1N R5E) to Frank E. Lane and E. Thomas Hood. [Exhibit 59 - 1896 Assessor Map, T1N R5E] The 1896 Glasgow conveyance to Woods severed the Mussi Parcel from its former connection to Duck Slough, Burns Cut-off, the San Joaquin River and Whiskey Slough.

Neudeck's statements about the tract being riparian to "Duck Slough" are incorrect; the parcel in question was located adjacent to the High Ridge Levee. The head of Duck Slough was located more than a mile away to the northeast. As I have proven in my Mussi testimony, Duck Slough did not reach into Section 23, T1N R5E, which is the easternmost section along the High Ridge Levee reached by the Woods parcel in 1896.

Neudeck appears to believe that parcels once severed from a watercourse can revive their riparian status through "common ownership" of an adjacent riparian parcel. My understanding of riparian water rights does not support this analysis. In any case, contrary to Mr. Neudeck's assertion, the Woods' parcel that abutted the property conveyed to the Woods Bros. by Glascow in 1896 did not include any property in Section 1, T1S R5E and was **not** riparian to Middle River. [Exhibit 60 – Map Showing Conveyances from Stewart, et al., 1889-1892 in the Woods Service Area]

Para. 9. While the language noted does appear in the document, it is noteworthy to add that the deed is executed on a printed form. The printed form itself contains this provision. This clause referring to the appurtenances, etc being included in the conveyance of property is a common reference in standard deeds of conveyance of this period. There is not a specific reservation of a riparian right to any waterway mentioned in the document and, in fact, there was no contiguous water way present. [Exhibit 61 - Neudeck Pak Young Exhibit 3E, Glasgow to Woods, November 6, 1896]

Para. 10. Mr. Neudeck admits that Duck Slough is not mentioned in the 1896 deed from Glasgow to the Woods Bros., but dismisses this omission by saying that previous deeds had mentioned "Duck Slough" as the southern boundary of the Glasgow parcel acquired from Morton C. Fisher in 1877 and in Whitney to Fisher in 1876. See my comments under Para. 6 of Neudeck's Pak-Young testimony. The south boundary line of the Glasgow to Woods deed calls to the "High Ridge Levee" alone because Duck Slough did not penetrate into the interior of Roberts Island as far as Section 23, T1N R5E.

Para. 11. No comments, except to note that the parcel transferred from the estate of E. W. S. Woods to Alice Woods in 1922 had already been severed twenty-six years earlier from all waterways. [Exhibit 62 – Map showing approximate location of land conveyed by document A:518:284]

Para. 12. No comments, except to note that in 1928 when the Estate of Alice Woods conveyed the tract containing the Pak-Young Parcel to Lloyd Woods, et al., the parcel including the Pak-Young tract had already been severed from all waterways for some thirty-two years. [Exhibit 63 – Map showing approximate location of land conveyed by document OR:247:354]

Para. 13. Mr. Neudeck mentions that the current parcel was created "sometime after 1928"; the current parcel was created in 1988. [Exhibit 64 - Bank of Stockton to Patterson, November 30, 1988]

Mr. Neudeck stops his analysis of the riparian status of the Pak-Young property in 1928 because it "post dates the installation and operation of the Parcel's current water supply system from Woods Robinson Vasquez irrigation district." (The parcel was severed from Middle River in 1895.) Budd & Widdows surveyed a high line irrigation ditch in 1924 adjacent to the High Ridge Levee for Alice Woods to serve the lands of Alice Woods, I. N. Robinson, John Vasquez, and Josephine V. Jones. [Exhibit 65 - Map Showing Location of Cross Levee and Proposed Irrigation Ditch...September 1924] Alice Woods purchased a strip of land along the High Ridge Cross Levee from her south property boundary in Section 34, T1N/R5E to the north bank of Middle River for an irrigation ditch and a pumping plant on the river. The property was acquired from Christina Belluomini and Vincenzo Belluomini on January 20, 1925. [Exhibit 66 - Belluomini to Woods, January 20, 1925] On November 18, 1925 Woods, Robinson and Vasquez entered into an agreement to share the cost of constructing the pumping plant, irrigation ditch and a drainage system and to provide for joint use of the water so developed. [Exhibit 67 - Woods-Robinson-Vasquez Agreement, November 18, 1925]. By 1927 this irrigation system appears to have been extended to the west side of the High Ridge Levee to the vicinity of what would become the Pak-Young property. [Exhibit 68 - 1927 Topographical Map of the Portion of the Property of Alice M. Woods] Thus, land within the Pak-Young parcel may have been serviced by the Woods Robinson Vasquez irrigation ditch in or about 1928, as noted by Mr. Neudeck. However, the Mussi property was no longer contiguous to a natural watercourse after 1895 and we found no evidence of actual beneficial use of water on the Mussi property for irrigation purposes prior to 1914.

Historical Background Related to Duck Slough and the High Ridge Levee and their proximity to the Pak-Young Parcel

Para. 15 through 26. See critique of Neudeck's Mussi testimony.

Para. 27. The Pak-Young parcel did not abut "Duck Slough," or any other natural watercourse, on September 29, 1911 when the Woods Irrigation Company to E. W. S. Woods Contract to Furnish Water agreement was executed.

Para. 28 and 29. No comments.

Para. 30. Mr. Neudeck notes that the Pak-Young Parcel was within the service area delineated in the 1911 Woods Irrigation District contract to furnish water and that this demonstrates an intent to "preserve a water right." Again, there was no riparian water right to be "preserved" in 1911; the property had been severed from all natural watercourses in 1896 when John N. and E. W.S Woods acquired it from Glasgow.

Neudeck says that the irrigation and drainage canals "were already in place." Some irrigation canals may have been in place, but they didn't reach the 1300 acres of "dry lands" identified in

red on the map attached to the agreement; this area included the Pak-Young property. The contract noted (p. 47): "It is mutually understood that the waters cannot under the present extent of the canal system, be spread upon the surface of said 1300 acres of land, but can be from a contemplated extension of the Company's canals. This extension may include a change in the point of diversion from the river so that a ditch line may be carried along the high reaches of the "dry lands." [Exhibit 69 – WIC-EWS Woods Contract to Furnish Water, September 29, 1911]

Para. 31: Neudeck concludes that the Pak-Young Parcel "abutted Duck Slough at the time it secured an alternate ability to get water via the Woods Irrigation Company system." Neudeck asserts that Duck Slough was the original source of irrigation water, but was "eventually filled in," but he doesn't know when that occurred. Again, the parcel including the current Pak-Young property as early as 1896, when the Woods Bros. acquired the tract from Glasgow California Land Company, ceased to be riparian to Duck Slough, or any other natural watercourse. During the historical period Duck Slough was located far to the northeast of the parcel created in 1896 and there is no evidence that water was drawn from it to irrigate Glasgow lands or the lands of its successors-in-interest. The slough was dammed in 1876.

Neudeck never found records of when Duck Slough was filled in at or near the Pak-Young parcel, because it the slough was no longer in existence anywhere near to the Mussi property during the historic period. (see C. D. Gibbes and E. E. Tucker discussions of this issue)

Para. 32: Neudeck makes reference to "the final change in the point of diversion" occurring in 1925 which assumes that the property was being served with irrigation water prior to that date, supposedly by "Duck Slough" at first, and afterward in 1911 by WIC or by an independent system operated informally by neighboring farmers. The 1911 agreement identified the Pak-Young parcel as being among the "dry lands," that could not be served by the current WIC irrigation system. To reach these lands required a change in the canal alignment so that water could be conveyed at a higher elevation so as to reach these higher elevation lands. [Exhibit 70 - WIC-EWS Woods Contract to Furnish Water, September 29, 1911, p. 47] The system built in 1925 with a new point of diversion, a new pumping plant, and an irrigation ditch running parallel to the high ridge levee accomplished that goal. However, it was not built by Woods Irrigation Company, but by Alice M. Woods in co-operation with Messrs. Robinson and Vasquez. The Pak-Young Parcel was owned by Alice M. Woods at that time. The "proposed" irrigation ditch alignment for Alice M. Woods's canal was surveyed by Budd & Widdows, C.E., in September 1924. [Exhibit 71 - Map Showing Location of Cross Levee and Proposed Irrigation Ditch...September 1924] Alice M. Woods acquired the property necessary for her diversion works and canal alignment on and near Middle River from the Belluomini's in early 1925. [Exhibit 72 – Exhibit 66 - Belluomini to Woods, January 20, 1925] Thereafter, Alice M. Woods entered into an agreement with Vasquez, Robinson and Jones to construct the irrigation works necessary to bring water to their high lands. [Exhibit 73 - 1925 Woods-Robinson-Vasquez Agreement] We have no evidence that Robinson, Vasquez, Jones and Alice M. Woods were "informally" operating this irrigation system prior to 1925, or alternatively that Woods Irrigation Company developed its irrigation service to enable it to furnish these high tracts with irrigation water.

Para 33 through 40: These paragraphs repeat Neudeck's arguments about the existence and extent of Duck Slough in the historic period. See, my critique of Neudeck's Mussi testimony on the same issues in paragraphs 25 through 31.

Historic Irrigation and Drainage Practices

Para. 41 to 51: See, my critique of Neudeck's Mussi testimony, paragraphs 31 through 41. .

STATE OF CALIFORNIA

STATE WATER RESOURCES CONTROL BOARD

In re: Draft Order WR 2009-0079-DWR	)	TESTIMONY OF CHRIS NEUDECK
	)	
RUDY MUSSI, et al.,	)	APN 131-170-03

INTRODUCTION/QUALIFICATIONS

Para. 1 I am Christopher H. Neudeck, P. O. Box 844, Stockton, California 95201. I am a registered Civil Engineer in the State of California and have worked with the Delta Islands including flood control, drainage and irrigation for the past twenty-five (25) years. I am the District Engineer for numerous reclamation districts in the Sacramento/San Joaquin Delta (Delta) and I am familiar with the history of reclamation of lands in the Delta including the Upper Division of Roberts Island which is the area of concern in this proceeding. The engineering firm of Kjeldsen, Sinnock & Neudeck, Inc. of which I am a principal is the engineer for Reclamation District No. 544 which encompasses the area of concern and adjoining districts Reclamation District No. 17 and Union Island Reclamation Districts 1 and 2. I am very familiar with the area including the waterways, levees, drains and irrigation facilities. A statement of my qualifications is submitted as a separate exhibit.

Para. 2 My testimony involves two main areas. The first is the review and mapping of title and other documents. The second is a summary of the irrigation and drainage practices of the southern Delta, and how these practices evolved over time.

Para. 3 With regard to the first, I begin with the Chain of Title produced for the Mussi property by Central Valley Land Service Company. I understand the research and production of documents was done by Mr. Thurl Pankey, one of the principles of Central Valley Land Service Company and any of his associates.

Para. 4 The Mussi property is San Joaquin County Assessor's Parcel No. 131-170-03. The tax assessor parcel map showing this parcel is Exhibit 3A to this testimony. Hereinafter, I will refer to this property as either the "Parcel" or the "Mussi Parcel."

Para. 5 When mapping this Parcel, I have ignored any deeds or indentures which date prior to the Parcel being patented from the State of California per instructions by counsel. By way of patent dated November 24, 1876, the State of California patented a very large tract of land to Mr. J. P. Whitney. This large tract included the Parcel; see Exhibit 3B. For this and other relevant deeds, the exhibit includes our mapping of the deed.

Exhibit 3

EXHIBIT 1

Para. 6 On January 17, 1877, Mr. Whitney transferred a portion of the land patented to him to Mr. Morton C. Fisher; see Exhibit 3C. These transferred lands included the Parcel and were generally those lands east and south of what was know as High Ridge Levee/Duck Slough.

Para. 7 On March 15, 1877, Mr. Fisher transferred his lands to James Stewart, James Burton, and James King; see Exhibit 3D.

Para. 8 On April 28, 1891, Stewart, Burton and King transferred their lands to Mr. Joseph Vasquez; see Exhibit 3E. This transfer separated the parcel from any surface connection to the main waterways of the time, Middle River, San Joaquin River, Burns Cut-off, or Whiskey Slough. This Vasquez land (which included the Parcel) abutted what was then labeled as a "cross levee." However, earlier deeds described this line as ". . . the levee constructed along High Ridge and Duck Slough. . ." see, for example, the language in Exhibit 3D. The last deed I have mapped created the parcel in its current size and is attached hereto as Exhibit 3F.

Para. 9 Of further note in this 1891 deed is the language *"Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof."*

Para. 10 The Vasquez land remained the same size as when it was first created until it was subdivided. This subdivision created two parcels, one of which is the Parcel; see Exhibit 3G. The Mussis became the owners of the Parcel by way of deed from Milton Welser, as Trustee (of his own Trust) dated June 7, 1999.

Para. 11 I have also prepared further exhibits which provide additional historical background and facts as they may relate to the Parcel.

Para. 12 Exhibit 3H includes the San Joaquin County Assessor's maps for the years 1876 through 1919, with the years 1877, 1878, 1909 and 1910 missing. These records are from the Micke Grove Historical Society, which is not aware of the locations of the "missing" maps. The map for 1876, shows a "blue" line along what was known as Duck Slough/High Ridge Levee; see Exhibit 3I. This line stretches from Burns Cut-off all the way to Middle River. Other documents confirm and/or suggest this was the route of Duck Slough on Roberts Island. Based on my expertise in mapping and reading maps, I believe this line indicates that Duck Slough had water in it at the time the tax assessor map was drawn.

Para. 13 I would like to note the method by which the levees, such as the "High Ridge Levee" were created. To create a new levee or improve a "natural" one, soil must be piled up. The easy and economical source of such soil was the immediate area around and near the levee site. Hence, dredges (or even hand labor) would remove soil in the vicinity of the levee site and would pile it up on the existing berm or levee. The "borrow pits" which were the sources for this soil were commonly located along the route of the levee. When the levee followed an old slough, it was common for the soil to be taken from the slough. The removal of soil deepened/widened the existing slough channel as soil was removed to build up the levee. We know that in this particular area, due to the depth to groundwater, digging a hole/trench/canal immediately results

Para. 13 cont'd in the channel filling with water seepage. When this was done to an existing slough, it created a larger source of open water fed from the main channel to which the slough connected.

Para. 14 In this case, we actually have a written source which confirms this enlargement of the slough abutting the Property. One of the early dredges (which were "floating steam shovels"), the *Sampson*, was actually used to create/improve the High Ridge Levee. The *Sampson* and its sister dredge the *Goliath*, were launched in 1875.

Para. 15 The Sampson's first job was on Duck Slough and Burns' Cut-off levees of Roberts Island (FN), but the water was so low that the equipment could not make headway unless a channel 30 by 7 feet was dug.

Para. 16 The footnote from the above quote states:

> The levee followed the right bank of the slough southwestward toward Middle River from the slough's outlet on Burn's Cut-off. The present Honker Lake Tract, the Pocket, and Roberts Island north of the Santa Fe right-of-way (including McDonald Island) would be north of the levee.

Para. 17 This quote is from *The Settlement Geography of the Sacramento-San Joaquin Delta, California*; at page 267. Exhibit 3J is the entire document, and Exhibit 3K is the subject page.

Para. 18 This description in the *Settlement Geography* confirms the process of using the slough itself as the borrow pit, and the deepening of the slough along High Ridge Levee; Duck Slough. Such deepening was necessary to transport the floating dredge which was improving the levee.

Para. 19 From this I conclude that from very early on (1875), Duck Slough (abutting the Parcel) was improved to the extent the Slough became a substantial waterway (with the very approximate dimensions of 30' wide by 7' deed').

Para. 20 Exhibit 3L is another of the Assessor's Maps, this one dated 1881-1882. As we can see, it includes a "blue" line along the dotted lines. I interpret these marks to be the Assessor's notation of both the High Ridge Levee and Duck Slough. Again, the Parcel abuts these features.

Para. 21 Exhibit 3M is the *Map of a Portion of Roberts Island* dated 1883 (owned by M. C. Fisher and produced by Tucker & Smith, Civil Engineers, Stockton) This map shows a hashed line which represents a levee (labeled "Cross Levee") from Burns-Cutoff (a portion of the San Joaquin River south of Rough and Ready Island) running, generally, southwest down to Middle River. In addition to the dashed levee line, there is also a solid line running along the same route. This line indicates a smaller waterway (as opposed to the larger waterways indicated by two solid lines). Thus we have an interior island slough which connects the San Joaquin River to Middle River. This supports the conclusion that the blue line on the 1876 Assessor's parcel map indeed represents a waterway. This slough and levee are the dividing line between Middle Roberts and Lower Roberts. Again, the Mussi Parcel abuts High Ridge Levee/Duck Slough.

Para. 22 Exhibit 3N is the *California State Engineer Department Topography and Irrigation Map of San Joaquin County*, dated 1886. This map shows Duck Slough running from Township 1 North, Range 5 East, Section 12, Mount Diablo Baseline and Meridian to Township 1 North, Range 5 East, Section 27 Mount Diablo Baseline and Meridian. The Parcel is in the middle of Section 27 and abuts the Duck Slough line on this map.

Para. 23 Exhibit 3O is the 1894 Stockton-Bellota Drainage District map produced by the California Commission of Public Works This map also shows Duck Slough extending from Burns Cut-off.

Para. 24 Exhibit 3P is the *USGS Holt Quadrangle Map* of 1911. This map includes coloring of known waterways. As can be seen, the USGS noted that a waterway existed in this same Duck Slough, with water reaching also down into Section 27. It is evident from the countours marking depressions along the east side of High Ridge Levee that a wet slough was present along the length of the High Ridge Levee, although not all portions of the slough were drawn with blue ink on the 1911 USGS Holt Quadrangle Map of 1911.

Para. 25 Exhibit 3Q is the *Map of California Delta of the Sacramento and San Joaquin Rivers* compiled by Captain Weathers and Captain Petzinger, and dated 1921. This map is important because it locates a major interior island slough that appears to open/connect to Middle River. This large slough does not reach the Parcel, but it is very near to it, reaching from Middle River northward to the old site of the Kingston School (founded no later than 1881). Confirming this large interior island slough, is the 1941 *Map of Lands Served by Woods Irrigation Company* attached hereto as Exhibit 3R. As we can see, even as late as 1941, there was a significant interior island slough in this location, meaning that water was available for use on the lands in the area. This slough, according to the 1941 map runs all the way to Trapper Slough.

Para. 26 Exhibit 3S is the *Denny's Pocket Map of San Joaquin County*, dated 1913. Besides showing cities and Sections, the map's legend indicates it also identifies "Roads, Private Roads, Railroads, Electric Railroads, Creeks and Ravines, *Canals*, and County Boundary Lines" (emphasis added). Clearly identified as a "canal" or "canals" are lines which follow Duck Slough/High Ridge and the slough running to and past Kingston School. These are connected by a short east-west canal from the School's location to approximately where the USGS and State Engineer Department maps show water in Duck Slough.

Para. 27 This interconnection between the slough running up from Middle River to Kingston School and the old Duck Slough is confirmed by the 1976 Department of Water Resources Areal Geology Sacramento-San Joaquin Delta map, attached hereto as Exhibit 3T. This map clearly shows that the water from Middle River is connected to the water in the slough abutting the Property, even as late as 1976.

Para. 28 I conclude that the two sources of water (Duck Slough and the slough running past Kingston School) were connected to the Parcel. Based on the *Denny's Pocket Map of San Joaquin County's* (Exhibit 3S) use of the term "canal," this water was intentionally provided to the lands along these waterways. As we see, these sources of water run directly by, and abut the

Para. 28 cont'd Parcel. Any contrary conclusion is not supported by the facts. Since we know that the Kingston School slough existed through at least 1941, it is logical to conclude that water could be distributed through all the connecting canals.

Para. 29 I refer back to the description of the Sampson dredge's activities in building a levee along Duck Slough and its "creation" of a 30' wide by 7' deep channel to allow the dredge to float and be moved. The combination of designated waterways, enlarged waterways, interconnection with other waterways, canals and sloughs many years before the Parcel was separated from the main channels to many years after, the only reasonable conclusion is that the Property maintained a connection to the neighboring waterways and thus was ***not*** severed as of 1891.

Para. 30 For ease of reference, we have included Exhibit 3U which combines a number of references to water sources onto a map which also shows the outline of the Parcel.

I have also reviewed the testimony of Michael Robinson which indicates that the Parcel received water from Woods Irrigation Company sometime prior to 1925. He also states that in 1925, the current supply system was formalized, though it had functioned (supplied water to the Parcel) before that date.

Para. 31 The evidence for the Mussi Parcel is overwhelming. Not only do we have numerous sources showing Duck Slough having water in it well past the date the Parcel was separated off from the main channels, we have water in it at least as of 1911, then in 1913 (the Denny's Pocket Map) we have canals along Duck Slough and connecting to a slough that existed through 1941, and supply by Woods Irrigation Company up to the time the current system was installed. There can be little doubt the owners of the Parcel maintained a continuous connection to water for irrigation purposes from 1891 through the date of their current supply system used today.

Para. 32 The second part of my testimony deals with the historical irrigation and drainage practices of the area. Attached hereto as Exhibit 3V which is a copy of my testimony before this Board in the Term 91 ACL hearings held in February, 2003. I will only briefly summarize that testimony now, and can provide more detailed explanations/clarifications when called as a witness.

Para. 33 Briefly, the area in question, like much of the Delta was originally designated Swamp and Overflowed Lands during the original federal surveys of public lands in California. This designation was due to flooding that occurred during times of high flows on the San Joaquin, Sacramento, or other tributaries to the Delta. This regular process created innumerable waterways stemming from the main channels, including large sloughs, small sloughs, and smaller dendritic channels.

Para. 34 The banks of the channels were the natural high ground due to sedimentation of the materials carried by the high flows. The first farmers in the area used these high grounds locate their buildings and for farming. These farmers then attempted to construct levees to protect their lands from the high flows and to drain them (as necessary) for full reclamation. In this process, the natural high grounds along the sloughs and other channels were generally used as the foundation, or beginnings of the levee. This explains why many of the current surface features in

Para. 34 cont'd the area are not straight lines, but followed the meandering courses of current or historic waterways.

Para. 35 As levees were constructed around the lands in the Delta, interior channels were dammed at the point they intersected the levee. At these dams they installed sluice or flood gates so that they could regulate the water in the slough being severed by levee construction.

Para. 36 The flood gates were constructed for two main reasons. The slough was used to drain the lands as necessary. This was done by allowing seepage to fill the slough, and then open the sluice gate during the low tide. Under those conditions, the slough would drain into the main channel and the desired drainage of the land was accomplished. The second purpose of the sluice gate was for irrigation. By opening the gate during high tide or high flow conditions, the slough would fill with water. This water was either pumped out of the slough, allowed to flow over the lands via natural gradients, or simply held in the channel to sub-irrigate the lands. The method used depended of course on the topography, and the extent of the improvements the landowners had installed and operated. Whichever method was used, the farmers certainly took advantage of this system and these capabilities because the application of water vastly improves crop production and minimizes the vagrancies of weather and river flow.

Para. 37 Since the southern Delta is mostly higher elevation than the central Delta, the sluice gates on old sloughs were probably used for irrigation more than drainage. However, the southern Delta does have a high water table (directly connected to the water in the neighboring channels and the elevation of that water) and thus did require regular drainage.

Para. 38 As time passed, the farmers installed more modern and efficient systems, including pumps and the sluice gates were slowly replaced. They also eventually filled in the sloughs and so replaced them with smaller canals or pipelines.

Para. 39 This description of reclamation and irrigation practices in the Delta is not speculation. Besides the numerous historical references to these practices (both cited in my Term 91 testimony and in Mr. Nomellini's testimony) I have personally been involved in levee projects which have located, removed or filled in at least four (4) of these old sluice gates. In fact, I believe Mr. Nomellini's testimony identifies others still in operation. I have also had many conversations with local farmers who either knew of these gates and the practices I have referenced, or actually were involved in the operation of these gates.

Para. 40 There are other relevant circumstance pertaining to the Parcel. From both the USGS map referenced above and the materials cited/used by Mr. Lajoie, we see that the Parcel is at or below sea level, both as of the time it was separated from having a surface connection to the main channels through the present. This means that it was, and remains directly connected to the main channels of the Delta. When high flows or high tides occur, any old channel or slough fills to the same level as the neighboring channel. Before the Parcel was fully protected by levees, the water would inundate the land, both through surface and subsurface flow. After the construction of levees for reclamation purposes, the subsurface flows continue to saturate the reclaimed land.

Para. 40 cont'd This area in general, and the Parcel in particular, operate drainage systems to deal with this saturation.

Para. 41 As you can in Exhibit 3V (specifically section II., Exhibit "G") which is my testimony submitted in the Term 91 hearings, the surrounding groundwater is directly connected to the waters in the neighboring channels. As I stated in that proceeding:

> This hydrologic conductivity is important to understand the local water supplies. The entire Delta is one big pool of water; some in the channel and some in the soils. There is no net difference in the amount of water in the Delta channels when local diverters take from neighboring channels, pump from shallow groundwater, or farm crops which draw from the shallow groundwater. Taking water from one place is virtually the same as from another. This is especially true during summer and fall months when the three tidal barriers are in operation as they hold high tide waters around Upper Roberts Island and thus prevent any depletion of the channel waters from causing low levels which might affect other diverters.

Para. 42 In conclusion, the pertinent records indicate that as the ownership of the Parcel changed over time, it was always either abutting a channel, or connected to a supply system which could deliver water to it.

STATE OF CALIFORNIA

STATE WATER RESOURCES CONTROL BOARD

In re: Draft Order WR 2009-00XX-DWR	)	TESTIMONY OF CHRISTOPHER NEUDECK
	)	
Yong Pak and Sun Young	)	APN 131-180-07

INTRODUCTION/QUALIFICATIONS

I am Christopher H. Neudeck, P. O. Box 844, Stockton, California 95201. I am a registered Civil Engineer in the State of California and have worked with the Delta Islands including flood control, drainage and irrigation for the past twenty five (25) years. I am the District Engineer for numerous reclamation districts in the Sacramento/San Joaquin Delta (Delta) and I am familiar with the history of reclamation of lands in the Delta including the Upper Division of Roberts Island which is the area of concern in this proceeding. The engineering firm of Kjeldsen, Sinnock & Neudeck, Inc. of which I am a principal is the engineer for Reclamation District No. 544 which encompasses the area of concern and adjoining districts Reclamation District No. 17 and Union Island Reclamation Districts 1 and 2. I am very familiar with the area including the waterways, levees, drains and irrigation facilities. A statement of my qualifications is submitted as a separate exhibit.

My testimony involves two main areas. The first is the review and mapping of title and other documents. The second is a summary of the irrigation and drainage practices of the southern Delta, and how these practices evolved over time.

With regard to the first, I begin with the Chain of Title produced for the Pak and Young property by Central Valley Land Service Company. I understand the research and production of documents was done by Mr. Thurl Pankey, one of the principles of Central Valley Land Service Company and any of his associates.

The Pak and Young property is San Joaquin County Assessor's Parcel No. 131-170-03. The tax assessor parcel map showing this parcel is Exhibit 3A to this testimony. Hereinafter, I will refer to this property as either the "Parcel" or the "Pak Parcel."

When mapping this Parcel, I have ignored any deeds or indentures which date prior to the Parcel being patented from the State of California per instructions by counsel. By way of patent dated November 24, 1876, the State of California patented a very large tract of land to Mr. J. P.

Exhibit 3

EXHIBIT 2

Para. 5 cont'd Whitney. This large tract included the Parcel; see Exhibit 3B. For this Patent and other relevant deeds, the exhibit includes our mapping of the document.

Para. 6 On January 22, 1877, Mr. Whitney transferred a portion of the land patented to him to Mr. Morton C. Fisher; see Exhibit 3C. These transferred lands included the Parcel and were generally those lands west and north of what was know as High Ridge Levee/Duck Slough. I note that when mapping the Whitney to Fisher deed included the chain of title it was discovered that it described lands which did not include the Parcel (it was a similar deed between the two, but for the lands on the other side of Duck Slough). We easily found the correct deed, which is part of this Exhibit.

Para. 7 On June 20, 1877, Mr. Fisher transferred these lands to Glascow California Land Company; see Exhibit 3D. Again, the Parcel is within the gross area of land transferred.

Para. 8 On November 6, 1896, Glascow California Land Company transferred a portion of its lands to John N. Woods and E.W.S. Woods; see Exhibit 3E. Per the Assessor's maps included herewith (see Exhibit 3H below), sometime during the prior years the Woods brothers had also acquired a large tract of land on the other side of Duck Slough (generally east and south) which eventually included a portion of Section 1, T1S R5E which abutted Middle River. Hence, while the parcel was still abutting Duck Slough, (and without any gap in its riparian status) it also became attached to Middle River via common ownership. Thus it could have moved its place of diversion to a point on that main channel to exercise its riparian right.

Para. 9 Of further note in this 1896 deed is the language *"Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof."*

Para. 10 Although the deed to the Woods brothers does not reference "Duck Slough," that feature was referenced in prior deeds such as Exhibit 3C.

Para. 11 On December 26, 1922, through the estate of E.W.S. Woods, the Parcel, along with other, substantial acreage of land were transferred to Alice Woods; see Exhibit 3F.

Para. 12 On December 10, 1928, through the Estate of Alice Woods certain lands went to Lloyd Woods et.al.; see Exhibit 3G. Again, the Parcel was part of the lands transferred.

Para. 13 The current Pak parcel was eventually subdivided sometime after 1928 per the documents in the chain of title. I have not mapped that event as it post dates the installation and operation of Parcel's current water supply system from the Woods Robinson Vasquez irrigation district.

I have also prepared further exhibits which provide additional historical background and facts as they may relate to the Parcel.

Exhibit 3H includes the San Joaquin County Assessor's maps for the years 1876 through 1919, with the years 1877, 1878, 1909 and 1910 missing. These records are from the Micke Grove Historical Society, which is not aware of the locations of the "missing" maps. The map for 1876, shows a "blue" line along what was known as Duck Slough/High Ridge Levee; see Exhibit 3I. This line stretches from Burns Cut-off all the way to Middle River. Other documents confirm and/or suggest this was the route of Duck Slough on Roberts Island. Based on my expertise in mapping and reading maps, I believe this line indicates that Duck Slough had water in it at the time the tax assessor map was drawn.

I would like to note the method by which the levees, such as the "High Ridge Levee" were created. To create a new levee or improve a "natural" one, soil must be piled up. The easy and economical source of such soil was the immediate area around and near the levee site. Hence, dredges (or even hand labor) would remove soil in the vicinity of the levee site and would pile it up on the existing berm or levee. The "borrow pits" which were the sources for this soil were commonly located along the route of the levee. When the levee followed an old slough, it was common for the soil to be taken from the slough. The removal of soil deepened/widened the existing slough channel as soil was removed to build up the levee. We know that in this particular area, due to the depth to groundwater, digging a hole/trench/canal immediately results in the channel filling with water seepage. When this was done to an existing slough, it created a larger source of open water fed from the main channel to which the slough connected.

In this case, we actually have a written source which confirms this enlargement of the slough abutting the Property. One of the early dredges (which were "floating steam shovels"), the *Sampson*, was actually used to create/improve the High Ridge Levee. The *Sampson* and its sister dredge the *Goliath*, were launched in 1875.

> The Sampson's first job was on Duck Slough and Burns' Cut-off levees of Roberts Island (FN), but the water was so low that the equipment could not make headway unless a channel 30 by 7 feet was dug.

The footnote from the above quote states:

> The levee followed the right bank of the slough southwestward toward Middle River from the slough's outlet on Burn's Cut-off. The present Honker Lake

Tract, the Pocket, and Roberts Island north of the Santa Fe right-of-way (including McDonald Island) would be north of the levee.

Para. 19 This quote is from *The Settlement Geography of the Sacramento-San Joaquin Delta, California*; at page 267. Exhibit 3J is the entire document, and Exhibit 3K is the subject page.

Para. 20 This description in the *Settlement Geography* confirms the process of using the slough itself as the borrow pit, and the deepening of the slough along High Ridge Levee; Duck Slough. Such deepening was necessary to transport the floating dredge which was improving the levee.

Para. 21 From this I conclude that from very early on (1875), Duck Slough (abutting the Parcel) was improved to the extent the Slough became a substantial waterway (with the very approximate dimensions of 30' wide by 7' deed').

Para. 22 Exhibit 3L is another of the Assessor's Maps, this one dated 1881-1882. As we can see, it includes a "blue" line along the dotted lines. I interpret these marks to be the Assessor's notation of both the High Ridge Levee and Duck Slough. Again, the Parcel abuts these features.

Para. 23 Exhibit 3M is the *Map of a Portion of Roberts Island* dated 1883 (owned by M. C. Fisher and produced by Tucker & Smith, Civil Engineers, Stockton) This map shows a hashed line which represents a levee (labeled "Cross Levee") from Burns-Cutoff (a portion of the San Joaquin River south of Rough and Ready Island) running, generally, southwest down to Middle River. In addition to the dashed levee line, there is also a solid line running along the same route. This line indicates a smaller waterway (as opposed to the larger waterways indicated by two solid lines). Thus we have an interior island slough which connects the San Joaquin River to Middle River. This supports the conclusion that the blue line on the 1876 Assessor's parcel map indeed represents a waterway. This slough and levee are the dividing line between Middle Roberts and Lower Roberts. Again, the Pak Parcel abuts High Ridge Levee/Duck Slough.

Para. 24 Exhibit 3N is the *California State Engineer Department Topography and Irrigation Map of San Joaquin County*, dated 1886. This map shows Duck Slough running from Township 1 North, Range 5 East, Section 12, Mount Diablo Baseline and Meridian to Township 1 North, Range 5 East, Section 27 Mount Diablo Baseline and Meridian. The Parcel is in the middle of Section 27 and abuts the Duck Slough line on this map.

Para. 25 Exhibit 3O is the 1894 Stockton-Bellota Drainage District map produced by the California Commission of Public Works This map also shows Duck Slough extending from Burns Cut-off.

Exhibit 3P is the *USGS Holt Quadrangle Map* of 1911. This map includes coloring of known waterways. As can be seen, the USGS noted that a waterway existed in this same Duck Slough, with water reaching also down into Section 27. It is evident from the countours marking depressions along the east side of High Ridge Levee that a wet slough was present along the length of the High Ridge Levee, although not all portions of the slough were drawn with blue ink on the 1911 USGS Holt Quadrangle Map of 1911.

We see that as of 1911, the Pak Parcel abutted the Duck Slough and was owned by J.N. and E.W.S. Woods. At this time the Woods family formalized their irrigation and drainage relationships among themselves and with those to whom they had recently sold property. They did this through a number of agreements which were recorded in San Joaquin County.

One of these agreements was entitled "Woods Irrigation Company to Woods, E.W.S. Contract to furnish water" dated September 29, 1911. This Agreement is attached hereto as Exhibit 3Q. The Agreement specifies that the Woods IC will deliver water to various lands held by E.W.S. Woods. Generally, these lands were west of those of the Wilhoit Douglass Tract. The Wilhoit Douglass lands (the subject of a similar agreement of the same date) were the eastern portion of the Woods Company service area while the E.W.S. Woods lands were the western portion (see map which is the last page of the Exhibit).

Within the E.W.S. Woods lands are an area described as

> Beginning at the common corner of Section Fifteen (15) Sixteen (16) Twenty-one (21) and Twenty-two (22) Township One (1) North, Range Five (5) East, Mount Diablo Base and Meridian; thence West 3102-5/10 feet to the center of Honker Lake Levee; thence along the center of said Levee in a Southerly and Southeasterly direction to its junction with the cross levee between "The Pocket" and Honker Lake Tract; thence along the center of said cross levee in an easterly direction to its junction with the High Ridge Levee; thence along the center of High Ridge Levee in a general Northeasterly direction to its intersection with East and West one-quarter (1/4) line passing through Sections Twenty-two (22) and Twenty-three (23) Township One (1) North Range Five (5) East; thence along said one-quarter (1/4) line to its intersection with the North and South line between Sections Twenty-one (21) and Twenty-two (22) Township One (1) North Range Five (5) East; thence North along said line to the place of beginning, containing 769-32/100 acres.

This legal description includes the Pak Parcel. Hence in 1911 the owner of the Pak Parcel preserved the ability to get water from a water course, indicating intent to

Para. 30 Cont'd preserve a water right. This 1911 Agreement is written to indicate the irrigation (and drainage) canals were already in place. This is apparent not only from the text of the Agreement, but because the agreement references lands which were not able to get water from the system at the time of the agreement, but needed further improvements first.

Para. 31 From these facts, I conclude that the Pak Parcel abutted Duck Slough at the time it secured an alternate ability to get water via the Woods IC system. This conforms to the general practices of the area in which farmers first used the original sloughs and other waterways to deliver water to their lands, but over time changed to more current and reliable methods. As a result of these practices, the old sloughs were eventually filled in. At this time, we have not located any records which confirm when Duck Slough, or portions of it were filled in.

Para. 32 The final change in the point of diversion came in 1925 when the owners of the Pak Parcel formalized their relationship with their neighbors by forming the Woods Robinson Vasquez district, though the parties to that agreement were apparently operating the system before this date (see Testimony of Michael Robinson). I am informed that the specifics of that district are not relevant to this case and so have not prepared any detailed testimony regarding it.

Para. 33 Exhibit 3R is the *Map of California Delta of the Sacramento and San Joaquin Rivers* compiled by Captain Weathers and Captain Petzinger, and dated 1921. This map is important because it locates a major interior island slough that appears to open/connect to Middle River. This large slough does not reach the Parcel, but it is very near to it, reaching from Middle River northward to the old site of the Kingston School (founded no later than 1881). Confirming this large interior island slough, is the 1941 *Map of Lands Served by Woods Irrigation Company* attached hereto as Exhibit 3S. As we can see, even as late as 1941, there was a significant interior island slough in this location, meaning that water was available for use on the lands in the area. This slough, according to the 1941 map runs all the way to Trapper Slough.

Para. 34 Exhibit 3T is the *Denny's Pocket Map of San Joaquin County*, dated 1913. Besides showing cities and Sections, the map's legend indicates it also identifies "Roads, Private Roads, Railroads, Electric Railroads, Creeks and Ravines, *Canals*, and County Boundary Lines" (emphasis added). Clearly identified as a "canal" or "canals" are lines which follow Duck Slough/High Ridge and the slough running to and past Kingston School. These are connected by a short east-west canal from the School's location to approximately where the USGS and State Engineer Department maps show water in Duck Slough.

This interconnection between the slough running up from Middle River to Kingston School and the old Duck Slough is confirmed by the 1976 Department of Water Resources Areal Geology Sacramento-San Joaquin Delta map, attached hereto as Exhibit 3U. This map clearly shows that the water from Middle River is connected to the water in the slough abutting the Property, even as late as 1976.

I conclude that the two sources of water (Duck Slough and the slough running past Kingston School) were connected to the Parcel. Based on the *Denny's Pocket Map of San Joaquin County's* (Exhibit 3T) use of the term "canal," this water was intentionally provided to the lands along these waterways. As we see, these sources of water run directly by, and abut the Parcel. Any contrary conclusion is not supported by the facts. Since we know that the Kingston School slough existed through at least 1941, it is logical to conclude that water could be distributed through all the connecting canals.

I refer back to the description of the Sampson dredge's activities in building a levee along Duck Slough and its "creation" of a 30' wide by 7' deep channel to allow the dredge to float and be moved. The combination of designated waterways, enlarged waterways, interconnection with other waterways, canals and sloughs many years before the Parcel was separated from the main channels to many years after, the only reasonable conclusion is that the Property maintained a connection to the neighboring waterways and thus was ***not*** severed as of 1891.

For ease of reference, we have included Exhibit 3V which combines a number of references to water sources onto a map which also shows the outline of the Parcel.

I have also reviewed the testimony of Michael Robinson which indicates that the Parcel received water from Woods Irrigation Company sometime prior to 1925. He also states that in 1925, the current supply system was formalized, though it had functioned (supplied water to the Parcel) before that date.

The evidence for the Pak Parcel is overwhelming. Not only do we have numerous sources showing Duck Slough having water in it well past the date the Parcel was separated off from the main channels, we have water in it at least as of 1911, an agreement with Woods Irrigation Company securing/maintaining the ability to get water, then in 1913 (the Denny's Pocket Map) we have canals along Duck Slough and connecting to a slough that existed through 1941, and supply by Woods Irrigation Company up to the time the current system was installed. There can be little doubt the owners of the Parcel maintained a continuous connection to water for irrigation purposes from 1891 through the date of their current supply system used today.

Para. 41 The second part of my testimony deals with the historical irrigation and drainage practices of the area. Attached hereto as Exhibit 3W which is a copy of my testimony before this Board in the Term 91 ACL hearings held in February, 2003. I will only briefly summarize that testimony now, and can provide more detailed explanations/clarifications when called as a witness.

Para. 42 Briefly, the area in question, like much of the Delta was originally designated Swamp and Overflowed Lands during the original federal surveys of public lands in California. This designation was due to flooding that occurred during times of high flows on the San Joaquin, Sacramento, or other tributaries to the Delta. This regular process created innumerable waterways stemming from the main channels, including large sloughs, small sloughs, and smaller dendritic channels.

Para. 43 The banks of the channels were the natural high ground due to sedimentation of the materials carried by the high flows. The first farmers in the area used these high grounds locate their buildings and for farming. These farmers then attempted to construct levees to protect their lands from the high flows and to drain them (as necessary) for full reclamation. In this process, the natural high grounds along the sloughs and other channels were generally used as the foundation, or beginnings of the levee. This explains why many of the current surface features in the area are not straight lines, but followed the meandering courses of current or historic waterways.

Para. 44 As levees were constructed around the lands in the Delta, interior channels were dammed at the point they intersected the levee. At these dams they installed sluice or flood gates so that they could regulate the water in the slough being severed by levee construction.

Para. 45 The flood gates were constructed for two main reasons. The slough was used to drain the lands as necessary. This was done by allowing seepage to fill the slough, and then open the sluice gate during the low tide. Under those conditions, the slough would drain into the main channel and the desired drainage of the land was accomplished. The second purpose of the sluice gate was for irrigation. By opening the gate during high tide or high flow conditions, the slough would fill with water. This water was either pumped out of the slough, allowed to flow over the lands via natural gradients, or simply held in the channel to sub-irrigate the lands. The method used depended of course on the topography, and the extent of the improvements the landowners had installed and operated. Whichever method was used, the farmers certainly took advantage of this system and these capabilities because the application of water vastly improves crop production and minimizes the vagrancies of weather and river flow.

Para. 46 Since the southern Delta is mostly higher elevation than the central Delta, the sluice gates on old sloughs were probably used for irrigation more than drainage. However, the southern

Delta does have a high water table.(directly connected to the water in the neighboring channels and the elevation of that water) and thus did require regular drainage.

As time passed, the farmers installed more modern and efficient systems, including pumps and the sluice gates were slowly replaced. They also eventually filled in the sloughs and so replaced them with smaller canals or pipelines.

This description of reclamation and irrigation practices in the Delta is not speculation. Besides the numerous historical references to these practices (both cited in my Term 91 testimony and in Mr. Nomellini's testimony) I have personally been involved in levee projects which have located, removed or filled in at least four (4) of these old sluice gates. In fact, I believe Mr. Nomellini's testimony identifies others still in operation. I have also had many conversations with local farmers who either knew of these gates and the practices I have referenced, or actually were involved in the operation of these gates.

There are other relevant circumstance pertaining to the Parcel. From both the USGS map referenced above and the materials cited/used by Mr. Lajoie, we see that the Parcel is at or below sea level, both as of the time it was separated from having a surface connection to the main channels through the present. This means that it was, and remains directly connected to the main channels of the Delta. When high flows or high tides occur, any old channel or slough fills to the same level as the neighboring channel. Before the Parcel was fully protected by levees, the water would inundate the land, both through surface and subsurface flow. After the construction of levees for reclamation purposes, the subsurface flows continue to saturate the reclaimed land. This area in general, and the Parcel in particular, operate drainage systems to deal with this saturation.

As you can in section II of my testimony submitted in the Term 91 hearings, the surrounding groundwater is directly connected to the waters in the neighboring channels. As I stated in that proceeding:

> This hydrologic conductivity is important to understand the local water supplies. The entire Delta is one big pool of water; some in the channel and some in the soils. There is no net difference in the amount of water in the Delta channels when local diverters take from neighboring channels, pump from shallow groundwater, or farm crops which draw from the shallow groundwater. Taking water from one place is virtually the same as from another. This is especially true during summer and fall months when the three tidal barriers are in operation as they hold high tide waters around Upper Roberts Island and thus prevent any depletion of the channel waters from causing low levels which might affect other diverters.

In conclusion, the pertinent records indicate that as the ownership of the Parcel changed over time, it was always either abutting a channel, or connected to a supply system which could deliver water to it.

Joel P. Whitney To Morton C. Fisher	This Indenture, Made the Fifteenth of January One Thousand Eight Hundred and Seventy Seven, Between Joel P. Whitney party of the first part, and Morton C. Fisher party of the second part. Witnesseth That the said party of the first part, for and in consideration of the sum of Fifty thousand ($50,000) Dollars, in gold coin of the United States of America, to him in hand paid by the said party of the second part at or before the ensealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, conveyed and confirmed, and those presents does grant, bargain, sell, convey and confirm unto the said party of the second part, his heirs and assigns forever, all those tracts and parcels of lands situate and being Roberts Island, in San Joaquin County, State of California, described as follows, to wit: In Township One (1) North Five (5) East: those portions of Sections Twelve (12) Thirteen Fourteen (14) Twenty two (22) Twenty three (23) Twenty [illegible] (27) and Thirty Four (34) lying South and East of the [illegible] constructed along High Ridge and Duck Slough from [illegible] of the San Joaquin River known as Burns [illegible] to Middle River also the whole of Sections Twenty four [illegible] Twenty Five (25) Twenty Six (26) Thirty five (35) and [illegible] Six (36), together with the said levee and the land [illegible] which it is situated.* In Township One (1) South Range [illegible] (5) East: those portions of Sections One (1), Two (2) and Twelve [illegible] lying East of Middle River; fractional North half (1/2) and [illegible] half (1/2) of South East quarter (1/4) of Section Thirteen and [illegible] the North East quarter (1/4) of North East quarter (1/4) of Section Twenty four (24). In Township One (1) North Range [illegible] East: fractional West half (1/2) of Section Seventeen [illegible] fractional West half (1/2) of Section Eighteen (18) South [illegible] North West quarter (1/4), West half (1/2) of North East [illegible] and South East quarter of North East [illegible] Nineteen (19) [illegible]

EXHIBIT 3

J. L. [illegible] To Mateo [illegible] — This Indenture made the [illegible] day [illegible] in the year one thousand eight hundred [illegible] between [illegible] of the first part and [illegible] of the second part, witnesseth: That the said party of the first part for and in consideration of the sum of [illegible] thousand ([illegible]) dollars gold coin of the United States of America to [illegible] in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, [illegible] granted, bargained, sold, [illegible] and confirmed, and by these presents [illegible] [illegible] unto the said party of the second part [illegible] heirs and assigns forever, all those lots [illegible] situate and being in the said San Joaquin County, State of California, described as follows to wit: In Township One (1) North, Range Five (5) East, [illegible] of Sections Twelve (12), Thirteen (13), [illegible] (22), Twenty three (23), Twenty seven [illegible] and Thirty four (34), lying South and East of the levee [illegible] Ridge [illegible] Slough [illegible] that [illegible] the San Joaquin River known as [illegible] Cutoff [illegible] North [illegible] Twenty four (24), Twenty five (25) [illegible] (26), Thirty five (35) and Thirty [illegible] of [illegible] in said [illegible] Range Five (5) East [illegible] of Sections [illegible] Two (2) and Twelve (12) [illegible] East [illegible] half (1/2) and East half (1/2) [illegible] East quarter (1/4) [illegible] Section Thirteen and also the [illegible] East quarter (1/4) [illegible] East quarter (1/4) of Section Twenty four (24), [illegible] Township One North Range Six (6) East: Fractional East half (1/2) of Section Seventeen (17), fractional East half (1/2) [illegible] Section Eighteen (18), [illegible] half (1/2) [illegible] quarter (1/4), West half (1/2) of North East quarter (1/4) [illegible] South East quarter [illegible] East quarter (1/4) of Sections [illegible] West half (1/2) and South East quarter (1/4) of S[illegible]

Twenty (20) North half (½) and South West quarter (¼) of Section Twenty Nine (29) Whole Sections Thirty (30) and Thirty One (31) West half (½) of South West quarter (¼) and South West quarter (¼) of Section Thirty Two (32): In Township One (1) South Range Six (6) East: North West quarter (¼) of Section Five (5) South half (½) South West quarter (¼) and West half (½) of South East quarter (¼) of Section Six (6); a strip of land fronting on the San Joaquin River and running Westwardly therefrom of uniform width to contain Eighty (80) acres being parts of the following tracts to wit: fractional South West quarter (¼) of Section Four (4) South East quarter (¼) and East half (½) of South West quarter (¼) of Section Five (5): Whole Sections Seven (7) and Eighteen (18) West half (½) of Section Eight (8), West half of Section Seventeen (17) those portions of Sections Nineteen (19) and of West half (½) of West half (½) of Section Twenty (20) lying North of the Pescadero Grant line. The same being of Mount Diablo Base and Meridian: Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof. And also all the estate, right, title, interest, property, possession, claim and demand whatsoever, as well in law as in equity, of the said party of the first part, of, in or to the above described premises and every part and parcel thereof, with the appurtenances: To Have and to Hold, all and singular, the above mentioned and described premises, together with the appurtenances, unto the said party of the second part his heirs and assigns forever. In Witness Whereof, the said party of the first part has hereunto set his hand and seal this day and year first above written.

Signed, Sealed and Delivered in Presence of
Wm. Blanding
State of Cal.

J. S. Whitney (Seal)

— A.D. One Thousand Eight Hundred and Ninety [illegible]
before me James L. King a Notary Public in and for the
City and County residing therein, duly commissioned and
sworn, personally appeared Joel P. Whitney known to me
to be the person whose name subscribed to the annexed
Instrument, and he duly acknowledged to me that he ex-
cuted the same. In Witness Whereof I have hereunto set
my hand and affixed my Official Seal, at my office in
the City and County of San Francisco, the day and year
last above written.

(L.S.) James L. King
Notary Public.

Recorded at Request of M. C. Fisher Jany 17th A.D. 1917 at
minutes past 9 o'clock A. M.

George E. Gillemore To James C. Carter	This Indenture, Made the Sixth day of December in the year of our one thousand eight hundred and ninety six Between George E. Gill[illegible] of the County of San Joaquin State of California party of the first part and James C. Carter of same place the party of the second part, Witnesseth, that the said party of the first part for and in consideration of the sum of Ten Dollars Gold of the United States of America, to him in hand paid by said party of the second part, the receipt whereof is hereby acknowledged, hath granted, bargained, and sold, conveyed and confirmed, and by these presents doth grant, bargain, and convey and confirm unto the said party of the second part and to his heirs and assigns, forever, all that certain lot, piece or parcel of land situate, lying and being in the County of San Joaquin State of California, and bounded and particularly described as follows, to wit: The South East Quarter of Section Nine (9) Township Three (3) South Range Six (6) East of Mount Diablo Meridian [illegible] containing [illegible]

of the second part, his heirs executors, administrators and as
that he has not made none, committed, executed or suffered
any act or acts, thing or things whatsoever, whereby or by me
whereof the said premises, or any part or parcel thereof, now
or at any time hereafter shall, or may, be impeached, charged
or incumbered, in any manner or way whatsoever.

In Witness Whereof, the said party of the first part, has hereunto set his hand and seal the day and year first above written.

Signed, Sealed and Delivered } D. J. Stuart (Seal)
in the presence of J. M. Cotten }

State of California }
County of Colusa } On this 30th day of July in the year Eighteen hundred and Seventy Eight, before me J. M. Cotten a Notary Public, personally appeared David J. Stuart, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same. In Witness Whereof, I have hereunto set my hand and affixed my official seal, at my office in the said County of Colusa the day and year in this Certificate first above written.

(L. S.) J. M. Cotten
Notary Public

Recorded at the request of Mr. Carpenter Sept. 10th 1878 at 30 min. past 2 o'clock P.M.

Morton C. Fisher.
To
James Reid Stewart,
James Clark Burton
and James King

This Indenture, Made the fifteenth day of March, One Thousand Eight Hundred and Seventy seven: Between Morton Coates Fisher of London, England, of the first part, and James Reid Stewart, Merchant, James Clark Burton Merchant and James King all of Glascow in the United Kingdom of Great Britain and of the second part, Witnesseth, That the said party of the first part

five Dollars lawful money of the United States of Ame-
rica to him in hand paid by the said parties of the
second part, at or before the encealing and delivery
these presents, the receipt whereof is hereby acknowledged
Hath granted, bargained and sold, and by these presents
doth grant bargain and sell, unto the said parties
of the second part and to the survivors and survivor of
them his heirs and assigns, as joint tenants and not as
tenants common. All those certain tracts pieces or parcels
of land situate lying and being on Roberts Island
San Joaquin County in the State of California particularly
described as follows viz: In Township 1 (one) North
Range (5) East those portions of sections 12 (twelve) 13 (thirteen)
14 (fourteen) 22 (twenty two) 23 (twenty three) 27 (twenty seven)
and 34 (thirty four) lying South and East of the Levee con-
structed along High Ridge and Duck Slough from that
branch of the San Joaquin River known as Burns Cut
off to Middle River; also the whole of sections 24 (twenty
four) 25 (twenty five) 26 (twenty six) 35 (thirty five) and 36
(thirty six) together with the said Levee, and the land on
which it is situated. Fractional South East quarter of
section 34 (thirty four) excepted.* In Township 1 (one)
South Range 5 (five) East those portions of sections 1 (one)
2 (two) and 12 (twelve) lying East of the Middle River fractional
North half and East half of South East quarter of section 13
(thirteen) and also the North East quarter of the North east
quarter of section 24 (twenty four) In Township 1 (one) North
Range 6 (six) East. Fractional West half of section 17 (seven-
teen) fractional west half of section 18 (eighteen) South half
North West quarter, West half of North East quarter and
South East quarter of North East quarter of section 19
(nineteen) West half and South East quarter of Section
(Twenty) North half and South West quarter of section
[illegible] (thirty) and [illegible]

five dollars received money of the United States of America
sealed to him in hand paid by the said parties of the
second part, at or before the ensealing and delivery of
these presents, the receipt whereof is hereby acknowledged,
Hath granted, bargained and sold, and by these presents
doth grant, bargain and sell, unto the said parties
of the second part, and to their survivors and assigns of
them [illegible]
heirs and assigns, to their own proper use and
behoof, and State aforesaid, to wit: [illegible]
Township [illegible] in the State of Virginia particularly
described as follows, to wit: [illegible]
Fifteen East [illegible]
[illegible] Quarter, South [illegible]
and [illegible] Township [illegible] and
[illegible] and East of the [illegible] con-
structed along High [illegible] and [illegible] from the
[illegible] of the [illegible]
off to Middle [illegible] the [illegible] of sections [illegible]
[illegible] and [illegible] and
[illegible] together with the said [illegible] and the land on
which [illegible] situated. Fractional South East quarter of
section [illegible] containing [illegible] acres
[illegible] East [illegible]
[illegible] East [illegible] of section [illegible]
[illegible] and [illegible] East [illegible] South line fractional
South half and East half of South East quarter of section [illegible]
[illegible] and [illegible] South East quarter of the South [illegible]
quarter of section [illegible] in Township [illegible]
[illegible] East. Fractional West half of section 17 (seventeen)
[illegible] fractional East half of section 18 (eighteen) South half
South West quarter. West half of North East quarter and
South East quarter of North East quarter of section 19
(nineteen) West half and South East quarter of section
20 (twenty) South half and South West quarter of section
21 (twenty one) whole sections 30 (thirty) and 31 (thirty
one) West half of North West quarter and South West

five Dollars lawful money of the United States of America to him in hand paid by the said parties of the second part, at or before the ensealing and delivery of these presents, the receipt whereof is hereby acknowledged, Hath granted, bargained and sold, and by these presents doth grant bargain and sell, unto the said parties of the second part and to the survivors and survivor of them his heirs and assigns, as joint tenants and not as tenants common, All those certain tracts pieces or parcels of land situate lying and being in Roberts Island San Joaquin County in the State of California particularly described as follows viz: In Township 1 (one) North Range (5) East those portions of sections 12 (twelve) 13 (thirteen) 14 (fourteen) 22 (twenty two) 23 (twenty three) 27 (twenty seven) and 34 (thirty four) lying South and East of the Levee constructed along High Ridge and Lower Slough from that branch of the San Joaquin River known as Burns Cut off to Middle River; also the whole of sections 24 (twenty four) 25 (twenty five) 26 (twenty six) 35 (thirty five) and 36 (thirty six) together with the said Levee, and the land on which it is situated. Fractional South East quarter of section 34 (thirty four) excepted. In Township 1 (one) South Range 5 (five) East those portions of sections 1 (one) 2 (two) and 12 (twelve) lying East of the Middle River fractional North half and East half of South East quarter of section 13 (thirteen) and also the North East quarter of the North East quarter of section 24 (twenty four) In Township 1 (one) North Range 6 (six) East. Fractional West half of section 17 (seventeen) fractional west half of section 18 (eighteen) South half North West quarter, West half of North East quarter and South East quarter of North East quarter of section 19 (nineteen) West half and South East quarter of Section 20 (Twenty) North half and South West quarter of section [illegible] (Twenty) and 31 (thirty

quarter of section 32 (thirty two) [illegible] South
Ex six) East North West quarter of section 5 (five) North half
west quarter and West half of South East quarter of section
six) West half and West half of East half of section Seven
half of West half of section 17 (seventeen) Section 18 (eighteen)
those portions of section 19 (nineteen) and of the West half of
West half of section 20 (Twenty) lying North of the Pescadero
Grant North line. All being of Mount Diablo base and
meridian according to the United States Surveys.
Together with all and singular the tenements, hereditaments,
appurtenances thereunto belonging or in anywise appertaining,
and the reversion and reversions, remainder and remainders,
issues and profits thereof. And also all the estate, right,
interest, property, possession, claim and demand whatsoever
well in law as in equity of the said party of the first
of, in or to the above described premises and every part
parcel thereof with the appurtenances. To have and to
all and singular, the above mentioned and described
ises, together with the appurtenances, unto the said
of the second part their heirs and assigns forever
joint tenants as aforesaid. In Witness whereof, the
party of the first part hath hereunto set his hands
seal, this day and year first above written.

Signed, Sealed and Delivered in Presence of E. V. Joice } Morton C. Fisher

State of California } ss.
City County of San Francisco } On this Seventh
September in the year A.D. One Thousand
Hundred and Seventy Seven before me
a Notary Public in and for said [illegible]
Personally appeared Morton [illegible]
me to be the person [illegible]
is subscribed to the [illegible]
[illegible] to me [illegible]

Recorded at request of Cit. Withd. Sept 11th A.D. 1877 at 2 minutes past 4 P.M.

quarter of section 32 (thirty two). In Township 1 (one) South Range 6 (six) East Rods West quarter of section 4 (five) North half South west quarter and West half of South East quarter of section 6 (six) West half and West half of East half of section 7 (seven) West half of West half of section 17 (seventeen) Section 18 (eighteen) those portions of section 19 (nineteen) and of the West half of the West half of section 20 (twenty) lying North of the Escaders Grant North line, * it being of Mount Diablo base and meridian according to the United States Surveys.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof. And also all the estate, right, title, interest, property, possession, claim and demand whatsoever, as well in law as in equity of the said party of the first part, of, in and to the above described premises, and every part and parcel thereof with the appurtenances. To have and to hold, all and singular the above mentioned and described premises, together with the appurtenances, unto the said parties of the second part their heirs and assigns forever, as joint tenants as aforesaid. In Witness whereof, the said party of the first part hath hereunto set his hands and seal, this day and year first above written.

Signed, Sealed and Delivered in Presence of E. V. Price } Morton C. Fisher. (seal)

State of California } ss.

City & County of San Francisco. On this Seventh day of September in the year A. D. One Thousand Eight Hundred and Seventy Seven before me, E. V. Price a Notary Public, in and for said City and County, personally appeared Morton Coates Fisher known to me to be the person named and described in, and whose is subscribed to the within instrument, and who acknowledged to me that he executed the same. Witness my hand and official seal (L. S.) E. V. Price Notary

Recorded at request of E. V. Price Sept. 4 [illegible] at [illegible] [illegible]

Joel P. Whitney
To
Morton C. Fisher

This Indenture, made the Eighth day of December one thousand eight hundred and seventy six, Between Joel P. Whitney party of the first part and Morton C. Fisher party of the second part, Witnesseth, That the said party of the first part, for and in consideration of the sum of Sixty two thousand five hundred dollars, Gold Coin of the United States of America, to him in hand paid by the said party of the second part, at or before the ensealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, conveyed and confirmed, and by these presents does grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, All those pieces or parcels of land situate and being on Roberts Island, San Joaquin County, State of California, described as follows: The national parts of the South East ¼ of Section Twenty six (26) and of Section Thirty six (36) lying East of Whiskey Slough in Township 2 North Range 5 East Mount Diablo Meridian; Sections Thirty two (32) Thirty three (33) Thirty four (34), South ½ of Section Thirty (30) the fractional parts of Sections Twenty six (26) Twenty seven (27), Twenty eight (28), Twenty nine (29), Thirty five (35) and Thirty six (36) lying South and West of the San Joaquin River, and of Section Thirty one (31) lying East and North of Whiskey Slough, in Township 3 North Range 5 East, Mount Diablo Meridian; Sections Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19), Twenty (20), Twenty one (21), Twenty eight (28), Thirty (30), Thirty one (31), North ½, South West ¼, North East ¼ of South East ¼ and South West ¼ of South East ¼ of Section Twenty

EXHIBIT 5

Joel S. Whitney
To
Morton C. Fisher

This Indenture, made the Twelfth day of December one thousand eight hundred and seventy six, between Joel S. Whitney party of the first part and Morton C. Fisher party of the second part, witnesseth: That the said party of the first part, for and in consideration of the sum of Dollars United States of America, to him in hand paid by the said party of the second part, at or before the ensealing and delivery of these presents, the receipt whereof is hereby acknowledged, granted, bargained, sold, conveyed and confirmed, and by these presents does grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, All those certain pieces or parcels of land situate and being on Roberts Island, San Joaquin County, State of California, described as follows: The national parts of the South East ¼ of Section Twenty six (26) and of Section Thirty six (36) lying East of Whitney Slough in Township 2 North Range 4 East Mount Diablo Meridian. Sections Thirty two (32) Thirty three (33), Thirty four (34), South ½ of Section Thirty (30), the fractional parts of Sections Twenty six (26) Twenty seven (27), Twenty eight (28) Twenty nine (29), Thirty five (35) and Thirty six (36) lying South and East of the San Joaquin River and of Section Thirty one (31) lying East and North of Whitney Slough in Township 2 North Range 5 East Mount Diablo Meridian: Sections Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19), Twenty (20), Twenty one (21), Twenty eight (28), Thirty (30), Thirty one (31), North ½, South West ¼, North ½ of South East ¼ and South West ¼ of South East ¼ of Section Twenty nine (29), the fractional parts

of sections one (1) and twelve (12) lying West of the San Joaquin River, Burns Cutoff and Duck Slough; the fractional parts of sections Thirteen (13), Fourteen (14), Twenty two (22) and Twenty seven (27) lying West of High Ridge Levee which extends from Burns Cutoff to Middle River, the fractional part of Section Thirty one (31) lying between High Ridge and Middle River, and the fractional part of sections Thirty two (32) and Thirty three (33) lying North of Middle River in Township 1 North, Range 5 East, Mount Diablo Meridian. Sections One (1), Twelve (12), and Thirteen (13) in Township 1 North, Range 4 East, Mount Diablo Meridian. Fractional parts of Sections Three (3), Five (5) and Six (6) lying North of Middle River in Township 1 North, Range 5 East, Mount Diablo Meridian. Sections Fourteen (14), Fifteen (15), Twenty three (23), Twenty four (24), Twenty five (25) and the fractional parts of sections sixteen (16), Twenty one (21), Twenty two (22), Twenty six (26), Twenty seven (27), Thirty five (35) and Thirty six (36) lying East of Middle River, Township 1 North, Range 4 East. Containing in the whole about Twenty eight thousand one hundred and fifteen and seventy five hundredths (28115 75/100) acres.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof. And also all the estate, right, title, interest, property, possession, claim and demand whatsoever, as well in law as in equity of the said parties of the first part, of, in or to the above described premises, and every part and parcel thereof, with the appurtenances, To have and to hold, all and singular, the above mentioned and described premises, together with the appurtenances

[illegible]

and assigns forever. In Witness Whereof, the said party of the first part has hereunto set his hand and seal this day and year first above written.

Signed, Sealed and Delivered in Presence of W. M. Blanding } J. P. Whitney (Seal)

State of California
City and County of San Francisco } ss. On the Sixteenth day of January A. D. One Thousand Eight hundred and Seventy seven, before me, James L. King, a Notary Public in and for said City and County, residing therein, duly commissioned and sworn personally appeared Joel P. Whitney known to me to be the person whose name is subscribed to the annexed instrument, and he duly acknowledged to me that he executed the same.

In Witness Whereof, I have hereunto set my hand and affixed my Official Seal, at my office in the City and County of San Francisco, the day and year last above written.

(L. S.) James L. King
Notary Public

Recorded at request of M. C. Fisher Jany 22d A. D 1877 at 30 minutes past 1 o'clk P. M.

Richard B. Harris To George F. Trethaway	This Indenture, made the Seventh day of December in the year of our Lord, one thousand eight hundred and seventy six, Between Richard B. Harris of the County of San Joaquin and State of California, party of the first part and George F. Trethaway of the same place, the party of the second part, Witnesseth, that the said party of the first part for and in consideration of the sum of Thirty seven hundred Dollars, Gold Coin of the United States of America, to him in hand paid by the said part of the second part [illegible]

✓ Jas Reid Stewart
✓ Jas. Clark Bunton
✓ Jas. King

To

✓ Joseph Vasquez

This Indenture, made this Twenty eight day of April in the year of our Lord one thousand eight hundred and ninety one

Between James Reid Stewart, James Clark Bunton and James King all of Glasgow of the United Kingdom of Great Britain and Ireland the parties of the first part and Joseph Vasquez of the County of Sanjoaquin State of California the party of the second part

Witnesseth: That the said parties of the first part, for and in consideration of the sum of Sixty seven hundred and twenty eight (6728) Dollars Gold Coin of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do by these presents grant, bargain, sell, convey and confirm

unto the said party of the second part, and to his heirs and assigns forever, all those certain lots pieces or parcels of land situate, lying and being on Roberts Island in County of Sanjoaquin State of California and bounded and described as follows, to wit:

The North West one quarter (N.W¼) of the South East one quarter (S.E¼) of section Twenty seven (27) the fractional part of the North one half (N½) of the South west one quarter (S.W¼) of section Twenty seven (27) lying East of a cross levee separating the middle and lower tracts of said Roberts Island and the fractional part of the North West one quarter (N.W¼) of section Twenty seven (27) lying South and east of said levee all in Township One North Range Five East (T.1.N. R 5.E.) M.D.M. and containing One hundred and forty nine and one half (149½) acres more or less according to Atherton's survey of the Middle division of Roberts Island

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

To have and to hold, all and singular the said premises, together with the appurtenances, unto the said party of the second part, and to his heirs and assigns forever, subject to taxes for the fiscal year 1891.

In witness whereof, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of

Henry M. McGill

Jas Reid Stewart (L.S.)
Jas Clark Bunton (L.S.)
Jas King (L.S.)
John Wakefield Ferris their attorney in fact

State of California, ss.
City and County of San Francisco

On this 28th day of April A.D. 1891 ~~hundred and~~ before me, Henry M. McGill a Notary Public in and for the City and County of San Francisco State of California, personally appeared John Wakefield Ferris ~~known~~ known to me, to be the person whose name is subscribed to the within instrument, as the attorney in fact of James Reid Stewart, James Clark Bunton and James King and he the said John Wakefield Ferris acknowledged to me that he signed the names of James Reid Stewart, James Clark Bunton and James King thereto as principals and his own name as their attorney in fact.

In Witness Whereof, I have hereunto set my hand and affixed my Official Seal, at my office in said City and County the day and year last above written.

(Seal.)

Henry M. McGill
Notary Public

Recorded at request of Joseph Vasquez May 4th 1891 at 30 min. past 3 o'clock P.M.

EXHIBIT 6

Township No. 1 North, Range 3 East, East, Mt. Diablo Meridian.

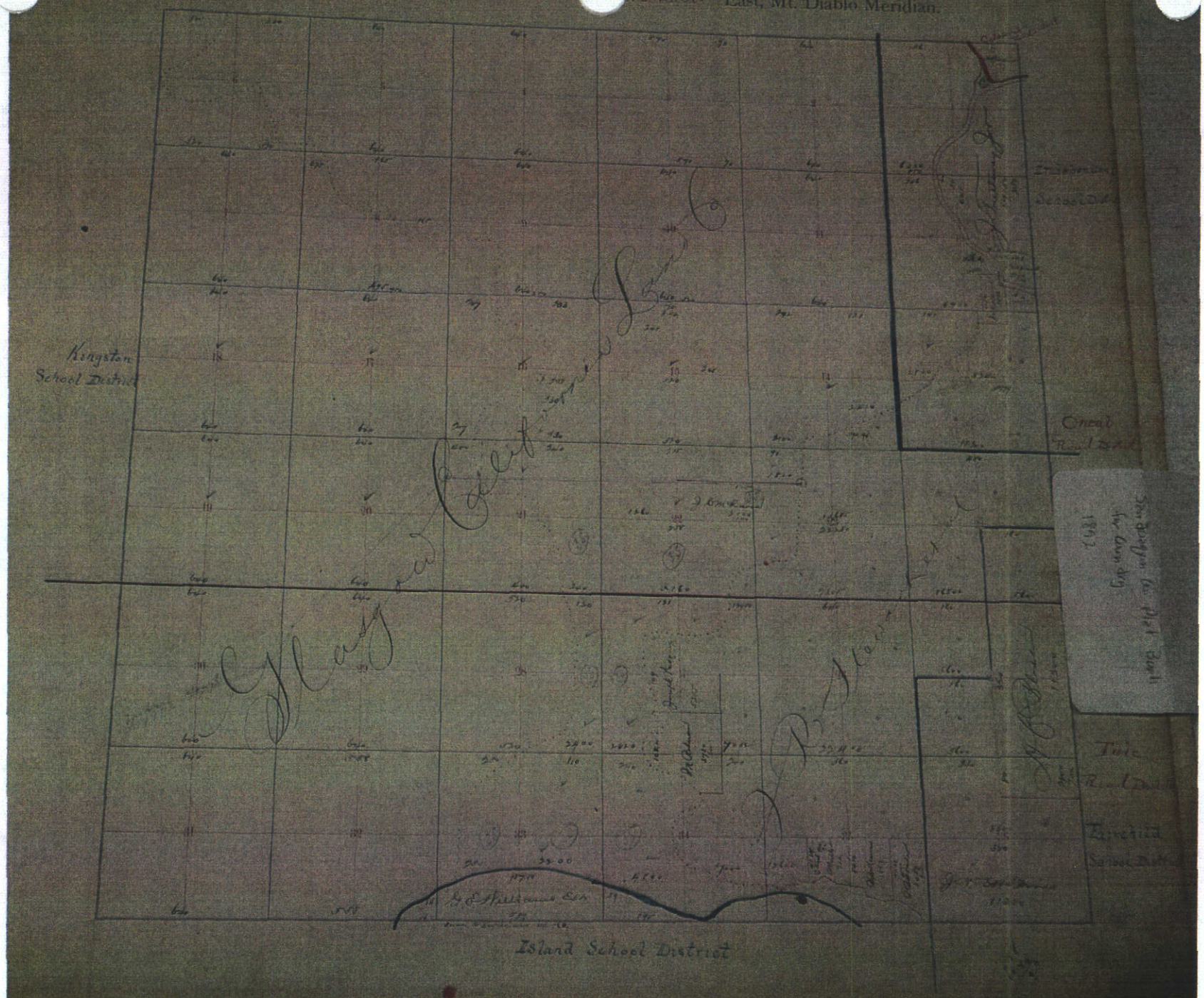


EXHIBIT 7

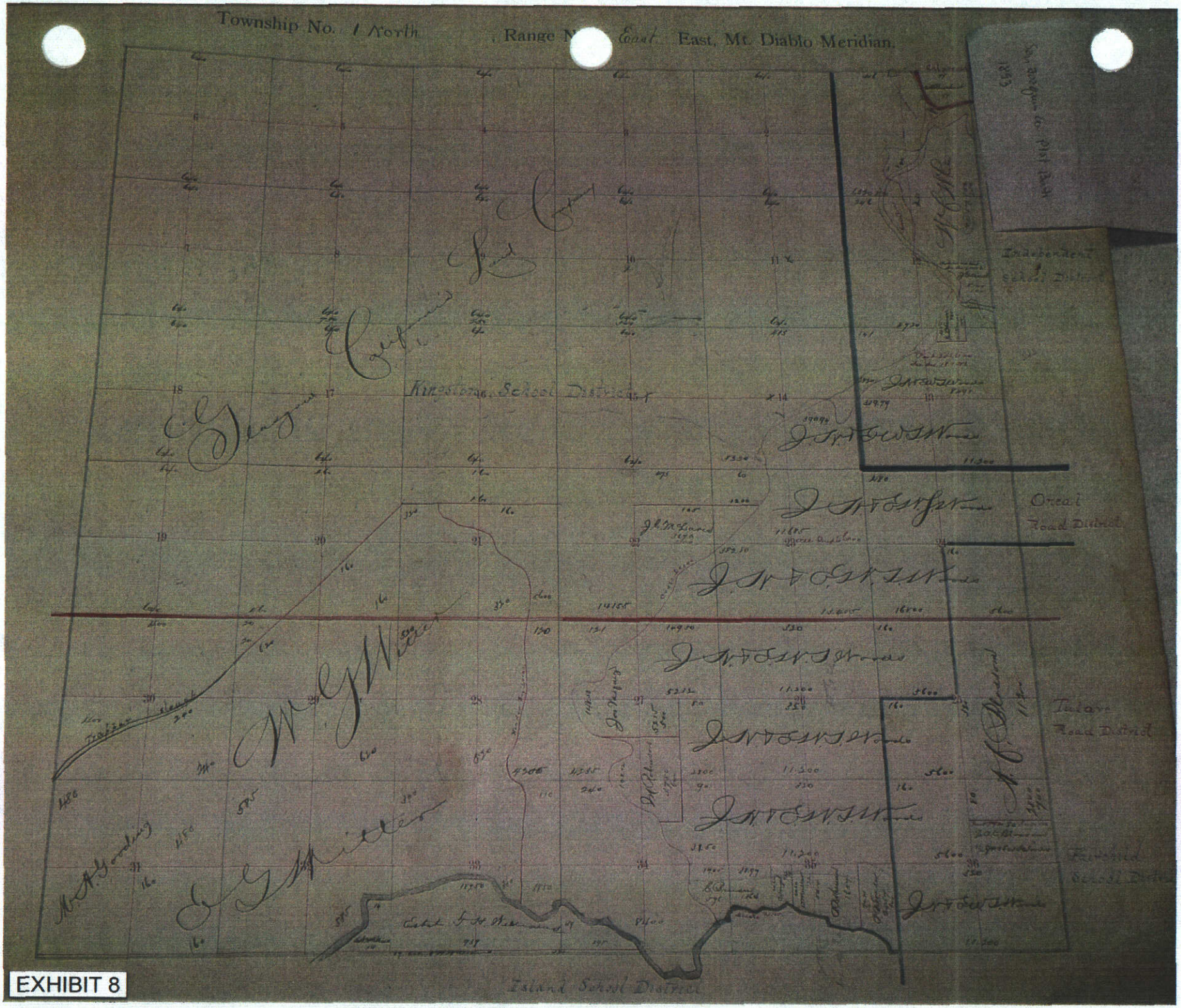

Township No. 1 North
Range No. East
East, Mt. Diablo Meridian
Kingston School District
Independent School District
Orcal Road District
Tulare Road District
Island School District

EXHIBIT 8

COMMISSIONER OF PUBLIC WORKS,
Sacramento, Cal.
A.H.ROSE, Commissioner.

MARSDEN MANSON,
C.E.GRUNSKY,
Consulting Engineers.

STOCKTON-BELLOTA DRAINAGE DISTRICT

Topography from Public Land surveys, from surveys made by the late State Engineer Department, and from surveys made by M.A.Nurse and G.A.Atherton in 1894 under the direction of the Commissioner of Public Works.

J.C.HENKENIUS.
Chief Draughtsman.

Scale of Feet.
1000 0 2000 4000 6000 8000 10000

Elevations in feet above mean low tide at low water in Suisun Bay.

Elevations marked thus 43.5 from data in the late State Engineer's Office.
" " " (56.3) from surveys made by M.A.Nurse.
" " " 38.6 " " " " G.A.Atherton.
" " " 17.9 are elevations of tops of levees.

Line of Segregation of Swamp and Overflowed Land, thus.

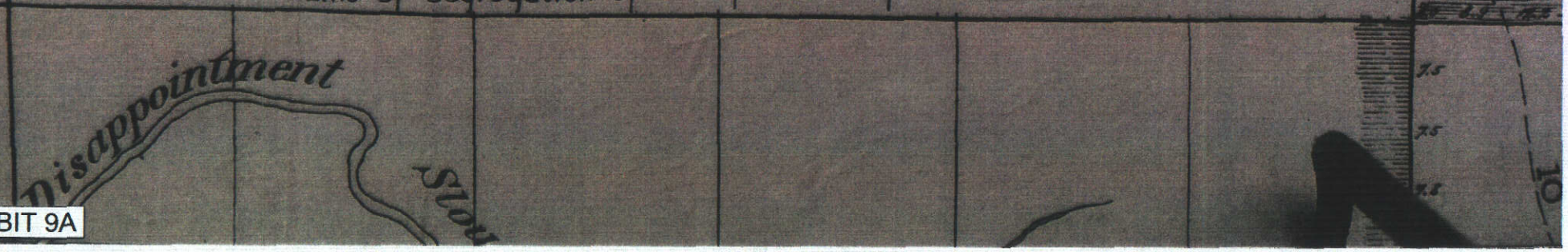


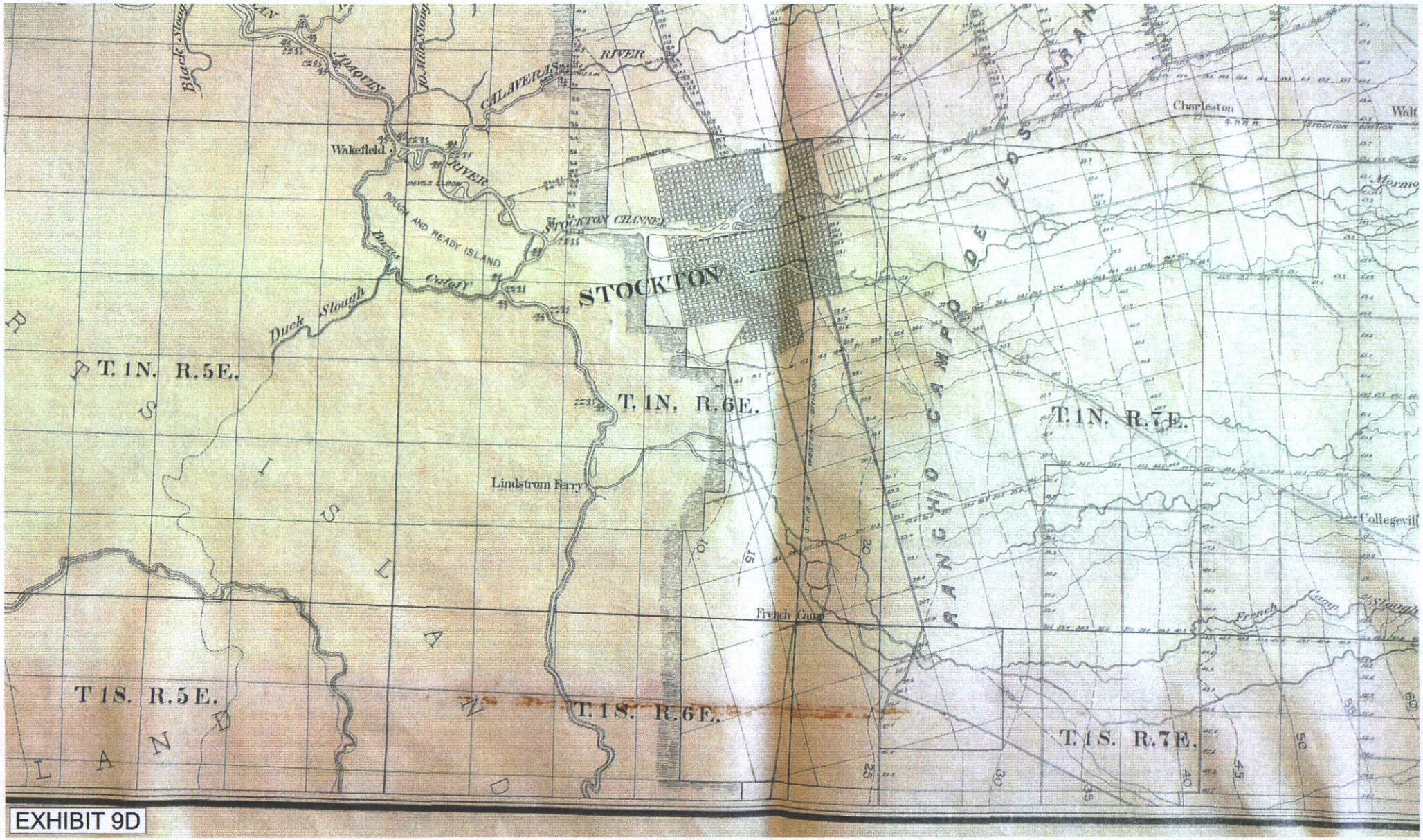
EXHIBIT 9A

STOCKTON-BELLOTA
DRAINAGE DISTRICT
STOCKTON
T.3N. R.4E.
T.3N. R.6E.
T.3N. R.7E.
T.3N. R.8E.
T.2N. R.4E.
T.2N. R.5E.
T.2N. R.6E.
T.2N. R.7E.
T.2N. R.8E.
T.1N. R.4E.
T.1N. R.5E.
T.1N. R.6E.
T.1N. R.7E.
T.1N. R.8E.
T.1S. R.4E.
T.1S. R.5E.
T.1S. R.6E.
T.1S. R.7E.
T.1S. R.8E.
VENICE ISLAND
RANCHO CAMPO DE LOS FRANCES

EXHIBIT 9B

Disappointment Slough
21 Mile Slough
14 Mile Slough
12 Mile Slough
T.2N. R.4E.
T.2N. R.5E.
T.2N. R.6E.
T.1N. R.4E.
T.1N. R.5E.
T.1N. R.6E.
T.1S. R.4E.
T.1S. R.5E.
T.1S. R.6E.
OLD RIVER
BACON ISLAND
MIDDLE RIVER
Whiskey Slough
Duck Slough
Wakefield
STOCKTON
Lindstrom Ferry
French Camp
RANCHO CAMPO DE LOS

EXHIBIT 9C



Black Slough
JOAQUIN
10 Mile Slough
CALAVERAS
RIVER
Wakefield
RIVER
DEVILS ELBOW
ROUGH AND READY ISLAND
Burns
Cutoff
STOCKTON CHANNEL
STOCKTON
Duck Slough
T. 1N. R.5E.
T. 1N. R.6E.
T. 1N. R.7E.
Lindstrom Ferry
French Camp
T 1S. R.5E.
T. 1S. R.6E.
T. 1S. R.7E.
RANCHO CAMPO DE LOS FRAN
Charleston
Walt
Mormo
Collegevill
French Camp Slough

EXHIBIT 9D

JOAQUIN
10 Mile
CALAVERAS
RIVER
Wakefield
RIVER
DEVILS ELBOW
ROUGH AND READY ISLAND
Burns
Cutoff
Duck
Slough
STOCKTON CHANNEL
NORTH STREET CANAL
STOCKT
E.

EXHIBIT 9E

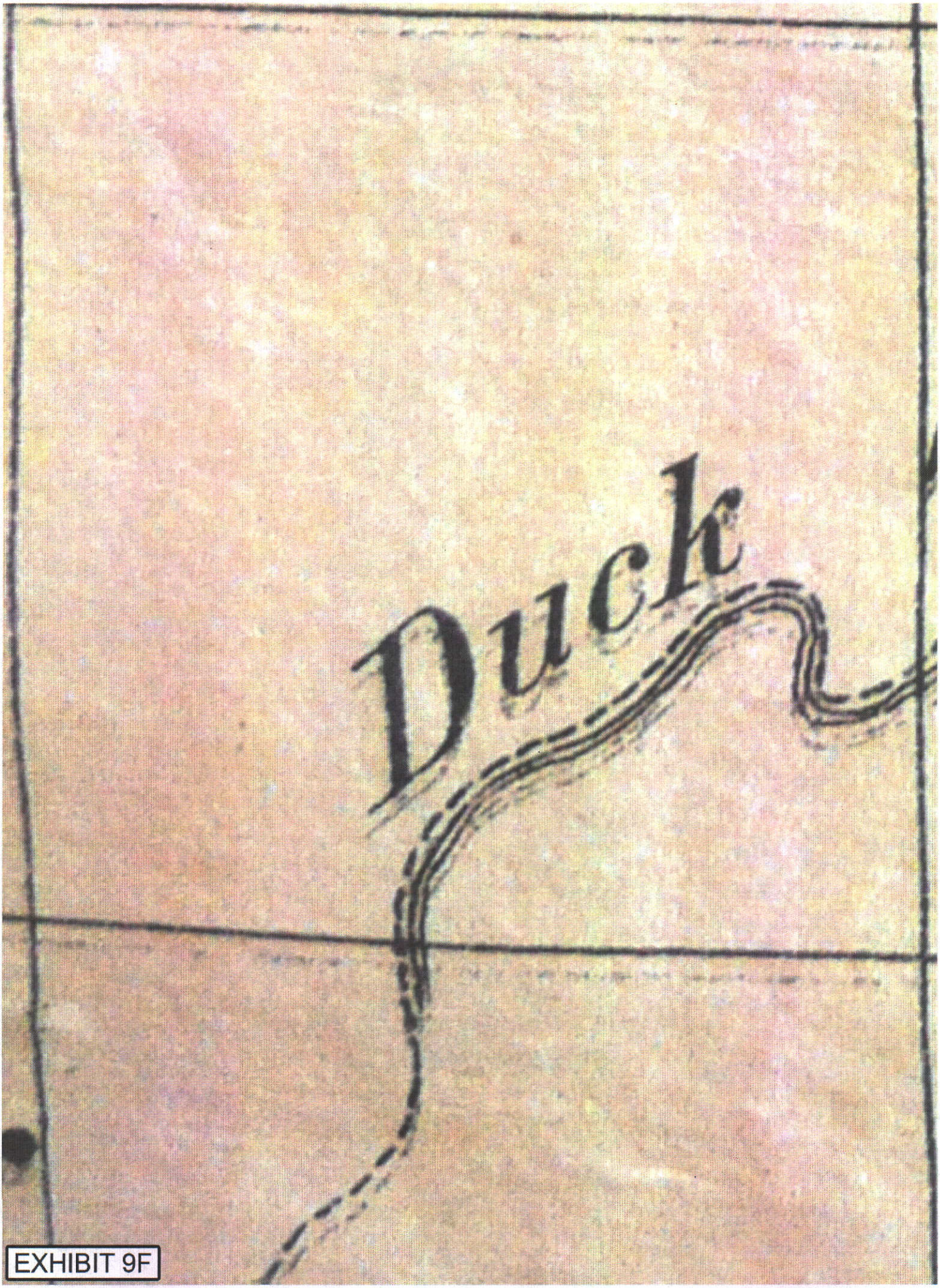


EXHIBIT 9F

c65/493

PARCEL II: The North 119.14 feet of Lot Nine (9) of MAP N PACIFIC GARDENS, according to the official Map or Plat thereof filed for record October 6, 1925 in Vol. 10 of Maps and Plats, page 100, San Joaquin County Records.

EXCEPT the East 217 1/2 feet thereof.

(Seal) DEPARTMENT OF VETERANS AFFAIRS OF THE STATE OF CALIFORNIA
D. J. CALLAGHAN, JR., DIRECTOR
By Geo. A. Conte, Asst. Manager, Farm and Home Purchases
Purchaser Thomas F. McKeagan

STATE OF CALIFORNIA }
COUNTY OF SACRAMENTO } ss.

On this - day of JUL. 19 1950 before me, ANNA M. ROBINSON, a Notary Public, personally appeared GEO. A. CONTE, known to me to be the Assistant Manager of Farm and Home Purchases, known to me to be the person who executed the within instrument on behalf of the said Department of Veterans Affairs of the State of California therein named, and acknowledged to me that such Department of Veterans Affairs of the State of California executed the same.

WITNESS my hand and official seal the day and year in this certificate first above written.

(Notary Seal) Anna M. Robinson, Notary Public in and for said County and State.

$21700 Recorded at Request of SECURITY TITLE INS. & GUAR. CO. JUL. 26 1950 at 40 min. past 11 o'clock A. M., in Book of Official Records Vol. 1265 page 493 San Joaquin County Records.

Fees $1.70 John D. Finney, Recorder , Sr

PREPARED

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN JOAQUIN

ENDORSED
FILED JUL. 26 1950
R.E.GRAHAM, Clerk
By ELDA DAWSON, DEPUTY

In the Matter of the Estate of JOHN E. VASQUEZ, who sometimes wrote his name JUAN E. VASQUEZ, Deceased. } No. 20834 Dept. No. 1

DECREE OF FINAL DISTRIBUTION

ANNA T. VASQUEZ, the duly appointed, qualified, and acting executrix of the last will and testament of John E. Vasquez, who sometimes wrote his name Juan E. Vasquez, deceased, having heretofore rendered, presented and filed herein her petition therein praying for the final distribution of said estate; and

Said matter coming on regularly for hearing on this day in open Superior Court, it having been first proven to the satisfaction of this Court that the Clerk of the Court, by virtue of the authority in him vested, appointed this day as the day for the hearing of said petition and gave due and legal notice of the time and place of hearing thereof, for the time, in the manner, and in all respects as required by law; and

The Court having proceeded to the hearing of said petition and the proofs produced in support thereof, and it appearing to the satisfaction of the Court that after the appointment and qualification of said executrix and the issuance to her of letters testamentary in the manner of said estate, she caused notice to the creditors of and all persons having claims against the said estate to be published for the time, in the manner, and as required by law; and

That more than six months has elapsed since the date of the first publication of said notice to creditors, and more than six months has expired since the admission to probate of said will and the appointment and qualification of said executrix and the issuance to her of letters testamentary in the matter of said estate; and

It appearing to the Court, the Court finds that notice to the creditors of said deceased has been duly given by said executrix as by law required, and that a copy of said notice to creditors and the affidavit showing its due publication has been filed with the clerk of this Court as by law required; and

That after the appointment and qualifications of said executrix, she duly made, returned to, and filed in this Court a true and correct inventory and appraisement of all the property of said estate that had come to her possession or knowledge; and

That all the debts of said estate and of said deceased and all taxes that have attached to or

Exhibit 3F

EXHIBIT 10

accrued against said estate and the property thereof that are due and payable, and all expenses of administration of said estate, have been paid, satisfied, and discharged; and

That heretofore the inheritance tax appraiser appointed by the above-entitled Court [illegible] his report herein fixing and determining the amount of inheritance tax due the State of California from said estate and by reason of certain jointly held property, real and personal, of the decedent and his surviving spouse [illegible] reported to the appraiser in the above-entitled matter; that said report has by this Court been confirmed and approved and said tax paid and the voucher therefor filed herein; that the said jointly held real property is described as follows:

That certain real property situate in the COUNTY OF SAN JOAQUIN, State of California, described as follows:

PARCEL I: A portion of Section Twenty-seven (27), Township One (1) North, Range five (5) East, Mount Diablo Base and Meridian, and more particularly described as follows:

The North 18 feet of the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼) of Section twenty-seven (27), and portions of the fractional part of the North one-half of the Southwest Quarter of said Section 27 lying East and North of a cross levee separating the Middle and Lower Division of Roberts Island and the fractional point of the Northwest quarter of said Section 27, lying South and East of said levee, all in Township One (1), North, Range Five (5) East, Mount Diablo Base and Meridian, and being more particularly described as follows: Beginning at a steel axle set at the center of said Section 27 (and in the center of a drainage ditch); thence East along the center line of said drainage ditch on the North line of said Northwest Quarter of the Southeast Quarter of said Section 27, a distance of 1318.4 feet to a steel axle set at the North-east corner of said Northwest Quarter of said Southeast quarter of said Section 27; thence South 00°07' West a distance of 18 feet to a point on the partition line between the lands of Josephine V. Jones and John H. Vasquez (said point being the Southeast corner of said Vasquez lands); thence West along said partition line (parallel to and South 00°07' West a distance of 18 feet from said North line of said Northwest Quarter of said Southeast quarter of said Section 27) a distance of 1320.8 feet to a steel axle set at the northwest corner of the lands of said Jones (Said axle being South 44°07' West a distance of 34.4 feet from said steel axle in the center of said Section 27); thence South 44°07' West along said partition line 8048.1 feet to a steel axle set in the center line of said levee (said center line being also the center line of the County Road called the Kingston Road); thence meandering the center line of said levee to a steel axle set at the Northeast corner of said fractional part of said North west Quarter of said Section 27 lying South and East of said levee; thence leaving said levee, South 00°04' West along the East line of said fractional part of said Northwest Quarter a distance of 1282.7 feet to the point of beginning.

EXCEPTING a strip of land 20 feet in width immediately abutting said levee center line and lying West and South thereof, said strip having been heretofore deeded to San Joaquin County for roadway purposes.

RESERVING the right to use for drainage purposes only that strip of the above described tract 15 feet in width and lying East and South of aforesaid line running South 44°7' West and connecting the center of Section 27 with said Northeast corner of the hereinddescribed tract.

ALSO an easement for drainage purposes only over a strip of land 15 feet in width whose North line is the South line of the above-described reserved strip and which easement extends the full length of said strip.

The above described parcel of land contains 71.08 acres more or less. Title acquired by Deed dated November 6, 1930, recorded November 8, 1930 in Vol. 337 of Official Records, Page 215.

PARCEL II: An undivided one-half (1/2) interest in and to the following described real property, situate in the City of Stockton, said County and State:

The North ninety (90) feet of Lot One (1), in Block One (1) East of Center Street, in the said City of Stockton, according to the Official Map or Plat thereof.

PARCEL III: [illegible] (1/2) interest in and to the following [illegible] property, situate in said City of Stockton, said [illegible].

The West ninety [illegible] Lot two (2) in Block six (6) as shown upon Map entitled STOCKTON CITY HOMESTEAD ASSOCIATION, filed for record January 24, 1870 in Vol. 2 of Maps and Plats, page 44. EXCEPT THEREFROM the East ten (10) feet and five (5) inches of said West 90 feet.

PARCEL IV: The following real property situate in said City of Stockton, said County and State:

The West ninety (90) feet of lot four (4) in Block six (6) as shown upon map entitled STOCKTON CITY HOMESTEAD ASSOCIATION, filed for record January 24, 1870 in Vol. 2 of Maps and Plats, page 44.

PARCEL V: The following real property situate in said City of Stockton, said County and State:

The East ten (10) feet five (5) inches of the West ninety (90) feet of Lot Two (2) in Block Six (6) as shown upon Map entitled, STOCKTON CITY HOMESTEAD ASSOCIATION, filed for record January 24, 1870 in Vol. 2 of Maps and Plats, page 44.

PARCEL VI: The following real property situate in said City of Stockton, said County and State:

The East fifty (50) feet of each of Lots two (2) and four (4) in Block six (6) as shown upon Map entitled STOCKTON CITY HOMESTEAD ASSOCIATION, filed for record January 24, 1870 in Vol. 2 of Maps and Plats, page 44.

PARCEL VII: The following real property situate in said City of Stockton, said County and State:

All of Lots one (1) and three (3) in Block three (3) as shown upon Map entitled STOCKTON CITY HOMESTEAD ASSOCIATION, filed for record January 24, 1870 in Vol. 2 of Maps and Plats, page 44.

PARCEL VIII: The following real property situate in said City of Stockton, said County and State:

All of Lots five (5) and seven (7) in Block four (4) as shown upon Map entitled, STOCKTON CITY HOMESTEAD ASSOCIATION, filed for record January 24, 1870 in Vol. 2 of Maps and Plats, page 44, San Joaquin County Records.

PARCEL IX: The following real property situate in said City of Stockton, said County and State:

All of Lot eight (8) in Block five (5) as shown upon Map entitled STOCKTON CITY HOMESTEAD ASSOCIATION, filed for record January 24, 1870 in Vol. 2 of Maps and Plats, page 44.

PARCEL X: The following real property situate in said City of Stockton, said County and State:

The South thirty-three (33) feet of Lot Thirteen (13) in Block Five (5) as shown upon Map entitled STOCKTON CITY HOMESTEAD ASSOCIATION, filed for record January 24, 1870 in Vol. 2 of Maps and Plats, page 44.

PARCEL XI: The following real property situate in said City of Stockton, said County and State:

All of Lot fifteen (15) in Block Five (5) as shown upon Map entitled STOCKTON CITY HOMESTEAD ASSOCIATION, filed for record January 24, 1870 in Vol. 2 of Maps and Plats, page 44.

PARCEL XII: The following real property situate in said City of Stockton, said County and State:

The East forty-two (42) feet of lot sixteen (16) in Block five (5) as shown upon Map entitled, STOCKTON CITY HOMESTEAD ASSOCIATION, filed for record January 24, 1870 in Vol. 2 of Maps and Plats, page 44.

PARCEL XIII: The following real property situate in the City of Stockton, said County and State:

Lot six (6) in Block three (3) as shown upon Map entitled WIEMER TRACT filed for record September 24, 1908 in Vol. 1 of Maps and Plats, page 23.

PARCEL XIV: The following real property situate in the City of Stockton, said County and State:

All of Lot six (6) in Block eighty-seven (87) SOUTH OF MORMON CHANNEL in the City of Stockton, according to the Official Map or Plat thereof.

PARCEL XV: The following real property situate in the City of Stockton, said County and State:

The North ninty (60) feet of Lot eight (8) in Block One Hundred Seventeen (117) SOUTH OF MORMON CHANNEL in the City of Stockton, according to the Official Map or Plat thereof.

PARCEL XVI: The following real property situate in the City of Stockton, said County and State:

The East 10 feet of the South 75 feet of Lot four (4); and the South 75 feet of Lot six (6) in Block 118 SOUTH OF MORMON CHANNEL in the City of Stockton, according to the Official Map or Plat

thereof. EXCEPT THEREFROM the South forty (40) feet (U. S. Standard Measure) as described in Deed to the City of Stockton, recorded April 8, 1948 in Vol. 749 of Official Records, page 140.

Situate in the COUNTY OF SANTA CRUZ, State of California:

PARCEL XVII: That certain piece or parcel of land situate, lying and being in the COUNTY OF SANTA CRUZ, State of California, more particularly described as follows:

Lot 44 as shown and delineated on that certain map or Moran Lake Park recorded on the 20th day of June, 1904, in Map Book 26, page 6, in the Office of the Recorder of the County of Santa Cruz, State of California.

PARCEL XVIII: All that real property situate in the City of Santa Cruz, County of Santa Cruz, State of California, and bounded and described as follows:

BEING Lot 11 and the North half of Lot 12 all in Block "D" as marked and designated on the Map of "Beabright Building Lots made by T. W. Wright, Surveyor, for F. H. Moth" and filed for record in the office of the County Recorder of said County of Santa Cruz on July 10, 1906, in Map Book 5, at Page 61;

That heretofore the executrix herein filed the Federal Estate Tax Return required herein with the Collector of Internal Revenue and paid the Federal Estate Tax as computed therein, but that the final clearance thereon has not yet been received from said Federal Government;

That the property of said estate was part separate property of the deceased and part community property of the decedent and his surviving wife, Anna T. Vasquez;

That said executrix has not filed herein any final account and report for the reason that the same was waived by her herein as sole distributee and party of interest in said estate;

That John E. Vasquez, who sometimes wrote his name Juan E. Vasquez, died testate on the 22nd day of July, 1949, in the County of San Cruz, State of California, and at the time of his death he was a resident of the County of San Joaquin, State of California;

That thereafter and on the 26th day of August, 1949, the last will and testament of said deceased was admitted to probate and in and by said last will and testament, he devised and bequeathed his estate as follows:

"I give, devise and bequeath all of my estate, whether the same be real or personal property, and wheresoever situate, to my wife, ANNA T. VASQUEZ, absolutely and forever--",

That said estate is in condition to be closed and finally distributed, and the rest and residue of property on hand for distribution is as follows:

Furniture and furnishings of the late residence of the decedent at 419 E. Jackson Street, Stockton, California;

Furniture and furnishings of summer home of the decedent and his wife at Santa Cruz, California;

Furniture and furnishings of rented houses as follows:

4 room house on north side of First St., between Sutter & California Streets, Stockton,

House on West side of Sutter Street between Charter Way and First Street.

House on West side of Sutter Street between Charter Way and First Street;

IT IS, THEREFORE, HEREBY DECREED, ADJUDGED, AND DECREED that all of the property of said estate hereinbefore described, together with any and all other property not now known or discovered or whether now known or discovered which belonged to said estate or said deceased or in which said estate or said deceased had any interest be, and the same is hereby, distributed to Anna T. Vasquez, absolutely and forever.

IT IS FURTHER DECREED, ADJUDGED, AND DECREED that if any of the property hereinbefore described and distributed is incorrectly described, said property by its correct description be, and the same is hereby, distributed as hereinbefore set forth.

IT IS FURTHER DECREED, ADJUDGED, AND DECREED that said executrix pay up and deliver to the party to whom the same is distributed the property hereinbefore described as hereinbefore set forth, and that upon the production of satisfactory proof thereof, said executrix be discharged

from all liability to be hereafter incurred and that said estate be decreed settled and closed.

DONE IN OPEN Superior Court this 20th day of July, 1950.

THOMAS B. QUINN, Judge of the Superior Court

THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

ATTEST JUL. 25, 1950.

(S.C. SEAL) R. E. GRAHAM, COUNTY CLERK AND CLERK OF THE SUPERIOR COURT, IN AND FOR THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA.
By Elda Dawson, DEPUTY

#21712 Recorded at Request of Rutherford, Jacobs, Cavalero & Dietrich, JUL. 26 1950 at 54 min. past 12 o'clock P. M., in Book of Official Records, Vol. 1265 page 495 San Joaquin County Records.

Fees $4.80 John D. Finney, Recorder

RECORDED Manteca, California

OFFICE OF THE BOARD OF DIRECTORS
OF THE
SOUTH SAN JOAQUIN IRRIGATION DISTRICT

I hereby certify that the attached Grant of Easement was duly accepted and ordered recorded by the Board of Directors of the South San Joaquin Irrigation District at their meeting held July 25, 1950 and as recorded in Permanent Records of the said District in Volume 16, Page 224.

(Corp Seal) ATTEST: S. L. Steele (S. L. Steele) Secretary
South San Joaquin Irrigation District
Dated: July 25, 1950 A. Hill, Asst.

GRANT OF EASEMENT FOR RIGHT OF WAY

IN CONSIDERATION of the benefits to him derived, T. S. BINGHAM does hereby grant unto the SOUTH SAN JOAQUIN IRRIGATION DISTRICT, a right of way for drain ditch or pipeline in the NE¼ of Section 12, Township 2 South, Range 6 East, M.D.B.&M., and more particularly described as follows;

A strip of land 30 feet wide and 1066 feet long, being the East 30 feet of the West 60 feet of the South 1066 feet of the following described property. Beginning at a point in the North line of said Section 12, distant North 89° 17' West 987.2 feet from the NE Corner of said Section 12; thence North 89° 17' West 984.4 feet; thence South 2651.9 feet; thence South 89° 25' East 984.4 feet; thence North 2649.2 feet to point of beginning.

Said right of way being a part of Drain #20 of the South San Joaquin Irrigation District drainage System and containing 0.73 Acres more or less and shown on Map in file A-1-B-132 in the Office of the South San Joaquin Irrigation District at Manteca, California together with right of ingress and egress to and from said strip of land for purposes of Grantee.

IT IS A CONDITION of this Grant that the Grantee will construct, maintain and operate on said right of way a Drainage Canal belonging to the Grantee herein and comprising a portion of their General Drainage System.

THE GRANTEE is to use all due and proper care in the construction, maintenance and operation of said Drainage Canal so as to cause as little damage as possible to the adjacent lands of the Grantor.

IN THE EVENT that said Drainage Canal is abandoned as evidenced by a proper resolution passed by the Board of Directors of the Grantee herein, said strip of land herein granted shall be returned by the Grantee herein to the Grantor, his heirs, successors or assigns.

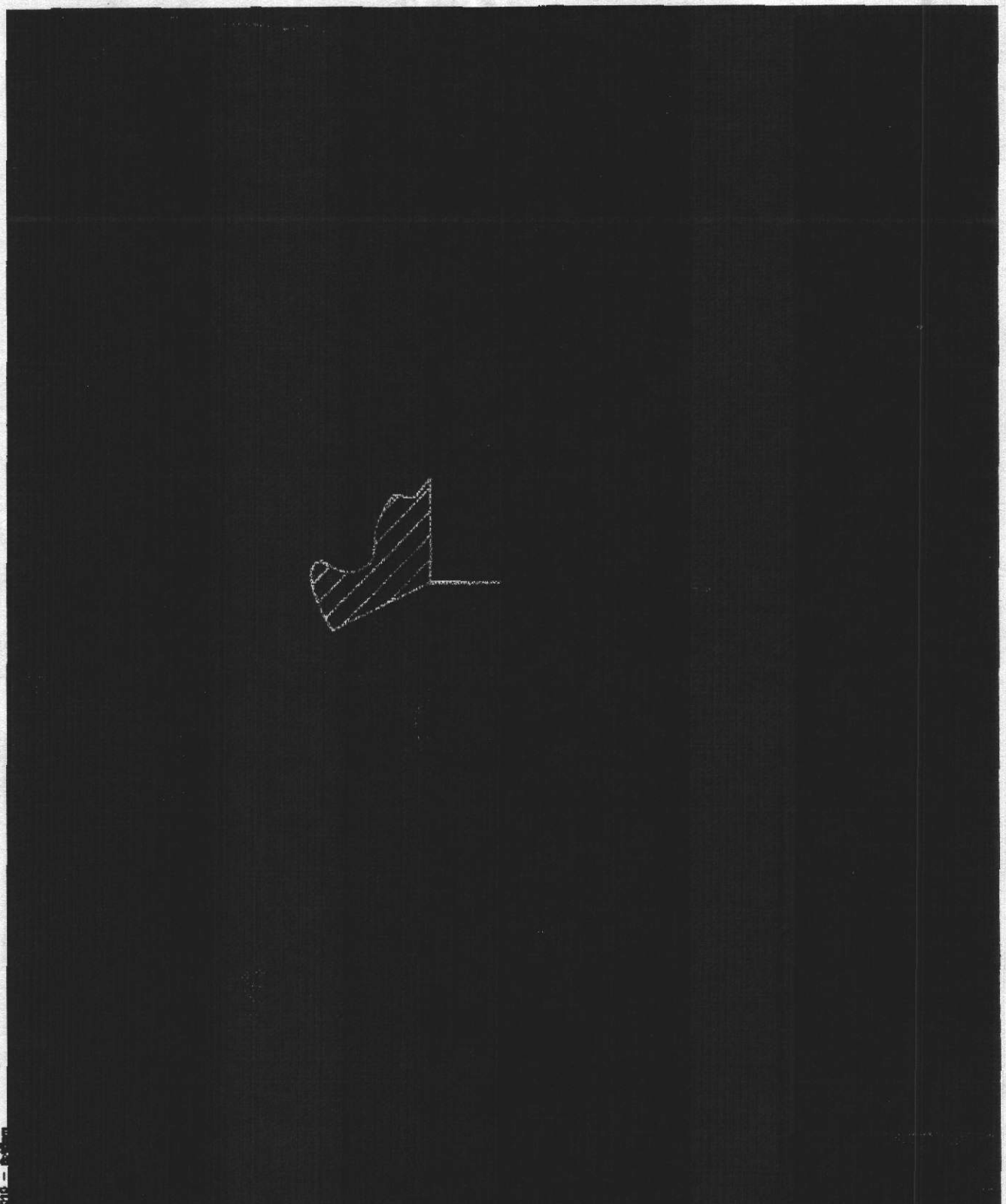
THIS GRANT OF EASEMENT shall constitute a covenant running with the land traversed thereby and shall be binding upon the grantor, his heirs, successors and assigns.

IN WITNESS WHEREOF, the Grantor has herein set his hand and seal this 15th day of July, 1950.

T. S. Bingham (T. S. Bingham)

STATE OF CALIFORNIA }
COUNTY OF SAN JOAQUIN } ss.

On this 15th day of July in the year one thousand nine hundred and fifty before me, Linford J. Brown, a Notary Public in and for the County of San Joaquin, State of California, personally appeared T. S. Bingham known to me to be the person whose name is subscribed to the within instrument and he duly acknowledged to me that he executed the same.



KSN INC. KJELDSEN SINNOCK NEUDECK Civil Engineers and Land Surveyors	Post Office Box 844 711 N. Pershing Avenue Stockton, CA 95201-0844 Office: (209) 946-0268 Fax: (209) 946-0296 E-mail: KSN@ksnins.com	MUSSI CHAIN OF TITLE GRANTOR: JOHN VASQUEZ	Design	Scale 1" = 2500'	Date 3/30/10
		GRANTEE: ANNA VASQUEZ JULY 25TH, 1950	Drawn CSM	Original Drawing Scale 0 ¼" ½"	Sheet Number Of
			Check SLB		Project File No. 1732-0070

FILE SPEC: P:\1732_SDWN\0070_Historical_Mapping\Survey\Mussi\Exhibits\CAD\E-Vasquez_to_Heirs.dwg
PLOT DATE: Mar 31, 2010 - 8:45am

FILE SPEC: P:_SDWA\0070_Historical_Mapping\Survey\Mussi\Exhibits\CAD\E-Vasquez_to_Heirs.dwg
PLOT DATE: Mar 31, 2010 - 8:48am

KSN INC.
KJELDSEN SINNOCK NEUDECK
Civil Engineers and Land Surveyors
Post Office Box 844
711 N. Pershing Avenue
Stockton, CA 95201-0844
Office: (209) 946-0268
Faxes: (209) 946-0296
E-mail: KSN@ksninc.com

MUSSI CHAIN OF TITLE
GRANTOR: JOHN VASQUEZ

GRANTEE: ANNA VASQUEZ
JULY 25TH, 1950

Design	Scale 1" = 2500'	Date 3/30/10
Drawn CSM	Original Drawing Scale 0 ¼" ½"	Sheet Number Of
Check SLB		Project File No. 1732-0070

oath of Andrew W. Todd to be the persons described in and whose names are subscribed to the within instrument, and acknowledged that they executed the same.

WITNESS my hand and official seal the day and year in this certificate first above written.

(Notary Seal) Fred Irwin Notary Public in and for said County and State.

#15880 Recorded at Request of ALICE B. PREUSS NOV 8 1930 at 39 min. past 11 o'clock A.M. in Book of Official Records, Vol. 337 page 495 San Joaquin County records.

John D. Finney Recorder
By Rose I. Finney Deputy

Fees: $ 1.10 DAC

NOTICE OF COMPLETION

C.C.P. SEC. 1187.

NOTICE is hereby given that we the undersigned Dameron Hospital the owner of those certain lots, pieces or parcels of land situated in the City of Stockton, County of San Joaquin, State of California, and described as follows, to-wit: South west corner of Lincoln and Magnolia Streets.

That we the undersigned, as owner of said land, did, on the tenth day of May, 1930, enter into a contract with O. H. Chain for the General Construction for Alterations and Additions to Dameron Hospital upon the land above described which contract was filed in the office of the county recorder of the said County of San Joaquin, State of California, on the fifteenth day of May, 1930; That on the fourth day of November, 1930, the work under said contract was actually completed by the said O. H. Chain and accepted by us.

That title to said property is that of fee simple.

Dameron Hospital
by H. S. Chapman Pres.
Owner

STATE OF CALIFORNIA, }
County of San Joaquin } SS.

H. S. CHAPMAN, being duly sworn, say_: That he is the president of the_owner of the property described in the foregoing notice; that he has read the foregoing notice, and knows the contents thereof, and that the same is true of his own knowledge.

Subscribed and sworn to before me, this 8th day of November, 1930. (Notary Seal) Elena Celayeta Notary Public in and for the County of San Joaquin, State of California.

Dameron Hospital
-- H.S. Chapman

#15890 Recorded at the Request of Howard G. Bissell Nov. 8th 1930 at 54 min. past 11 o'clock A.M. in Book of Official Records, Vol. 337 page 496 SAN JOAQUIN County Records.

John D. Finney Recorder
By Rose I. Finney Deputy Recorder

Fees: $ 1.00 DAC

THIS INDENTURE, made the Sixth (6th) day of November one thousand nine hundred and thirty BETWEEN Josephine Vasquez Jones (a married woman) of the City of Stockton, County of San Joaquin, State of California, and Warren Jones, her husband, the parties of the first part, and John E. Vasquez and Anna T. Vasquez, husband and wife, of the same place aforesaid the parties of the second part,

WITNESSETH: That the said parties of the first part, in consideration of the sum of Ten and 00/100 ($10.00) dollars, lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged,

EXHIBIT 11

do by these presents, grant, bargain, and sell unto the said parties of the second part, in joint tenancy and to the survivor of them, and to the heirs and assigns of such survivor forever, all that real property that certain lot, piece or parcel of land situate in the County of San Joaquin, State of California, and bounded and described as follows, to-wit:

Being the N. 15 ft. of the N.W. ¼ of the S.E.¼ of Section twenty-seven (27) and portions of the fractional part of the N. ½ of the S.W.¼ of said Section 27 lying east and north of a cross levee separating the Middle and Lower Division of Roberts Island and the fractional part of the N.W.¼ of said Section 27 lying south and east of said levee all in T. 1. N. R. V.E. Mount Diablo Base & Meridian and being more particularly described as follows: Beginning at a steel axle set at the center of said Section 27 (and in the center of a drainage ditch) thence east along the center line of said drainage ditch on the N line of said N.W.¼ of said S.E.¼ of said Section 27 a distance of 1319.6 ft. (1319.6 Ft) to a steel axle set at the N.E. corner of said NW¼ of said S.E.¼ of said Section 27 thence south 00° 07' west a distance of 15 ft. to a point on the partition line between the lands of Josephine V. Jones and John E. Vasquez (said point being the S.E. corner of said Vasquez lands); thence west along said partition line (parallel to and S. 00° 07' W. a distance of 15 ft from said N. line of said N.W.¼ of said S.E.¼ of said Section 27) a distance of 1350.5 ft. to a steel axle set at the N.W. corner of the lands of said Jones (said axle being S. 64° 07' W. a distance of 34.4 ft. from said steel axle in the center of said section 27); thence S. 64° 07' W along said partition line 2042.1 ft. to a steel axle set in the center line of said levee (said center line being also the center line of the County Road called the Kingston Road) thence meandering the center line of said levee to a steel axle set at the N.E. corner of said fractional part of said N.W.¼ of said section 27 lying S. and E. of said levee; thence leaving said levee, S. 00° 04' W., along the E. line of said fractional part of said N.W.¼ a distance of 1922.7 ft. to the point of beginning. EXCEPTING a strip of land 20 ft. in width immediately abutting said levee center line and lying E. and S. thereof, said strip having been heretofore deeded to San Joaquin County for roadway purposes.

C.A.T.
Notary

RESERVING the right to use for drainage purposes only that strip of the above described tract 15 ft. in width and lying E. and S. of aforesaid line running S. 64° 7' W. and connecting the center of section 27 with said N.W. corner of the herein described tract and granting an easement for drainage purposes only over a strip of land 15 ft. in width whose N. line is the S. line of the above described reserved strip and which easement extends the full length of said strip; containing 72.02 acres, more or less.

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof.

TO HAVE AND TO HOLD the said premises together with the appurtenances, unto the said parties of the second part, as joint tenants, and not as tenants in common, with right of survivorship, and the heirs and assigns of such survivor forever.

IN WITNESS THEREOF, the said parties of the first part, have hereunto set their hands the day and year first above written.

Signed and Delivered in the Presence of) Josephine Vasquez Jones
) Warren Jones
Catherine A. Tully)

State of California)
) SS.
County of San Joaquin)

On this 6th day of November in the year of our Lord, nineteen hundred and thirty before me, Catherine A. Tully, a Notary Public in and for said County and State, residing therein, duly commissioned and qualified, personally appeared Josephine

Vasquez Jones and Warren Jones. her husband known to me to be the persons described in and whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal at my office in the County of San Joaquin the day and year in this certificate first above written.

Catherine A. Tully Notary Public in
(Notary Seal) and for the County of San Joaquin, State of California.

#15885 Recorded at Request of Anna T. Vasquez Nov 8th 1930, at 46 min. past 11 o'clock A.M. in Book of Official Records, Vol. 337, page 496, San Joaquin County Records.
John D. Finney Recorder
By Rose L. Finney Deputy

Fees: $ 1.80 DAC

THIS MEMORANDUM, Made and entered into this 3 day of November, 1930, by and between HARRY T. HAYS, first party, and HAYS McMULLIN, second party, W I T N E S S E T H :

That, whereas, the first party is the Lessee named in that certain Lease dated September 13th, 1929, between BETTY M. TELLER, LILO M. PERRIN, HARRY T. HAYS, JOHN C. HAYS, LEON BOCQUERAZ and HAYS McMULLIN, Lessors, and first party herein as Lessee, which said Lease was recorded on the 14th day of September, 1929, in the office of the County Recorder of San Joaquin County, California, in Book 299, Page 288 of Official Records of said County; and

Whereas, the lands in said Lease described were thereafter partitioned along the parties thereto by partition deed duly executed and recorded; and

Whereas, the various Lessors therein named are now the owners of individual parcels of the lands in said Lease described subject to the terms thereof, and are not now tenants in common thereof; and

Whereas, the second party hereto is now the owner of the land hereinafter described subject to the terms of said Lease; and

Whereas, it is the desire of the second party hereto that the first party hereto should waive and release any and all leasehold interest in and to the lands hereinafter described without changing, altering or affecting any other or further terms of the said Lease hereinabove described and without waiving any rights or interest in or to any of the other lands or properties in said Lease described.

Now, therefore, in consideration of the premises and of the covenants and agreements of the second party that no such other rights or interest or lands as above mentioned shall be so waived or affected, and upon the express condition that said Lease shall remain in full force and effect in all of its terms and conditions, excepting only as to the lands hereinafter described, first party does hereby waive his leasehold rights in and to all that certain real property situated in the County of San Joaquin, State of California, described as follows, to-wit:

ALL that certain piece or parcel of land situate, lying and being in Section twenty-nine (29), Township two (2) South, Range Seven (7) East, Mount Diablo Base and Meridian, County of San Joaquin, State of California, and more particularly described as follows, to-wit:

BEGINNING at the Southeast corner of Section twenty-nine (29), Township two (2) South, Range Seven (7) East, Mount Diablo Base and Meridian, running thence along the Southern boundary of said Section twenty-nine (29) North 89° 57' West 5333.94 feet to the Southwest corner of said Section twenty-nine (29); thence along the Western boundary of said Section Twenty-nine (29), North 0° 17' West 2647.13 feet; thence South 89° 55' East 5327.77 feet to

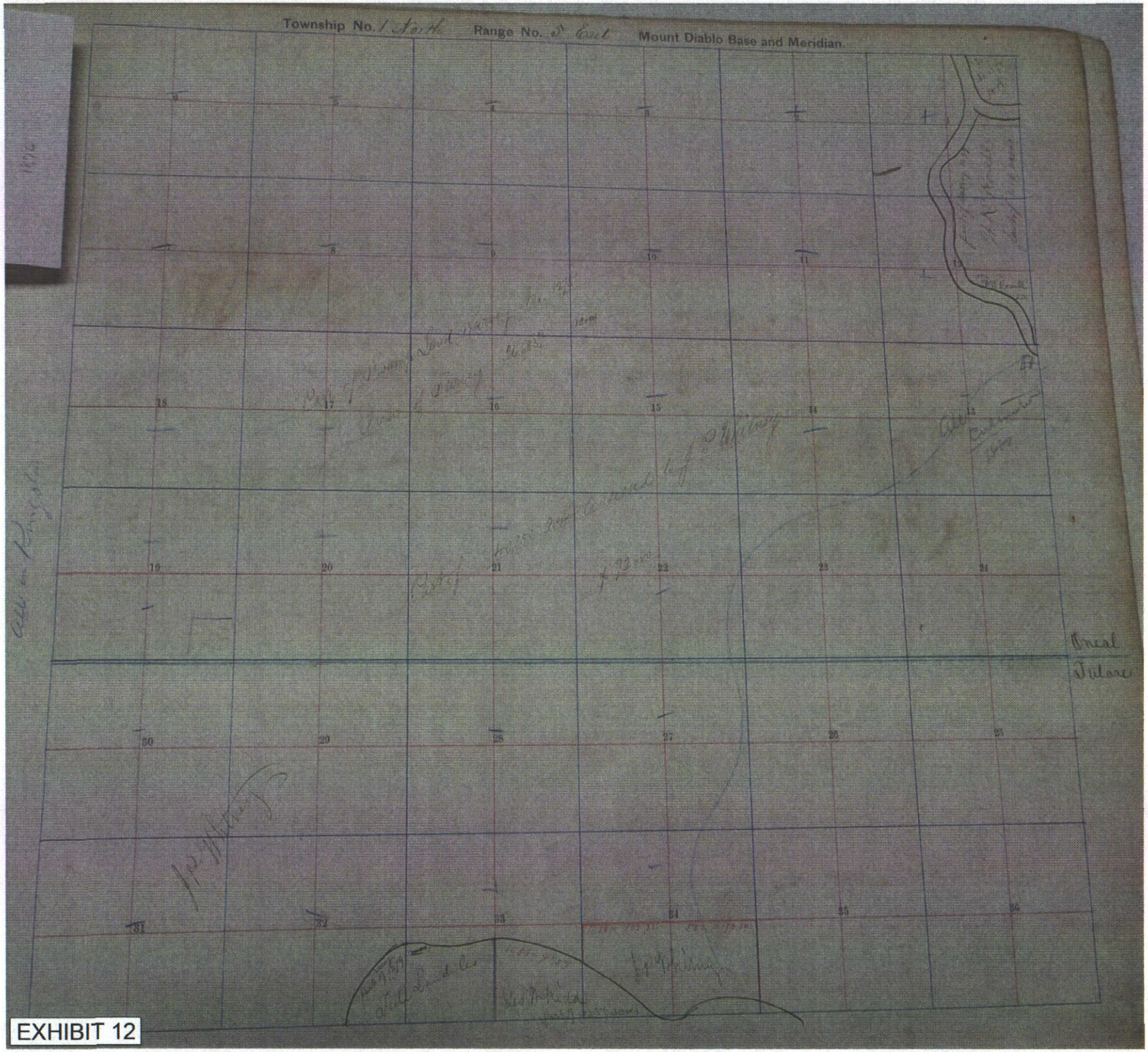

Township No. 1 South
Range No. 28 East
Mount Diablo Base and Meridian
Tulare

EXHIBIT 12

Township No. 1 North Range No. 4 East Mount Diablo Base and Meridian.
John C. Dorrycoutte
F. S. Chadbourne
Chadbourne
John Caperton
John Caperton
H. D. Bacon
H. D. Bacon
Oneal
Tulare
Vile Land Reclamation Company

EXHIBIT 13A

Township No. 1 North Range No. 6 East Mount Diablo Base and Meridian.

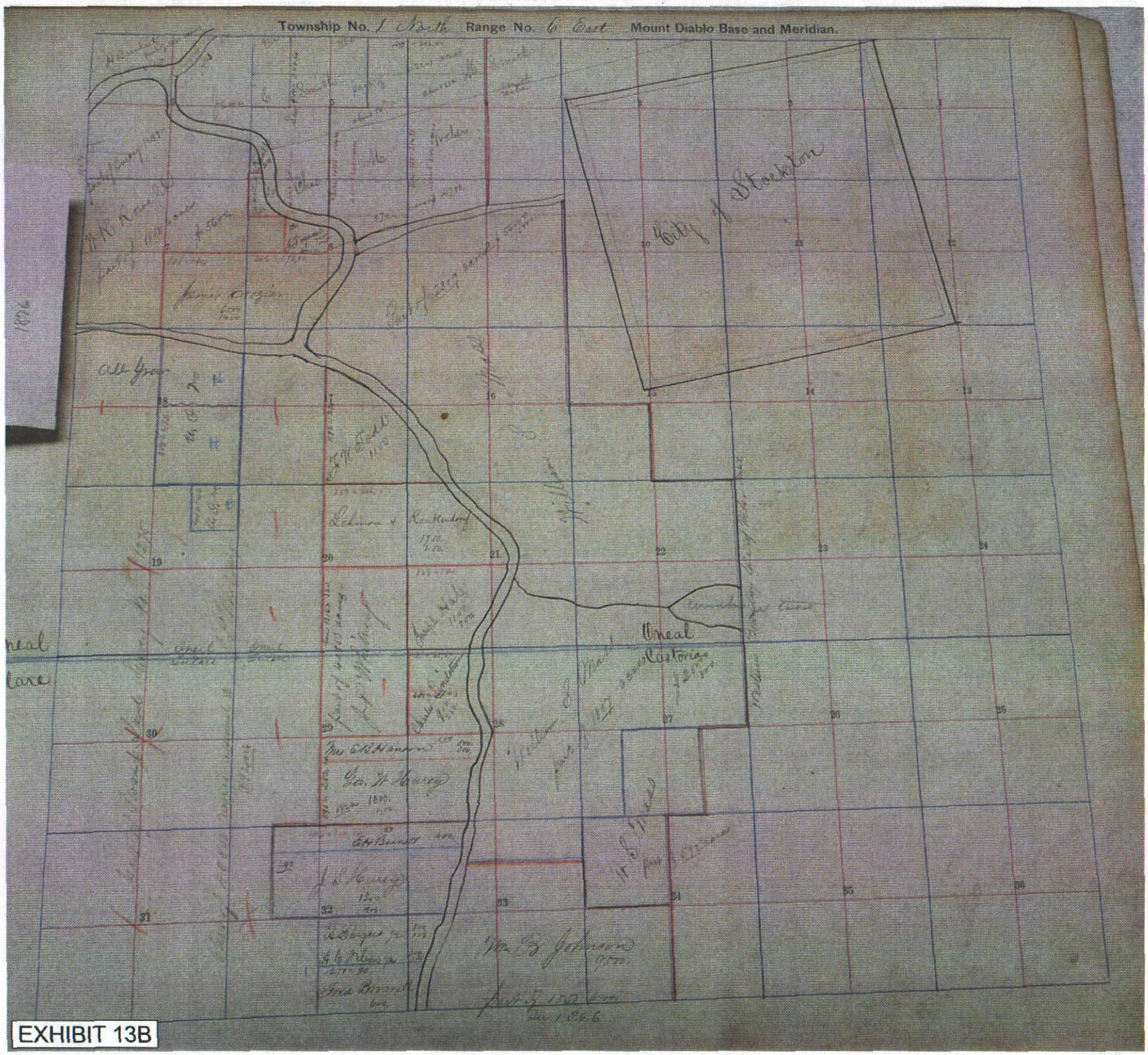


EXHIBIT 13B

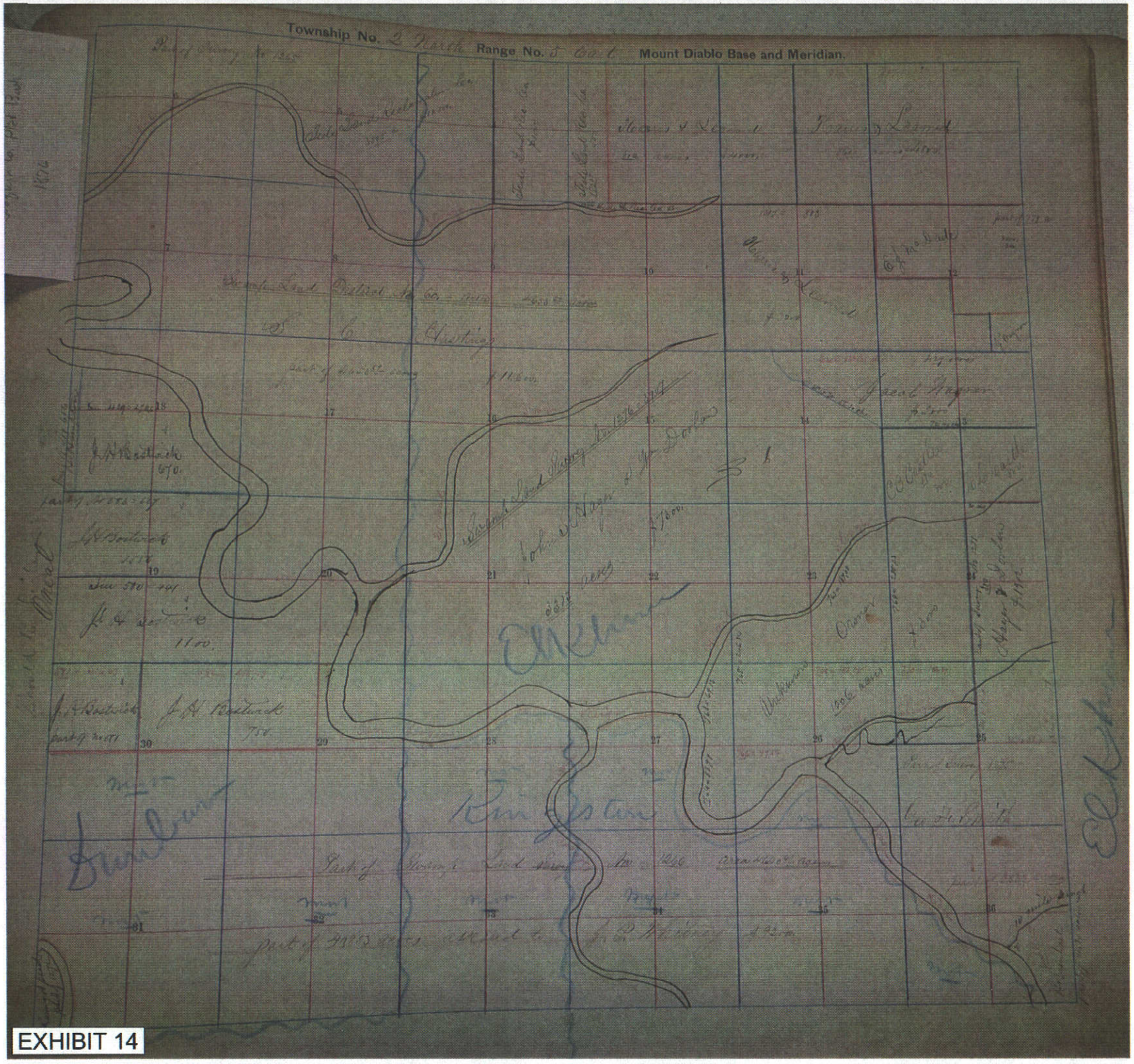

Township No. 2 North Range No. 5 East Mount Diablo Base and Meridian.
Swamp Land District No. 60
S. C. Hastings
Jacob Hagner
John S. Hager & Jo. Dorlan
J. H. Bostwick
Elkhorn
Kingston
Durham
Part of Swamp Land Survey No. 1266
Part of 4983 acres attached to J. P. Whitney

EXHIBIT 14

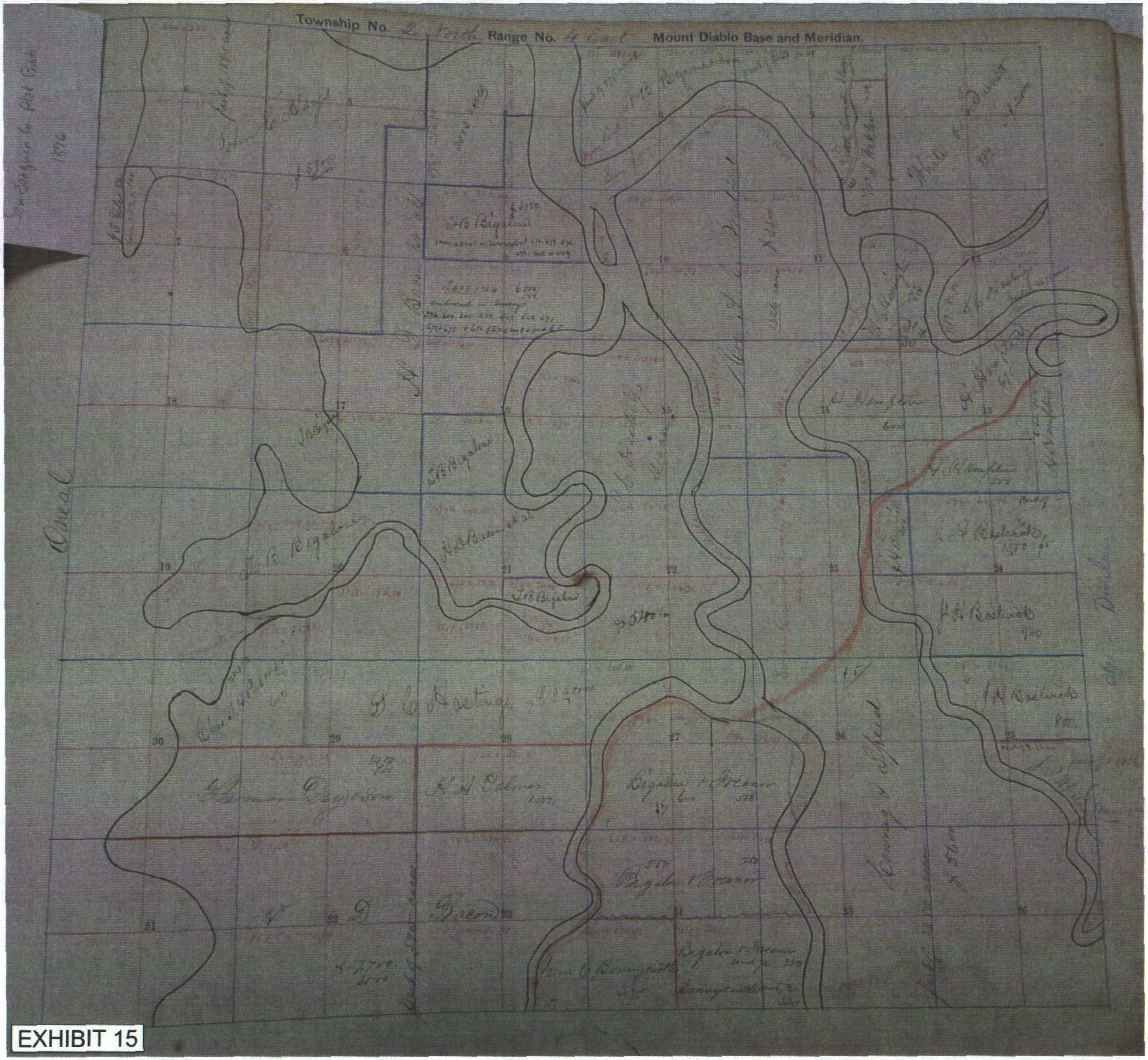

Township No. 2 North Range No. 4 East Mount Diablo Base and Meridian
J B Bigelow
H A Palmer
Bigelow & Bremer

EXHIBIT 15

T1N, R5E Assessor Map Table

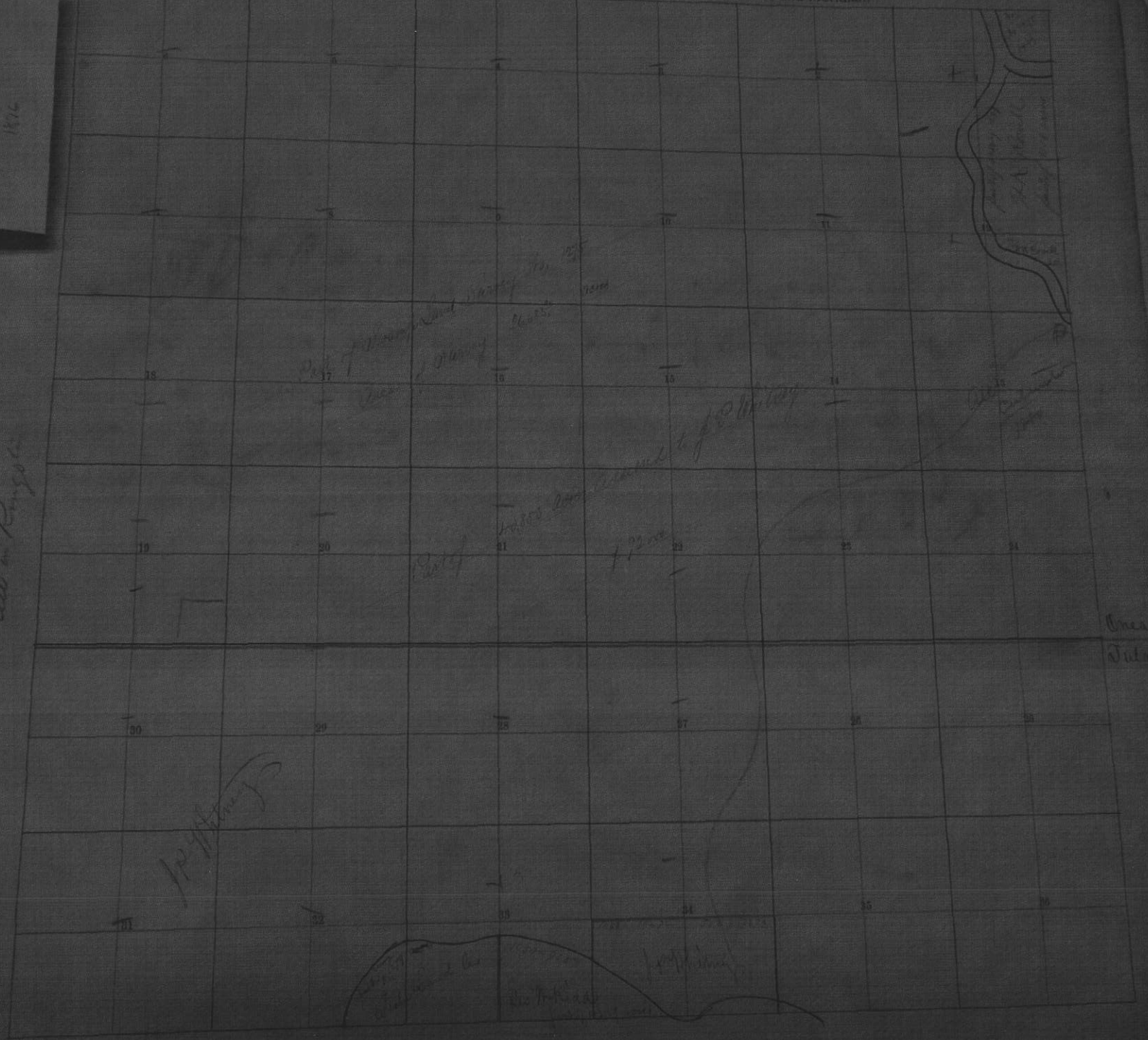
(Images of the assessor maps may be viewed by selecting the appropriate map listed in the "Map" column)

Year	Line(s)	Label	Map		Year	Line(s)	Label	Map
1876	Blue, single	---	T1N R5E 1876		1898	Black, solid	"Cross Levee"	T1N R5E 1898
1879	Red, dashed, double	"Levee"	T1N R5E 1879		1899	Black, solid	"Cross Levee"	T1N R5E 1899
1880	Red, dashed, double	"Levee"	T1N R5E 1880		1900	Black, solid	---	T1N R5E 1900
1881	Red, dashed, double; blue, dashed	"Levee"	T1N R5E 1881		1901	Black, solid	---	T1N R5E 1901
1882	Red, dashed, double	"Levee"	T1N R5E 1882		1902	Black, solid	---	T1N R5E 1902
1883	Red, solid, double	"Levee"	T1N R5E 1883		1903	Black, solid	---	T1N R5E 1903
1884	Red, solid, double	"Levee"	T1N R5E 1884		1904	Black, solid	---	T1N R5E 1904
1885	Red, dashed, double	"Levee"	T1N R5E 1885		1905	Black, solid	---	T1N R5E 1905
1886	Red, dashed, double	"Levee"	T1N R5E 1886		1906	Black, solid	---	T1N R5E 1906
1887	Red, dashed	---	T1N R5E 1887		1907	Black, solid	"Levee"	T1N R5E 1907
1888	Red, dashed	---	T1N R5E 1888		1908	Black, solid	"Levee"	T1N R5E 1908
1889	Red, dashed	---	T1N R5E 1889		1911	Black, solid	"Levee"	T1N R5E 1911
1890	Red, dashed	---	T1N R5E 1890		1912	Black, solid	"Levee"	T1N R5E 1912
1891	Red, dashed	---	T1N R5E 1891		1913	Black, solid	"Levee"	T1N R5E 1913
1892	Red, solid	"Cross Levee"	T1N R5E 1892		1914	Black, solid	"Levee"	T1N R5E 1914
1893	Red, solid	"Cross Levee"	T1N R5E 1893		1915	Black, solid	"Levee"	T1N R5E 1915
1894	Blue, solid	"Cross Levee"	T1N R5E 1894		1916	Black, solid	"Levee"	T1N R5E 1916
1895	Red, solid	"Cross Levee"	T1N R5E 1895		1917	Black, solid	"Levee"	T1N R5E 1917
1896	Black, solid	"Cross Levee"	T1N R5E 1896		1918	Black, solid	"Levee"	T1N R5E 1918
1897	Black, solid	"Cross Levee"	T1N R5E 1897		1919	Black, solid	"Levee"	T1N R5E 1919

EXHIBIT 16

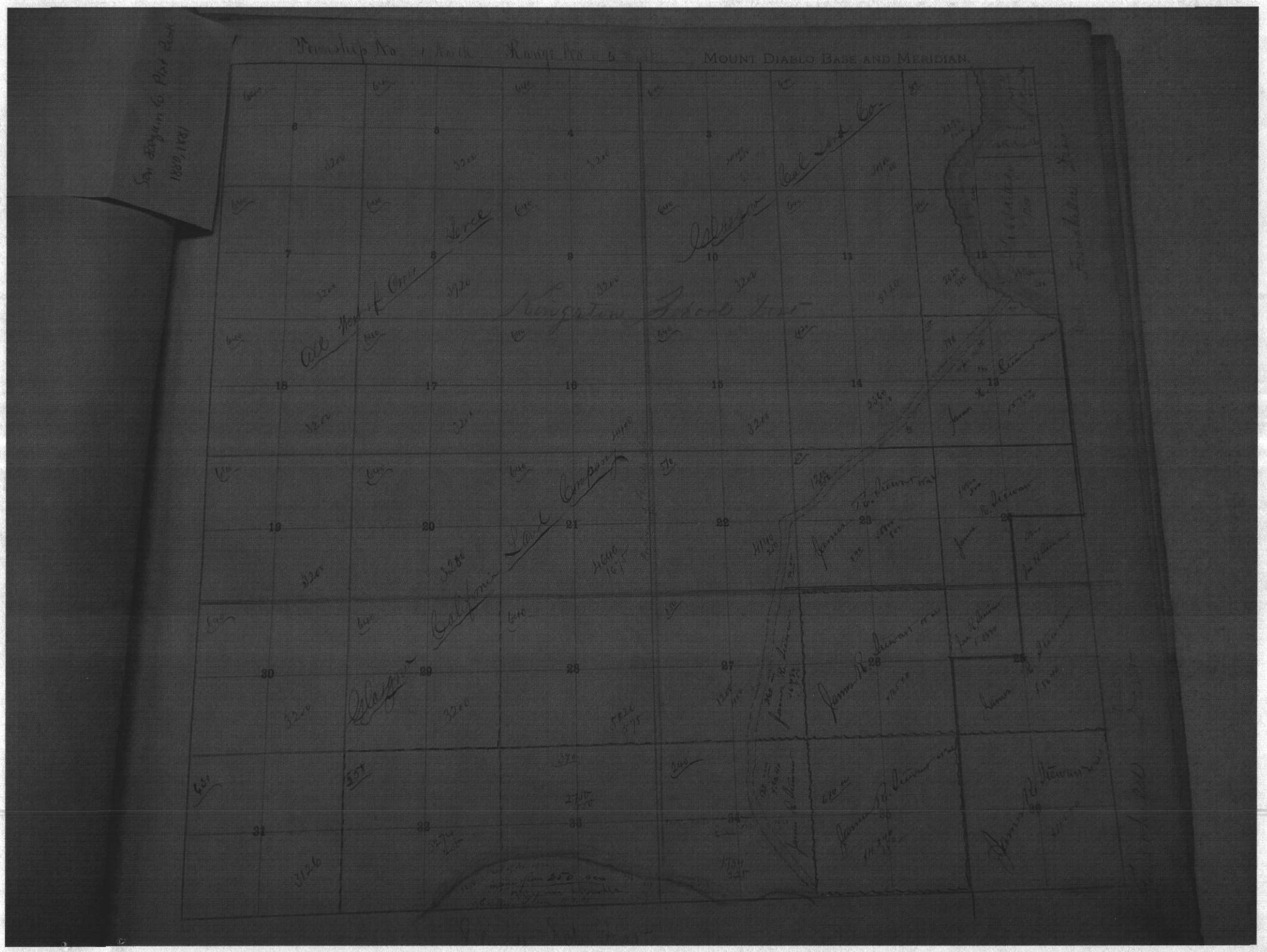
San Joaquin Co. Plat Book
1926

Township No. 1 North Range No. 8 East Mount Diablo Base and Meridian.

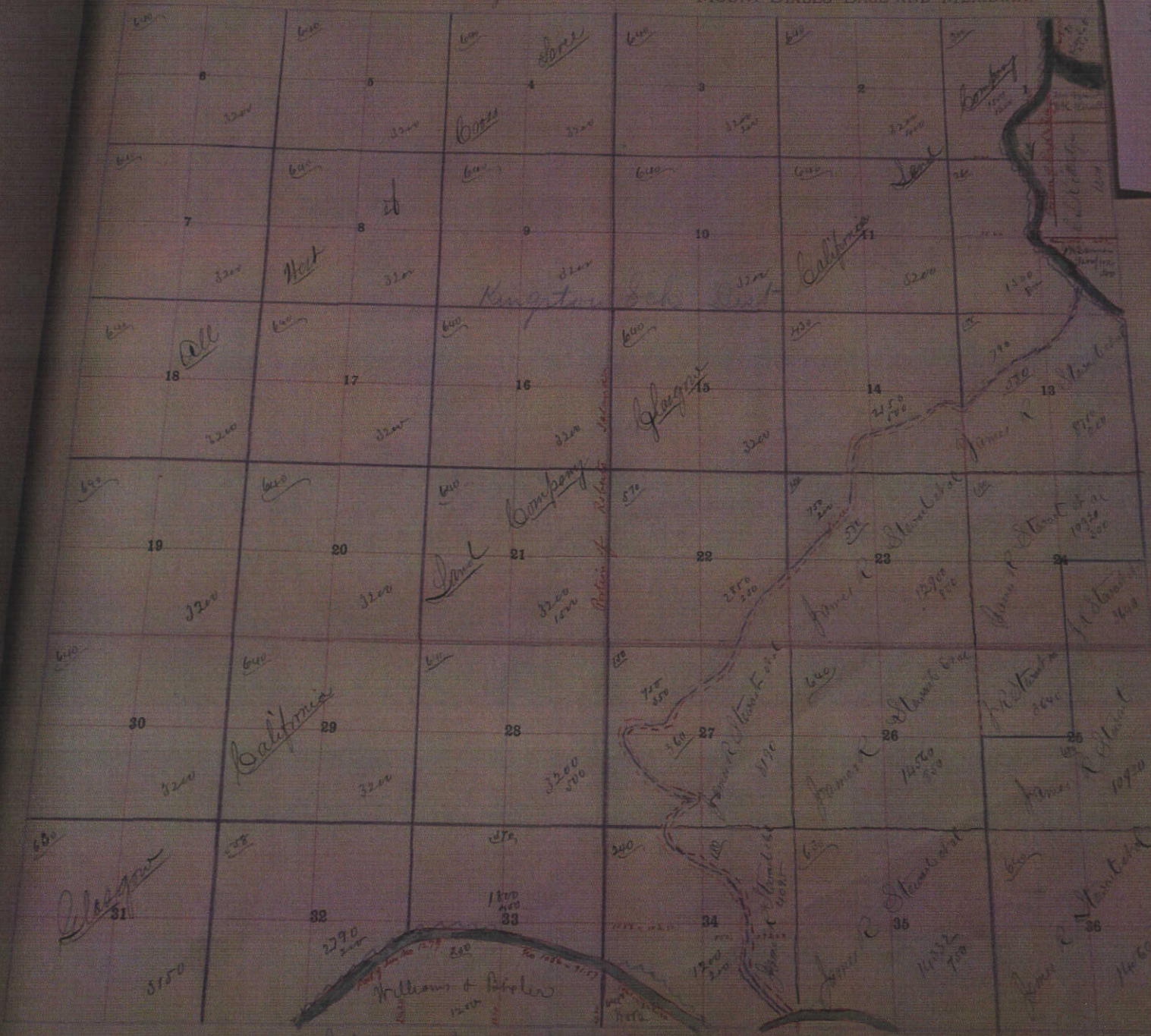


TOWNSHIP No. 1 North — RANGE No. 5 East — MOUNT DIABLO BASE AND MERIDIAN

San Joaquin Co.
Plat Book
1874


Township No. 1 North
Range No. 5
MOUNT DIABLO BASE AND MERIDIAN.
San Joaquin to Plat Book
1880, 1881
Kingston Island Inst.
Calif. Land Co.
Calif. Land Company
James R. Stewart

Township No. 1 North Range No. 5 East MOUNT DIABLO BASE AND MERIDIAN

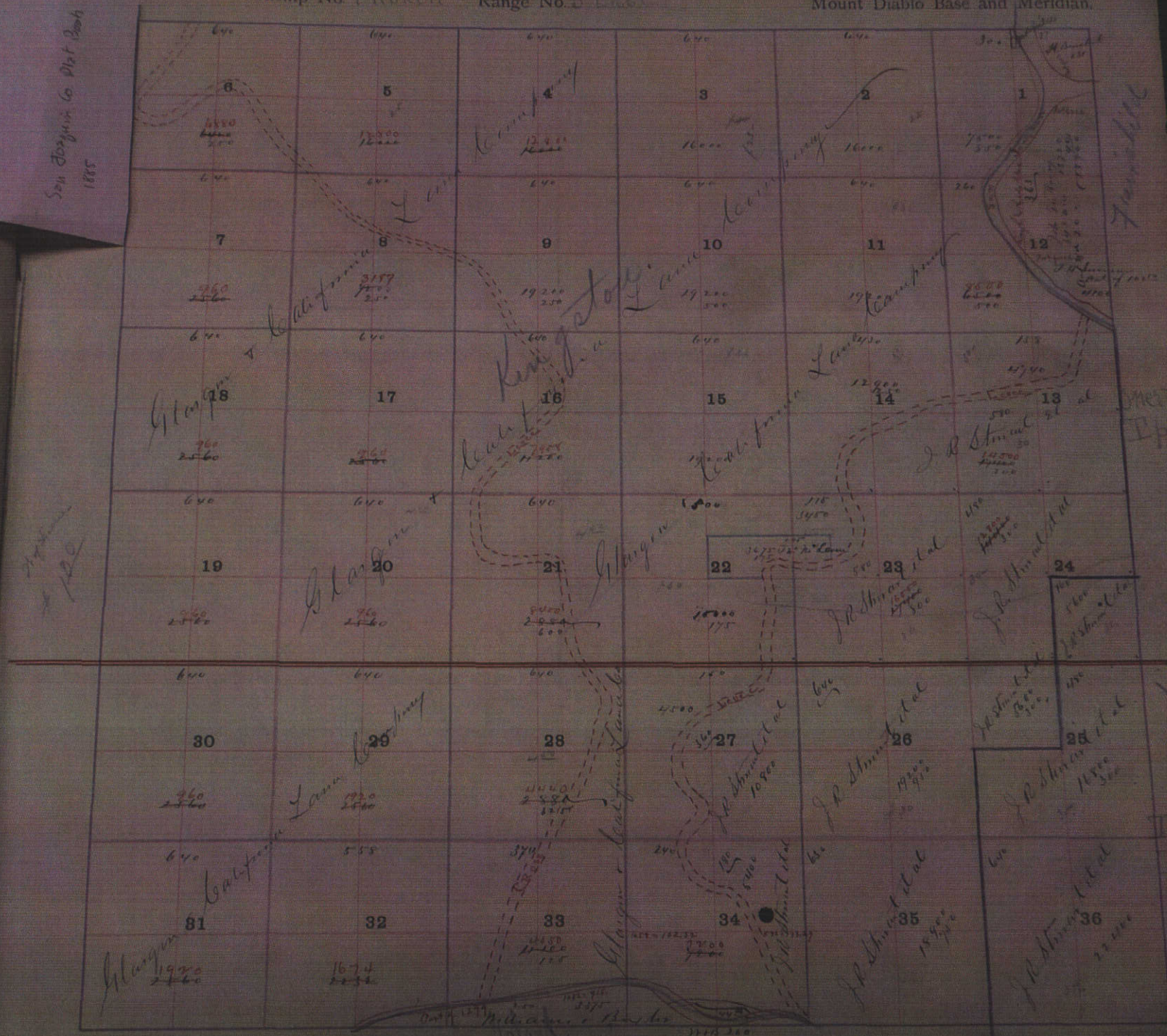


Township No. 1 North Range No. 5 East Mount Diablo Base and Meridian

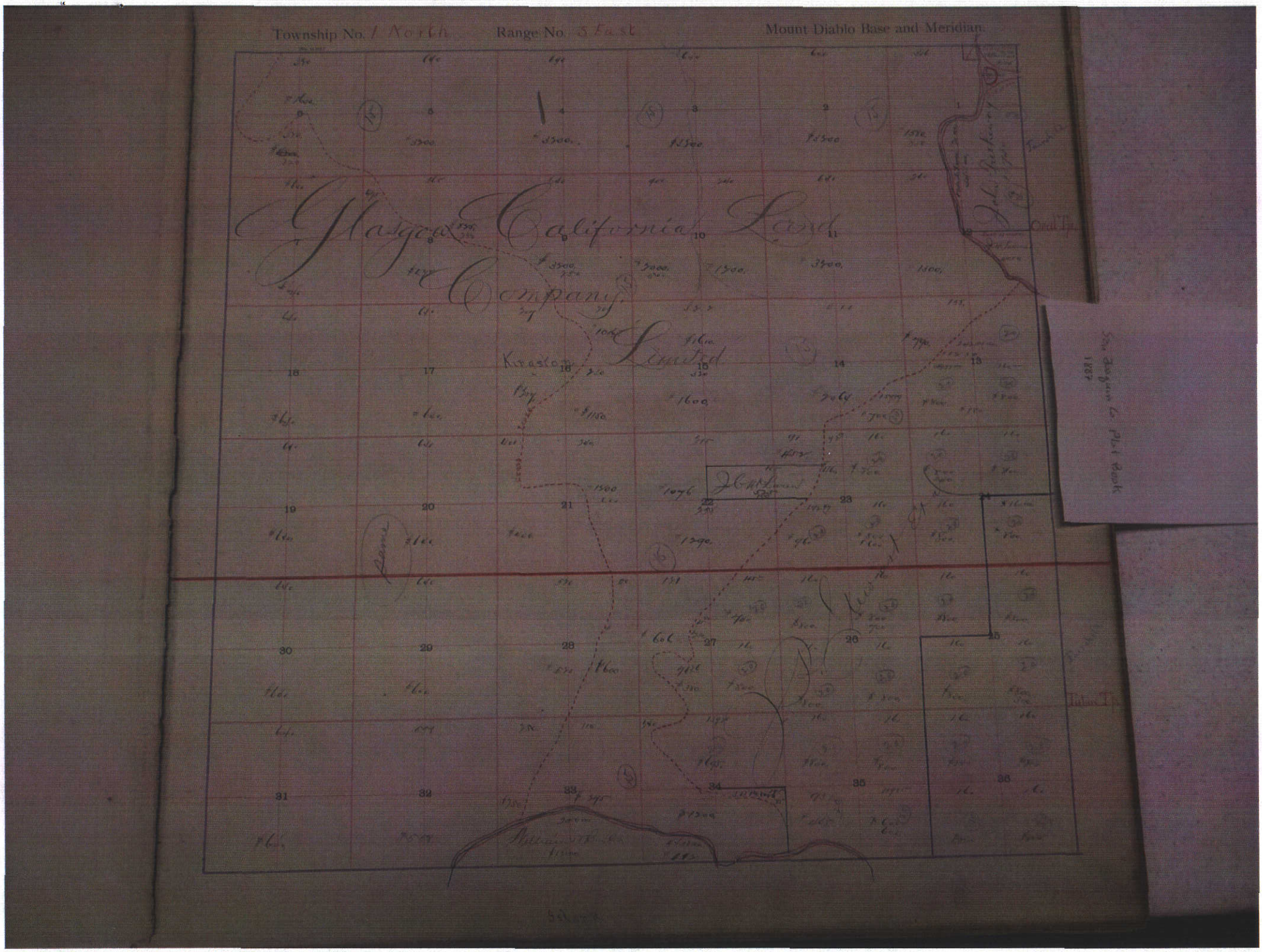
Township No. 17 North Range No. 5 East Mount Diablo Base and Meridian.

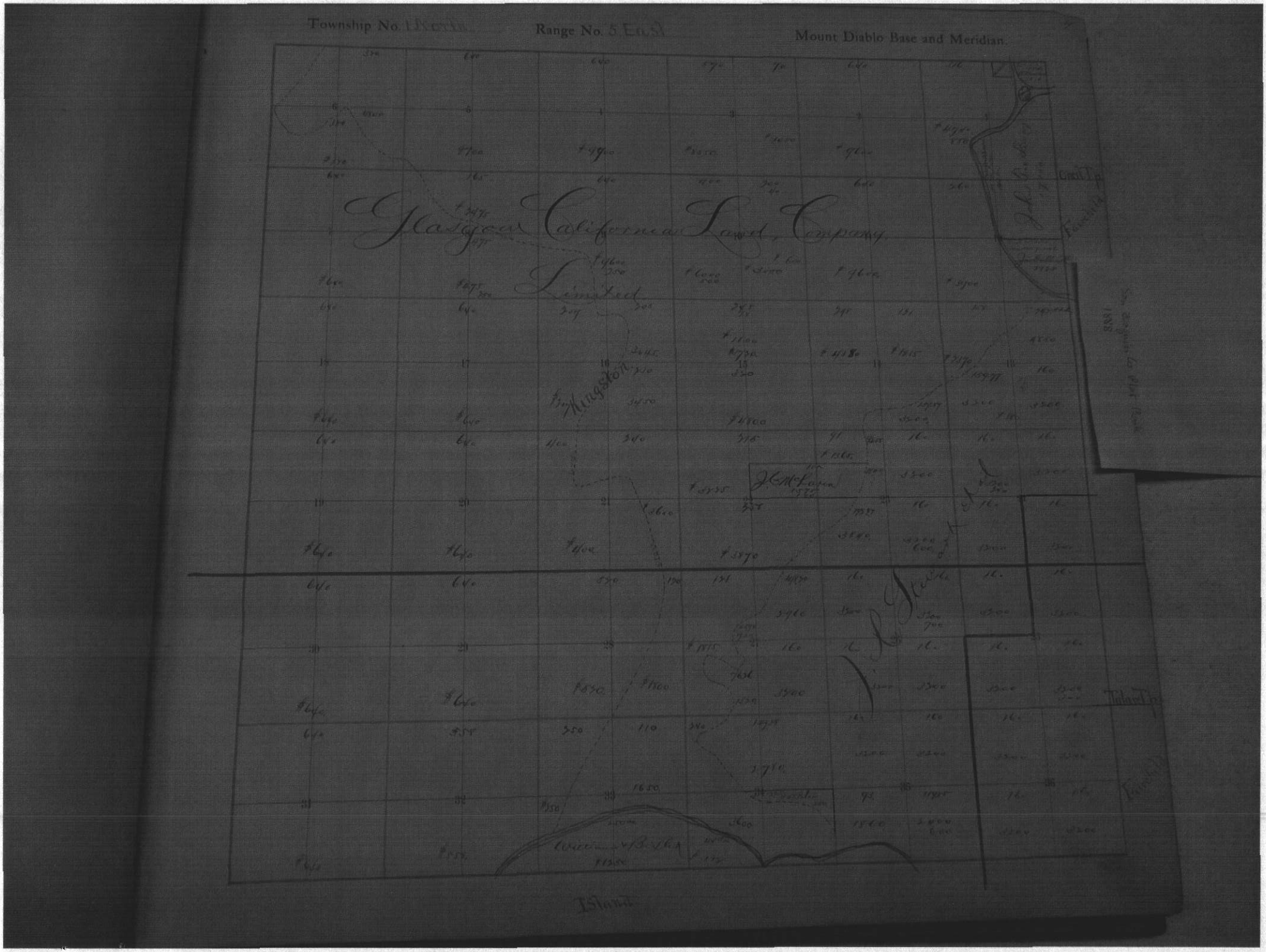
Township No. 1 North Range No. 5 East. Mt. Diablo Base and Meridian

Township No. 1 North Range No. 5 East Mount Diablo Base and Meridian.

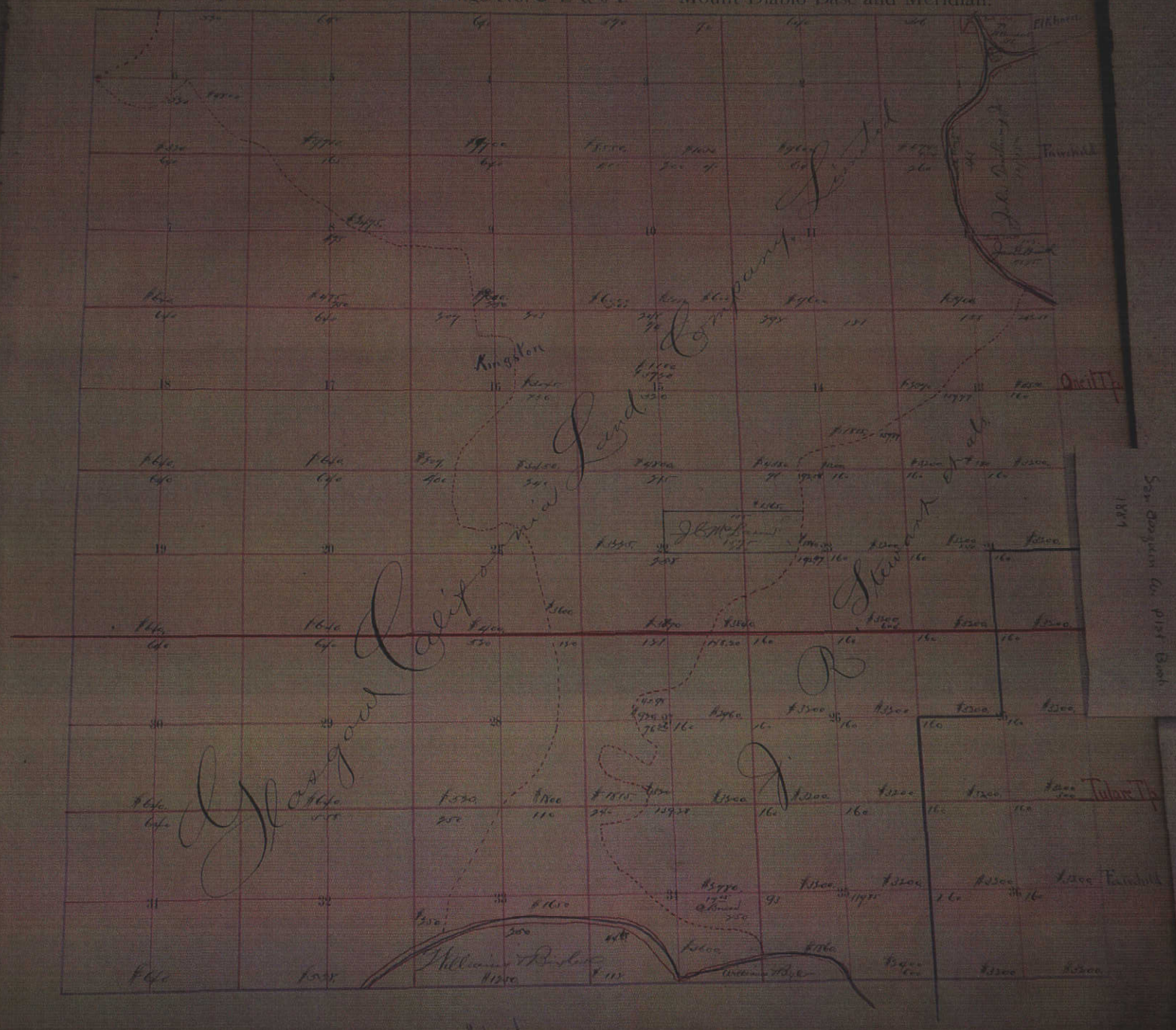


Township No. 1 North Range No. 3 East Mount Diablo Base and Meridian.


Township No. 1 North
Range No. 3 East
Mount Diablo Base and Meridian
Glasgow California Land Company Limited
Kingston
Oval Tp.
Tulare Tp.
Sta. Joaquin Co. Plat Book
1887

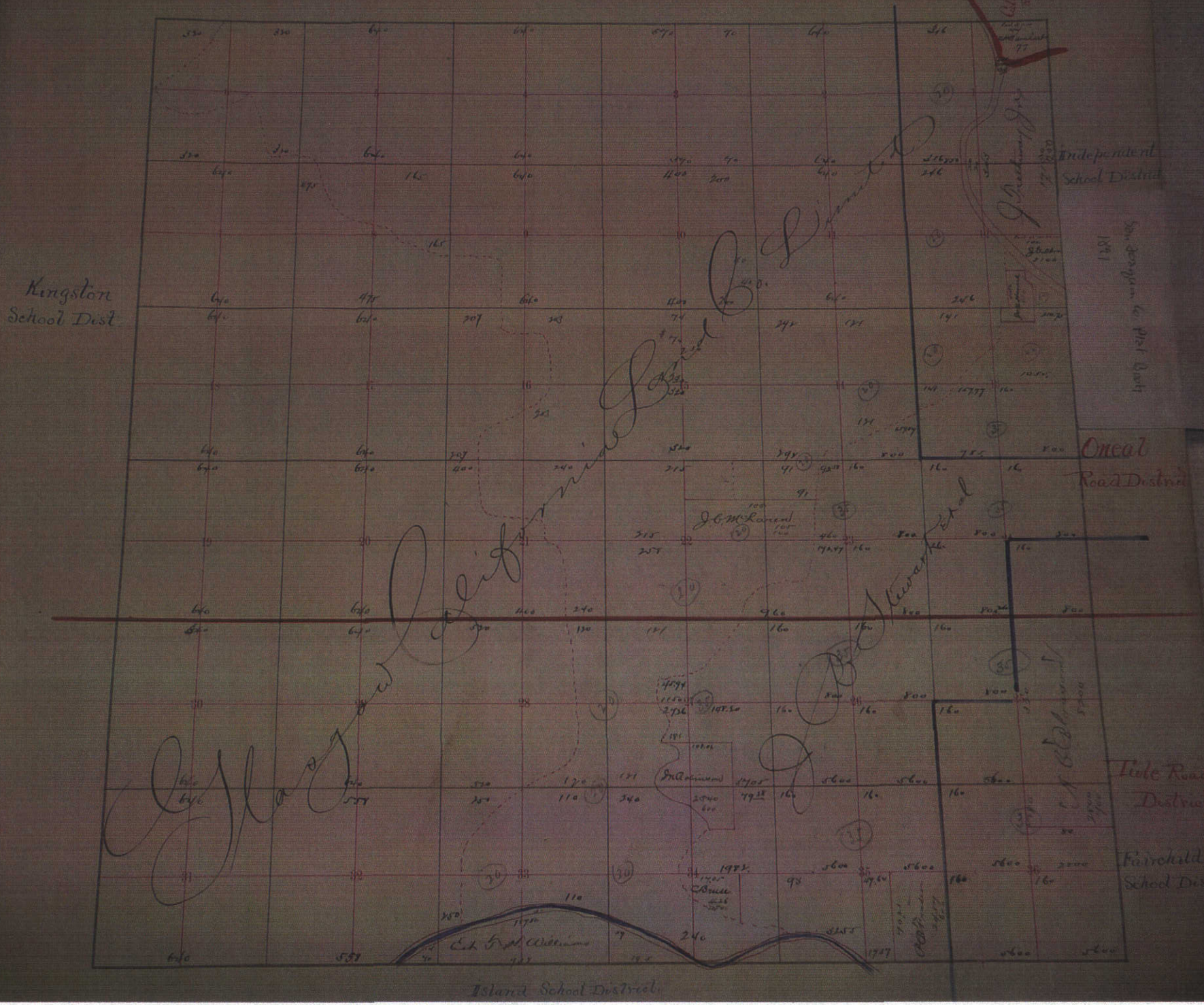

Township No. 1 North
Range No. 5 East
Mount Diablo Base and Meridian.
Glasgow California Land Company
Limited
Kingston
Island

Township No. 1 North Range No. 5 East Mount Diablo Base and Meridian.

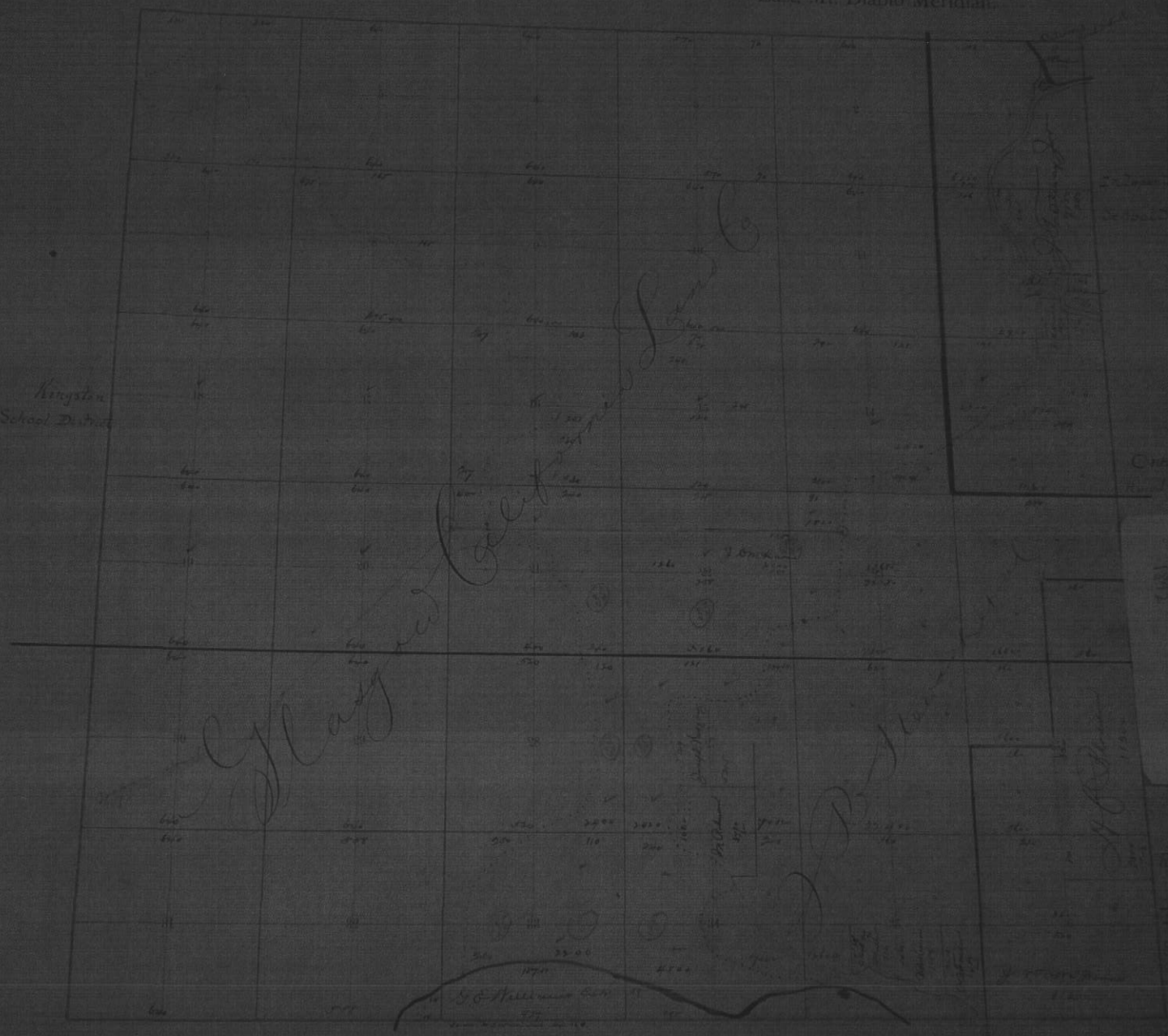


Township No. 1 North
Range No. 5 East
Mount Diablo Base and Meridian
Wakefield Road District
Burnett Road District
Tule Road District
Island School District
District
IMP.

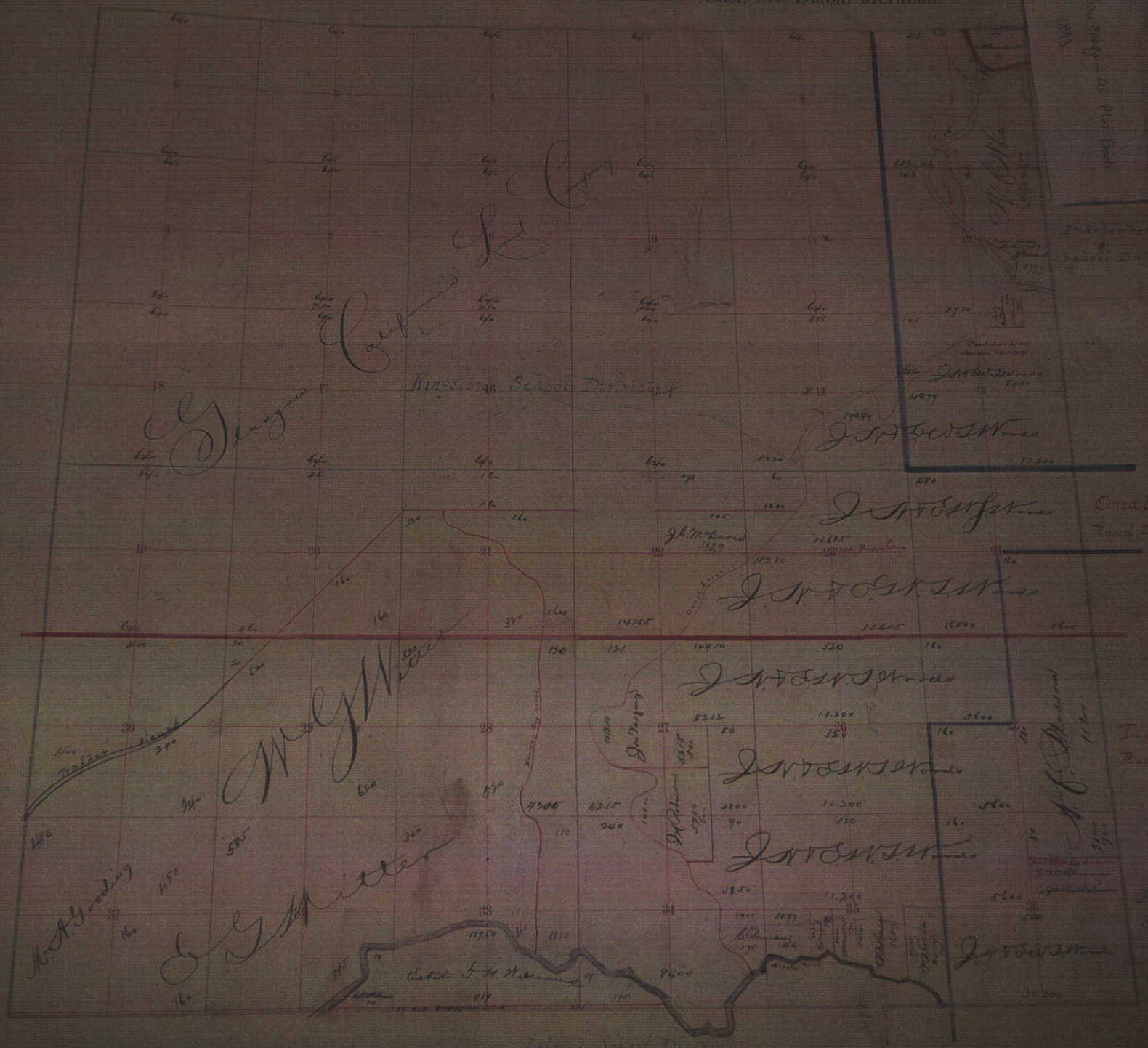
Township No. 1 North, Range No. 5 East, East, Mt. Diablo Meridian



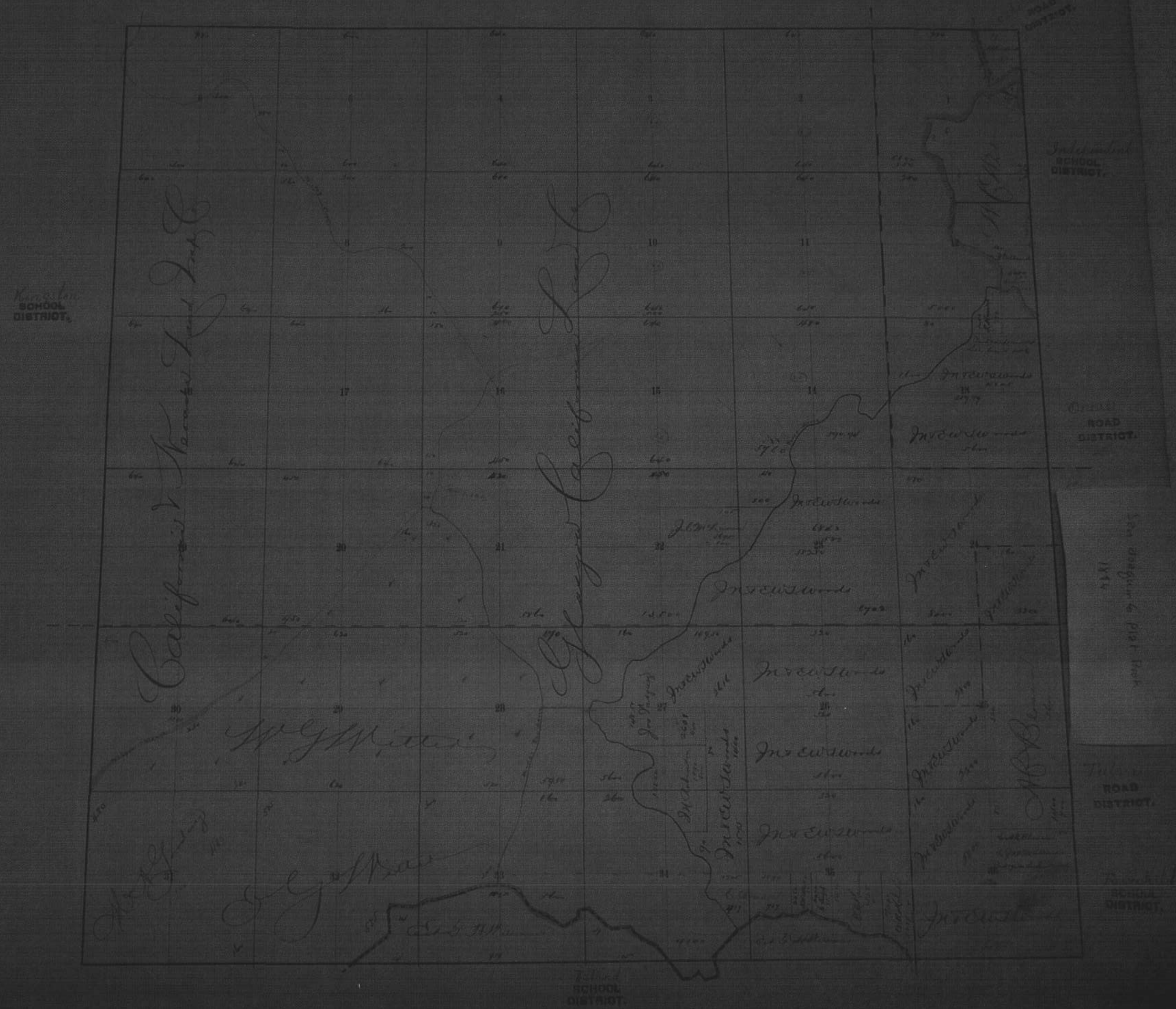
Township No. 1 North, Range No. 6 East, East Mt. Diablo Meridian.



Township No. 1 North, Range No. 5 East East, Mt. Diablo Meridian.

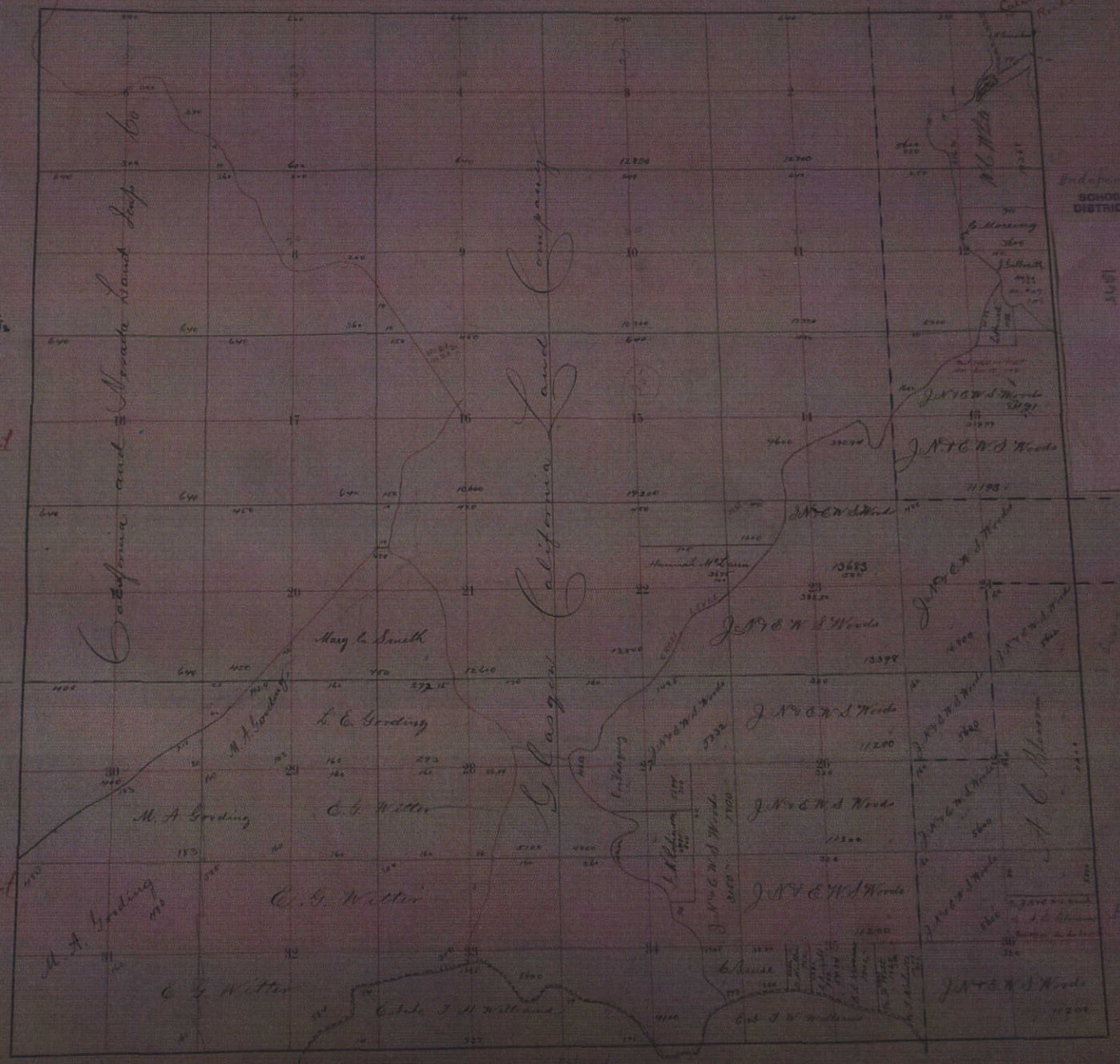


Township No. *1 North*, Range No. *6* East, Mt. Diablo Meridian.



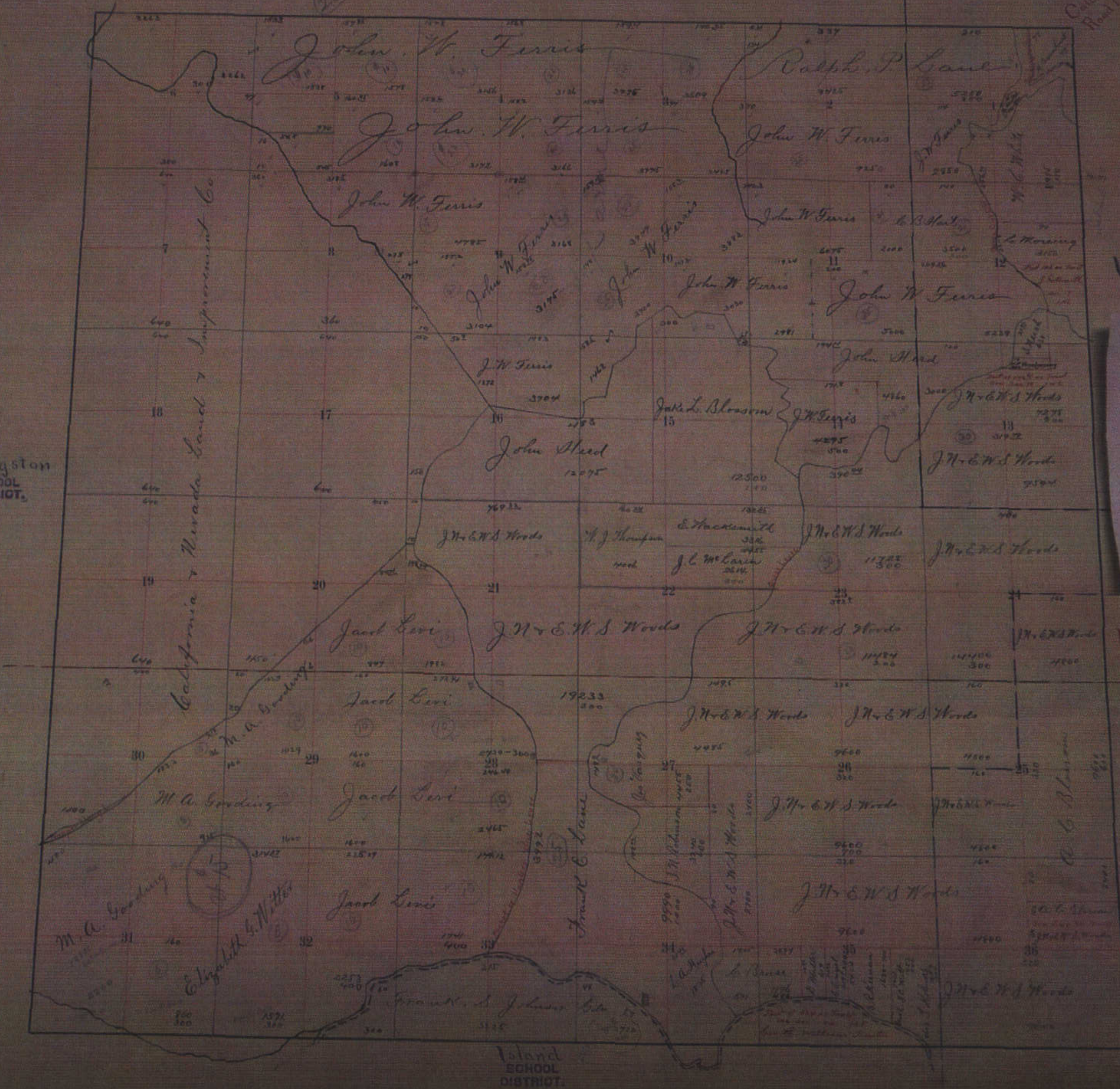
San Joaquin Co Plat Book
1914

Township No. 1 North, Range No. 5 East, Mt. Diablo Meridian.



Township No. 1 NORTH , Range No. 6 East, Mt. Diablo Meridian.

Township No. 1 North, Range No. 5 East. Mt. Diablo Meridian.



Kingston SCHOOL DISTRICT.

Independence SCHOOL DISTRICT.

Calaveras Road Dist.

O'Neal Road Dist.

Tulare Road Dist.

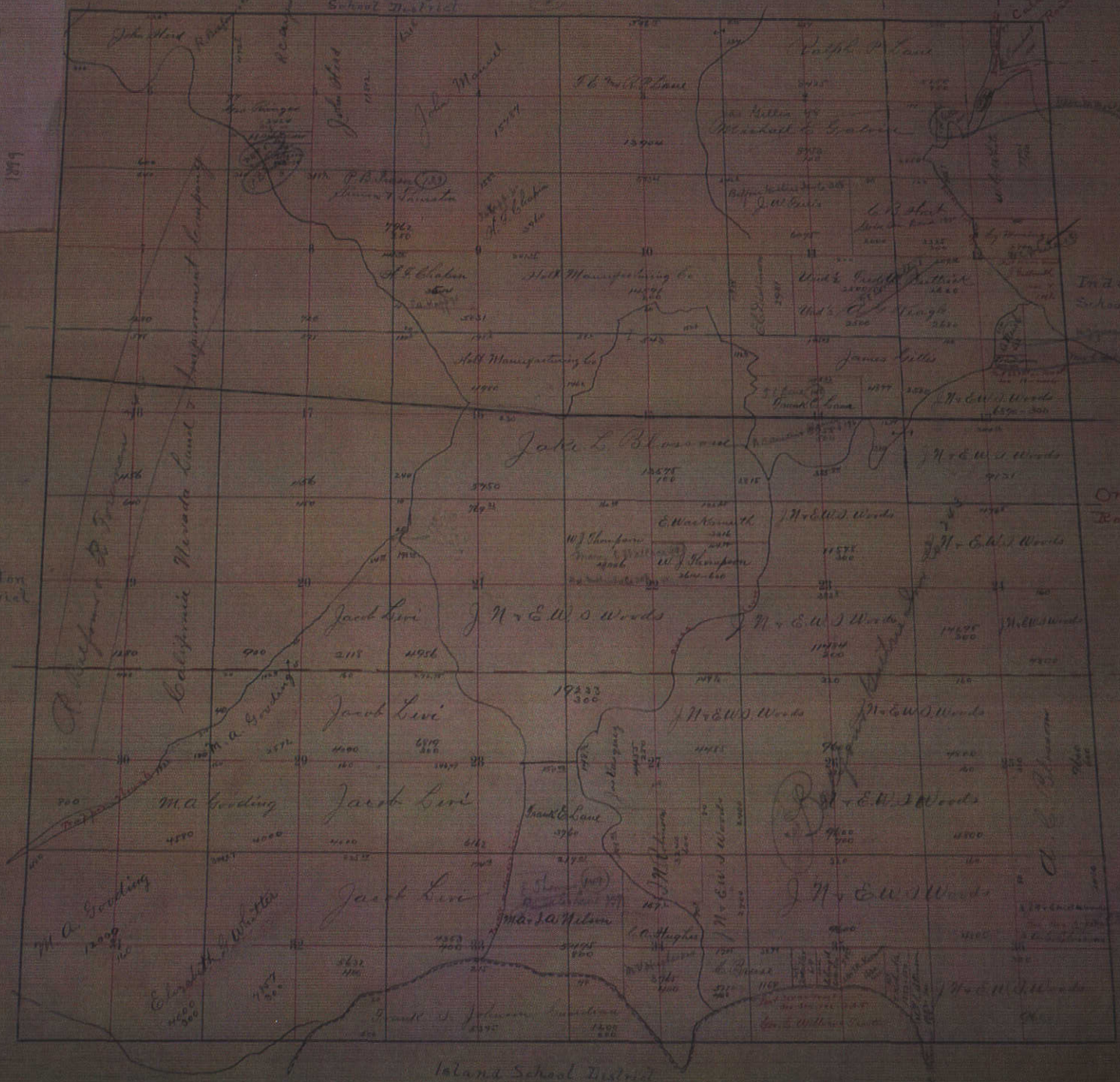
Fairchild SCHOOL DISTRICT.

Island SCHOOL DISTRICT.

San Joaquin Co. Plat Book 1897

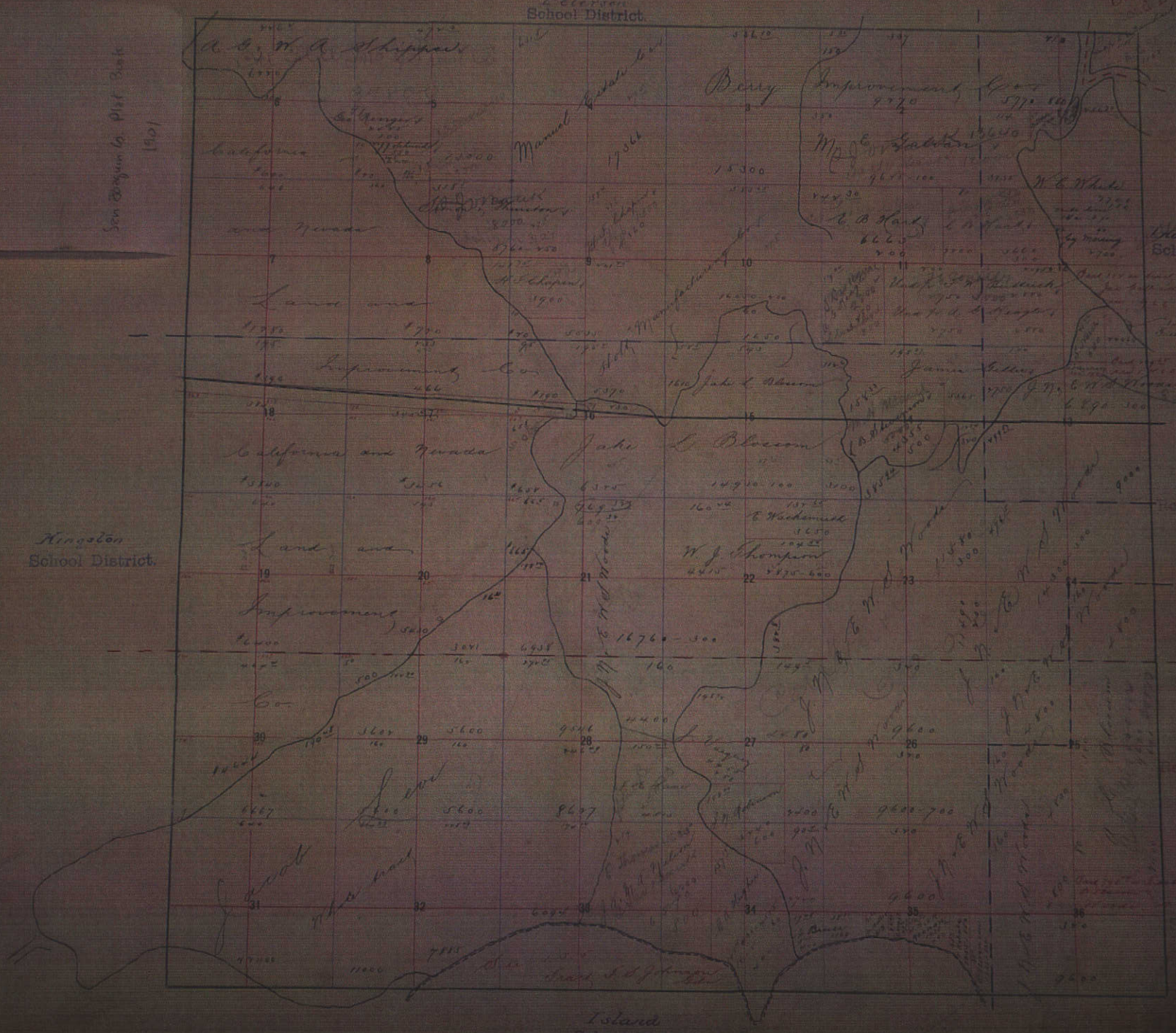
Township No. 1 North, Range No. 5 East, Mt. Diablo Meridian.

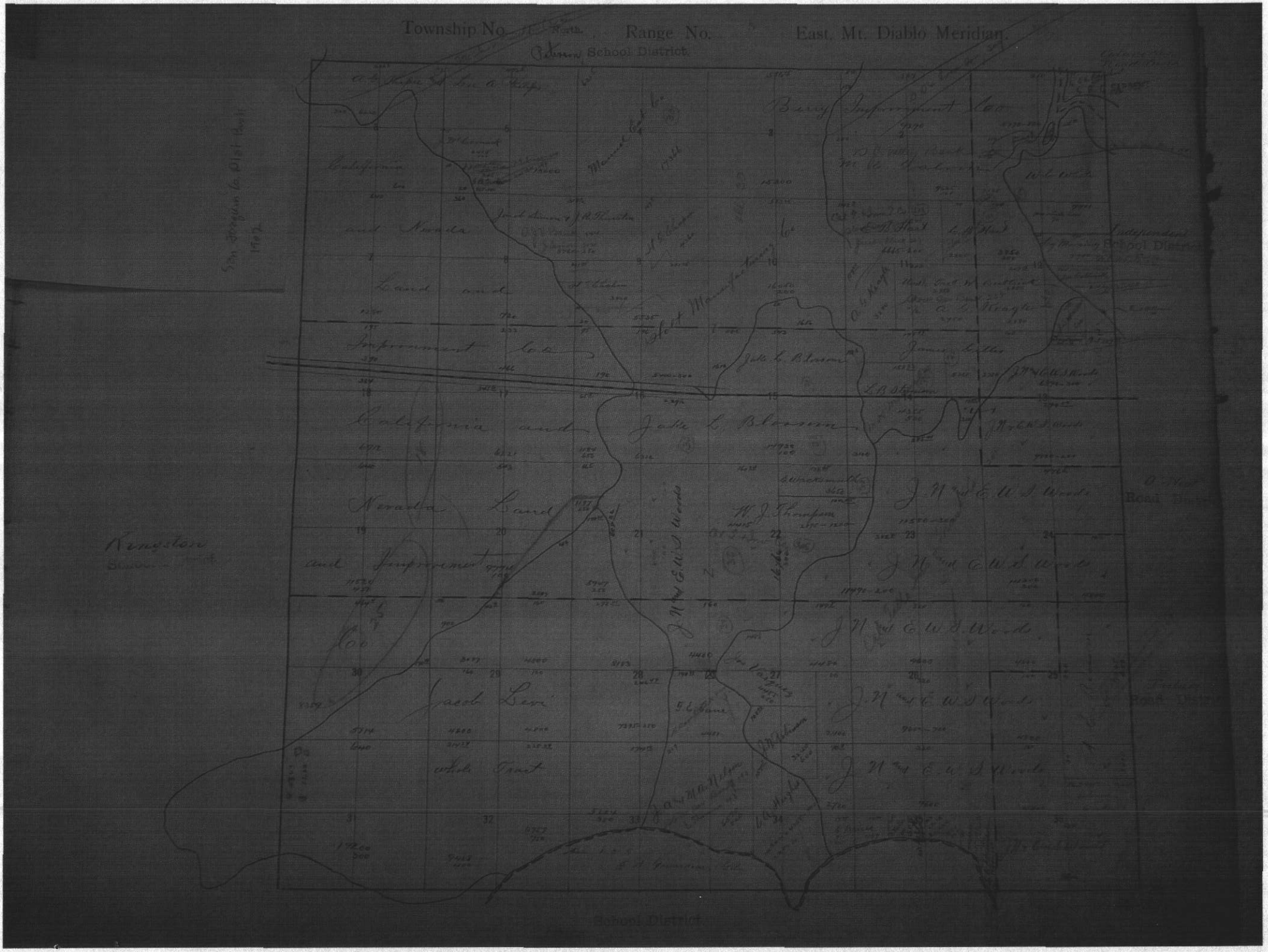
Township No. North, Range No. 8 East, Mt. Diablo Meridian.



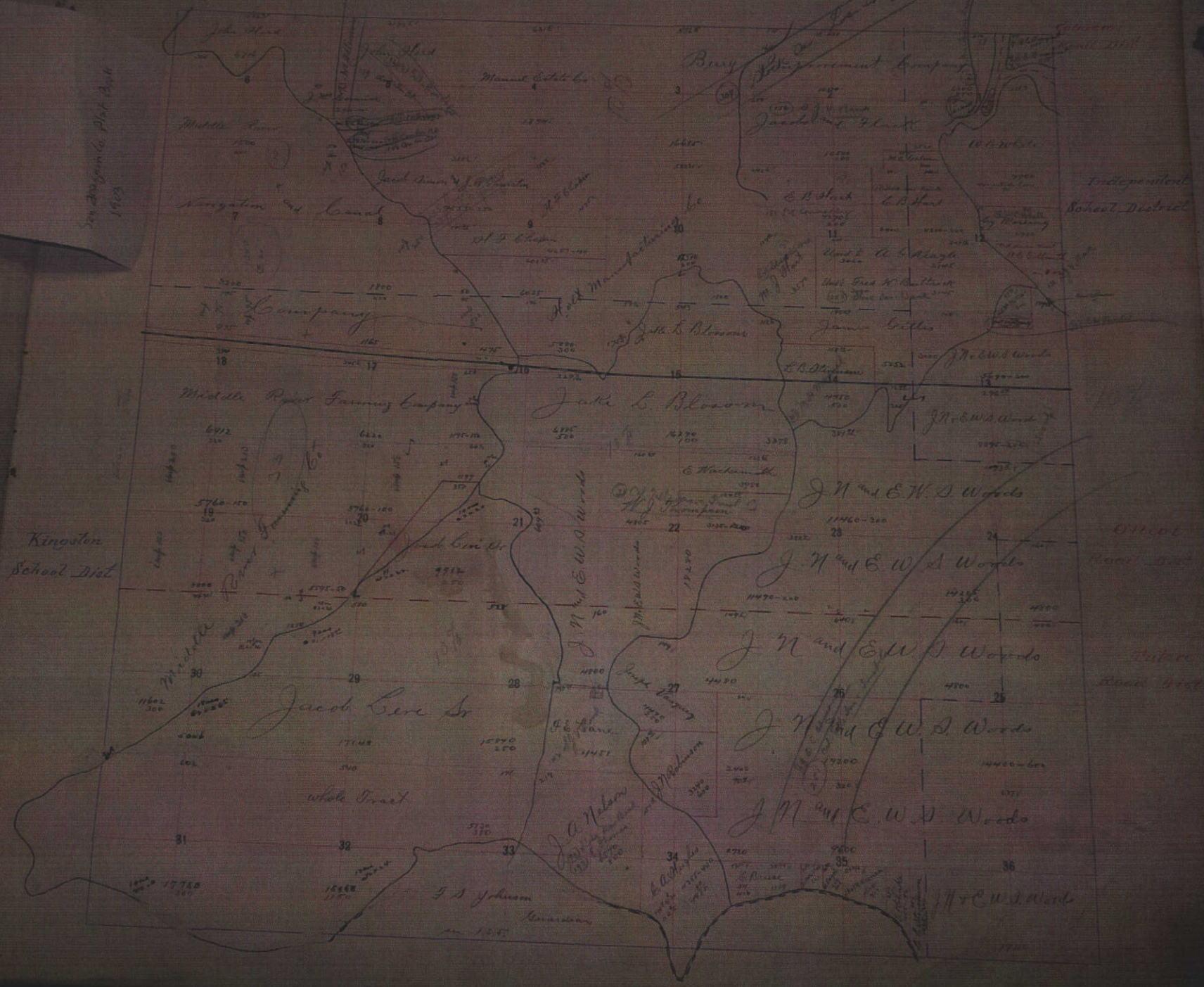
Township No. 1 South Range No. 5 East, Mt. Diablo Meridian.

Township No. 1 North, Range No. 5 East, Mt. Diablo Meridian.

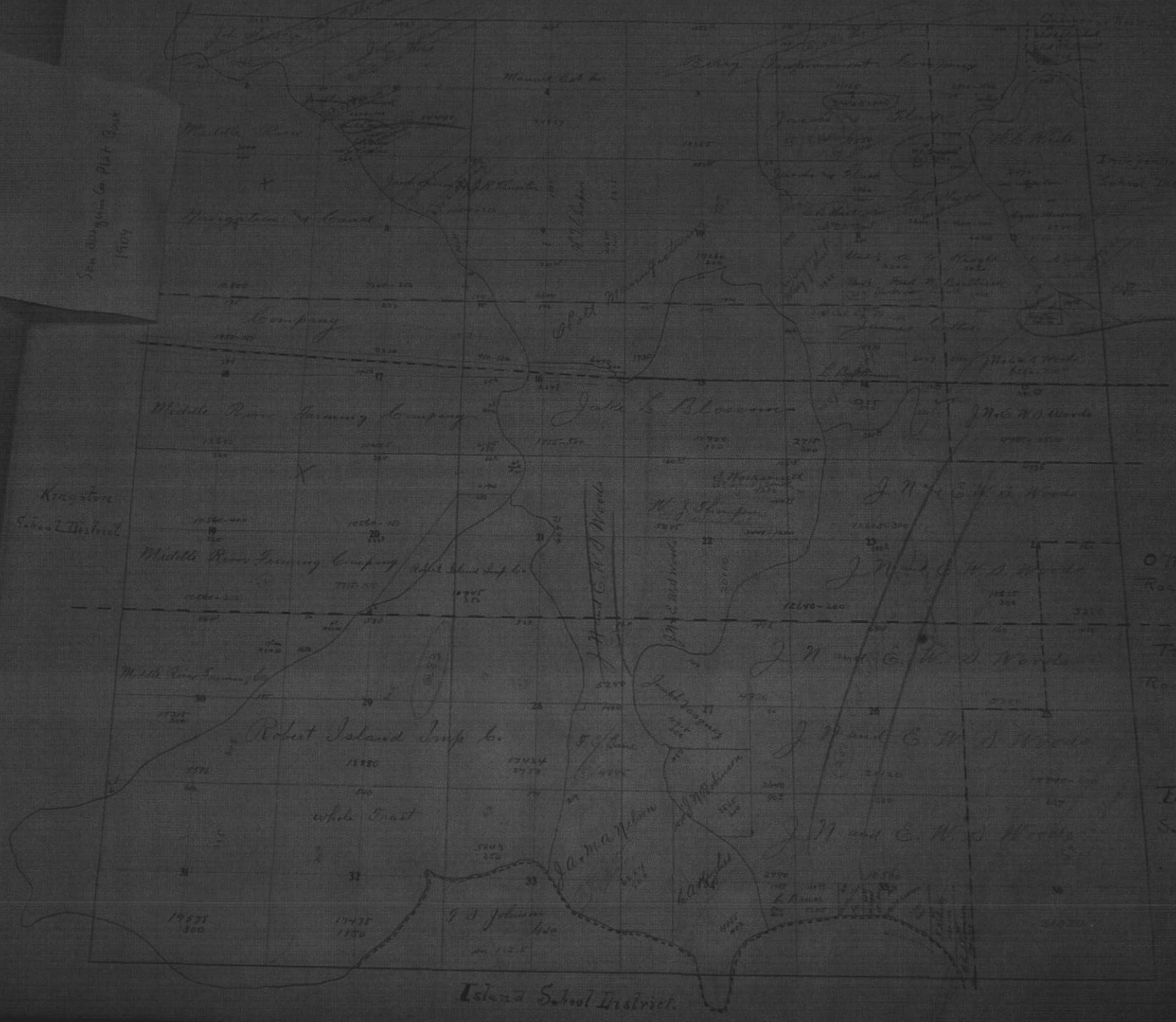



Township No. 1 North. Range No. 5 East. Mt. Diablo Meridian.
Paterson School District.
Berry Improvement Co.
California and Nevada Land and Improvement Co.
Jake L. Blossom
Independent School District
Nevada Land and Improvement Co.
Jacob Levi
whole Tract
J. N. and E. W. S. Woods
Road District
Kingston
School District

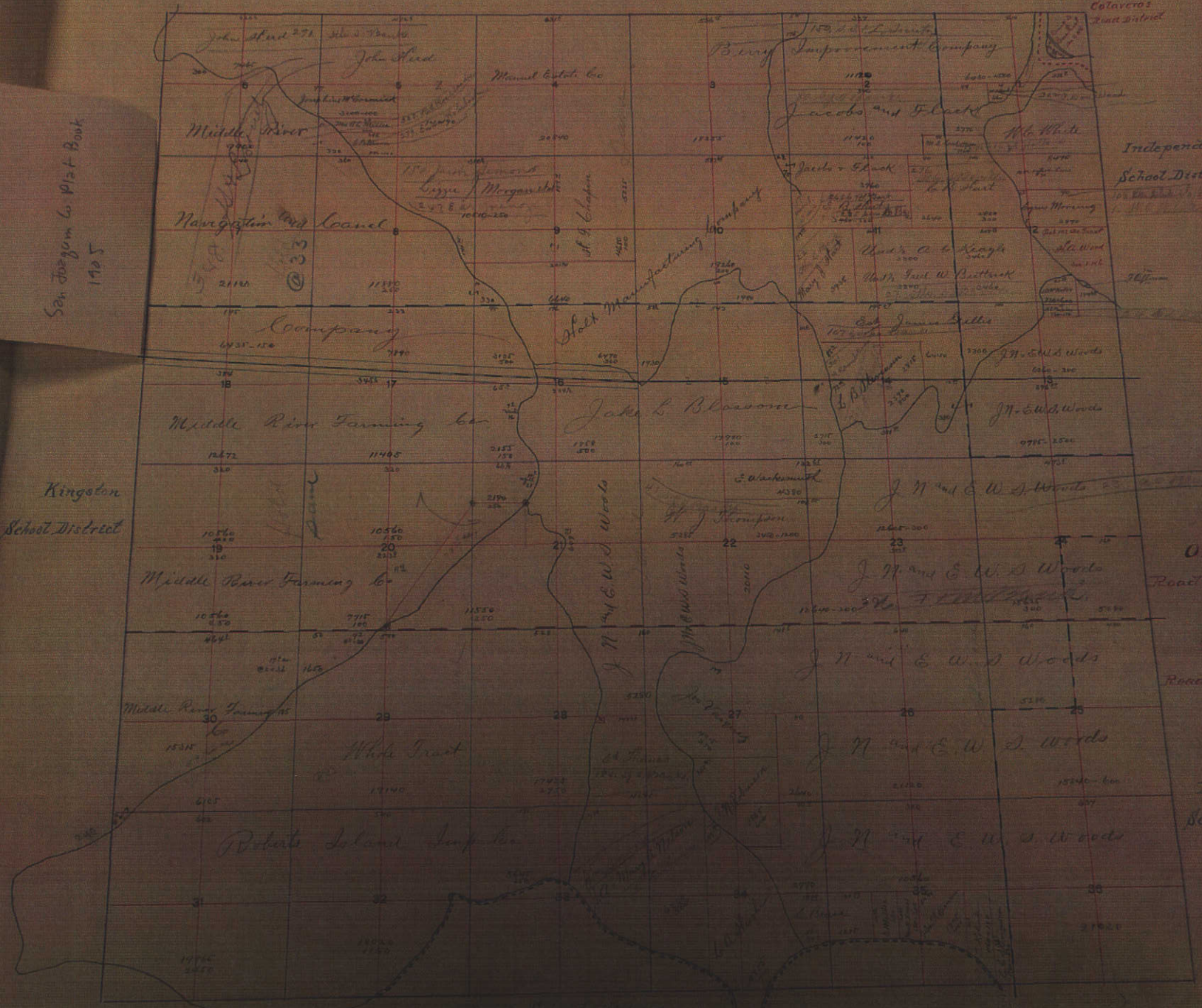
Township No. 7 North, Range No. 5 East, Mt. Diablo Meridian



Township No. , Range No. East, Mt. Diablo Meridian.

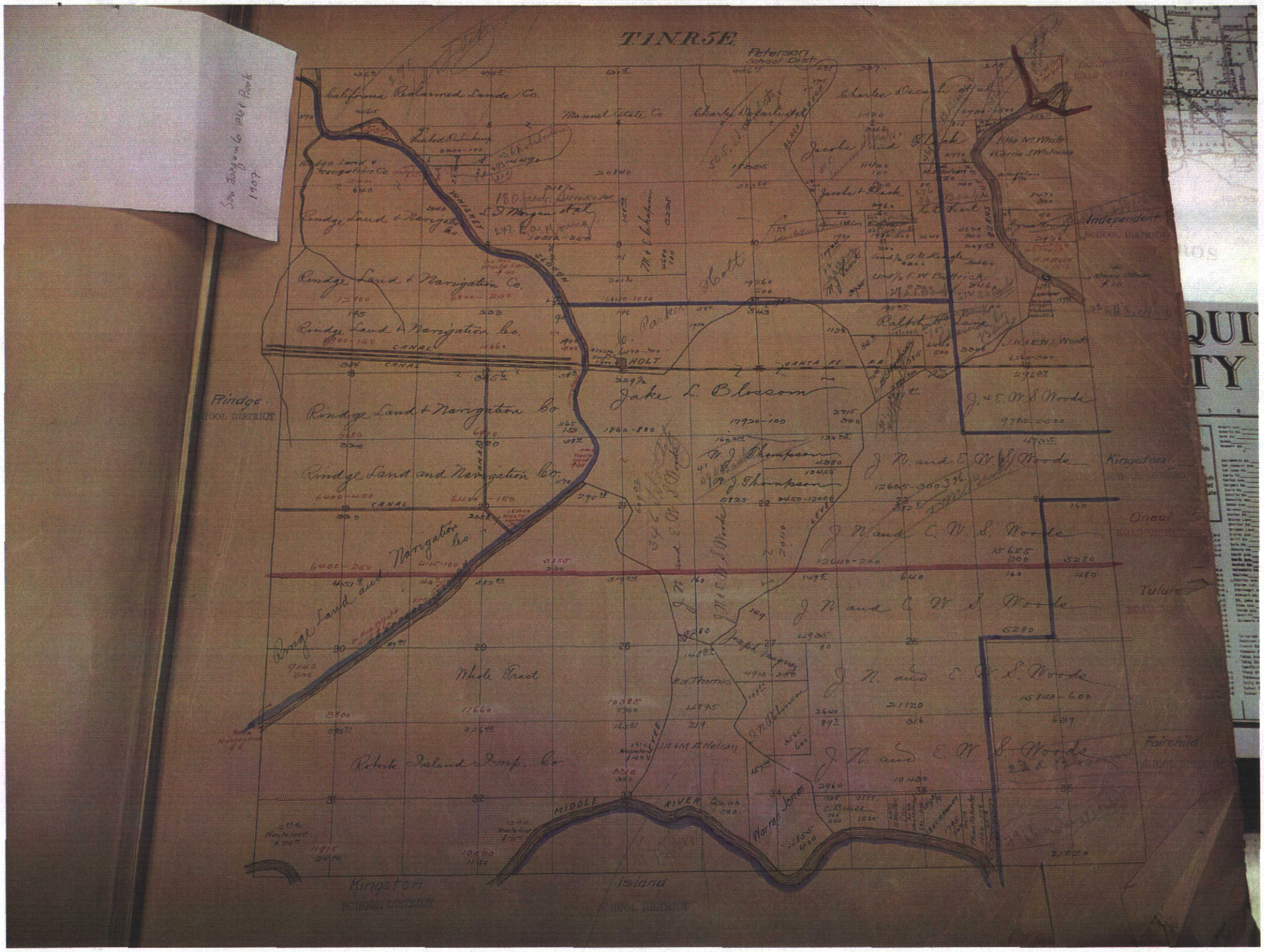


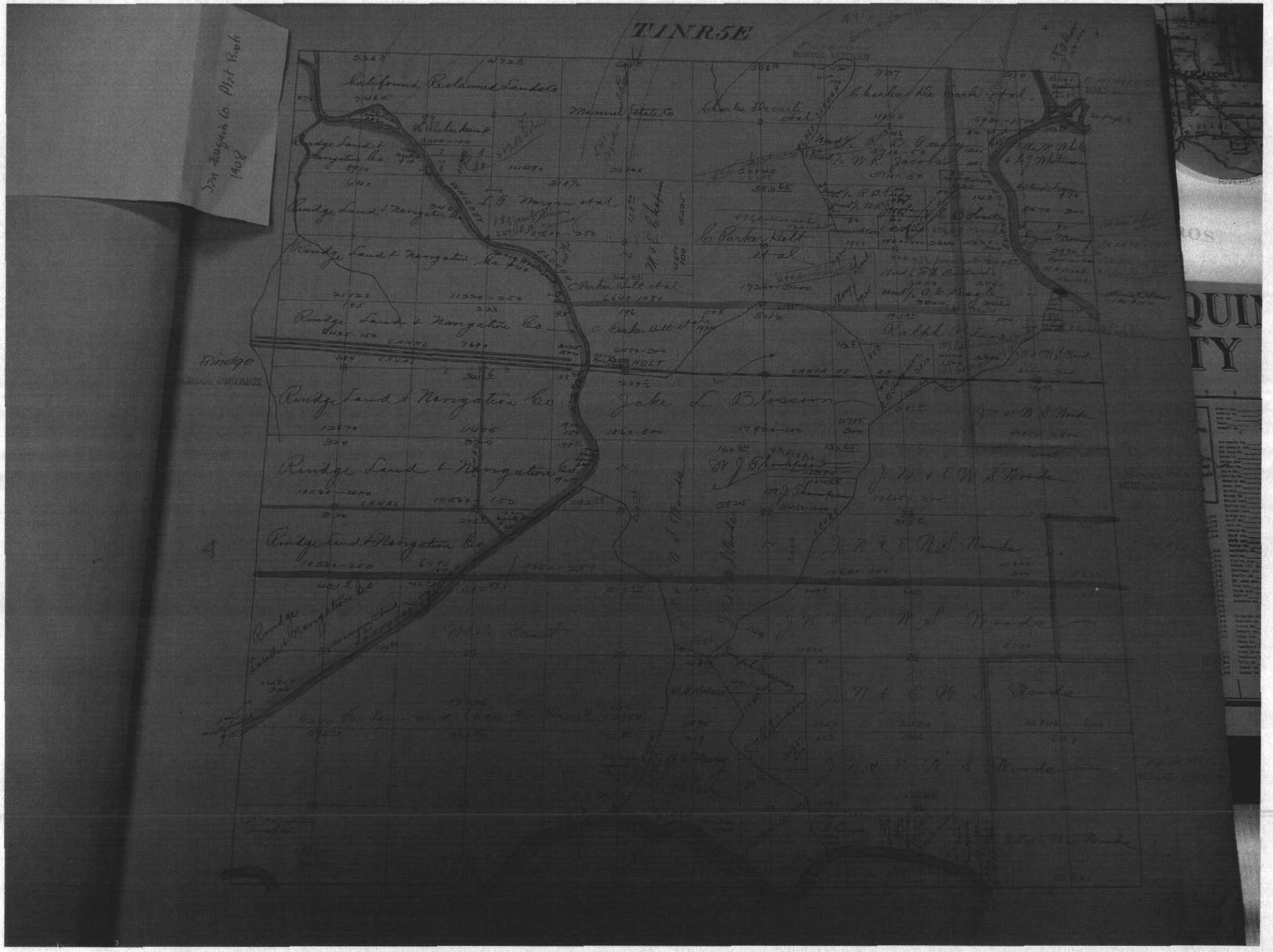
Township No. 1 North, Range No. 5 East, Mt. Diablo Meridian.

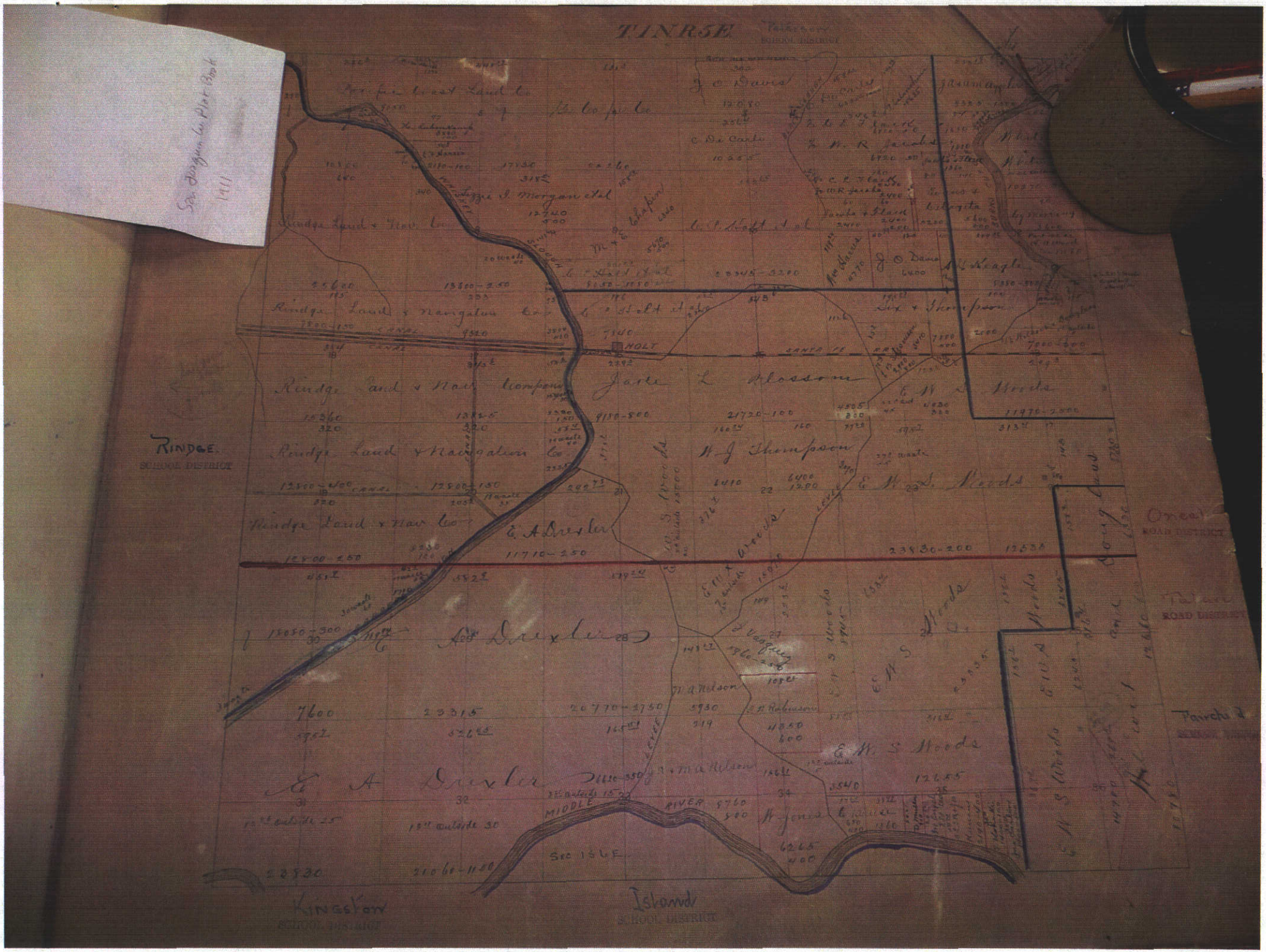


San Joaquin Co Plat Book 1905

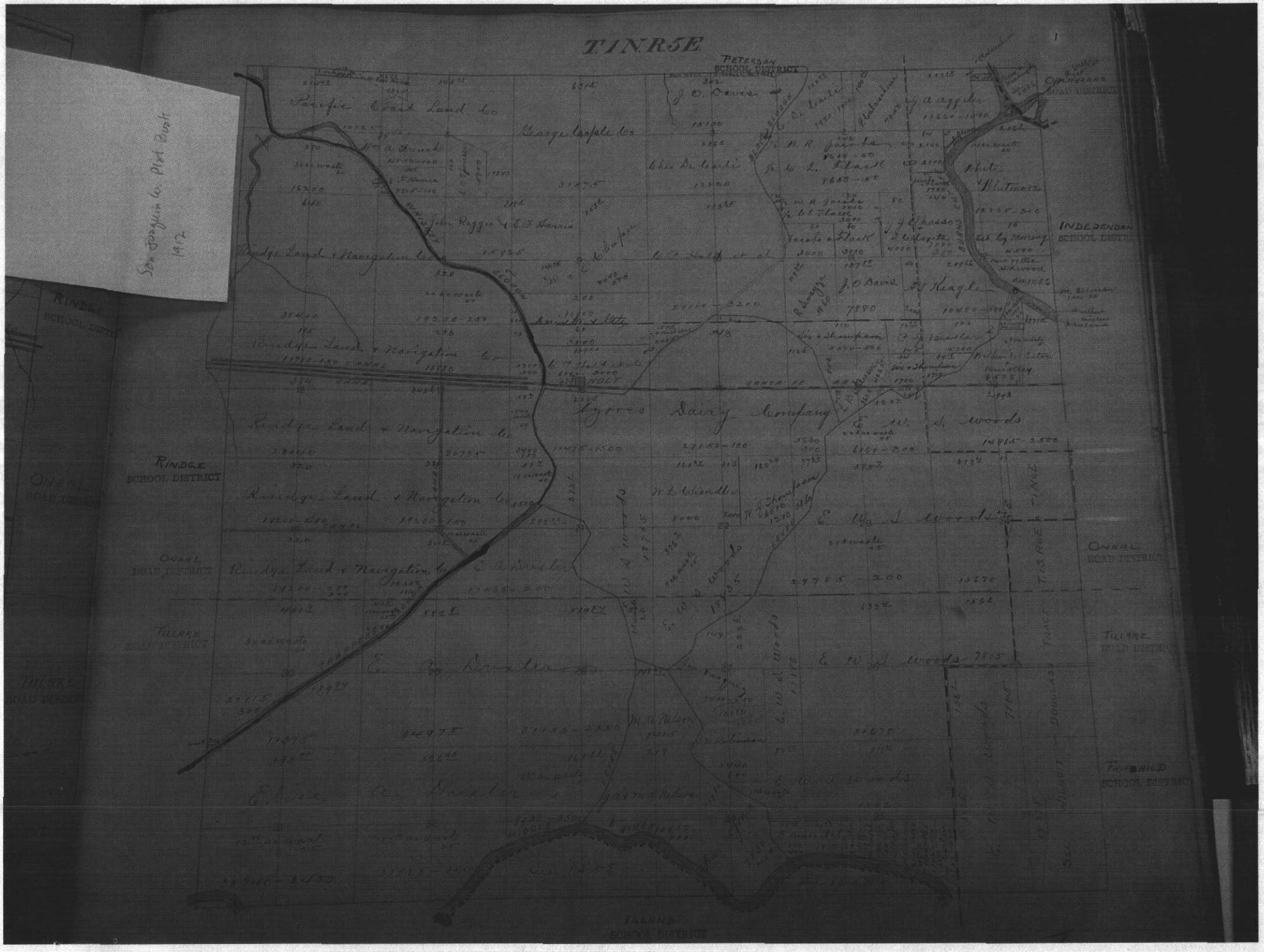
Township No. 1 North, Range No. 5 East, Mt. Diablo Meridian.
Calaveras ROAD DISTRICT
Independent SCHOOL DISTRICT
Quail ROAD DISTRICT
Tulare ROAD DISTRICT
Rindge SCHOOL DISTRICT
Navigation and Canal Company
Middle River
Middle River Farming Co.
Jake F. Blossom
J. N. and E. W. S. Woods
Roberts Island Imp. Co.
San Joaquin Co. Plat Book 1906

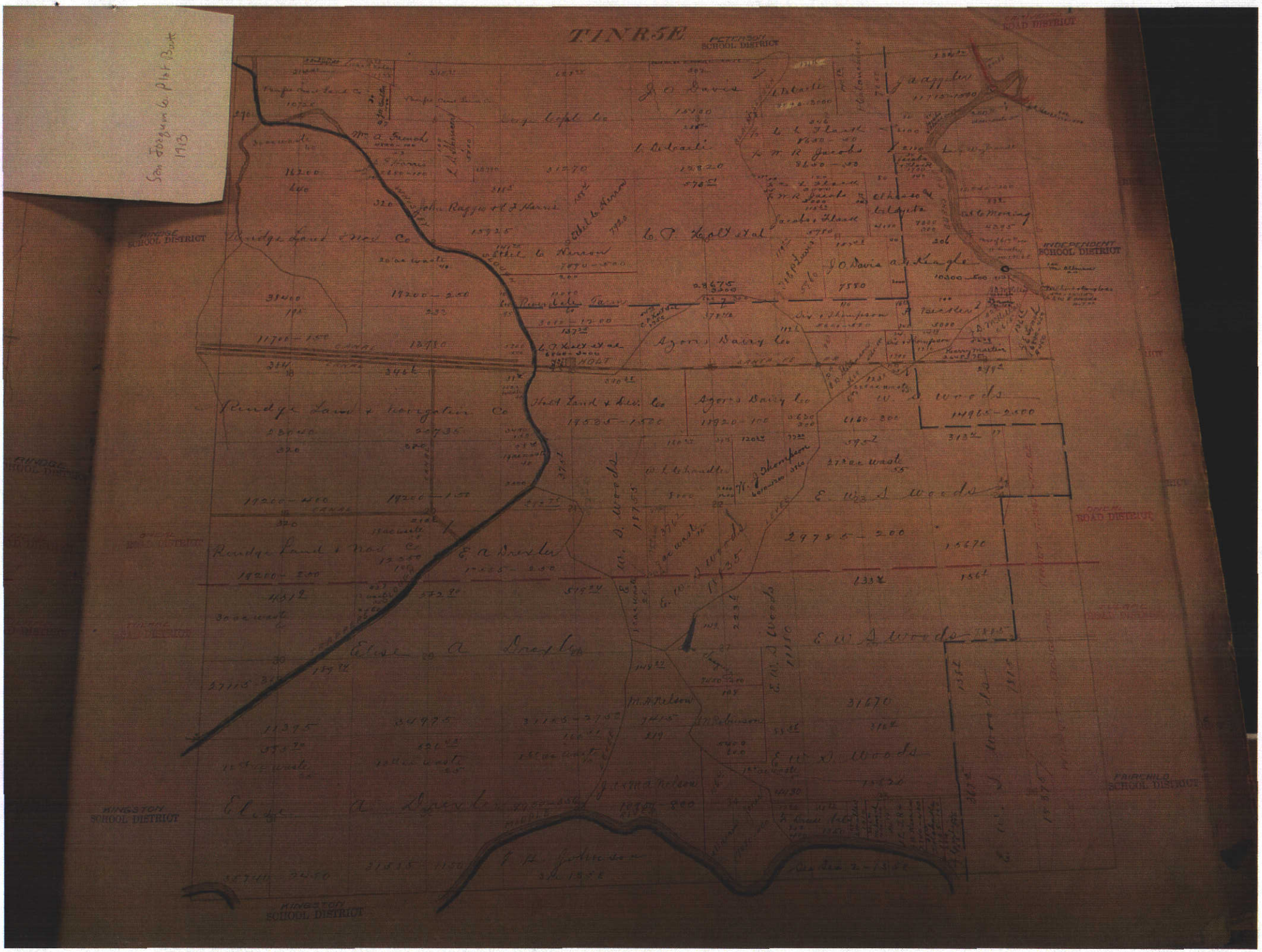

T1NR5E
Peterson School Dist.
California Reclaimed Lands Co.
Manuel Estate Co.
Charles Decarli et al.
Jacobs and Flack
Ella M. White & Carrie S. Whitmore
Rindge Land & Navigation Co.
Rindge Land & Navigation Co.
Rindge Land & Navigation Co.
Rindge Land & Navigation Co.
Rindge Land and Navigation Co.
Rindge Land and Navigation Co.
Whole Tract
Roberts Island Imp. Co.
Jake L. Blossom
W. J. Thompson
J. N. and E. W. S. Woods
J. N. and C. W. S. Woods
J. N. and E. W. S. Woods
J. N. and E. W. S. Woods
J. N. and E. W. S. Woods
Independent
Kingston
Oneal
Tulare
Fairchild
Kingston
Island
Rindge
SCHOOL DISTRICT
MIDDLE RIVER
CANAL
HOLT
SANTA FE
LEVEE
Parker Holt
Warren Jones
Joseph Vasquez
Ed. Thomas
J. N. & M. A. Nelson
Ralph Lane
J. N. & E. W. S. Woods
Ed. Thomas
Wasteland
ESCALON
QUI
TY


T1NR5E
California Reclaimed Lands Co
Rindge Land & Navigation Co
Rindge Land & Navigation Co
Rindge Land & Navigation Co
Rindge Land & Navigation Co
Rindge Land & Navigation Co
Rindge Land & Navigation Co
Rindge Land & Navigation Co
Rindge
SCHOOL DISTRICT
Massuel Estate Co
Charles De Carli et al
Charles De Carli et al
L. T. Morgan et al
C. Parker Holt et al
C. Parker Holt et al
C. Parker Holt et al
Jake L. Blossom
W. J. Thompson
W. J. Thompson
J. N. & E. W. S. Woods
J. N. & E. W. S. Woods
J. N. & E. W. S. Woods
J. N. & E. W. S. Woods
J. N. & E. W. S. Woods
Whole Tract
Ralph P. Lane
HOLT
CANAL
SANTA FE
ESCALON
QUIN
TY

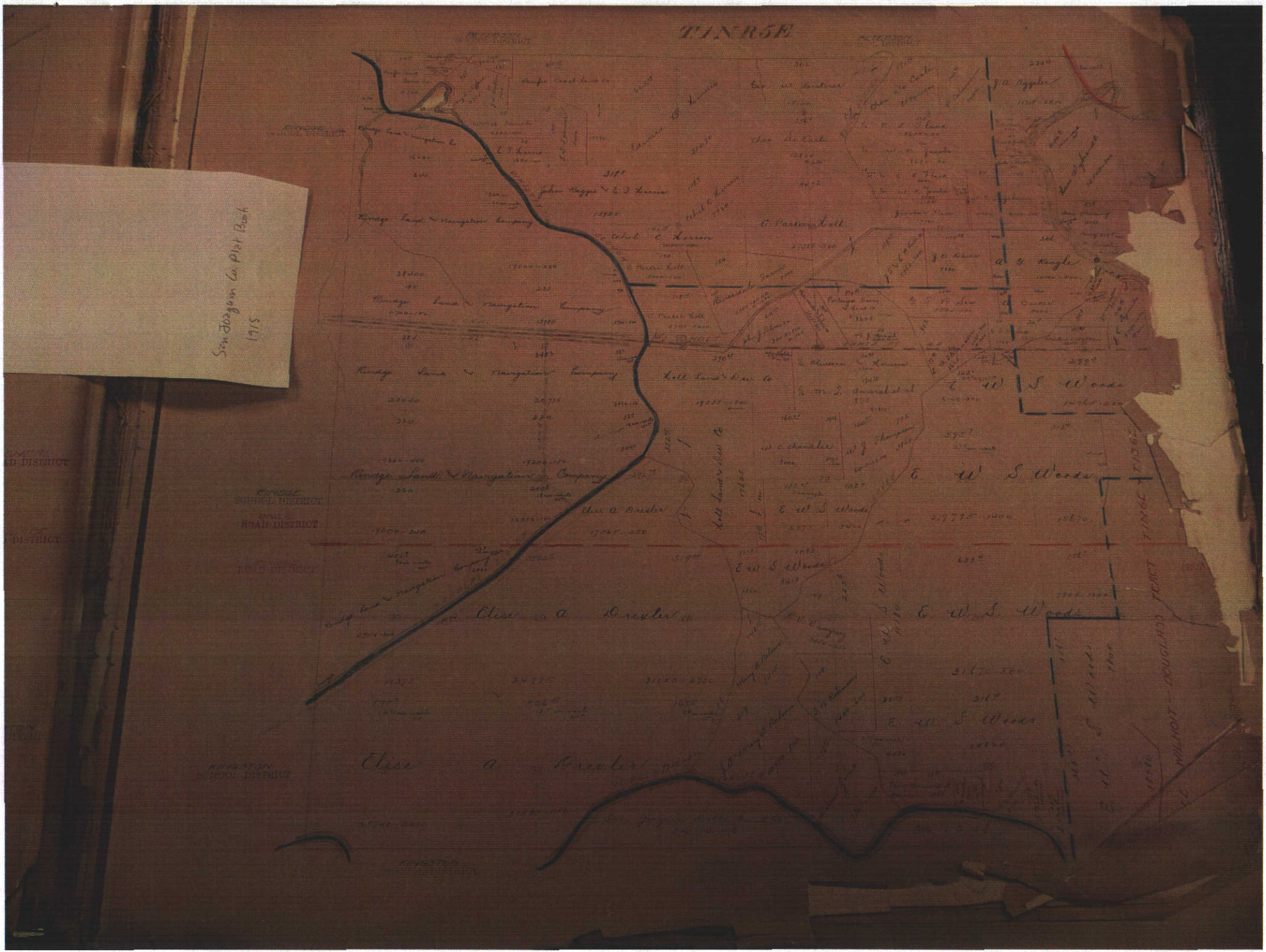


TINR5E
Rindge Land & Navigation Co
Jane L Blossom
W J Thompson
E W S Woods
E A Drexler
Rindge
SCHOOL DISTRICT
Kingston
SCHOOL DISTRICT
Island
SCHOOL DISTRICT
Oneal
ROAD DISTRICT
Pairchild
SCHOOL DISTRICT
HOLT
SANTA FE
MIDDLE
RIVER
Sec 15 L E

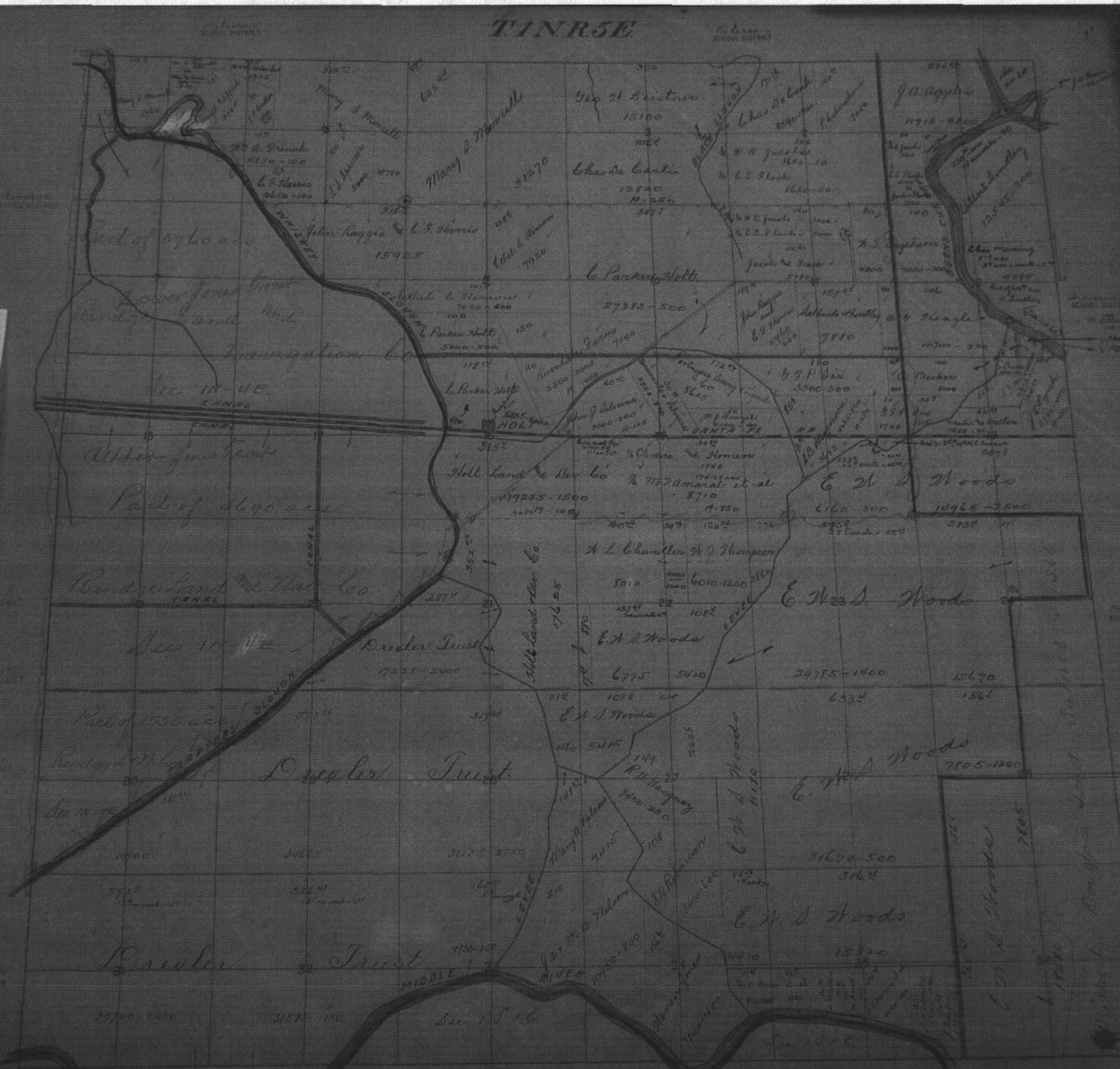

T.1N.R.5E.
PETERSON SCHOOL DISTRICT
CYPRESSES ROAD DISTRICT
INDEPENDENCE SCHOOL DISTRICT
RINDGE SCHOOL DISTRICT
ONEAL ROAD DISTRICT
TULARE ROAD DISTRICT
FAIRHILL SCHOOL DISTRICT
ISLAND SCHOOL DISTRICT
Pacific Coast Land Co
George Cooper Co
J. O. Davis
Rindge Land & Navigation Co
Lyons Dairy Company
E. W. S. Woods
E. A. Drexler
San Joaquin Co. Plat Book 1912


San Joaquin Co. Plat Bk
1913
T1NR5E
PETERSON SCHOOL DISTRICT
RINDGE SCHOOL DISTRICT
INDEPENDENT SCHOOL DISTRICT
ONEAL ROAD DISTRICT
FAIRCHILD SCHOOL DISTRICT
KINGSTON SCHOOL DISTRICT
J. O. Davis
Rindge Land & Nav. Co.
Azores Dairy Co.
Holt Land & Dev. Co.
Rindge Land & Navigation Co.
E. A. Drexler
Elise A. Drexler
E. W. S. Woods
M. A. Nelson
J. A. & M. A. Nelson
J. H. Johnson
Ethel C. Herron
John Raggio & C. F. Harris
C. P. Holt et al.
J. O. Davis & A. Keagle
W. J. Thompson
Kearny Martin
Sec. Sec. 2 - 1350

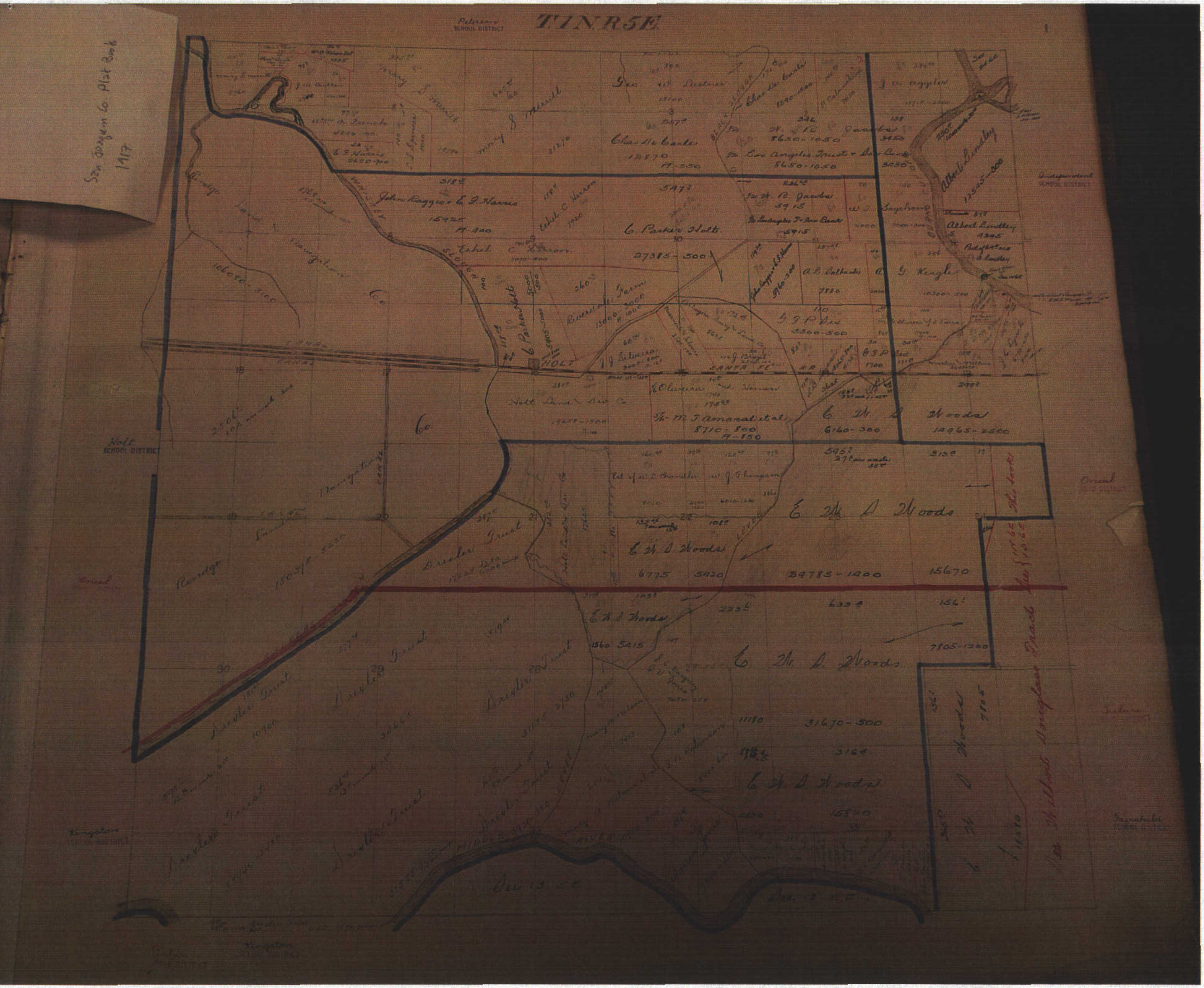
San Joaquin Co Plat Book
1914


T1NR5E
San Joaquin Co Plat Book
1915
Rindge Land & Navigation Company
Elise A Drexler
E W S Woods
Kingston School District
Road District

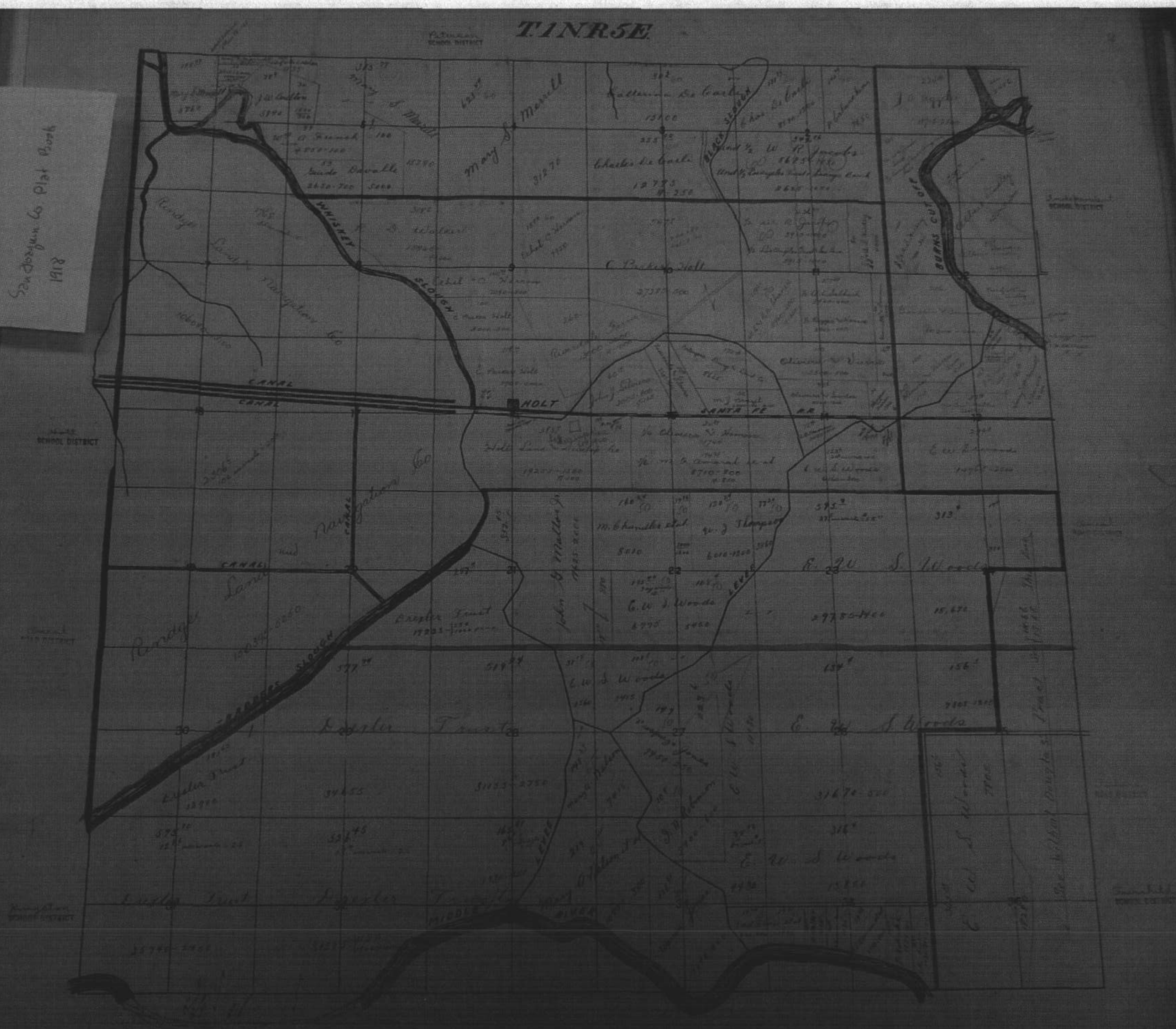
San Joaquin Co Plat Book
1916



San Joaquin Co. Plat Book
1917



San Joaquin Co Plat Book
1918



San Joaquin Co. Plat Book
1919

T1NR5E

GENERAL CHART

EMBRACING SURVEYS OF THE

FARALLONES ENTRANCE to the BAY of SAN FRANCISCO

BAYS of SAN FRANCISCO and SAN PABLO

STRAITS of CARQUINES and SUISUN BAY

and the

SACRAMENTO and SAN JOAQUIN RIVERS

TO THE CITIES OF

SACRAMENTO and SAN JOAQUIN

CALIFORNIA

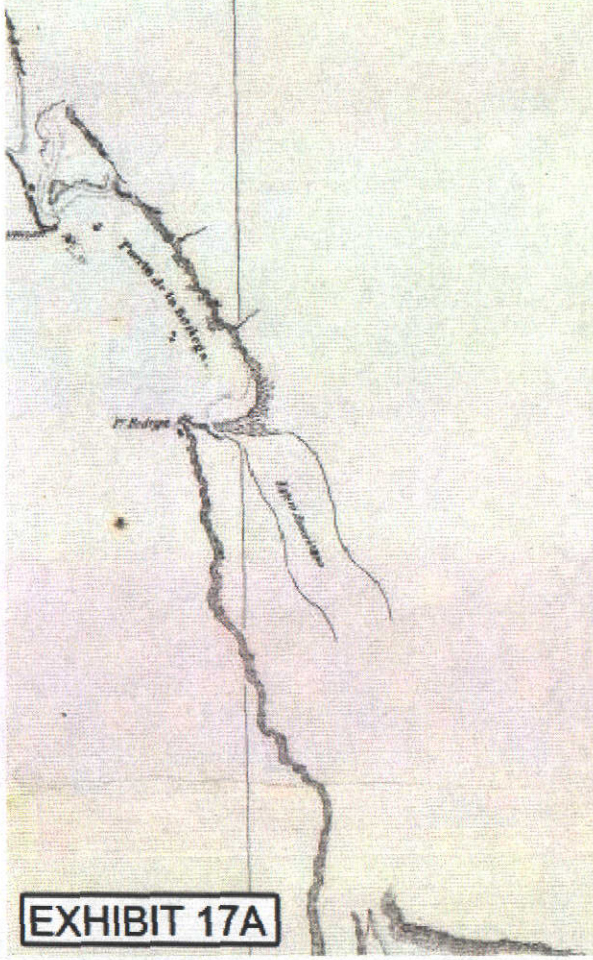
BY

CADWALADER RINGGOLD

COMMANDER, U.S. NAVY.

1850

Constructed, Projected and Drawn
by
Fred'k D. Stuart, Hydrographer, late of the U. S. Ex. Ex.
assisted by
Chas. Everett Jr. Draughtsman



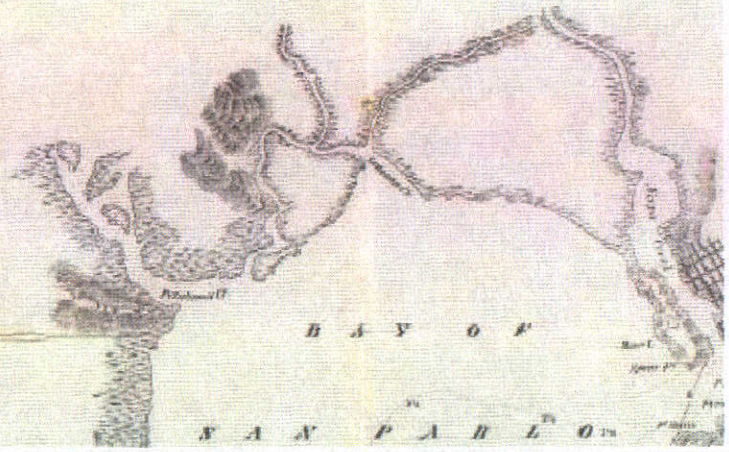


EXHIBIT 17A

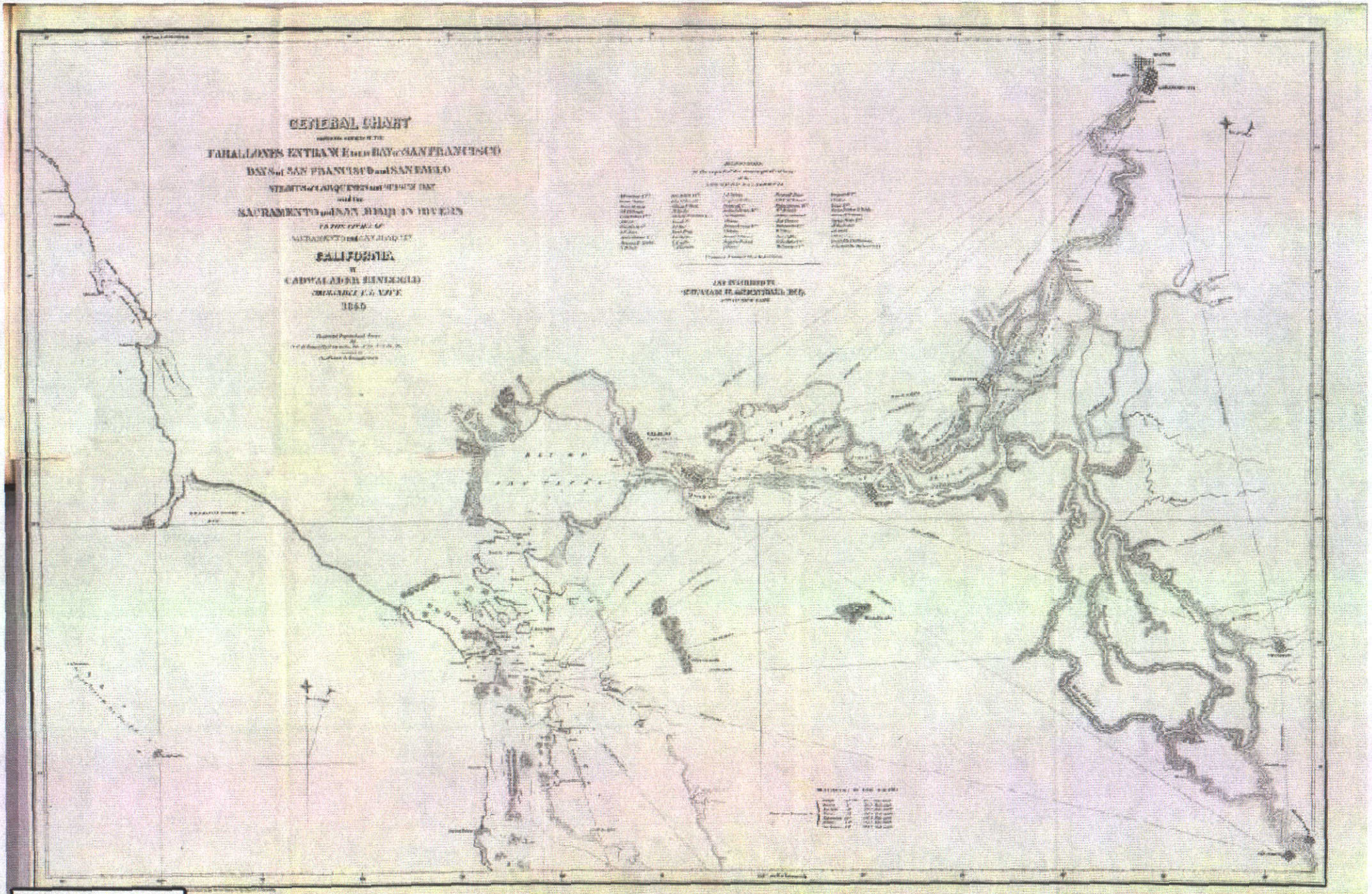

GENERAL CHART
FARALLONES ENTRANCE to the BAY of SAN FRANCISCO
BAYS of SAN FRANCISCO and SAN PABLO
and the
SACRAMENTO and SAN JOAQUIN RIVERS
CALIFORNIA
1865

EXHIBIT 17B

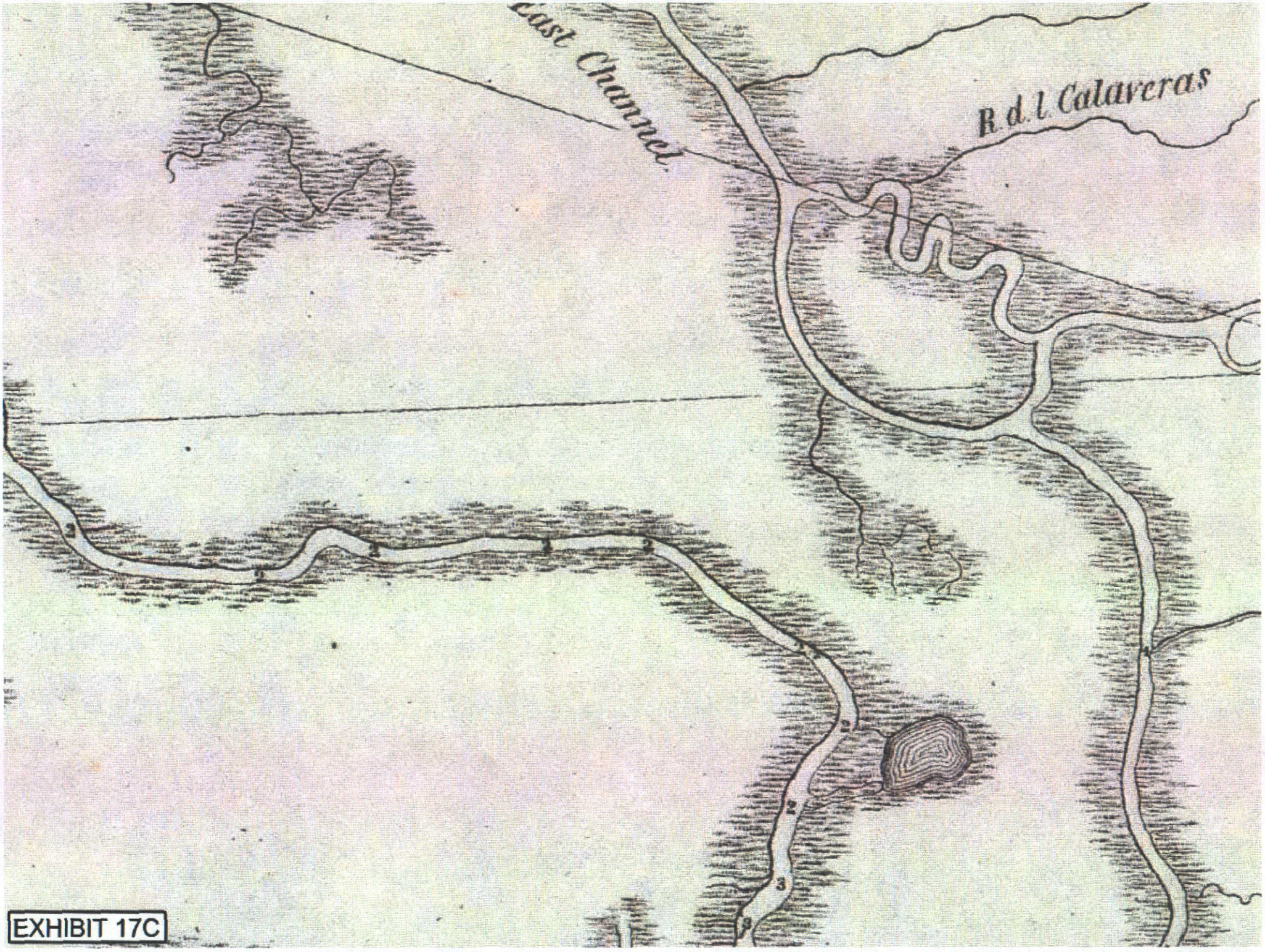


EXHIBIT 17C

MAP

SHOWING THE LANDS

OF THE

TIDE LAND RECLAMATION COMPANY

DIRECTORS

ARCH. C. PEACHY,

LLOYD TEVIS, S. HEYDENFELDT,

GEO. D. ROBERTS, ROBERT WATT,

CHAS. H. BURTON, WM. DOOLAN.

Land of T.L.R.Co. Designated by Red Color.

COMPILED & DRAWN

BY

J. T. GIBBES

1869.

EXHIBIT 18A

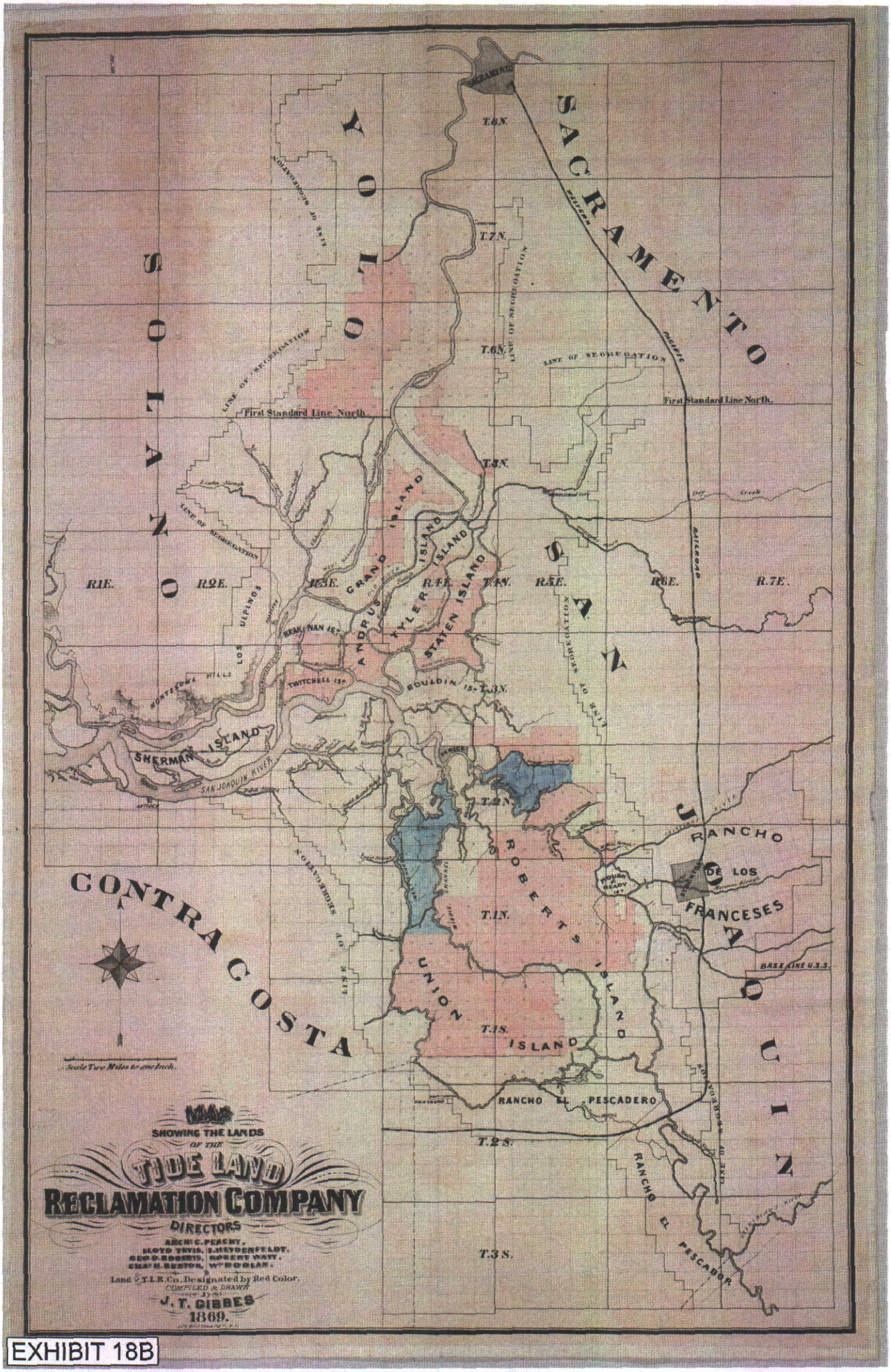

SACRAMENTO
YOLO
SOLANO
SAN JOAQUIN
CONTRA COSTA
T.8N.
T.7N.
T.6N.
T.5N.
T.4N.
T.3N.
T.2N.
T.1N.
T.1S.
T.2S.
T.3S.
R.1E.
R.2E.
R.3E.
R.4E.
R.5E.
R.6E.
R.7E.
LINE OF SEGREGATION
First Standard Line North.
GRAND ISLAND
ANDRUS ISLAND
TYLER ISLAND
STATEN ISLAND
BRANNAN IS.
TWITCHELL IS.
BOULDIN IS.
LOS ULPINOS
MONTEZUMA HILLS
SHERMAN ISLAND
SAN JOAQUIN RIVER
ROBERTS ISLAND
UNION ISLAND
RANCHO DE LOS FRANCESES
RANCHO EL PESCADERO
BASE LINE U.S.S.
Scale Two Miles to one Inch.
SHOWING THE LANDS OF THE
TIDE LAND
RECLAMATION COMPANY
DIRECTORS
ARCH'C. PEACHY,
LLOYD TEVIS, S. HEYDENFELDT,
GEO. D. ROBERTS, ROBERT WATT,
CHAS. H. BURTON, Wm. BOOLAN.
Land of T.L.R.Co. Designated by Red Color.
COMPILED & DRAWN
J. T. GIBBES
1869.

EXHIBIT 18B

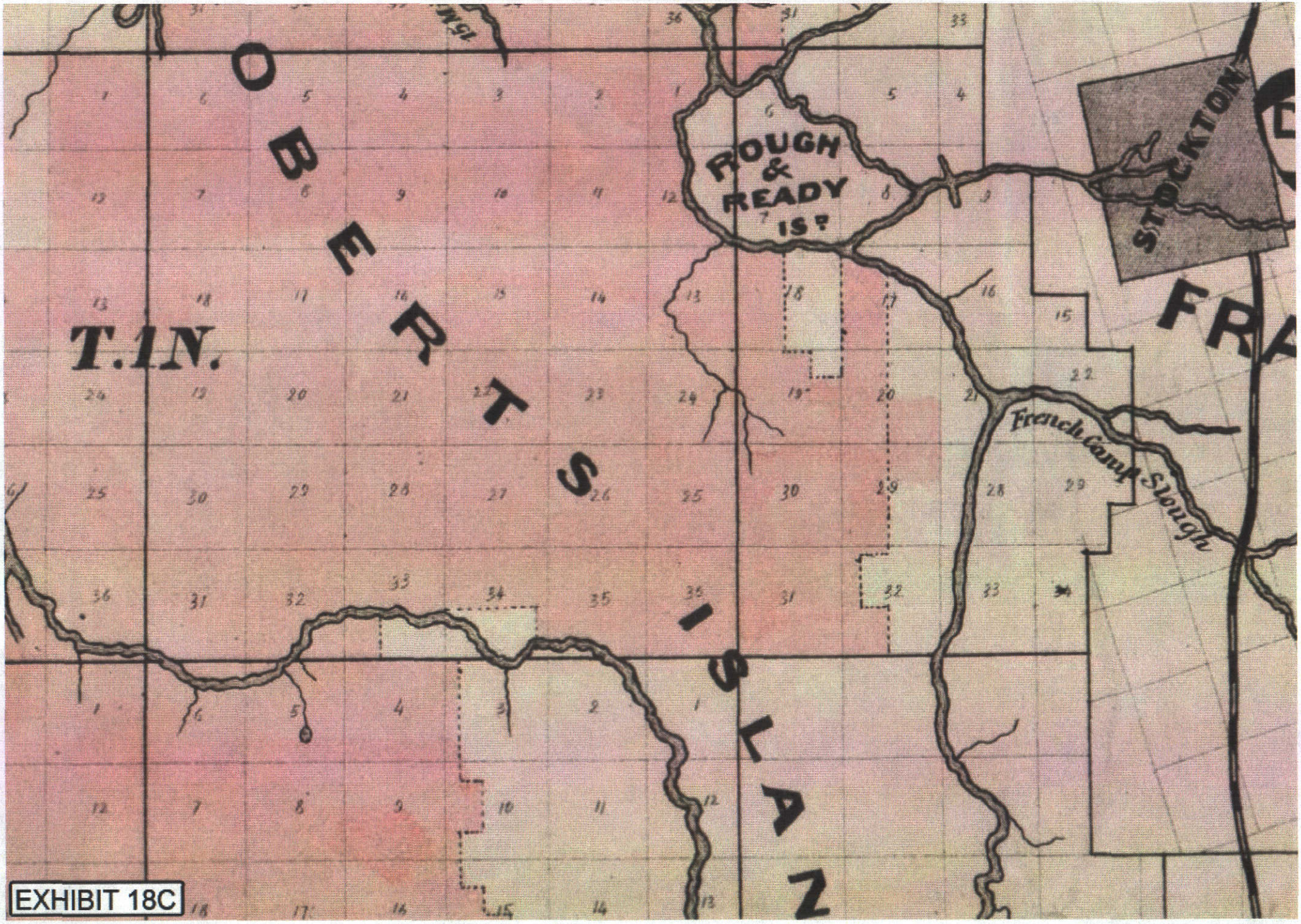

ROBERTS ISLAND
T.1N.
ROUGH & READY IS.D
STOCKTON
French Camp Slough
FRA

EXHIBIT 18C

PLAT

showing the subdivision of the

TWO BODIES OF LAND "NOTORIOUSLY SWAMPY & OVERFLOWED"

enclosed by boundaries shaded red and lying

East of the Mount Diablo Meridian in Townships 1, 2, 3, 4 & 5 North and Township 1 South of Mount Diablo Base Line,

compiled from

Maps of Official Surveys surrounding and thereby segregating said Two Bodies of Swamp Land.

Scale 2 Miles to an Inch

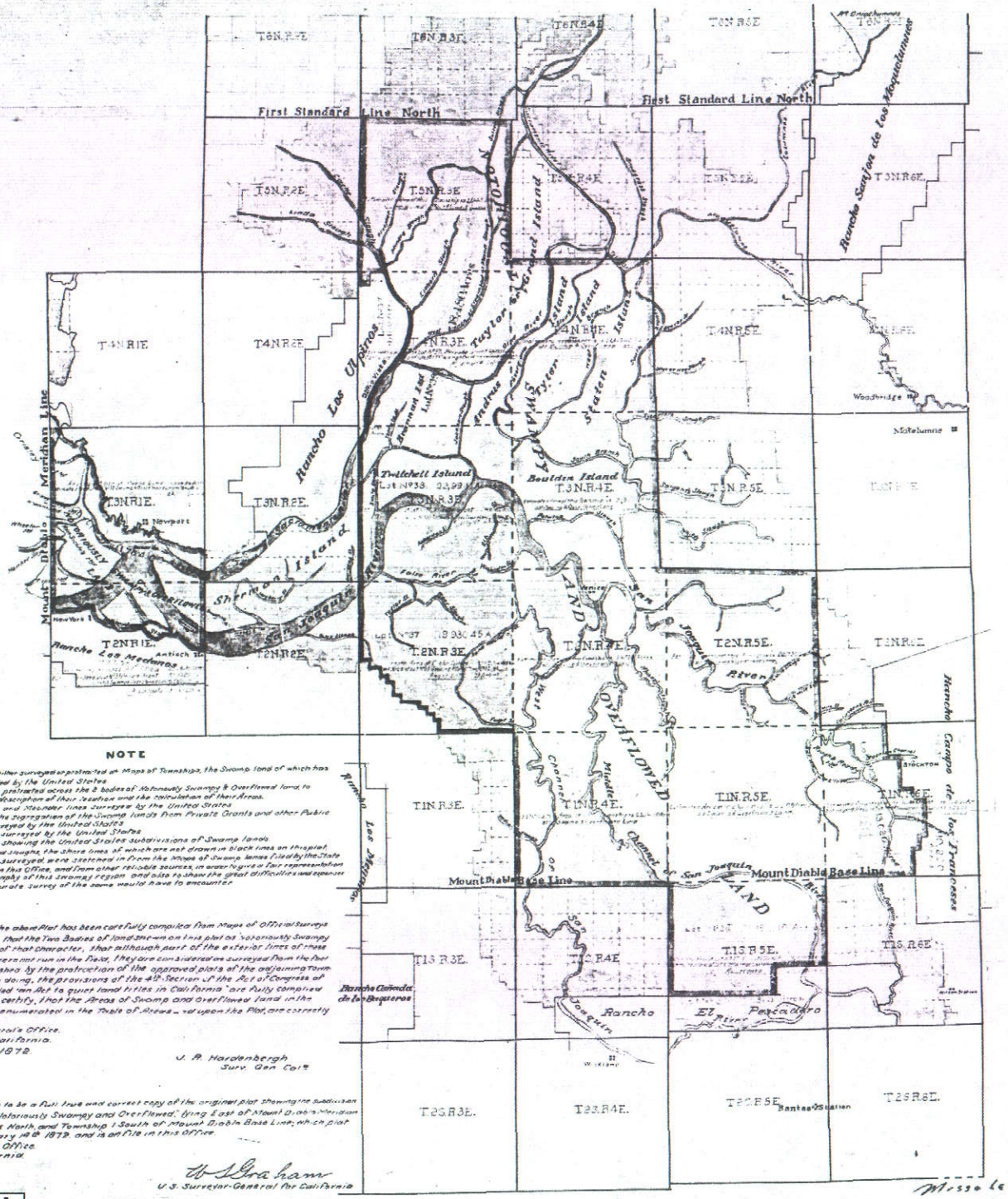


Table of Areas of the Swamp Lands enclosed by boundaries shaded red.			
Mount Diablo Meridian		Description	Acres
Township	Range		
2 North	1 East	Lot Nº 38	6 560 00
3 North	1 East	" " 37	11 764 00
2 North	3 East	" " 37	19 930.46
3 North	3 East	" " 38	22 994 00
4 North	3 East	Lots Nº 38 & 39	18 640 00
5 North	3 East	The whole Township	22 400 00
1 North	4 East	" " "	23,020.00
2 North	4 East	" " "	24 520.00
3 North	4 East	" " "	21 870 00
4 North	4 East	" " "	21 170 00
1 South	5 East	Lot Nº 38	6 210 00
1 North	5 East	The whole Township	21 090 00
2 North	5 East	" " "	22 190 00
1 North	6 East	Lot Nº 38	13 020.00
		Total Area	268,038 46

NOTE

Township lines either surveyed or protracted on Maps of Townships, the Swamp land of which has been subdivided by the United States

Township lines protracted across the 2 bodies of Notoriously Swampy & Overflowed land, to facilitate the description of their section and the calculation of their Areas.

Private Grant and Meander lines surveyed by the United States

Lines show the segregation of the Swamp lands from Private Grants and other Public lands, as surveyed by the United States

Section lines surveyed by the United States

Section lines showing the United States subdivisions of Swamp lands.

The rivers and sloughs, the shore lines of which are not drawn in black lines on the plat, although not surveyed, were sketched in from the Maps of Swamp lands filed by the State of California in the Office, and from other reliable sources, in order to give a fair representation of the topography of this swampy region and also to show the great difficulties and expenses which an accurate survey of the same would have to encounter.

I hereby certify that the above Plat has been carefully compiled from Maps of Official Surveys on file in this Office. That the Two Bodies of land shewn on this plat as "Notoriously Swampy and Overflowed," are of that character, that although part of the exterior lines of these Two Bodies of land were not run in the field, they are considered as surveyed from the Plat that they were established by the protraction of the approved plats of the adjoining Townships, and that by so doing, the provisions of the 4th Section of the Act of Congress of July 23rd 1866, entitled "an Act to quiet land titles in California" are fully complied with; and I further certify, that the Areas of Swamp and Overflowed land in the fourteen Townships, enumerated in the Table of Areas, set upon the Plat, are correctly estimated.

U. S. Surveyor General's Office.
San Francisco, California.
February 14th 1872.

J. P. Hardenbergh
Surv. Gen Calif

I hereby certify the above to be a full true and correct copy of the original plat showing the subdivision of the Two Bodies of Land "Notoriously Swampy and Overflowed," lying East of Mount Diablo Meridian in Townships 1, 2, 3, 4 and 5 North, and Township 1 South of Mount Diablo Base Line; which plat has been approved February 14th 1872, and is on file in this Office.

U. S. Surveyor-General's Office
San Francisco, California
February 9 1905.

W S Graham
U. S. Surveyor-General for California

DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
Washington, D. C. April 2, 1908
I hereby certify that this is a true copy of the plat of official survey of the lands to which it relates, on file in this office.

H. Lufkin
Acting Commr. General Land Office

Missouleugoos #1

12

EXHIBIT 19A

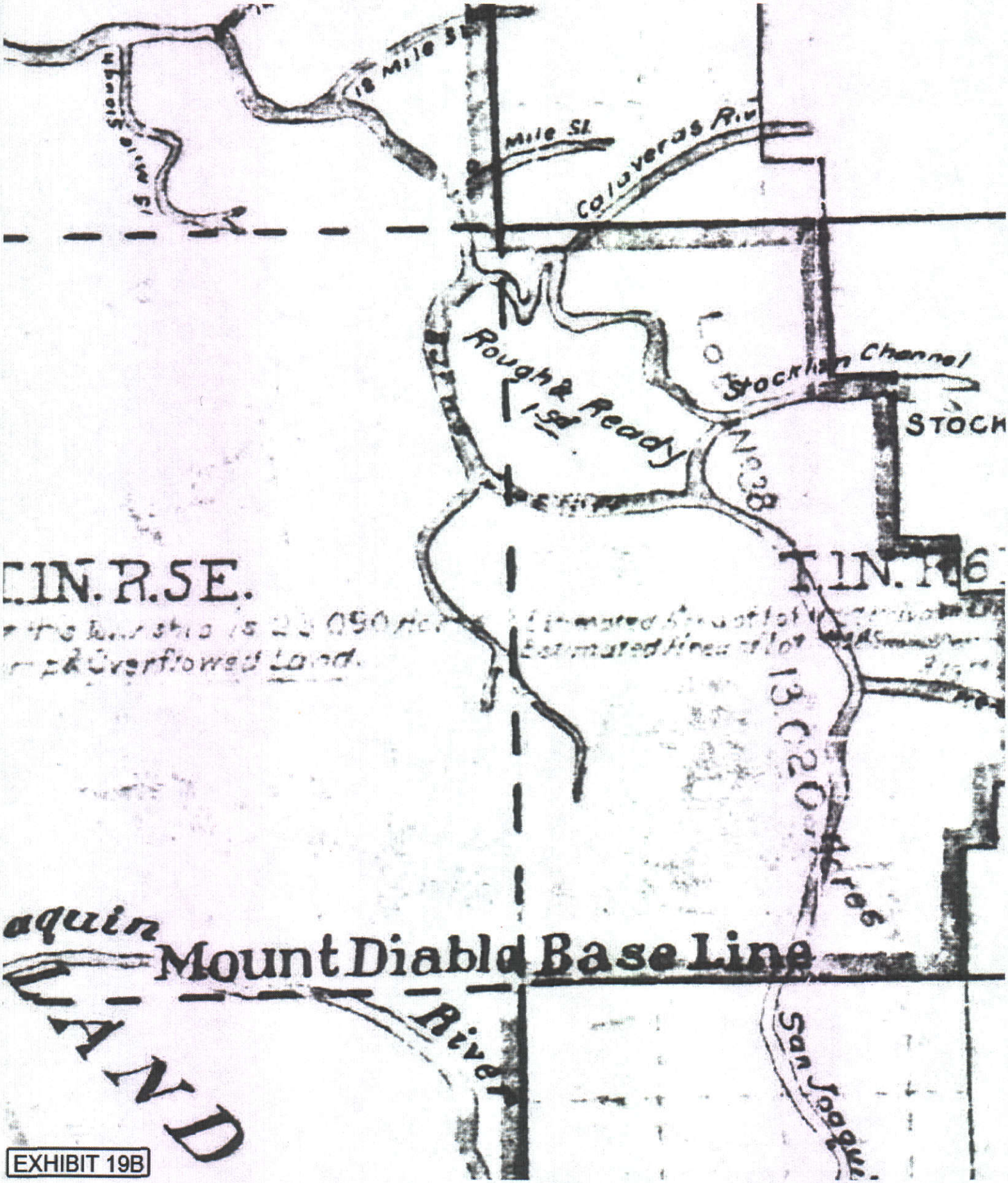

18 Mile St
Mile St.
Calaveras Riv
Rough & Ready
Stockton Channel
STOCK
T.IN.R.5E.
T.IN.R.6
Overflowed Land.
13,020 Acres
aquin
Mount Diablo Base Line
LAND
River
San Joaqu

EXHIBIT 19B

The Samson's first job was on Duck Slough and Burns' Cut-off levees of Roberts Island,[27] but the water was so low that the equipment could not make headway unless a channel 30 by 7 feet was dug. The volume of material that had to be removed to keep the scow floating vastly exceeded the amount planned for the levee.[28] Nevertheless, the demonstration resulted in urgent requests from levee builders in the Sacramento and Mokelumne river districts for assistance from the new dredges. One of the machines was tried at Staten Island early in 1876, but its boom was so short that to dump fill where it was wanted required excavation into the natural banks of the Mokelumne.[29] In November 1876 one of these dredges was used in building a cross levee on lower Grand Island. The performance was more promising and was thought to be a successful demonstration of the utility of machinery for levee building.[30] The dredge did not, however, satisfy the requirement for a machine which would not weaken natural banks in the process of raising levees above them.

---

[27]The levee followed the right bank of the slough southwestward toward Middle River from the slough's outlet on Burns' Cut-off. The present Honker Lake Tract, the Pocket, and Roberts Island north of the Santa Fe right-of-way (including McDonald Island) would be north of the levee.

[28]"Reclamation of Roberts Island," SWI, Nov. 20, 1875, p. 5.

[29]"Crops on the Lowlands," SWI, June 24, 1876, p. 5; "A New Contrivance," ibid., Nov. 18, 1876, p. 5.

[30]Ibid.; "Reclamation," ibid., Nov. 11, 1876, p. 7; "Roberts Island," ibid., Sept. 22, 1877, p. 7.

EXHIBIT 20

Stockton Daily Independent.

THURSDAY MORNING, APRIL 15, 1875.

STOCKTON WOOLEN MILLS.—This important manufacturing establishment, located on the south side of Mormon slough, in this city, from a small beginning has steadily increased in capacity, and is now doing a thriving business. A new set of machinery, throughout, was put in last year, and it is now what is known among manufacturers as a two-set mill. The location is an admirable one in every respect, but one of the greatest advantages is the abundance and convenience of water of the very best quality for the purpose required. The establishment is now engaged in the manufacture of flannels of a superior quality. A large quantity of blankets and other woolen goods are also manufactured annually. The amount of goods turned out per month will average $10,000. Last year 200,000 pounds of wool were used. Seventy-five men, a portion of them Chinamen, are constantly employed, to whom are disbursed about $1,000 per month. Mr. Tatterson, one of the proprietors, who is a practical woolen manufacturer, superintends all the workmen himself, and employs no overseers. The Chinese were all green hands when they commenced, but have now become expert weavers, and are very faithful. The greater portion of the manufactured goods are shipped to San Francisco, where the proprietors have a store in charge of Mr. Doughty. Mr. Tatterson informs us that they are about establishing a trade at Puget Sound, among the lumbermen. The mill property is valued at $30,000, in addition to which the establishment carries a stock of about $25,000 constantly. In another year the mills will probably be enlarged to double their present capacity.

ENTERTAINMENT.—Harmony Encampment, Champions of the Red Cross, will celebrate their third anniversary at Champion Hall this evening with an entertainment to which the public are invited. The musical and literary bill of fare will be as follows: Solo and chorus—"Who will care for the drunkard's children." Song—Miss Lulu Hogan. Recitation—"The Vagabonds," Stanton Carter. Duett—"Call me thine own," Miss Clifford and Mrs. Waterman. Solo and chorus—"Oh, remember them in your prayer." Song—"Home Memories," Miss Emma Dyer. Recitation—"Hiawatha's Childhood," Miss Gertie Collins. Quartette—Messrs. Rhoads, Squires and Gardner brothers. Recitation—"The Drunkard's Child," Miss Clara Stier. Song—"The Gambler's Daughter," Miss Lou Elliott. Solo and chorus—"Out in the snow." Tableau—"Elaine." At the conclusion of the above programme there will be a spelling match for two prizes of five dollars each, to be awarded to the lady and gentleman who remain on the floor the longest. During the evening ice cream and strawberries and cream will be served in the adjoining hall.

STILL ON HIS TRAVELS.—Johannes Van Drakerub, the German who paraded through Stockton on Saturday last, carrying the German flag, was in Sacramento yesterday, and left last evening for Dutch Flat. He has undertaken to walk from the Pacific to the Atlantic. It is said that a short time since he was burned out at San Jose, losing nearly all his property. After getting his finances straightened up, he concluded to send his wife and children East by railroad, and make his way after them as best he could. He did send his family, but it took all the money he had, and on his trip across the continent he relies for support upon such contributions as he may secure from the public.

EMBALMED.—S. F. Hartman, a gentleman 61 years of age, who came to California several months ago for the benefit of his health, died at Wilson's ranch, on the Copperopolis road, last Saturday. The remains of deceased were brought to this city on Sunday last and embalmed by M. H. Bond. They have been placed in a metallic casket to await the arrival of the son of deceased from Milan, Illinois, when they will be taken there for interment. The embalming process of Mr. Bond has always proved successful.

SCRAPERS.—Two road scrapers arrived here yesterday, consigned to Supervisor McDougald, to be used on the public roads

GENERAL REPORT

Of Chas. D. Gibbs, Civil Engineer, on the Examination of Roberts Island, San Joaquin County, for the Purpose of Reclamation.

SAN FRANCISCO, April 10, 1875.

Mr. J. P. Whitney—Dear Sir: According to your request I proceeded, in the latter part of February, to examine the upper or southern portion of Roberts Island with regard to the prospect of constructing a substantial levee for the reclamation of the island, Mr. John Wallace being engaged at the same time in the examination of the lower or northern portion.

I will premise by stating that the stage of the water in the river was of a medium hight, not as low as in the Fall season, nor as high as the Summer freshets, steamers not being able to ascend the San Joaquin above Hill's Ferry.

Commencing at the upper end of Burns' cut-off, I found the hight of bank above the water in the river to be three feet; soundings of river four to eleven feet; width of bank to tules, from twenty to forty feet, sloping back to the tule land; soil a sandy loam and from four to four and a half feet to clay.

The last high water in January that did so much damage to Sherman and other islands on the lower part of the river, only went over the bank at this point about four or five inches. In speaking of high water in this report, I refer to this last high freshet in January.

Proceeding up the river, the bank gradually increases in hight and width, until you arrive at the forks of the east and middle channels, some eighteen miles above, where the hight is seven feet, and the width from a quarter to a half mile.

I would call attention to the fact that although the bank is higher above, the last freshet went over it from eight inches to a foot, or could be plainly discerned by the water marks, it having no opportunity to spread or be carried off by sloughs, for the east side of the river being levee'd in for some distance above the forks to within about two and a half miles above Burns' cut off. The levee is about four to four and a half feet high, with a twelve-foot base, and where a few years since I recollect seeing only tule swamps, willow thickets and ponds filled with wild game, it is now covered with fine cultivated farms, well fenced, and comfortable houses, barns and orchards. Hundreds of cattle and other stock are to be seen feeding on the luxuriant pastures. Mr. Brandt, on the east bank, is cultivating chicory to a large extent, and also has a manufactory where it is prepared for market. He refuses $100 an acre for his land.

But to return to Robert's Island. The farms commence about one mile above Burns' cut-off, and continue up to the grant line a distance of six and a half miles on a straight line, every half-mile front on the river, except one, being improved and cultivated in different size tracts, varying from six to fifty acres, the principal productions being vegetables, fruit and honey. These farmers have good houses, barns, etc. Some of the land is rented by Chinamen at about $10 per acre. These farms comprise two land districts; the levees vary from a small bank less than one foot high to three and a half feet; but the last freshet did not go over any of them. In the tule land on Mr. Hale's place a quarter of a mile back from the river I examined with a sounding rod and found hard bottom at from four to six feet.

There are several scattering settlements on the grant, rented principally by Chinese, who raise vegetables for market. Some of these farms have old orchards on them which I understand produce well.

Proceeding from the forks of the east and middle channels down the latter about three miles, we reach the west channel, generally known as Old river; the entrance of which is nearly obstructed by drift wood and a sand bar (see diagram A.) When Roberts Island is reclaimed this bar and drift should be removed, so as to allow a free passage to the water when freshets occur.

Continuing down Middle river from this point about one and a half miles, is the lower boundary of the grant. The bank of the river here is about four feet high; last freshet came over six or eight inches; and in the next mile are three settlements, with about sixty acres in cultivation. This brings us to the middle of section 13, township 1 south, range 5 east, being the first point where your tract comes to the bank of Middle river. A quarter of a mile south and above this point is the Italian tract, is the confluence of Willow slough with Middle river. It is eighty links wide at the entrance, and eight feet deep. It has been dammed twice, but only in a very slight and ordinary manner, the last freshet destroying the several places, I found a uniform correspondence in material, running into a tenacious bluish clay, and from that into the material designated as hardpan.

A large quantity of hay has been cut on this island at different seasons; for in many places are to be found fine bodies of natural grasses, mixed with wild clover. Also large quantities of tule potatoes, which Chinese and hogs are very fond of.

STOCK.

Large numbers of wild hogs have been running on the island for years; also one or two thousand head of cattle, and some horses. I was informed by Mr. Petty that four or five hundred head of cattle had been on the island eight or ten years.

THE COURTS.

COUNTY COURT—HON. W. S. BUCKLEY, Judge.

WEDNESDAY, April 14, 1875.

George L. Smith vs. L. Jahant—Default and judgement granted as prayed for.

People vs. J. B. Murphy—Continued for the term.

People vs. C. H. Marion, alias John Wilson (convicted of dealing monte)—Sentenced to pay a fine of $350.

People vs. J. D. Young—Same sentence as above.

Court adjourned until Thursday morning at 10 o'clock

PROBATE COURT—Hon. W. S. BUCKLEY, Judge.

WEDNESDAY, April 14, 1875.

Guardianship of Le Grys minors—Continued until Thursday, at 10 o'clock A. M.

Estate of D. Latimer, deceased—Order granted settling final account, and decree of distribution ordered.

DESERVED NOTICE.

The San Francisco *Journal of Commerce* thus notices the popular clothing house of Kolman & Son:

A very large clothing store is carried on by Kolman & Son. They very correctly style their place of business "The Palace Clothing Store" of Stockton. Every kind of goods in their line is kept on hand, with Trunks, Valises, etc. The store is 25 feet front, and extends back 100 feet. mr6-tf

Panama, Straw and Chip Hats at Cadien & Bagley's. a2

OLD and faded pictures copied and enlarged and restored to their original beauty at BATCHELDER'S. de12

For Croup, use Burnham's "Abietene" or Extract Fir Balsam. a5

Use Burnham's Abietene for Burns and Scalds. a5

FURS.

The highest price paid for Raw Furs of all description, at No. 187 Main street, by D. Windmiller. a10-1m

PATRONIZE HOME INDUSTRY.

The only complete Picture Frame Manufactory. Frames made by machinery. One hundred different styles and patterns of mouldings on hand. Prices lower than any other house. Something new. Just received, a splendid assortment of Cornice Mouldings. All in want of Cornices can select their Mouldings at Eastern prices, and the Cornices are made for NOTHING. Call and see them, at KIERSKI'S Picture Frame Manufactory, 185 Main street. fe2

Burnham's Abietene or Extract Fir Balsam cures Pulmonary complaints. a5

Bishop's Lung Balsam cures Asthma. fe16

GO AND SEE

The beautiful New Style Pictures at BATCHELDER'S. de14

BUY YOUR CROCKERY.

Glass, Platedware and Lamps at DOERRMANN & Co.'s, 174 El Dorado street, who import direct from manufacturers, and have facilities which enable them to sell at San Francisco prices. no13

White Vests at Cadien & Bagley's. a2

H. C. SHAW'S MACHINES AND WAGONS FOR SEASON OF 1875.

As I either manufacture at my own establishment or import directly from the largest and wealthiest manufacturers in the United

BY STATE TELEG

(DISPATCHES TO THE STOCKTON IN

From San Francisc

SAN FRANCISCO, April 14 publican State Central Con this afternoon in this city ceedings were strictly pr members being allowed to About twenty-five were pre decided to hold a State Co Sacramento June 10th.

The libel suit of Chief Cockrill vs. Harry George Hinton, publishers of the *J* gun to-day in the Police day's session was mostly evidence as to the proprieto paper and the discussion of counsel for defense that th far as it related to Hinton, b it being shown that he w stockholder in the paper owned by a incorporated co

Gold closed in New Yor 115½. Legal Tenders here w ing and 88 selling.

Robberies and Murders by t

SAN DIEGO, April 14.—A Ures, Sonora, March 26th, of more Apache outrages of March three men and a pack train, were attacked n to. The men were killed, escaped and gave the alar went in pursuit, recovering and cargo of the train. Th the murder presented a sa There was blood on every si mistakable signs of a terrib Near Bacoacki in Arizpe the mail and escort were at the mail rider killed by Indi went in pursuit but found n Montezuma on the 12th, n killed a man while making

Stage Robbed.

MARYSVILLE, April 14. — from Downieville to this pla day stopped by a masked m gon Hill, about 30 miles fro robbed of Wells, Fargo & sure box. The robber driver with a double barrele and in the usual way de box, which he reluctantly h It contained $5,500—$3,6 $1,700 in gold bars, the bala Although but one highw seen, the driver thinks others concealed in the b stage had a full load of pas cluding one lady. The st on time this evening.

From Santa Barbara

SANTA BARBARA, April case of Caspar Belmont, t murder of Francis Garnier a ago, the jury at noon yesterd in a verdict of not guilty.

Barley cutting is now in the vicinity of this city.

Mr. Buchanan, Wells, Far Express agent, has succeede ing $200 in behalf of the sufferers.

Notwithstanding so many city is still full of strangers a continually coming by every

From Sacramento.

SACRAMENTO, April 14.— land train from the East, du o'clock P. M., did not arrive and left for San Francisco evening. The delay was occ the locomotive jumping the of Winnemucca.

Two special immigrant trai on board over 1,000 pass following. This delay th back some time. One tra rive here about 6 o'clock morning and the other at 10

The Paulist Fathers, who l ened a deep religious feeli community, close their missi night and go to Marysville wh meetings will be inaugurated

In the District Court to-d

EXHIBIT 21

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TREET.

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...age heretofore ... of the same ...OODMAN, ..., Stockton.

[redacted]

[illegible], a gentleman 61 years of age, who came to California several months ago for the benefit of his health, died at Wilson's ranch, on the Copperopolis road, last Saturday. The remains of deceased were brought to this city on Sunday last and embalmed by M. H. Bond. They have been placed in a metallic casket to await the arrival of the son of deceased from Milan, Illinois, when they will be taken there for interment. The embalming process of Mr. Bond has always proved successful.

SCRAPERS.—Two road scrapers arrived here yesterday, consigned to Supervisor McDougald, to be used on the public roads of the county. In view of the fact that such implements can be, and are, manufactured right here in Stockton, we cannot perceive the object in sending out of the county for them. Home manufacture, it would seem, ought to have the preference.

FURNITURE AT AUCTION.—At 10 o'clock A. M. to-morrow, G. W. Melone will without reserve, sell for cash, the household furniture of T. J. Brooke, at the residence, 401 Weber avenue. The furniture consists of parlor and chamber sets, beds, bedding, carpets, crockery, glass and china ware, kitchen furniture, etc. It is all in good condition and nearly new.

COMMERCIAL.—Arrived, yesterday, steam tug Kate and barge Sonoma, lumber for Moore Bros.; schooners Anna Hermine and U. S. Grant, lumber for Simpson & Gray; sloop Emma, salt for Hart & Thrift. Sailed, schooner John Nagel, with a cargo of shakes, shipped by Simpson & Gray.

DISTRICT COURT IN STANISLAUS.—The District Court, Judge Booker presiding, met at Modesto on Tuesday last. A number of motions and demurrers were heard and cases set. The Court then adjourned until Tuesday, April 20th, at 10 o'clock A. M.

REAL ESTATE SALE.—Parties desiring to invest in real estate should remember the auction sale which takes place at G. W. Melone's auction rooms at 11 o'clock A. M. to day. The property offered for sale is pleasantly located and valuable.

PERSONAL.—E. J. Smith, formerly County Surveyor of San Joaquin county, at present a resident of Napa, is making a visit among his old Stockton friends. George E. Weller, a former resident of Stockton is also in the city.

NEW STEAMBOAT.—The hull of the new steamboat being built by C. M. Small, on Mormon slough, for Captain Barton, is rapidly approaching completion. She will be ready to launch in about ten days.

AN ESCAPE RETURNED.—One of the inmates of the Insane Asylum at Woodbridge, who escaped several days ago, was recaptured in Sacramento and returned to his old quarters yesterday.

ADMITTED TO THE BAR.—Samuel L. Terry and C. M. Ritter of this city, were yesterday admitted to practice law by the Supreme Court of this State.

GOOD APPOINTMENT.—The President yesterday appointed D. A. Meader of this city, United States Gauger for the First District of California.

JURORS DISCHARGED.—The jurors in attendance upon the County Court were yesterday discharged for the term.

INSANE.—An insane man named Peter O'Niel was brought to the Asylum yesterday from Sacramento county.

WHEAT.—Extra choice wheat was worth in this market yesterday, $1 60 to $1 62½.

THE wool market is firm at 16 to 22 cents per pound.

FISH BROS. & CO.,

Wagon manufacturers, Racine, Wisconsin, employ 150 hands, and turn out about 5,000 wagons a year. With every wagon the makers give a warranty that it is of good seasoned timber and well made, and if any part gives out within one year, resulting from defect in material or workmanship, they will make it good to the purchaser.

William P. Miller sole agent for Stockton and vicinity. mr24

Every family should have Bishop's Lung Balsam. fe16

Continuing down Middle river from this point about one and a half miles, is the lower boundary of the grant. The bank of the river here is about four feet high; last freshet came over six or eight inches; and in the next mile are three settlements, with about sixty acres in cultivation. This brings us to the middle of section 13, township 1 south, range 5 east, being the first point where your tract comes to the bank of Middle river. A quarter of a mile south and above this point is the Italian tract, is the confluence of Willow slough with Middle river. It is eighty links wide at the entrance, and eight feet deep. It has been dammed twice, but only in a very slight and ordinary manner, the last freshet destroying the second dam, and it is principally owing to the breaking of this dam that the interior of the island is now flooded, and there is as strong a current now running in the slough as there is in the river.

The dams were never placed in the proper site, and there is no difficulty whatever in constructing a permanent dam. The mouth of the slough is very peculiarly situated, being turned up stream. (See diagram B.) Further notice of it will be taken under surveys.

In section 1, about two miles below, is a small slough, 25 links wide and 6 feet deep, which is also assisting to flood the interior. The first thing to be done in the reclamation is to dam these sloughs, which are the only two open sloughs that I found on my portion of the island. The others are all dammed and will be noticed under the proper heading.

From section 1, I continued down the river to section 34, township 1 north, range 5 east, to examine a ridge extending into the interior of the island. Mr. Wallace arrived the same evening, having finished his work below, and the next day we together surveyed the ridge and a main branch of it. This ridge extends into the interior about three miles by the survey, and is from two to three feet above the level of the low lands, and from one hundred to three or four hundred feet wide of firm, hard ground, affording good situations for residences and gardens. There are also several other ridges running into the interior on the upper portion of the island, and some mounds that will answer the same purpose.

From section 1, township 1 south, range 5 east, down the river, for about six miles, the bank is as firm as the ridges, and a natural levee about two feet high, extending nearly all the way. At section 35, near the ridge, I examined the hight of this natural levee above the last high freshet from the drift tules deposited, and found it to be two and a half foot.

DRAINAGE.

The extent of this island from north to south is about sixteen miles, and from east to west in the center about eleven miles, and the natural advantages for internal draining excel any other island that I know of in the swamp lands, comprising an area as it does of over sixty thousand acres.

The confluence of Whisky slough with the San Joaquin river is at the lower end of the island, and the slough extends into the interior some six or eight miles, with several branches ramifying and forming natural channels to conduct the water into the main stream, which will act as a reservoir and allow it to pass off at every low tide, the rise and fall of the tide, at two miles from the mouth, where it is proposed to construct a dam, being about five to five and a half feet, whilst above Burns' cut off, at the present stage of the water, there is no tide.

Now by running a main canal from one of the head branches of Whisky slough to connect with smaller sloughs that meander through the center, and extending side ditches wherever found necessary, the upper end of the island can be drained through Whisky slough, when Perch and Black sloughs cannot be made available, by reason of high water and no tide. There is also Latham, Hay and one or two smaller sloughs on Middle river to assist in draining the west side. The main canal can also be used as a mode of conveyance for the produce in the interior to the dam at Whisky slough, there to be loaded on steamers or vessels.

Damming the sloughs around the island will alone make a practical reclamation of the islands in ordinary water, and a very slight levee at some low points must reclaim the greater portion of the island for cultivation in ordinary years, while the building of embankments corresponding with those now found on the best reclaimed tracts on the Sacramento would, in my opinion, make a better reclamation here than exist elsewhere to my knowledge.

I found good banks for levees throughout the whole of my survey, and could not discern any parts of the island unfavorable to easy reclamation.

From soundings with a rod and auger at

BUY YOUR CROCKERY.

Glass, Platedware and Lamps at DOHRMANN & Co.'s, 174 El Dorado street; who import direct from manufacturers, and have facilities which enable them to sell at San Francisco prices. no18

White Vests at Cadien & Bagley's. a2

H. C. SHAW'S MACHINES AND WAGONS FOR SEASON OF 1875.

As I either manufacture at my own establishment or import directly from the largest and wealthiest manufacturers in the United States, at their lowest *cash* prices, I am prepared to sell at a fair price, to give liberal credit when required, and will also make low *cash prices*, and special prices to associations of farmers wishing to buy together, or by their authorized agents, for cash or credit. As my machines, wagons and merchandise *cost me the very lowest cash prices*, I am enabled to give customers the benefit of such low cost prices and still make a sufficient profit myself.

H. C. SHAW, Stockton Agricultural Warehouse. Address: P. O. Box 95, Stockton, Cal. a12 d&w-1m

Linen Dusters at Cadien & Bagley's. a2

Immense stock of Spring and Summer Clothing at Cadien & Bagley's. a2

The children cry for SPOONER to take their pictures. oc9

ACCIDENT.

It was all an accident how FRED. ARNOLD discovered his MAGIC POLISH. It makes old shoes look like new. The largest and finest assortment of Boots and Shoes are sold CHEAP at 194 Main street. They buy their goods at the Lowest Cash Prices. Try FRED. ARNOLD'S "One Price Store." se7

Promenade Photos, next in order—Spooner

Abietene is a Diuretic and cures Kidney Diseases. a5

NEW FIRM.

Elliott & Walrod, dealers in Apples, Fresh Vegetables, Canned Fruits, A 1 Potatoes, etc., No. 184 Levee street, Stockton, four doors below El Dorado. None but the best class of goods kept. Goods delivered in any part of the city. mr18-1m

NATIONAL SURGICAL INSTITUTE.

The Pacific Branch Permanently Established in San Francisco.

Since the first visit of Dr. H. R. Allen (the founder of the National Surgical Institute) to this coast, nearly two years ago, it has been the intention of the Institute to establish a Branch in San Francisco. The subsequent visits of other Surgeons of the Institute, and the unparalleled success which attended them, has served only to strengthen the project. After the expenditure of much time, labor and money in preparing instruments, machinery, etc., the Pacific Branch is at last permanently established, and will be open for the reception of patients by the middle of this month. For the present, and until further notice, the business will be continued at their old building, No. 319 Bush street, between Kearny and Montgomery, San Francisco. The machinery for the Swedish movement and vacuum cure; Galvanic and Electrical apparatus, and for giving the Electro Thermal, Turkish, Vapor and other baths, has all been received from the East, (where it was manufactured in the Institute machine shops), and is rapidly being placed in position. Dr. J. M. Hinkle, one of the oldest and most successful surgeons of the Institute, associated with Dr. Thos. Mayon and a corps of skilled assistants, are already in San Francisco, and will remain there in charge of the Branch Institute; consequently no further questions need be asked or fears apprehended concerning the permanency and proficiency of the *Pacific Branch*.

Dr. Allen will visit the Institute in San Francisco on the 20th of this month, and remain until the 15th of May following, during which time he will be pleased to see all the old patients now under treatment, and as many new ones as possible. The Institute is especially prepared to treat all Deformities and Surgical cases, Chronic Diseases, etc.

Address National Surgical Institute, 319 Bush street, San Francisco, for circular and particulars.

... evening. The delay ... the locomotive jump ... of Winnemucca.

Two special immig... on board over 1,0... following. This d... back some time. ... rive here about 6 ... morning and the oth...

The Paulist Fathe... ened a deep religio... community, close th... night and go to Mary... meetings will be ins...

In the District C... convicted of murde... gree, was sentenced for twenty years.

Weather cold and ...

Arizona

CAMP VERDE, Apri... road from Prescot... soldier labor, is ne... is said to be a fine ... shortens the distan...

Colonel Wason, c... post, has succeed... plentiful supply of ... by bringing it in pip... five miles distant.

PRESCOTT, April ... the Fredrick gold ... from here, changed ... $40,000. There is ... the mine, and repo... aging.

Prescott is crow... Government contr... age at different po...

Use Egyptian Cem... thing.

Burnham's Abieten... Sore throat.

REM...

Dr. S. H. Fickott, ... has taken the room... Dr. Thorndike, Hold... Main and El Dora... them elegantly fitted ...

IMPORTANT.—Endo... profession. *Dr. Wm* ... *Lungs* cures Coughs ... tion, and all diseases ... *Dr. Townsley's Tooth* ... one *Minute*.

HENDERSON'S Den... street, north of an... nery, Stockton.

Cadien & Bagley ... their Spring Styles.

For Rheumatism a... bam's Abietene.

Bishop's Lung Ba... Colds.

IT has surprised ... beneficial effects wh... "Wistar's Balsam of ... sumption reaches ... through neglected c... be completely cured ... ration, as also the m... whooping cough, a... companiaments of co...

WILLIAMS

JOBBING ...

DRUG...

220 Main Stre...

A full stock and fine ... our line of business. STRYCHNINE and ... quantities and at low p... *Drugs*, Medicin... cines, Trusses, ... Sponges, Lu... Extracts, ... Beads, P... Card...

Proprietors of the ... HORSE MEDICINE, ... favor, and we are perf... assertion that THERE ... It is the best Liniment ... every house. ml7-3p

CHARLES D. GIBBS, CE.
EXAMINATION OF ROBERTS ISLAND, SAN JOAQUIN COUNTY
FOR THE PURPOSE OF RECLAMATION, APRIL 10, 1875

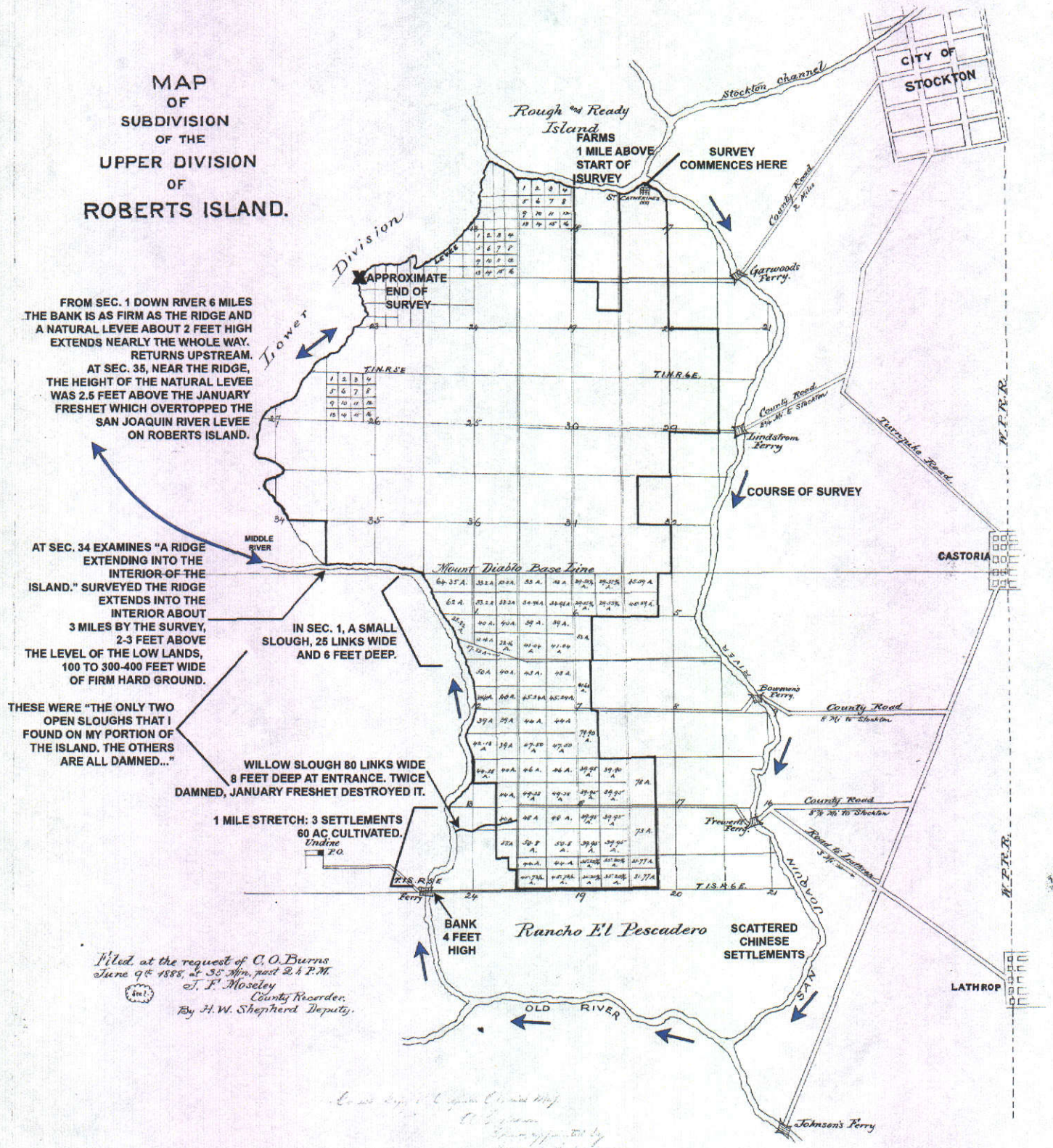

EXHIBIT 22

RMERS' IMPLEMENTS

H. C. SHAW, 1875

ICULTURAL WARHOUSE,
NOS. 201 AND 203,
rado Street.....Stockton

or the sale of all the Latest Styles of
d Farming Implements, Wagons, Car-
etc., etc. Jel-d&w

THE
ANGERS' UNION
OF
n Joaquin Valley
READY TO TAKE GRAIN
id all kind of PRODUCE on STORAGE.
owest Prices, in their
JOAQUIN WAREHOUSE,
Street, opposite Steamboat
Landing.
ASH Advances, Wool, Dairy Pro-
, Fruit, Vegetables and other produce
chandise solicited and promptly attended
ow Selling at prices to suit the times,
ain.

cultural Warehouse,
r's Building, No. 204 El Do-
rado Street,
ies' Straw and Wood Burning
ves, the Best and Most Perfect in the
The Buffalo Pitt's Separator,
has stood the test against all other ma-
and heads the list to-day. The
pion Reaper and Mower com-
guaranteed to give perfect satisfaction.
Bain's Celebrated Farm and
r Wagons, constantly on hand, pro-
by Farmers to be the Best Wagon on the
Coast. Sweepstake and Stock-
ade, One and Two-Horse Spring Wag-
h or without Top, sold at prices to defy
tion. Harrison's Patent Im-
d Derrick and Netting for Un-
Grain and Hay.
s, Hoes, Rakes, Belting and
s of all kinds constantly on hand at the
Market Rates.
rders Solicited and Promptly Filled.
ction Guaranteed.
A. WOLF, President.
S. S. BURTON, Secretary.

POLITICAL.

ublican Headquarters

Committee Rooms.

M NO. 9 ODD FELLOWS'
HALL.
ooms will be open day and evening, and
with all the daily papers and campaign
ate. All Republicans are invited to visit
m.
epublicans wishing to get transfers from
unties, or any assistance in matters of
ion or naturalization, will call on the
nding Secretary of the Committee, J. M.
sq., at the above Rooms, from 12 to 1
, M., or 7 to 8 o'clock P. M.
er of Republican County Committee.
O. O. BURTON, Chairman,
S COLE, Secretary. au7

People's Ticket.

JOAQUIN COUNTY
NOMINATIONS.

For State Senator,
J. B. HALL.
For Assemblyman,

Stockton Daily Independent.

WEDNESDAY MORNING, AUGUST 18, 1875.

ROBERTS ISLAND.—The dredge boats to be employed by J. P. Whitney in the reclamation of Roberts Island are now being built in Stockton, at the yard of S. H. Davis, and are expected to be completed and put at work in the latter part of September. These dredges are to be the largest and most complete of any of the kind ever built. The machinery now arriving is of ponderous character, requiring the use of seven cars in its transportation from the works at Troy, New York. These dredges are being built with the patent extension crane and dipper by which the material, when excavated from the river, can be deposited on the bank at a distance of from fifty to sixty feet from the boat, taking material from a depth of thirty feet, besides giving it a drop into position from a height of twenty or thirty feet. The dredges are to work from any angle, and take material from a depth of six feet as readily as from a depth of thirty feet, and work in six feet of water. The capacity of the dippers are three and a half cubic yards each, with a lifting power equal to forty tons. The dredges will move themselves readily, and the hoisting of their spuds and other movements will be performed by the direct action of steam. When completed they are to be employed night and day in the work of inclosing the lower part of Roberts Island, which will require about forty-five miles of levee to connect it with the upper division now being inclosed by about thirty miles of levee, under the superintendance of L. C. McAfee. The levee around the upper division is being raised almost entirely by the application of machinery never used in building levees in this State, namely, McCall's mammoth road scrapers, which, with fourteen horse teams do a great amount of work. The Slusser Excavators, being patent self-loading carts, and the Wauchoppe machine, so called—a machine working with a large plow and draper by which the plowed furrow is thrown upon the draper and conveyed some twenty feet at right angle from the course of the machine, and so deposited upon the levee. With these machines, and the large number of horses necessarily used, the levee is packed while building. We venture to say that no levee in the State has been built so substantially as the one now being built on Roberts Island. Mr. Whitney is working from quite a number of camps on the line, and with the machinery now in use can lay up about a mile and a half per week, while the Chinamen employed at the upper end of the island are putting up at the same rate. Roberts Island contains sixty thousand acres of the finest tule land in the State, being sixteen miles in length and occupying between six and seven miles in width, commencing about three miles from Stockton. A ridge extends nearly across the island, near the center, upon which a strong levee is being built, dividing the island into two divisions. The upper division is to be entirely inclosed before December 1st, and it is the intention of Mr. Whitney to have a considerable portion broke up and put under cultivation next Winter, his intention being to lease out the land upon favorable terms, and not to offer it for sale. The certainty of large crops upon well reclaimed tule land makes it the most valuable of any in our State, and the reclamation of so large a tract of land as comprised in Roberts Island makes it a valuable acquisition to San Joaquin county, and offers to farmers in its locality and fertility a promising field for exertion.

THE STOCKTON GUARD TO BE REPRESENTED AT TARGET SHOOTING.—The

AMENDATORY ORDINANCE.

The following is the full text of an Ordinance passed by the City Council Monday evening, amendatory of Ordinance No. 9:

Section 1. Section three of Revised Ordinance No. 9 is hereby amended to read as follows: Section 3. For publishing notice of the impounding of any horse, mule, jack, or any cow or other horned cattle herein provided, the publisher shall be entitled to receive three dollars. The City Pound Keeper shall for each horse, mule, jack, or any cow or other horned cattle by him received into the city pound from any officer by this ordinance authorized to impound the same, charge and collect thereon of three dollars; and for each ing, goat or sheep, the sum of one dollar and fifty cents; and for every pig, seventy-five cents. Which said fees shall in each case attach and become a charge against such animal from and at the time when the officer shall undertake to impound the same. In addition to the sums and charges aforesaid, the Pound Keeper shall be entitled to charge and collect for every day that he may keep any horse, mule, jack, or any cow or other horned cattle, two dollars and for each day that he shall keep any hog, sheep, goat or pig, fifty cents, which shall cover all charges for the said caring for any animal by him kept in the city pound, and shall and may be retained by the Pound Keeper for his own use and benefit. But all fees chargable for the impounding of any of the animals aforesaid, shall be by the Pound Keeper collected and paid into the general fund of the city treasury for the use and benefit of said city. And the Pound Keeper shall, on the first Monday of each month, make report of the said fees so collected or chargable, which report shall be verified by his oath and shall be accompanied with the Treasurer's receipt for the amount appearing due to the city thereon. The fees, costs and charges aforesaid shall be chargable against the animal or animals impounded, and shall be paid before such animals are delivered to the owner or claimant thereof.

GO AWAY FROM HOME TO GET THE NEWS.—This old saw is finely illustrated in an article we copy below from a London paper, *Signs of Our Times*, "a weekly journal of religious intelligence." The matter alluded to will probably be "news" to everybody in this community: "The eminent revival preacher Rev. E. P. Hammond, has been figuring as a peacemaker. In a court room in Stockton, California, an important case was to have been tried. The jury had been shut up all night, and were dreading the long and weary trial that was before them. When the hour for trial arrived, one of the lawyers arose and addressed the Judge as follows: 'May it please your Honor, you are perhaps aware that there is an eminent evangelist in our town, who has been doing all in his power as a peacemaker among our citizens. As a consequence of his labors the plaintiff and defendant have met and settled in an amicable manner this perplexing suit, which has already had two trials, and it is now therefore taken out of Court.' The Judge, who was a Christian man, rejoiced, and the jury were delighted." We are thankful that the above ponderous provarication was not launched forth on American soil. In fact, no American liar could have concocted such a tale. It could only have originated in a land that sent a Hopworth Dixon to our shores, and we rejoice that it first saw the light at No. 2 Ivy Lane, Paternoster Row, London, in the office of the *Signs of Our Times*, "a weekly journal of religious intelligence" as aforesaid.

HARBOR DUES.—The City Council at the meeting held last Monday evening, passed an ordinance amending Ordinance No. 14, fixing the rate of harbor dues. The old ordi-

LAND PATENT

The following cash paten
ceived at the United States
this city, and will be deliver
presenting the duplicate rece

Parr Jesse Allen,	Alexan
Guelherne Andrade,	John J
Benjamin F. Appleby,	Henry
Augustus Aubert,	John F
Burden, MacCumber & Dane,	Henry Franci
Burden, MacCumber & Prettyman,	Rufus G. F.
Burden, MacCumber, Sell & Dane,	George Henrie
Chas. Cleveland, heirs of	Miles Ernst
Conde, MacCumber, Pret- tyman & Clark,	Adam Robert
Benjamin H. Deane,	J. Wal
Henry Durway,	Steave
Augustus S. Emery,	Laura
Mary A. Fagan,	Tracy
James W. Forbes,	John
James H. Freeman,	Frank
Milton Gulou,	Richar
Pierre Hellbringer,	Gilmar
Henry Hogewish,	Jonas
A. Howel,	Ephrin
Wm. Hodgson,	Benjar
Benjamin W. Jones,	Hiram

LIVERPOOL AND LIVERPOOL

Telegraphic dispatches to t

LONDON AND LIVERPOOL,
Floating cargoes of wh
irregular.
Cargoes of wheat on pass
irregular.
Price of wheat in London
Quotations of good cargo
wheat, off coast, per quarte
sea damage for sellers acc
2½ per cent commission, 47s
Quotations of good ca
wheat, off coast, per quarte
53s.@54s.
London quotations—Fair
of California wheat on pas
of 500 pounds, Queenstown,
Arrivals of wheat off coas
Weather in England brill
Liverpool wheat on sp
dull.
Quotations of Californi
Liverpool, 11s. 7d.@12s.
Quotations of California
pool, 11s. 4d.@11s. 8d.
Liverpool quotations of R
wheat, 10s. 4d.@10s. 8d.

THE COURT

District Court—Hon. S. A

TUESDAY,

Mary Ray, by her guar
ray, vs. Daniel O'Connell—
tember 8th.
Court adjourned until We
at 10 o'clock.

MESSRS. MARKS & ISAAC
clothiers, Levee street, St
received a large assortme
consisting of all kinds of
Summer clothing and furnis
is the place to buy goods of
at remarkably low prices.
place, Levee street, secon
Dorado street.

Every druggist sells Bi
sam.

Bishop's Lung Balsam

Spooner's next—the "A

Bishop's Lung Balsam

LATEST FASHION
For gentlemen's clothing
in the show window of H.

EXHIBIT 23

Stockton Daily Independent.

SATURDAY MORNING, SEPT. 18, 1875.

THE DAILY INDEPENDENT

Is the only Morning Paper published in the great San Joaquin Valley. It contains all the Latest Telegraph News from the East and by Cable, and has Double the Circulation of any paper published in the Valley, which makes it one of the best mediums for advertising on the Pacific Coast.

SOUND FINANCIERS.

The Colusa *Sun*, one of the most ably conducted weekly papers in the State, has a clear comprehension of the financial situation. We copy the following from one of its editorials:

"Sir Robert Peel once said that the issue of paper money should be a function of the State, the profit of which should be realized by the State. The United States pays about $20,000,000 interest annually on the bonds it holds as security, and it would not alter the case a bit if the Government should issue this $350,000,000 itself and pay no interest upon it. The bank paper is good only because of the guarantee of the Government and the Government's guarantee of its own paper would be just as good.

* * * * * * * *

"Now, although we do not pretend to be a great financier, it strikes us that if the Government of the United States should lock up say $50,000,000, it could issue the whole volume of $350,000,000 and agree to redeem when presented. The bills issued would be scattered from ocean to ocean and from the lakes to the gulf, and there would seldom be a call for money because the paper would represent money. It might be that the necessity of commerce would demand gold, but it is not likely that a run equal to $50,000,000 could be made at once, and the law might be made to protect the Treasury against runs. It seems to us that this is the only way to get at a return to specie payments, and this would be a return, for the paper would be worth just as much as gold. The paper of our gold note banks pass at par only, for the reason that the Government guarantees their payment, and yet the Government has not a dollar on hand with which to redeem."

We have read innumerable speeches and pamphlets on the subject of resumption, but we have never seen a clearer statement than copied above,

GIGANTIC ENTERPRISE.

If our people realized what an enormous project was being quietly and steadily prosecuted in our vicinity, within sight of our doors, and appreciated to the fullest extent the immediate and prospective benefit, both directly and indirectly, that it will be to this community, they would manifest an enthusiasm such as no previous event had called forth. We refer to the dyking and reclamation of that large body of tule land, known as Roberts Island, formed by the ramifications and vagaries of the San Joaquin river, and lying at its nearest point within three miles of Stockton on the west. It embraces an area of nearly 50,000 acres, about 42,000 acres of which belongs to one man, J. P. Whitney, whose enterprise and capital is now carrying out this great work. On Thursday morning we accepted an invitation to visit the Island and inspect the work that was being done, and at an early hour, in company with Mr. Whitney, Mr. McAfee (the affable engineer in charge), and a few other gentlemen, we stepped on board the steamer Clara Crow (which has been recently purchased by Mr. Whitney and fitted up in elegant style), and in a few hours were landed at Camp No. 2, on Duck slough, near the center of the island, passing on the way several miles of levee already completed. Here we took horses and rode along the work, crossing the island to the further side, on Middle river, and passing Camps Nos. 3 and 4. Along the whole distance, some four miles, was lined with a continuous, busy stream of teams and men, piling up the rich alluvial soil into a levee of unusual strength and proportions, surpassing anything of the kind that has ever been constructed in the State. It is about 8 feet in hight, with a base of 25 to 40 feet, and 4 feet wide on the top, and is thought to be about 2 feet above the extreme hight of the great flood of 1862. It has been the aim of Mr. Whitney to employ the most improved mechanism in the prosecution of this work, and a test has been made of all the most recent inventions of that kind at present known in this State, and we were much interested in witnessing their operation. The Slusser excavator, which rather seems to be the favorite, is operated with two horses and one man; does its own plowing, throwing the dirt by means of an endless apron into a box, which, when filled, is drawn where required and is emptied by dropping

BY STATE TELEGRAPH.

DISPATCHES TO THE STOCKTON INDEPENDEN

The State Fair.

SACRAMENTO, Sept. 17.—The atte ance at Agricultural Park to-day large. The stock parade surpa anything ever had at the Park. Pe are arriving in large numbers by e train, and the prospects are very couraging for the success of the F The Pavilion is crowded to-night, the streets are alive with all sort side shows and amusements.

The running race for two-year o single dash of a mile, was won by B lie McCarthy, Beecher second. Ti 1:46, the best two-year old time e made in California.

The second race, a handicap dash two miles, for $300, was started by o two horses, Ballot Box and Irene Ha ing. The pools sold for $100 on Ba Box to $60 on Harding. The race won by Irene Harding, she taking lead at the start and maintaining i the end. Time, 3:39.

The third was a trotting race, b three in five, for a purse of $300. T entries were: Jim Farrell, Clark, To Gates, Teddy McGee, Sorrel Ned a Roanoke. Pools sold lively, To Gates being the favorite at $130, S rel Ned $72, Clark $47½, and the fi $10 The first heat was won by Ga in 2:37; the second third heats by S rel Ned in 2:41½ and 2:42; the fourth Tony Gates in 2:41; the fifth by Cl in 2:42. As it was growing dark conclusion of the race was postpo until noon to-morrow.

To-morrow's races are:

First, trotting; purse, $750. Entrie San Bruno, Dan Voorhees, Sisson G and Mary Davis.

Second, trotting; 3 in 5; purse, $7 Entries—Jimmy, Lou Whipple, Am can Maid, St. Helena, Bay Morg Prince Allen, Mour and Sorrel Fra

Yesterday afternoon the workm employed on Reuben Kerchival's ran at the head of Steamboat slough, fou the body of a white man floating in river with a handkerchief tightly t around his neck, his hands crossed a bound with a leather strap—undou edly a case of murder. The police a thorities are working it up.

Run Over and Killed.

COLFAX, Sept. 17.—A man nam Wm. Conrow was run over this mo ing near here by the west bound ex grant train and one leg completely tor

EXHIBIT 24

seems to us that this is the only way to get at a return to specie payments, and this would be a return, for the paper would be worth just as much as gold. The paper of our gold note banks pass at par only, for the reason that the Government guarantees their payment, and yet the Government has not a dollar on hand with which to redeem."

We have read innumerable speeches and pamphlets on the subject of resumption, but we have never seen a clearer statement than copied above, and we do not believe that the theory can be picked to pieces.—[Oakland Transcript.

Were the above theory, advanced by the *Sun* and unhesitatingly approved by the *Transcript* carried into practice, the Government then, in our estimation, would fail to accomplish the amount of good financially that it is now exerting by the process of issuing gold notes. Under the present system the Government sells its bonds for gold, which goes into immediate circulation, and and then takes back its bonds as security for eighty per cent. of their value issued in gold notes, which also go into circulation, thus making the bonds, which are not a circulating medium, serve a double purpose. We do not think the theory of the *Sun* is to be commended; in fact, we do not perceive any point suggested in it that is not already much better covered by the system practiced by the Government. Under the present system the Government guarantees the payment of gold notes, because it can very well afford to do so without necessitating it to lock up a dollar for that purpose. The banks circulating gold notes give the Government more than ample security for every note they receive, and the Government simply, and in justice and as a measure of protection to individuals holding the notes, guarantee the payment of the paper in the event of failure or inability on the part of the bank to pay gold when demanded. Each bank being a distinct and separate institution prevents the possibility of a general run on the National Treasury, unless a large number of these banks should happen to become unable to meet their obligations at the same period of time, an event not likely to occur. When the Government is called upon to pay gold for gold notes it is simply by the transaction redeeming its own bonds, thus catching two fishes with one hook. The gold bank system we consider much

It has been the aim of Mr. Whitney to employ the most improved mechanism in the prosecution of this work, and a test has been made of all the most recent inventions of that kind at present known in this State, and we were much interested in witnessing their operation. The Slusser excavator, which rather seems to be the favorite, is operated with two horses and one man; does its own plowing, throwing the dirt by means of an endless apron into a box, which, when filled, is drawn where required and is emptied by dropping its bottom out. The Wachope machine, resembling a header somewhat, also has a plow and an endless apron, and runs along the side of the levee, passing the dirt over the apron to the place required. This machine is very complicated, however, and requires ten or twelve horses and two men. The McCall scraper, Doty's revolving scraper and others are in use. There are over 160 horses and mules and 75 to 100 men employed and the force is constantly being increased. Each of the camps before alluded to are of the most perfect and permanent character, consisting of well built houses and stables, and are to be used for farm houses when the reclamation has been completed. All of the work could not be completed in one season, but it is thought that the upper division will be entirely enclosed before the rains set in, ready for next year's crop. Numerous applications have been made by farmers for leasing tracts of 200 to 1,000 acres each, and before the levee is completed the whole of the upper division of about 16,000 acres will be let, and a large part of it seeded for next year's crop. A part of the distance the nature of the ground will not permit the use of teams in construction, and for this work huge dredgers are being built, the machinery being sent out from Troy, New York. These machines will take the material from the bottom of the river, scooping it up and depositing it on the bank to form the levee. Some idea of the thoroughness with which the work is being done may be had when we explain that a puddle ditch, six or eight feet wide and two feet deep, is excavated under the center of the levee, which is again filled up and solidly packed and the levee built on top of it. By this method, a perfect union of the old and new soil is made and no chance given for seepage on the original surface of the ground. But the limits of one article would not suffice to describe in detail this great work, or give our readers an idea of the wonders and novel sights of the trip; of the great flocks of geese and ducks; the bands of wild hogs, cattle and horses, roaming at free will over this vast domain; nor could it sufficiently commend the foresighted enterprise and energy of him who, as the pioneer of this great work, will in a few years pour into our storehouses the rich fru-

Yesterday afternoon the workm employed on Reuben Kerchival's ranc at the head of Steamboat slough, fou the body of a white man floating in t river with a handkerchief tightly ti around his neck, his hands crossed a bound with a leather strap—undoub edly a case of murder. The police a thorities are working it up.

Run Over and Killed.

COLFAX, Sept. 17.—A man nam Wm. Conrow was run over this mor ing near here by the west bound em grant train and one leg completely tak off just below the knee and the oth leg badly mangled. It appears he h been drinking all night and started o of town not knowing where he was g ing. It is supposed that he sat dow on a pile of sand near the track a laying his legs across the track went sleep. He died at 10 o'clock this mor ing.

Execution of a Murderer.

SAN DIEGO, Sept. 17.—The Indi Jose Del Carme, convicted of the mu der of Johnson, near the Julian mine four years ago, was executed to-day the Court House yard. Commendab promptness and efficiency were man fested by the officials. The whole affa was begun and over between 1:30 a 2 o'clock, this afternoon. Del Carm made a speech on the scaffold, decla ing that his testimony on the trial in plicating other Indians was all perjur He declared also that he himself w innocent. He began to weaken towa the close of the speech, and the Sher touched the spring as soon as he sto ped speaking. He was a very muscul man, and the motion of his body co tinued fourteen minutes. There is n doubt of his guilt. He was a very ba Indian, and is believed to have bee concerned in a number of murders du ing the past six or eight years.

From Nevada.

EUREKA, Sept. 17.—This morning a 4 o'clock Sam Hollis, a sport, shot an seriously wounded Chris Moletista, a Italian bar-keeper at the Sazarac saloon The ball entered the left side passin around and was cut out beyond the spi nal column. It is thought he will re cover. Hollis was intoxicated an brought down his pistol on the counte when it was discharged with the abov result. He and his friend claim tha the shooting was accidental. Hollis i in jail.

The cars of Eureka and Palisade Rail road will, on Monday, commence run ning to Garden Pass, within 25 miles o Eureka.

Eureka troops, under Major Joh Dennis, who went to the Spring Valle war, will reach home to-night. The are at Hamilton to-night.

From Los Angeles.

LOS ANGELES, Sept. 17.—The agen cies of four suspended banks, paying out checks on call deposits of $250 and under, are doing only a nominal busi ness. The impression gains ground

to do so without necessitating it to lock up a dollar for that purpose. The banks circulating gold notes give the Government more than ample security for every note they receive, and the Government simply, and in justice and as a measure of protection to individuals holding the notes, guarantee the payment of the paper in the event of failure or inability on the part of the bank to pay gold when demanded. Each bank being a distinct and separate institution prevents the possibility of a general run on the National Treasury, unless a large number of these banks should happen to become unable to meet their obligations at the same period of time, an event not likely to occur. When the Government is called upon to pay gold for gold notes it is simply by the transaction redeeming its own bonds, thus catching two fishes with one hook. The gold bank system we consider much better calculated to prevent a run on the National Treasury, and at the same time protect the holders of the paper more effectually against inconvenience and loss than any act of legislation that could be passed. It would be difficult to pass a law protecting the Treasury against runs, as suggested by the *Sun*, and at the same time thoroughly and effectually guarantee the holder of notes against loss through the shaving process when his business necessities in remote sections might compel him to exchange paper for gold. The existing system guarantees gold for paper whenever it may be demanded at the counter of the bank circulating the note presented for exchange. In our estimation, it would be next to an impossibility to find a system more safe and free from objection in all respects than that now in operation for the circulation of these notes among the people.

POPULATION OF MASSACHUSETTS.—The State census of Massachusetts is now being made, and the Springfield *Republican* claims for the State a population of 1,700,000. The order in which the larger cities stand in regard to the number of their inhabitants is: Boston, Worcester, Lowell, Cambridge, Fall River, Lynn, Lawrence and Springfield. Although the returns are not yet complete, Boston is said to have not less than 335,000 inhabitants, Worcester not less than 50,000, and Lowell 48,000.

use of teams in construction, and for this work huge dredgers are being built, the machinery being sent out from Troy, New York. These machines will take the material from the bottom of the river, scooping it up and depositing it on the bank to form the levee. Some idea of the thoroughness with which the work is being done may be had when we explain that a puddle ditch, six or eight feet wide and two feet deep, is excavated under the center of the levee, which is again filled up and solidly packed and the levee built on top of it. By this method, a perfect union of the old and new soil is made and no chance given for seepage on the original surface of the ground. But the limits of one article would not suffice to describe in detail this great work, or give our readers an idea of the wonders and novel sights of the trip; of the great flocks of geese and ducks; the bands of wild hogs, cattle and horses, roaming at free will over this vast domain; nor could it sufficiently commend the foresighted enterprise and energy of him who, as the pioneer of this great work, will in a few years pour into our storehouses the rich fruition of this fertile tract and add to the taxable property of this county thousands and even millions of dollars.

PACIFIC COAST BREVITIES.

Gold Hill (Nev.) is to have a co-operative store.

The Nevada State Fair opens at Reno October 4th, and closes on the 9th.

Rabbits are said to be as great a scourge to the farmers around Reno as the grasshoppers are in Kansas.

Isaac West, who resides near Clark's crossing on Quinn's river, Nevada, was badly injured by a runaway team on the 15th.

The number of immigrants who have arrived in San Francisco since the 1st of Januaay is about fifty thousand—a gain of twenty thousand over the same period last year.

The trial of Robert B. Wagnon, for the shooting of William Tully, on the Howell Mountain grade, near St. Helena, October 1, 1874, commenced in the Napa County Court, on Tuesday last.

It is reported that Mr Sharon has tendered to Mrs. Ralston a suite of seven rooms in the Palace Hotel, with private servants, a private coach and coachmen, so long as she may see fit to use them.

The Democratic candidates for Sheriff and School Superintendent in Alameda county, demand a recount of the ballots cast at the recent election. The former was defeated by ten and the latter by one vote.

During the first half of the present month, eight cargoes of wheat have been cleared from San Francisco port for England, and eight thousand and

ing the past six or eight years.

From Nevada.

EUREKA, Sept. 17.—This morning a 4 o'clock Sam Hollis, a sport, shot and seriously wounded Chris Moletista, an Italian bar-keeper at the Sazarac saloon. The ball entered the left side passing around and was cut out beyond the spinal column. It is thought he will recover. Hollis was intoxicated and brought down his pistol on the counter when it was discharged with the above result. He and his friend claim that the shooting was accidental. Hollis is in jail.

The cars of Eureka and Palisade Railroad will, on Monday, commence running to Garden Pass, within 25 miles of Eureka.

Eureka troops, under Major John Dennis, who went to the Spring Valley war, will reach home to-night. They are at Hamilton to-night.

From Los Angeles.

LOS ANGELES, Sept. 17.—The agencies of four suspended banks, paying out checks on call deposits of $250 and under, are doing only a nominal business. The impression gains ground that two banks will fully resume next week.

Killed by a Horse.

JACKSONVILLE (Or.), Sept. 17.—Yesterday an old citizen of this county, named Lawson Bradly, was almost instantly killed by a young horse which he was riding. The horse reared up and fell backward on Bradley, crushing him badly. He lived only an hour.

A 1 Photographs by Spooner. a9

LATEST FASHION PLATES.

For gentlemen's clothing now on exhibition in the show window of H. MARKS, merchant tailor and leader of fashion, Main street, opposite Yosemite House. A large stock of the latest style goods just received. Gentlemen desirous of getting fashionable suits manufactured from the best material will do well to call upon Mr. Marks and examine his stock of goods. aug-tf

Bishop's Lung Balsam cures croup. fel6

Every family should have Bishop's Lung Balsam. fel6

Children cry for Bishop's Lung Balsam.

OLD and faded pictures copied and enlarged and restored to their original beauty at BATCHELDER'S. de12

Bishop's Lung Balsam cures Bronchitis.

WARNING!

If you value health, delicious biscuits and cakes, and are in favor of economy and home production, then quit using the adulterated and poisonous compounds and buy no other but "The Only Pure Yeast Powder," manufactured by H. G. Boisslier and sold wholesale and retail by Dohrmann & Co., who guarantee every can and only ask the favor

PLEMENTS.

SHAW, 1875

WAREHOUSE,
AND 203,
.....Stockton
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PLOWS,

$9 00!

s than any other
Plows!

RROWS,

$15 00!

arrows have no superior
above extremely LOW

H. C. SHAW,
Warehouse, Agent at
Co. se22-d&w2m

CUTTS'

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Machines For

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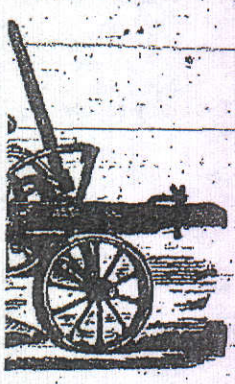

AGRICULTURAL
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PAGE!

Stockton Daily Independent.

THURSDAY MORNING, SEPT. 30, 1875.

SAN JOAQUIN COUNTY HORSES.—The intrinsic value of the horses of this county is probably more than twice as good as it was ten years ago. Our farmers have generally discovered that it costs no more to keep a good animal than a poor one, and that attention paid to the breeding of good animals is of great pecuniary advantage, while it is always far more satisfactory to have good horses on a farm than scrubby mustangs, such as were so common ten and twelve years ago. The improvement in the breed of the horses of this locality and the consequent increase in the value of that kind of property has been gradually brought about by bringing to this county blooded horses and brood mares from abroad, whose progeny has taken the place of the former comparatively worthless mustang stock. Some of these imported animals, with their families, have been shown at our annual agricultural exhibitions, and the satisfactory results of careful breeding most clearly demonstrated. At the last Fair of the San Joaquin Valley Agricultural Society the imported horse General McClellan and fifteen of his colts were exhibited, and in the opinion of good horse men it would be very difficult to show a finer band of colts in any other State in the Union. The colts were all raised in this district, and for beauty and action cannot be excelled. General McClellan was at one time one of the most noted trotters of the Eastern States, having made several races on the Long Island course with the fastest trotters of the day. His best time to wagon was 2:26, which has been beaten by few stallions up to the present time. Several of his colts are very fast, and all inherit much of the mettle and power of endurance which are possessed by him in a most remarkable degree. By the importation of such horses as McClellan and others that might be named to this county, the value of its horses is being rapidly increased, and the time will soon come when San Joaquin will be first visited by those desirous of purchasing fine animals.

A WOMAN STOLEN.—At a late hour last Tuesday night, great commotion was caused among a number of the male Chinese residents of Washington street by the discovery that a fair damsel, with her hair plastered with lard and fixed up like the tail of a weathercock, had suddenly disappeared. The fellow who claimed to be her owner and protector appeared almost inconsolable over the dire calamity and great loss that had befallen him, and his relations and friends appeared to partake hugely of his great sorrow, each appearing as forlorn and woebegone as a young mule that had lost its mother. The sad situation of affairs was

THE Sacramento *Bee* says that there is not so good a race track in the State as that at Agricultural Park in that city. The editor of the *Bee* has never, so far as we are aware, seen the Stockton course since it was reconstructed, and it would not be difficult to find skillful horsemen and competent judges of such matters who consider it altogether superior to the track at the Capital.

A VALUABLE HORSE.—A six-year-old stallion named Inauguration, sired by Alexander, was sold in this city a few days ago, by Alexander Ely, to D. E. Root, for the sum of $1,000. The horse was put in charge of the celebrated tracer Thomas Fitzgerald, and was taken to San Francisco. Inauguration had been at pasture, a short distance from Stockton.

LOADING.—I. S. Bostwick is loading the schooner North Beach with wheat, and J. D. Peters is supplying the steamer Alice Garratt with a similar cargo.

PERSONAL.—Ex-Alderman Jas. C. Gage is at present on a visit to this city. His home is now in Mendocino county.

THE fact that no false alarm of fire was given last night is worth noting.

Gentlemen wishing a Pocket Knife, IXL, or any other kind; a nice Cane, Purse or Razor, or a Havana Cigar, should call at G. N. Milco's Hunter Street Stand. se22

OLD and faded pictures copied and enarged and restored to their original beauty at BATCHELDER'S. de12

Ladies' initial paper, choicest candy, fruit, nuts and perfumery is very handy at G. N. Milco's, near Postoffice. se22

LATEST FASHION PLATES

For gentlemen's clothing now on exhibition in the show window of H. MARKS, merchant tailor and leader of fashion, Main street, opposite Yosemite House. A large stock of the latest style goods just received. Gentlemen desirous of getting fashionable suits manufactured from the best material will do well to call upon Mr. Marks and examine his stock of goods. aud-tf

THE SATIN BRILLIANT
Are the Latest Styles at BATCHELDER'S.

Bishop's Lung Balsam cures croup. fo16

PERFECTLY BEAUTIFUL!

Be sure and see the beautiful Grand Square "Decker Piano" on exhibition at the Fair. Also those elegant "Standard Organs," for sale at 135 Main street, Kiorski's Music Store. se9

Try the best Musical Strings, found only at G. N. Milco's, near Postoffice. se22

Bishop's Lung Balsam cures Incipient

LETTER

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dition of the city. It is also very questionable whether a better plan of sewerage than that known as the dry earth system can ever be devised for a city located like Stockton, and the subject should receive the careful consideration of the Board of Health and City Council.

AMUSING ACCIDENTS.—On a recent down trip of the steamer Alice Garratt, as the boat approached Rough and Ready a Chinaman signaled the Captain to "stop the ship" and let him get aboard. The signal was promptly obeyed and a plank pushed out for the convenience of the heathen. The mate of the boat stepped out on the plank to assist the Chinaman, but just as the latter set foot on the temporized gangway the boat gave a lurch, causing the pagan to grab the mate, and the result was that both lost their balance and tumbled into the river. The Chinaman clung to the mate like grim death, but fortunately the water was shallow, and the two waded ashore well irrigated. A few miles further down the river another Celestial signaled his desire to take passage on the steamer, which was again stopped. At this point a box was taken on board by one of the deck hands, who, while walking on the plank and carrying his load, Chinaman No. 2 grabbed him just as the first one had taken hold of the mate, and a second involuntary ducking scene was narrowly escaped. Some new process of picking up stray Chinamen along the banks of the stream should be adopted. Beef cattle are not unfrequently hauled on board ocean steamers by placing the loops of ropes over their horns and then hoisting them head first over the guards. But Chinamen have no horns.

LAUNCHED.—One of the large dredge boats being built in this city to the order of Mr. Whitney, was launched yesterday morning and towed around Weber Point to the wharf on Levee street, where the huge boiler, recently brought from Troy, New York, was taken on board. The launching was very successfully accomplished, and quite a number of persons were on board when the boat entered the water. No time will be lost in fitting up the powerful machinery and finishing the boats throughout, as they are wanted for operation as soon as possible at Roberts Island. As many mechanics are employed as can work to advantage.

STOCKTON CHORAL SOCIETY.—Every active member of the Stockton Choral Society is particularly requested to be in attendance at Hickman's Hall this evening, at 7:30 o'clock sharp, for practice on the "Cantata of Belshazzar," to be given in a short time. Members are also requested to bring or send all books belonging to the society.

W. A. HOUGHTON, Sec'y.

DR. A. C. DAVENPORT,

Dentist, has returned from a mountain tour and a delightful residence of several weeks at Lake Tahoe, improved in health, and to the practice of his profession. He will be pleased to receive calls from his friends and the public in general. au10

A 1 Photographs by Spooner. a9

Candy is imported by G. N. Milco, near Postoffice, direct from New York. se22

PRACTICAL OPTICIAN.

Dr. E. de Yough, Practical Optician, from 213 Montgomery street, San Francisco, is now stopping in this this city for a few days to introduce his celebrated Acromatique Glasses. Their soothing and cooling qualities are unrivalled. Those suffering from weak or defective sight should not fail to inspect them. Ladies wishing to be attended on at their residences can leave their address at the Yosemite House. se14-10t.

Spooner's next the "Albatype." a9

HENDERSON'S Dental Office is on Hunter street, north of and near the Pacific Tannery, Stockton. oc11

Neglected Coughs and Colds.—Few are aware of the importance of checking a Cough or "Common Cold" in its first stage; that which in the beginning would yield to "Brown's Bronchial Troches," if neglected, often works upon the Lungs. se22-d&w1w

Bishop's Lung Basam cures Asthma. fe16

Every family should have Bishop's Lung Balsam. fe16

SOMETHING NEW.

J. M. Kirkpatrick has opened a chop house and oyster stand at that popular resort, the Court House Exchange, Main street. His arrangements for furnishing gentlemen meals of the best quality and upon the shortest notice are unsurpassed by any other caterer in the city. The best the market affords will always be furnished, and every dish will be prepared in a manner to suit the most fastidious taste. Prices lower than in San Francisco. au28-1m

"In forty-eight hours a cough may become dangerous; but within that time any cough can be cured by the use of "Hale's Honey of Horehound and Tar." Sold by all druggists.

Pike's Toothache Drops cure in one minute. se30-d&w1w

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Deepening the River Channels.

There seems to be a changing sentiment in the minds of some interested in the tule lands in favor of increasing the carrying capacity of the channels to an extent sufficient to convey the water from the immense sheds of our mountains and plains. The question is being discussed whether this is not reclamation proper?—whether the dyking system, no matter how thorough it may be, is not in connection with California agriculture, a mere make-shift.

Great improvements have recently been made in dredging machinery to be used in connection with the dyking system of reclamation; but every point gained here may be applied to the new system, namely: deepening the channels so as to dispense with dykes and dams. In order to give our readers some idea of the extensive scale of these dredging improvements, we copy the following from the Stockton *Independent* of September 17th:

"Thirty-four men are employed in Stephen H. Davis' ship-yard, on Lindsay point, in this city, building two dredge boats of large dimensions and as strong as wood and iron can make them. They are being constructed to the order of Mr. J. P. Whitney, for use in the work of reclaiming Roberts' island. Each boat is eighty feet long, with five feet of fantail, making the total length eighty-five feet. The width of the hold is twenty-eight feet; depth, eight feet. The frame above the deck is twenty-one feet wide, leaving a space on each side of the boat of three feet six inches in width. The frame work is kneed and bolted together with apparently as much care and regard to strength and thoroughness as if the boat was intended for ocean trade, passenger, and mail service. The planking at the crane-*end of the boat is nine* inches in thickness, each piece lapping on ten inches of corner posts. The planking on the sides is nine inches in thickness in one portion, and six inches on another, all securely bolted, and the rake end, bottom and deck planking is three inches in thickness. The bottom planking is spiked to the larboard logs and keelsons with seven inch boat spikes, having four spikes to the running foot at *the logs and three to the foot* at each of the keelsons. The deck planks are six inches in width and are spiked with six inch boat spikes with heads sunk and plunged, having four spikes to the running foot at the shear plank and three to the running foot at each of the deck beams. There are five main keelsons, fifteen by fifteen inch section, and four intermediate keelsons ten by fifteen inch section, extending the whole length of the boat in single pieces. There are nine cross keelsons ten by fifteen inches in section in single pieces, extending the whole breadth of the boat. All the keelsons are clenched at their crossings with one inch bolts. There are two engine frame keelsons fourteen by fifteen inches, four cross-timbers ten by fifteen inches, and two engine frame timbers fourteen by fourteen inches in single pieces of the required length, all locked together and bolted in the most thorough manner."

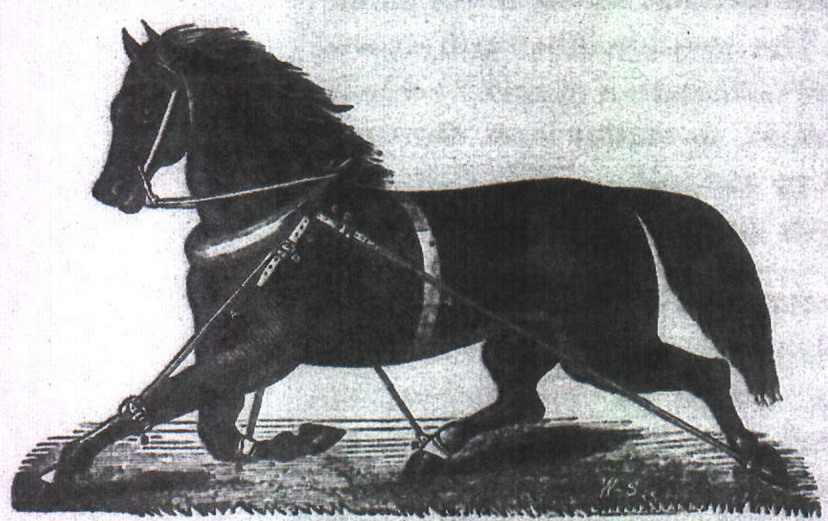
These are to be used in conjunction with the Sluscer excavator, the Woodhope machine, the McCall scraper, Doty's revolving scraper and other approved implements, for the reclamation of Roberts' island, which embraces about 50,-000 acres; 42,000 acres of which belongs to J. P. Whitney, under whose direction this great work is being done. Mr. Whitney possesses the energy, the judgment and the capital requisite to make a thorough success of this gigantic enterprise, which will properly prove the most perfect piece of reclamation yet undertaken in California. The dredging process is to figure more prominently in this than in any previous schemes; though this is done more with a view to secure the advantages to be derived by using the mud from the river bottom in forming the embankment, than for the purpose of deepening the river's channel, though the latter consideration has been duly weighed as an adjunct *to the dyking system. But we shall be disap*pointed if this application of the dredging process to reclamation, with the improvements and inventions which the necessities of the case will bring fourth, does not develop a system in which the deepening of the channels will be the primary instead of the secondary consideration, as is the case in the present method.

No one need be told that these channels will not stay deepened; we all know that our vast mining operations are continually turning California inside out, as it were, and that our miners, in disposing of their "waste dirt," are making "waste places" of some of the choicest *of our agricultural reservations, and we* also know, or ought to know, that the very soil of California is shifting and migratory in its nature, and that thus, even under ordinary agricultural treatment, our rivers would become obstructed; but under a thorough and standard system of dredging, their waters could be kept in their courses, year after year, at a cost which we, of course, cannot at present estimate; but if such a system were inaugurated, we should be in advance of, at least, any portion of American farming, and we could afford to sustain it at almost any cost. But we do not doubt that it can be rendered comparatively inexpensive, considering the vast benefits to be derived from it. Besides, if we take the somewhat fractious *rivers* in hand now and teach them the way they should go, when they are older they will not depart from it.

The question, "what shall we do with our boys" has obviously come to a satisfactory solution, namely: they shall be kept as a stereotype text for third-rate social reformers; the question next in order, and which we hope will never fall into the hands of reformers, is: "what shall we do with our rivers?"

Breaking to Trotting.

The accompanying illustration represents an improved trotting gear as applied to the feet of the horse. The object of this invention is to develop the action upon which speed depends, also preventing the horse from balking, kicking, rearing and backing. It is claimed to be especially useful for breaking of colts, enabling every farmer to train his own horses, and develop their speed to its greatest capacity in a short time.



TROTTING GEAR.

This invention is composed of an elastic cord or strap, *A*, the cushioned leather strap, *B*, and the plain leather strap, *C*, forming an elongation of elastic strap, *A*, by which it may be adjusted in length to suit the feet and step of the horse; this strap is buckled to the hame-ring which supports the lines, and the cushioned strap, *B*, is applied to the horse's leg; either to the fore or hind legs, as may be desired. When applied to the fore-leg, it must be buckled to the leg just below the knee; when applied to the hind-leg, it must be buckled to the leg just above the boot. The gear must be applied when the horse is standing squarely on *all four feet, and the rubber strap, A, must be* well stretched, so that when the horse makes a motion to step, the rubber will contract sufficiently to raise the foot to the desired hight. H. Schmalhausen, Bridgeport, Lawrence Co., Ills., is the patentee.

SAN JOSE FAIR.—The officers of the Santa Clara Valley Agricultural Society have kindly and courteously—we would like to say as much for the officers of all such organizations—sent us a complimentary season ticket to their sixteenth annual fair, which takes place at San Jose next week; commencing on Monday, and continuing six days. We shall, at least, be with them in heart, and will take advantage of this the last opportunity, to urge all who are within reaching distance to visit this fair, both for the sake of patronizing and encouraging a most worthy object, and also with a view to their own pleasure and improvement.

CLOSING OF THE FAIR.—It has been officially announced that the Mechanics' Institute Fair will close on Saturday, October 9th. The premiums will be awarded on Wednesday, October 6th. The great carnival will take place on the evening of November 5th.

A Premium and Two Diplomas.

We have the satisfaction of informing our readers that Myers' Excelsior Gang Plow, which was illustrated on the first page of our last week's issue, has proved itself worthy of all that we said in its favor. We have been shown a dispatch sent by Robert Beck, Secretary of the State Agricultural Society, to Linforth, Kellogg & Co., agents for this plow, notifying them that it has received a premium and two diplomas.

The dispatch reads as follows: "Myers' gang plow, steel bottom, premium and diploma; *Myers' gang plow, cast iron, diploma.*"

This being in every sense of the word, a California plow, these prizes may be considered as quite a triumph for California made implements. A sample of this plow may still be seen on exhibition at the Mechanics' Fair Pavilion.

REMINGTON.—There is really no better way of judging the merits of any new invention than by noting the manner in which it is received by the public. An illustration of this is had in the Remington sewing machine, which, although having been before the public but a few years, has met with a deservedly popular greeting, *coming, as it does, from the* well-known works of the Remington fire arms and agricultural implements, at Ilion, New York, is sufficient guarantee of its being what is claimed for it—a superior machine. The principal points of excellence claimed for it, over other machines, are simplicity of mechanism, durability and adaptability to all kinds of work and material. Besides these, it requires less power to operate it and is more nearly noiseless than any other machine. It is further claimed that it can be run at a higher rate of speed than any other machine, without injury to its parts. Samples of the different styles of the Remington, and of work done on them, can be seen at the agency, No. 31 Third street. Messrs. Showers, Jewell and Cole are the agents for the Pacific coast.

MONSTER STEER.—The Oregon and Northern California papers mention a monster steer raised by a Mr. Miller, in the Klamath Lake section, which is claimed to be the largest ever grown. He calls him the "Lost River Ranger," *is 19 hands high, 20 feet from tip to tip*, and calculated to weigh, when fat, 3,000 pounds. He is said to be the largest animal ever witnessed, next to the elephant. Mr. Miller also intends taking him to California this winter, where he will fatten him and take him to the Centennial.

THE contractor has been experiencing considerable difficulty in driving the railroad tunnel at the Town Talk divide, near Grass Valley, owing to the amount of water encountered.

LAND FOR SALE.—We call the attention of those wanting to purchase land, to the advertisement, "Rich farm land for sale" which will be found in its appropriate place.

THERE are now about four hundred men employed on the Fulton and Guerneville branch road, and two and a half miles of track have been laid.

THE Petaluma *Argus* wants some enterprising parties to start a manufactory of agricultural implements in that town.

THE freight on a narrow gauge engine lately received from the East by the Stockton and Ione railroad was $1,800.

THE narrow gauge road between Alviso and Newark is now considered a certainty.

HORTICULTURE.

Almond Growing.

In answer to inquiries made through the RURAL PRESS of September 18th, the following letters have been received:

MESSRS. EDITORS:—I propose to answer Mr. H. E. Hallett's questions on almond culture in Sonoma county, and particularly in the mountains between Napa, Petaluma and Santa Rosa valleys. Almonds do well on these mountains. Land can be had for $15 to $40 per acre. The climate is healthful and water good. Plums, almonds, prunes and apples *grow* thriftily and bear regularly. G. N. W.

Santa Rosa, Sonoma county, Sept. 20th, 1875.

MESSRS. EDITORS:—In looking over my PRESS of last week I find a new comer to our State, inquiring where cheap land might be got suitable for the culture of almonds. In Sonoma county, in the vicinity of Green valley, I think he can find such land as he inquires after. There is a strip of land lying west of Green valley, about three miles wide by twelve in length. It is rolling hills with considerable timber and brush on it. This tract is well adapted to the culture of almonds, peaches, grapes, currants and plums. Irrigation is not necessary; the land when once broken and worked never dries out in summer. The above named fruits do better on the hills than in the valley on account of frost. On the hills frost is either very light or none at all; while in the valley the late spring frosts often injure the crops. In regard to setting out almond trees I don't know of any particular care they need more than the average of fruit trees. I consider the almond a tree well adapted to this section of *country, and needs no special* care; the poorest hill land is considered good for almonds or grapes. This tract of land is within four hours of San Francisco, and within two or three miles of the narrow gauge road running now from Saucelito to Tomales.

AN OLD SUBSCRIBER.

Sebastopol, Sept. 20th, 1875.

The Pear Slug—Selandria Cerasi.

MESSRS. EDITORS:—The insect, with whose English and technical names I have headed this letter, is beginning to attract considerable attention and not a little uneasiness among horticulturists in this, as well as other counties throughout the State.

The presence of this slug was first noticed in the northern part of the county ten years ago, since which time its progress has been steadily southward, until at the present time there is scarcely a single orchard free from its devastations.

Those who have closely observed the habits of this insect, state that in spring, just after the leaves of trees appear, a fly—somewhat resembling the common housefly—punctures the young leaves and deposits therein its eggs, which hatch in a few days and the young worm comes forth, not larger at first than the point of a fine needle, but growing rapidly, feeding in the meantime upon the enamel of the leaf until it attains its full size, about one inch in length. It then dies, and the blackened and dried insect may be found many days thereafter, still adhering to the leaf.

The pear seems to be the principal tree attacked by the slug, although the cherry and plum are not free from its depredations. The south side of trees are usually affected most severely. Old trees are injured less than young ones, though none are known to escape entirely where the presence of the slug is known. Trees with glossy green leaves seem to be preferred, whilst those with thick, downy leaves are less susceptible to the inroads of *Selandria cerasi*.

The only known remedy for the slug, as far as I have been able to ascertain, is finely pulverized plaster, road dust or lime, showered over the trees when the insect's first appearance is noticed. Concentrated lye or potash, reduced with water in which soap has been dissolved, is said to be excellent; say one pound of potash to fifty gallons of soap suds, sprayed *over the trees with a strong garden syringe.* I shall notice this subject more at length in the future. A. KASY.

San Jose, Santa Clara Co., Cal.

A RESIDENT of Cloverdale has invented a still which he is sanguine will meet with great favor, as his process of distillation is entirely completed in one operation, including the rectification and flavoring.

THE new tannery in San Diego is doing a successful business.

EXHIBIT 26

Pacific Rural Press, Volume 10, Number 14, 2 October 1875 — Deepening the River Channels. [ARTICLE]

Deepening the River Channels.

There seems to be a changing sentiment in the minds of some interested in the tule lands in favor of increasing the carrying capacity of the channels to an extent sufficient to convey the water from the immense sheds of our mountains and plains. The question is being discussed whether this is not reclamation proper?—wheth- er the dyking system, no matter how thorough it may be, is not in connection with California agriculture, a mere make-shift.

Great improvements have recently been made in dredging machinery to be used in connection with the dyking system of reclamation; but every point gained here may be applied to the new system, namely: deepening the channels so as to dispense with dykes and dams. In order to give our readers some idea of the ex tensive scale of these dredging improvements, we copy the following from the Stockton *Independent* of September 17th:

"Thirty-four men are employed in Stephen H. Davis' ship-yard, on Linday point, in this city, building two dredge boats of large dimensions and as strong as wood and iron can make them. They are being constructed to the order of Mr. J. P. Whitney, for use in the work of reclaiming Roberts' island. Each boat is eighty feet long, with five feet of fantail, making the total length eighty-five feet. The width of the hold is twenty-eight feet; depth, eight feet. The frame above the deck is twenty-one feet wide, leaving a space on each side of the boat of three

each side of the boat of three feet six inches in width. The frame work is kneed and bolted together with apparently as much care and regard to strength and thoroughness as if the boat was intended for ocean trade, passenger, and mail service. The planking at the crane-end of the boat is nine inches in thickness, each piece lapping on ten inches of corner posts. The planking on the sides is nine inches in thickness in one portion, and six inches on another, all securely bolted, and the rake end, bottom and deck planking is three inches in thickness. The bottom planking is spiked to the larboard logs and keelsons with seven inch boat spikes, having four spikes to the running foot at the logs and three to the foot at each of the keelsons. The deck planks are six inches in width and are spiked with six inch boat spikes with heads sunk and plunged, having four spikes to the running foot at the shear plank and three to the running foot at each of the deck beams. There are five main keelsons, fifteen by fifteen inch section, and four intermediate keelsons ten by fifteen inch section, extending the whole length of the boat in single pieces. There are nine cross keelsons ten by fifteen inches in section in single pieces, extending the whole breadth of the boat. All the keelsons are clenched at their crossings with one inch bolts. There are two engine frame keelsons fourteen by fifteen inches, four cross-timbers ten by fifteen inches, and two engine frame timbers fourteen by fourteen inches in single pieces of the required length, all locked together and bolted in the most thorough man-

together and bolted in the most thorough manner."

These are to be used in conjunction with the Slusser excavator, the Weechope machine, the McCall scraper, Doty's revolving scraper and other approved implements, for the reclamation of Roberts' island, which embraces about 50,000 acres; 42,000 acres of which belongs to J. P. Whitney, under whose direction this great work is being done. Mr. Whitney possesses the energy, the judgment and the capital requisite to make a thorough success of this gigantic enterprise, which will properly prove the most perfect piece of reclamation yet undertaken in California. The dredging process is to figure more prominently in this than in any previous schemes; though this is done more with a view to secure the advantages to be derived by using the mud from the river bottom in forming the embankment, than for the purpose of deepening the river's channel, though the latter consideration has been duly weighed as an adjunct to the dyking system. But we shall be disappointed if this application of the dredging process to reclamation, with the improvements and inventions which the necessities of the case will bring fourth, does not develop a system in which the deepening of the channels will be the primary instead of the secondary consideration, as is the case in the present method.

No one need be told that these channels will not stay deepened; we all know that our vast mining operations are continually turning California inside out, as it were, and that our miners, in disposing of their "waste dirt," are making "waste places" of some of the choicest of our agricultural reservations, and we also know, or ought to know, that the very soil of California is shifting and migratory in its nature, and that thus, even under ordinary agricultural treatment, our rivers would become obstructed; but under a thorough and standard system of dredging, their waters could be kept in their courses, year after year, at a cost which we, of course, cannot at present estimate; but if such a system were inaugurated, we should be in ad-

a system were inaugurated, we should be in advance of, at least, any portion of American farming, and we could afford to sustain it at almost any cost. But we do not doubt that it can be rendered comparatively inexpensive, considering the vast benefits to be derived from it. Besides, if we take the somewhat fractious rivers in hand now and teach them the way they should go, when they are older they will not depart from it.

The question, "what shall we do with our boys" has obviously come to a satisfactory solution, namely: they shall be kept as a stereotype text for third-rate social reformers; the question next in order, and which we hope will never fall into the hands of reformers, is: "what shall we do with our rivers?"

Stockton Daily Independent.

MONDAY MORNING, OCT. 11, 1875.

THE WHEAT MARKET.—Comparatively little wheat has changed hands in this city for several weeks past. There is a large quantity in the warehouses, and small quantities continue to be brought in daily from the country. The prices offered have varied little for several weeks, the average quotations for good quality being about $1 90 per cental. These figures, however, are not satisfactory to the farmers, who are economizing in every possible way and endeavoring to get along with as little money as possible, and are holding on firmly to their wheat in the hope of obtaining higher prices than the present ruling rates. They firmly entertain the belief that an advance is only a question of time and a short time at that. Whether the Grangers, as a body have continuous and direct correspondence with leading houses in Europe, and their confidence in improved prices strengthened through that medium, we cannot say; but it is very apparent that there is a wonderful unanimity among farmers in their refusal to dispose of their wheat at present prices. The *Mark Lane Express*, now as highly regarded throughout the United States as standard authority in such matters as it long has been in Europe, recently published a table showing the amount of wheat imported into Great Britain from the different counties. During the year 1874 the amount was 19,088,324 cwt. For the same period in 1875, the importations were but 18,936,424. The imports of flour for the former year were 3,518,653 cwt., while for this year they were but 2,820,698. Taken in connection with the fact that crops in the United Kingdom will fall far short of last year, we may reasonably expect that the wheat market will continue firm. Similar views to those published by the highest and most reliable British authority, were recently expressed by Dr. Glenn, one of the most extensive wheat growers on the Pacific Coast, a close and intelligent observer, careful calculator, and a gentleman whose own personal interests are large and necessarily urge him to closely scrutinize the situation. He gives it as his opinion that the price of wheat will, within the next thirty days, reach as high figures as those which ruled before the late financial crash in this State. Among the reasons through which Dr. Glenn arrives at this conclusion, as given by a cotemporary, are that tonnage is as ample and at much lower prices than at any previous time in the history of wheat shipments from California," and that the inadequate supply for the wants

EXCELLENT HOPS.—We have received from Frank Rock a sample of hops raised on his farm bordering on the San Joaquin river. He planted about an eighth of an acre of land as an experiment, and the result has far exceeded his expectations. The color of the blossoms has been well preserved in the drying process. This is an important feature in hop-raising in California. The product can be thoroughly preserved with less percentage of loss in strength than in almost any other country.

INFORMATION WANTED.—Lawrence Moran, of Aurora, Dearborn county, Ohio, writes to this office with a view of obtaining information as to the whereabouts of James Fitzgerald and his brother Mike, who left Cincinnati about four years ago. When last heard from, James was living near Stockton, California. If this notice should come under his eye he is respectfully requested to drop a postal card to his cousin, Mr. Moran, without delay.

GOLD NOTE, a Stockton horse, was entered in a trotting race at the Nevada State Fair at Reno, on Saturday last, against Defiance, George Treat and May Howard. In the first heat Gold Note barely saved his distance, was fourth in the second heat, and was a hot contestant for the third heat, being beaten less than a length. The three heats and race were won by May Howard. Time, 2:31, 2:32½, 2,35½.

PAGANS AT LOGGERHEADS.—Last Saturday evening a row, no very uncommon thing, occurred among the Chinese in this city, on which occasion one Pagan fired a pistol shot at a fellow-heathen, the ball barely missing the latter and the burning powder singing him a little. When the Chinese fight it seems that their intention is to kill.

LAUNCHED.—The second dredge boat built at Lindsay Point for Mr. Whitney, was successfully launched at half-past 3 o'clock last Saturday afternoon. The owner, several ladies, and quite a number of men and boys were on board when the boat slided into the water.

YOM KIPPUR.—The Day of Atonement, one of the [illegible] in the Hebrew calendar, was observed in this city by interesting services at the Synagogues on Friday evening and Saturday. The places of business of all persons of the Jewish faith were closed.

PROBATE BUSINESS.—In the matter of the estate of Leander B. Foster, deceased, the Probate Court, on Saturday last, 9th instant, granted an order setting apart personal prop

THE STATE GR

The State Grange, Patro
of this State, closed its la
and adjourned. Following
cers: W. Master, J. V.
moda; W. Overseer, T. A.
geles; W. Lecturer, J. V
Fresno; W. Steward, Nelso
ma; Assistant Steward, Mo
San Mateo; Treasurer, J.
Solano; Secretary, Amos A
mento; Gatekeeper, J. B
Ceres, Mrs. Mary E. I
Obispo; Pomona, Mrs. Sar
San Mateo; Flora, Mrs.
Stanislaus; Lady Assista
Hannah L. Carr of Sono
Yolo, and C. H. Cooley
elected members of the E
tee, to fill vacancies occurri
The following resolutio
during the session:

Resolved, By the Patrons
the State of California, in
sembled, that our represent
be respectfully and earnestl
their best endeavors to secu
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that shall permit the im
United States, free of duty,
and bags manufactured fro

Resolved, That the Exe
of the National Grange be r
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Spanish grants, bogus rail
other similar methods of
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occupation by actual settler

Resolved, That the State
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ish grants in San Joaquin
counties, in California, are
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versed, if found incorrect.

Resolved, That this petit
to President Grant, under
fornia State Grange, and t
to each of our Senators an
from California.

Resolved, That we petitio
lature to pass concurrent re
ing and requesting our men
to request President Grant

EXHIBIT 27

Stockton Daily Independent.

BY STATE TELEGRAPH.

SPECIAL NOTICES.

GROCERIES, ETC.

Family Groceries.

A COMPLETE ASSORTMENT

— OF —

CHOICE FAMILY GROCERIES

Can always be found at

SHEPHERD BROTHERS;

Corner of Market and Centre Sts., Stockton.

HAMMOND, MOORE & YARDLEY,

SOLE AGENTS FOR LAND PLASTER.

Weber Avenue, opposite the Court House.

GROCERIES & PROVISIONS.

P. MUSTO

HAS REDUCED THE PRICE — OF — Groceries, Provisions, Wines, Liquors, Cigars, Tobacco, etc.

Corner of El Dorado and Market Streets.

HIGHEST PRICE PAID.

BANKERS' CARDS.

THE SAN JOAQUIN VALLEY BANK,

STOCKTON, CALIFORNIA.

BANK OF STOCKTON,

COR. MAIN AND CENTRE STS. STOCKTON, CALIFORNIA.

STOCKTON SAVINGS AND LOAN SOCIETY.

THE FIRST NATIONAL GOLD BANK OF STOCKTON.

Interest Paid on Deposits.

NEWARK, ALAMEDA COUNTY.

2,000 TOWN LOTS,

Beautiful Residence Property.

ARTESIAN—WELLS.

PHOTOGRAPHER. | PHOTOGRAPHER.

B. P. BATCHELDER, PHOTOGRAPHER.

EL DORADO 183 STREET.

REDUCED PRICES.

BABY CARRIAGE REPOSITORY.

SLEEPING COACH.

CALL AND SEE OUR NEW STOCK OF BABY CARRIAGES,

— PATENT —

Reversible Perambulators

— AND —

SLEEPING COACHES.

GIVE US A CALL.

187 Main Street, Stockton.

WM. KIERSKI - - - - - - Proprietor.

Picture Frames and Cornice Moulding.

BEAUTIFUL NEW PATTERNS.

BUSINESS CARDS.

FRED MIESELL,

SUPERIOR FLOUR

— MANUFACTURED BY —

PARADISE MILLS.

— FOR SALE AT —

Grangers' Union,

P. T. BROWN,

PLUMBER AND GAS FITTER,

WATER-WORKS BUILDING.

WAGON LUMBER.

J. T. HICKINBOTHAM,

No. 271 Main St ——— Stockton

MACHINE SHOPS.

STOCKTON IRON WORKS,

Between Main Street and Weber Avenue, Stockton.

STEAM ENGINES, MACHINERY — AND — CASTINGS OF EVERY DESCRIPTION.

GLOBE IRON WORKS — AND — MACHINE SHOP,

Corner Main and Commerce Sts., Stockton,

STEAM ENGINES

JOHN CAINE, Prop.

NOTICE TO TAX PAYERS.

STATE OF CALIFORNIA, County of San Joaquin.

W. T. A. GIBSON, Tax Collector.

LIVERY STABLES.

WEBER STABLES,

Centre Street, Stockton,

MORRIS & SELDEN, - - PROPRIETORS.

EL CAPITAN STABLES,

THE FASHION LIVERY STABLE.

O. W. ELLIOTT.

OPEN DAY AND NIGHT

JOHNSON'S YOSEMITE LIVERY — AND — HACK STABLES.

WEBER AVENUE, STOCKTON.

The Best Teams and most Elegant Turnouts in the City or State.

The Best and Safest Accommodations for Boarders.

ORDERS FOR HACKS, CARRIAGES, ETC., PROMPTLY ATTENDED TO.

Tourists to the Big Trees and Yosemite Valley

COMBS' NON-EXPLOSIVE LAMPS.

WHERE THERE IS PERFECT COMBUSTION THERE CAN BE NO EXPLOSION.

COMBS' Unrivaled Non-Explosive Lamps

Wholesale and Retail at Prices to Defy Competition of any old style Lamp in Market.

The Combs' Lamp will fit on gas fixtures of all kinds.

Safe and Most Brilliant Light Producing Lamp in Existence.

JULIUS DREYFUSS, Sole Ag't,

— DEALER IN —

Crockery, Glassware, French China, Lamps, Cutlery and Plated Ware,

171 Main Street, Stockton.

JUST ISSUED.

MANHOOD,

REVISED AND CORRECTED BY THE AUTHOR.

PLAIN FACTS

— FROM —

WILLIAMS & MOORE, DRUGGISTS,

NO. 1 STRYCHNINE

CHEAP FOR CASH.

YOSEMITE CIGAR STORE.

Yosemite House, Main St.

CIGARS, TOBACCO, PIPES, ETC.

CLOSING OUT SALE — OF — Valuable Real Estate — IN THE — CITY OF STOCKTON.

CLOTHING.

Again at the Old Stand

GENTLEMEN'S CLOTHING AT CHRISTIAN'S PREMIUM STORE

Fall and Winter Goods

FRUITS, VEGETABLES, ETC.

POULTRY, EGGS AND GAME.

BROWN & CO.,

PRODUCE AND GRAIN MERCHANTS,

REMOVAL! VEGETABLE AND FISH MARKET.

AN OPEN LETTER — TO THE — CITIZENS OF STOCKTON AND SAN JOAQUIN COUNTY.

MAGIC LANTERNS.

MADAME GRAVELLE,

EXHIBIT 28

& HEWLETT.

l and

re House,

Stand,

T, NEXT DOOR
OLD BANK,
TON.

latest style of

HARDWARE,

paid to

ers' Hardware,
locks, and a
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Plows, Har-
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elebrated

IUM FARM
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ANG PLOW,
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are requested to

CONDIT & CO.

DICINES.

KMAN,

ACIST,

ED —

STAND,

....Stockton

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' S

SYRUP,

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TY THOUSAND

Omnibus license	20 00
Dray license	10 00
Theater and show license	69 00
Ten Pin license	5 00
Sale of old lumber	6 00
Total	$1,200 00
Number of sail vessels arrived	25
Tonnage of the same	1,220

Receipt of City Treasurer for the above amount accompanies this report.

All of which is most respectfully submitted. T. C. MALLON, City Collector.

Stockton, November 1, 1875.

CITY TREASURER.

The City Treasurer submitted his report showing the amount of cash on hand for the month ending November 1, 1875, apportioned to the different funds as follows:

School Fund	$14,213 41
General Fund	939 48
Dog Fund	310 50
Interest on School Bonds Funds	1,415 85
Old Debt Interest Fund	3,746 55

POLICE JUDGE.

Police Judge Hopkins reported that 59 cases had been brought before him during the month of October, from which fines had been collected to the amount of $102.

POUND KEEPER.

D. O. Harelson submitted his report, showing that as Pound-Keeper he had collected during the month of October the sum of $12.

REPORTS OF COMMITTEES.

The Street Committee reported correct bills to the amount of $34 38, which were ordered paid.

The Fire and Water Committee reported correct bills to the amount of $369 66, which were ordered paid. The committee also recommended that no allowance be made the Babcock machine for the time she has been out of service, and that this rule apply to all the engine companies of the city when out of service. Adopted.

Printing Committee reported correct two bills of D. H. Berdine amounting to $32. Ordered paid.

The Wharf Committee recommended that the account of L. H. Harty for the amount of $85, for the loss of a horse, be allowed. Report adopted and recommendation agreed to.

The Street Committee reported that they had awarded the contract for grading Channel street in front of lots 9 and 11 in block 68, east of Center street, to Henry Meyers, at fifty cents per cubic yard. And had awarded the contract of grading the south side of Channel street in front of lots 1, 3, and 5 in block 229 east of Center street, to L. Harty at fifty cents per cubic yard. Report adopted.

PETITIONS.

Petition from H. McFarlin and others for construction of a sidewalk on the south side block No. 45 east of Center street. Referred to Street Committee.

From D. S. Rosenbaum and others for a sidewalk on the south side of Washington street from Bear to Otter street, referred to the Street Committee.

From L. Wolfe and others for repair of sewer on the west side of Hunter street between Main and Levee streets. Referred to the Street Committee.

THE CITY HAY SCALES.

The following communication was read

taries deeming the Bible an admirable primer for the baby man born of the gorilla mother; of their averment that it should stand out of the light, as it was in the way. He did not censure doubters, as all must be doubters to believe, and honest skeptics would not be long skeptics. He spoke of the effect of conscience. And after asking the question "How can man be just with his Maker?" he proceeded to show that from the employment of his profession neither the astronomer, geologist, physiologist or anatomist could answer it; and finally proceeded to show that before the Bible could be destroyed, they must wipe out the works of artists, of sculptors, of writers, of musical composers, of poets, of historians; they must erase the incriptions upon monuments, from birth registers and finally blot out the recollection of man. The address was delivered in excellent style and occupied the speaker two hours. The audience were well pleased with the effort, and seemingly did not regret their walk through the rain.

CONCERT THIS EVENING.—It is with no ordinary pleasure we call the attention of our readers to the notice of the concert to be given to-night by Signor Bianchi and company. This gentleman's reputation as a musician and master of the art of music is too well established, both in America and Europe, to require a recommendation. For a number of years he was master of the orchestra at the Royal Opera, Vienna, and has been for no inconsiderable period the only professional teacher of operatic singing on this coast. His wife, Signora Bianchi, in her maiden days, was prima donna of the San Carlos Theater, Naples. No one who has ever heard her can forget the richness, volume and pathos of her voice. Mr. Samuel Rankin, a young gentleman of our town who has been prosecuting his musical studies for the past two years under Signor Bianchi, and who is pronounced to have an unequaled baritone voice, will make his debut. Mons. Folly, violinist, and Senor Solano, harpist, are artists of the first ability. Artists of such unquestionable worth rarely visit us, and we feel assured the cultivated taste of our people will be proven by a large audience.

THE DREDGING MACHINES.—We learn that the dredging machine Samson is doing good work in throwing up the levees for the reclamation of Roberts Island. It is now in Duck slough, and is cutting its way up that channel and at the same time throwing out earth to strengthen the levee that has been constructed along that slough for the reclamation of the eastern portion of the island. The other dredging machine, constructed to the order of Mr. Whitney, the Goliath, was towed down the river yesterday to be set at work reclaiming from the tule Philistines the fertile lands of that portion of this county. If those machines should be found capable of performing the work that the inventor claims that they can do, it will not be a difficult matter to convince capitalists of the practicability of constructing the much talked off ship canal, and thereby reclaim thousands of acres of land on the north side of the San Joaquin, and at the same time solve the sewerage problem for this city.

INVITATION.—The following letter, received by Captain Lyon yesterday, explains

Weather clear
and the rain appar
Among the ma
awards of premium
Fair is V. S. W. Par
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meeting yesterday
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reverend gentleman
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arrived from the E
is now being esc
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union.

Matters i

SAN FRANCISCO,
from Virginia City
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silver—the amounts
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More destitution a
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10 P. M.—Snow h
rain.

Arizona

YUMA, Nov. 1.—
earthquake was fel
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dows. A low rumb
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The Colorado rive
still falling.
A heavy gale and
over here yesterday n
It is clear, cool

Weather

SAN LUIS OBISPO,
menced raining here
and continued unceas
the day with no sign
storm is general thro
ern country in many

Stockton Daily Independent.

"THE WHEAT MARKET."

COUNTY HOSPITAL REPORT.

LETTER LIST.

SPECIAL NOTICES.

OBSTACLES TO MARRIAGE.

FITS CURED FREE!!

GROCERIES, ETC.

Family Groceries.

A COMPLETE ASSORTMENT — OF — CHOICE FAMILY GROCERIES

SHEPHERD BROTHERS,

HAMMOND, MOORE & YARDLEY,

SOLE AGENTS FOR LAND PLASTER.

GROCERIES & PROVISIONS.

F. MUSTO

HAS REDUCED THE PRICE

Groceries, Provisions, Wines, Liquors, Cigars, Tobacco, etc.

BANKERS' CARDS.

THE FIRST NATIONAL GOLD BANK OF STOCKTON.

THE SAN JOAQUIN VALLEY BANK,

STOCKTON, CALIFORNIA.

CLOTHING.

Again at the Old Stand

Corner of Main and Hunter Sts.

Look out for a Large Stock of New Goods that are soon to arrive.

GENTLEMEN'S CLOTHING

AT CHRISTIAN'S PREMIUM STORE

NO. 181 MAIN STREET,

Fall and Winter Goods

BANK OF STOCKTON,

COR. MAIN AND CENTER STS., STOCKTON, CALIFORNIA.

INTEREST PAID ON TIME DEPOSITS

Of Six, Nine and Twelve Months

STOCKTON GRAIN AND PRODUCE MARKET.

PLAIN FACTS

— FROM —

WILLIAMS & MOORE,

DRUGGISTS,

220 Main Street, Stockton.

IN ORDER TO ACCOMMODATE the Farming community, we have laid in the largest stock of

NO. I STRYCHNINE

CHEAP FOR CASH.

WILLIAMS & MOORE.

YOSEMITE CIGAR STORE.

Yosemite House, Main St.

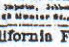
THE UNDERSIGNED TAKES pleasure in announcing to his friends and the public...

CIGARS, TOBACCO, PIPES, ETC.

CHAS. LEVY.

Harness, Saddles!

A Large and Complete Assortment — OF —



GOLD, SILVER AND NICKLE

Trimmed Double and Single HARNESS,

LADIES' AND MEN'S SADDLES

H. T. DORRANCE,

California Farmers'

— MUTUAL —

FIRE INSURANCE

ASSOCIATION,

W. L. OVERHISER, Agent.

Office at Grangers' Union, 204 EL DORADO ST., STOCKTON.

ASPHALTUM WORK.

J. E. COFIELD & CO.

FRUITS, VEGETABLES, ETC.

POULTRY, EGGS AND GAME.

E. S. SMITH & CO.,

No. 166 Levee Street,

BROWN & CO.,

PRODUCE AND GRAIN MERCHANTS,

AT THE OLD STAND,

174 Levee Street, Stockton, Cal.

— DEALERS IN —

Wheat, Oats, Barley,

REMOVAL!

VEGETABLE AND FISH MARKET.

GALDIANI'S MARKET, No. 169 LEVEE STREET.

AN OPEN LETTER

— TO THE —

CITIZENS OF STOCKTON AND SAN JOAQUIN COUNTY.

FERNA BUENA BITTERS

FRED ARNOLD.

KEATING'S COUGH LOZENGES

NEWARK,

ALAMEDA COUNTY.

THE PROPERTY OF NEWARK,

6,000 TOWN LOTS,

Beautiful Residence Property.

Railroad communication with San Francisco five times a day.

ARTESIAN WELLS.

AHEAD AGAIN!

I HEREBY CERTIFY THAT

THE ONLY PURE YEAST POWDER.

MADAME GRAVELLE,

FRENCH DRESSMAKER,

EDUCATIONAL. | EDUCATIONAL.

STOCKTON

Business College,

AND TELEGRAPH INSTITUTE,

A PRACTICAL BUSINESS TRAINING SCHOOL FOR THE YOUNG and middle aged of both sexes, will open on TUESDAY, DECEMBER FIRST, and occupy the entire upper story of the new McKee building, corner of Main and Hunter streets.

THE BUSINESS COURSE

THE TELEGRAPH DEPARTMENT

ATKINSON & CLARKE, Stockton, Cal.

PHOTOGRAPHER. | PHOTOGRAPHER.

B. P. BATCHELDER,

PHOTOGRAPHER,

EL DORADO 183 STREET.

REDUCED PRICES.

BABY CARRIAGE REPOSITORY.

CALL AND SEE OUR NEW STOCK OF

BABY CARRIAGES,

— PATENT —

Reversible Perambulators

— AND —

SLEEPING COACHES.

SLEEPING COACH.

GIVE US A CALL.

107 Main Street, Stockton.

WM. KIERSKI - - - - - - Proprietor.

NEW STOCK OF

Picture Frames and Cornice Moulding.

BEAUTIFUL NEW PATTERNS.

BUSINESS CARDS.

FRED MIESELL,

SUPERIOR FLOUR

PARADISE MILLS,

P. T. BROWN,

PLUMBER AND GAS FITTER,

WAGON LUMBER.

J. T. HICKINBOTHAM,

MACHINE SHOPS.

STOCKTON IRON WORKS,

CLOBE IRON WORKS

JUST ISSUED.

MANHOOD,

LIVERY STABLES.

WEBER STABLES,

EL CAPITAN STABLES,

THE FASHION LIVERY STABLE.

O. W. ELLIOTT.

OPEN DAY AND NIGHT

JOHNSON'S

YOSEMITE LIVERY

HACK STABLES,

PIONEER CRACKER FACTORY

CALL & O'TOOLE,

COAL! COAL!

EXHIBIT 29

Ella Dean, Evergreen, Cal.; Steven Pootor, Turlock, Cal.; C. Horrey, Copperopolis; Jas. V. McCurdy, Virginia City, Nev.; Geo. A. Merry, Plainsburg, Cal.; M. Mooney, Visalia, Cal.

A Much Needed Improvement.—The work of graveling California street from Park to north streets is now nearly completed. This is an improvement that has been long needed, and will render the northern portion of the city and the Rural Cemetery-grounds accessible during the rainy season. The work is being thoroughly done. California street is now one of the finest drives in the city, and in fact the only street that is graded and graveled its whole length.

Ball this Evening.—A ball will be given at the Waterloo House this evening, under the management of John Balkwell, the proprietor. The names of the gentlemen constituting the Invitation Committee and the Floor Managers will be found in another column of the Independent. Waterloo is only eight miles from the city—a pleasant evening drive over an excellent road.

A Heavy Cargo.—The steamer Alice Garratt left the wharf a few minutes after 4 o'clock yesterday afternoon with a heavy cargo of freight and a large list of passengers for San Francisco. The cargo consisted chiefly of wheat, flour, twelve tons of tallow and a quantity of hides shipped by the proprietors of the Pacific Tannery. There were eighty passengers.

For Roberts Island.—A laboring force of about one hundred and twenty Chinamen left this city yesterday morning on Mr. Whitney's steamer for Roberts Island, to be employed in the work of reclamation. The cost is enormous, but the land, when reclaimed, will be very valuable.

Quicksilver from Stanislaus. — The Modesto *Herald* notes the shipment of the first flask of quicksilver from the International mine in Stanislaus county. The mine is in the Coast Range, and the flask, which was decorated with ribbons, etc., weighed 105 pounds.

Farmers Busy.—The Summer-fallowed black land around Stockton is nearly all seeded with wheat, and farmers generally are employing all their available laboring force in plowing and preparing for sowing grain on an extensive scale.

Wheat Shipped.—J. D. Peters loaded the barge Excelsior with 375 tons of wheat of very choice quality. I. S. Bostwick shipped 180 tons on the steamer Alice Garratt, and Thomas Yolland shipped 62 tons on the same boat.

Political.—An official call for a meeting of the Democratic Central Committee of this county, to be held at the office of Dr. Titus to-morrow evening at 7 o'clock, will be found in our advertising columns.

Not Enough Rain for Plowing.—The rain of Tuesday was not sufficient to soften the ground so that plowing can be successfully performed on the heavy adobe soils in the vicinity of Stockton.

For the very best Photographs go to Batchelder's Gallery, 186 El Dorado street, between Main and Levee. se5

Bishop's Lung Balsam cures Incipient Consumption. fe16

A GREAT EXCITEMENT ON MAIN STREET, OPPOSITE MOZART HALL.

My Dear Husband—When I arrived in Stockton with my children in a buggy, I was passing through Main street, and saw a sign on which was printed "Philadelphia Grangers' Cheap Cash Store," and stopped to see the excitement; the store was crowded with people; I went into the store and stopped fifteen minutes, and was taking notice how cheap he sells. It was astonishing; they sold goods at one half the price we used to pay. I purchased some goods to the amount of $12 35, which I could not buy for $24 50 in any other place. My dear husband, it is no use striving to keep up in life when we have to pay out every cent for dry goods, shoes, etc., when we can live cheap for one-half the same amount by buying at the "Philadelphia Grangers' Store. oc8-1m

Bishop's Lung Balsam cures Coughs and Colds. fe16

G. N. Milco, next to Postoffice, sells fruit on commission. se22

Doctors' bills saved by Bishop's Lung Balsam. fe16

CLAIRVOYANCE.

Mrs. A. Hohenshell, (late Madam C. Burr) of San Francisco, has permanently located in Stockton, where she will continue her profession as a Trance, Spirit Test and Healing Medium. Her seeing power is nature's gift from a child. She sees and converses with departed spirits. She is inspired, and examines for, and guarantees cures in all curable diseases. Asthma, catarrh, consumption, heart disease, liver complaint, dyspepsia and all diseases of ladies and children. Dropsy and rheumatism are the diseases that yield most readily to her magnetic touch, and if medicines are necessary, she calls from nature's garden roots and herbs. Business consultations on lost or stolen goods, absent friends, voyages, lawsuits, hidden treasures and to young ladies and gentlemen how to choose congenial companions and avoid unhappy marriages. Don't defer, but come at once. Office and residence, Main street, two blocks east of Yosemite House. Street cars pass the door.

Test Circles—Monday, Wednesday and Friday evenings. oc29-d&w

Remember that G. N. Milco's Fruit Market is next to Postoffice. se22

Every family should have Bishop's Lung Balsam. fe16

"Promenade," all at Spooner's. a9

Every druggist sells Bishop's Lung Balsam. fe16

Bishop's Lung Balsam cures croup. fe16

coughs, sore throat, influenza, consumpt and all the bronchical complaints, is to day fully sustained. no5-d&wl

Ladies' initial paper, choicest ca fruit, nuts and perfumery is very han G. N. Milco's, near Postoffice.

LATEST FASHION PLATES

For gentlemen's clothing now on exhib in the show window of H. Marks, merc tailor and leader of fashion, Main street posite Yosemite House. A large stock o latest style goods just received. Gentle desirous of getting fashionable suits m factured from the best material will do to call upon Mr. Marks and examine stock of goods. au4

THE PROMENADE AND GLACE PH GRAPHS

Are now introduced by The Photogra Batchelder. ja

PERFECTLY BEAUTIFUL!

Be sure and see the beautiful G Square "Decker Piano" on exhibition a Fair. Also those elegant "Standard gans," for sale at 185 Main street, Kie Music Store.

Try the best Musical Strings, found at G. N. Milco's, near Postoffice. se

Mothers, save the lives of your daug when affected with consumptive coug violent colds, by administering to them out delay the standard specific, "Honey of Horehound and Tar."

Pike's Toothache Drops cure in one ute. no4-d&w

Postage Stamps and Stationery in su always handy, at G. N. Milco's, next t Postoffice. se

Candy is imported by G. N. Milco, Postoffice, direct from New York. se

ACCIDENT.

It was all an accident how Fred. Ar discovered his Magic Polish. It mak shoes look like new. The largest and assortment of Boots and Shoes are cheap at 194 Main street. They buy goods at the Lowest Cash Prices. Fred. Arnold's "One Price Store."

For coughs, colds and throat disc use "Brown's Bronchial Troches," ha proved their efficacy by a test of years. no5-d&wl

THE WORD "SOZODONT."

Which has already become a house word, is derived from the Greek, and posed of two words, Sozo and Odontes. zo" translated, means to preserve. "Odontes" the teeth—"Sozodont" a p the teeth, hardens and invigorates the and corrects all impurities of the br The odor of this pure preparation is so lightful that it is a luxury to apply it. as harmless as water. Sold by all drug and perfumers. fe14-d&w-1

Stockton Daily Independent.

SATURDAY MORNING, NOV. 20, 1875.

EFFECTS OF THE STORM.

The copious rain of Wednesday and Thursday caused the streams to rise very rapidly, and had there been any snow in the mountain regions to have been melted by the warm rain, the flood of 1861-62 would have been repeated. It is seldom that we have so great a rainfall as three inches in the short space of forty-eight hours, and this coming as it did, after the ground was well saturated from previous storms, high water must be expected. The different sloughs and water courses were all carrying large streams of water at sunrise yesterday morning, but the volume of this aqueous element pouring from the foothills and mountains of Calaveras toward the bay, continued to increase until about 2 P. M., when the water rose to a higher point, in many parts of the city, than it has before reached since 1861-62. The Calaveras river overflowed its banks, and a large volume of water covered the land between its channel and that of Mormon slough, which for the time was made a large river. From the tops of the highest buildings of the city, the country northeast of Stockton seemed to be almost entirely covered with water, while through every natural channel miniature rivers were flowing toward the tule lands.

IN THE CITY

But little damage was done, although the water was higher in localities east of California and north of Channel street than it has been for years before. The foot bridges on California and Sutter streets, crossing Miner channel, were carried away and also the footbridge on Miner avenue crossing Miner channel. The water rose in the northeastern portion of the city so as almost to make a lake, many of the houses being surrounded, but it was not high enough to reach the first floor of any buildings on the established grade. Minor and Lindsay channels overflowed their banks in many places and presented the appearance of large rivers. The water in Stockton channel also rose very rapidly from backwater from the San Joaquin, and was higher than it has been for some years, coming nearly up to the wharf planking. Although the rise was so sudden we hear of no serious accident. It was reported at one time yesterday that a young man was drowned at East street, but the rumor was evidently without foundation. A son of A. C. Rider fell in the water on Miners avenue, but was rescued after floating down the stream a short distance.

A GANG OF MEN

Were engaged all day strengthening the levee at East street, and it is probable that the damming of the water at that point is one cause of the high water in the northern portion of the city. It would seem, however that our city fathers might sometime learn the fact that it is necessary to provide a better outlet for the vast volume of water that flows toward this city from the east during the wet seasons, and it is about time for them to devise some plan by which the water can be carried around the city, or else through it, where it will not discommode a large portion of the population.

HIGH WATER IN THE COUNTRY.

Owing to the fact that no trains run over the Stockton and Copperopolis Railroad, we have heard but little from that direction. The water was so high as to hide the track of that road for miles beyond East street, and it is expected that considerable damage must be done in washing away the grade and thus causing the misplacement of the track. It was not deemed safe to run trains over the road yesterday, and neither the Milton or Oakdale trains came into the city. The track of the Central Pacific Railroad through this county is all right, although the water was pretty high at points between here and Lodi. The train from the San Joaquin Valley road, due here yesterday morning, did not arrive, being detained by high water and breaks between here and Merced. We learn from a gentleman from Lodi that

THE MOKELUMNE RIVER

Was considerably higher than at any time last Winter, and that water was running through the town of Woodbridge and communication between Lodi and Woodbridge

HOMESTEAD RIGHTS VS. RAILROAD TITLE.—A. Hohenschell, of this county, has filed a bill in the United States Circuit Court against W. J. Little, also of this county, in which he alleges that on the 2d of January, 1875; Little filed in the United States Land Office in this city, a declaration of intention to claim a homestead on the southwest quarter of section 11, in township 2 north, range 6 east of Mount Diablo meridian, which land was within twenty miles of the Western Pacific Railroad, lying between Stockton and Sacramento, and which was a portion of the land granted to that road by Congress. That on the 5th of December, 1872, a patent was issued to Little for the land. Hohenschell avers that he has succeeded by conveyance of the title and interest of the railroad company to a strip of twenty rods wide on the east side of the quarter section, containing twenty acres, and that he has been in possession for nineteen years. But Little has obtained judgment against him for possession of the land and $160 damages, and threatens to eject him. The Court is asked to require Little to show cause why he should not be compelled to convey the land to Hohenschell.

STOCKTON, Nov. 18, 1875.—To the STOCKTON INDEPENDENT: I wrote you a note yesterday, thanking you for the cure for horse cough that you published Monday morning last. I wish now I had not done so, and I think you acted contemptibly mean to print that note, but then I never yet heard of a newspaper man that was not mean enough to do most anything, and I find that you are like all the rest of them. Now I want to have you understand that when a woman wants to find out anything, she will find it out or die in the attempt. I was telling a friend of mine yesterday how I cured my little horse, and he told me that he got the very same receipt, when the horse disease prevailed here two years ago, from a gentleman by the name of ——, who sells Bibles, and I presume you got your receipt from the same man. So now, I thank him and take back your part of the thanks and true inwardness.

A WIDOW.

FROM THE TULES.—The steamer Clara Crow arrived from Roberts Island last evening, bringing about one hundred Chinamen that had been engaged in building levee in vicinity of Duck Slough. Mr. Whitney reports the water very high and the rise as having been very rapid. The fact that the water is so high in the various channels of the San Joaquin west of Stockton is an indication of very high water in the Sacramento, which causes the San Joaquin to back up in this direction. If there should be more rainy weather to prevent the waters from receding the work of reclamation of Roberts Island will be retarded, yet a fall of four feet would allow the work to be again prosecuted. Mr. Whitney is confident of the perfect practicability of making a thorough reclamation of the island, and the completion of his work is only a question of time.

FOWL DEATH.—While the water was at its greatest hight in the northwestern portion of the city yesterday, Mr. Blake, our worthy Deputy Coroner, became anxious for the safety of a pet Leghorn rooster, which he highly prized. On going to the chicken house to remove the fowl to more secure quarters, it flew from its perch, and alighting in the water was drowned before Mr. Blake could reach it—literally "going upward with the flood." As incidents of the high water, we have recorded elsewhere several minor casualties, but this, so far as is known, is the only fatality here, justly chargeable to the recent excess of moisture.

CENTRAL M. E. CHURCH.—Preaching to-morrow morning and evening. In the morning a contribution will be asked for the Virginia City M. E. Church, which has now, for the third time, been entirely destroyed. In the evening the pastor will conclude his series of discourses on "Evidences of Revelation," the theme being "Arguments from analogy, with natural religion." Sunday School at 2:30.

OUR STREETS.—The streets of Stockton are again in a bad condition, and the necessity of providing some means for draining off the surplus water is again made apparent. If, when the streets were graded and graveled, greater care was taken in the construction of

BAPTIST COLLEGE.—The Baptists contemplate moving their California College from Vacaville, Solano county, to a more eligible locality, and bidding is now in order all round. Here is a chance for Stockton.

NEW GOODS.—A large invoice of gents' clothing and furnishing goods arrived at the Palace Clothing Store, No. 224 Main street, yesterday, and will be subject to the order of customers to-day.

IN the Supreme Court on Wednesday last, the case of People vs. Granice was argued by Terry for the appellant, Dudley for the respondent, and submitted, with ten days to responneat.

LOST, somewhere in this city, a small black satchel containing a prospectus of an encyclopedia of Masonry. The finder will confer a favor by leaving the same at this office.

SETTLERS' MEETING.—A meeting of the settlers interested in the case of Sargent vs. Railroad Company, is called to meet at the City Hall to-day at 1 o'clock P. M.

CONGREGATIONAL CHURCH.—Rev. J. E. Dwinelle, D. D., of Sacramento, will preach in the Congregational Church to-morrow, morning and evening.

STOCK BREEDERS.—There will be a meeting of the Stock Breeders' Association at Pioneer Hall, at 2 o'clock this afternoon.

REV. S. W. SPANSWICK will preach to-morrow morning at 11 o'clock at the Calaveras church on Cherokee Lane.

LATE TRAIN.—The train from the East, due in this city at 12:40 yesterday, did not arrive until 10:30 last night.

THE bridge on the Cherokee Lane road, just north of Chase's store, was carried away yesterday.

THE various gardens and orchards east of the city were all under water yesterday.

THERE will be religious services this evening at the First Baptist church.

THE COURTS.

County Court—HON. W. S. BUCKLEY, Judge.

FRIDAY, Nov. 19, 1875.

People vs. William Lynn (charge of assault to murder)—Verdict of "not guilty." Defendant's sureties released.

A motion to dismiss the charges against sundry youths indicted for arson, continued till Saturday morning, 20th instant, at 10 o'clock.

People vs. Robert Hardwick (charge of assault with a deadly weapon)—Defendant pleaded not guilty. Trial set for the 26th instant.

People vs. John Noonan.—Defendant's demurrer overruled. Defendant pleaded not guilty. Trial set for the 23d instant, at 10 o'clock A. M.

People vs. Henry Smith and Daniel Lambert (burglary)—Defendants allowed until to-morrow at 10 o'clock A. M.

People vs. Charles McHenry (burglary)—Defendant's demurrer overruled. Pleaded not guilty. Trial set for 24th instant, at 10 o'clock A. M.

People vs. Charles Berg (house-breaking)—Defendant allowed until the 22d instant to plead.

People vs. Wm. Greene (grand larceny)—Defendant allowed until to-morrow at 10 A.M. to plead.

People vs. Wm. Williams (burglary)—Case tried and jury out.

H. Fisk vs. H. Sayers—Tried and taken under advisement.

Probate Court—HON. W. S. BUCKLEY, Judge.

FRIDAY, Nov. 19, 1875.

Estate of Joseph H. Wolf, deceased—Letters of administration issued to Semantha A. Wolf, on giving bond of $5,300. Humphry Howland, Willis Prather and James Duncan appointed appraisers. Notice to creditors ordered.

Estate of D. Broner, deceased—Continued until to-morrow, at 10 o'clock A. M.

NEW FURNITURE STORE.

The undersigned has opened a new furniture store at No. 204 Main street, Stockton, in the building recently occupied by L. M. Hickman, hardware merchant. In addition to a full assortment of nearly all grades of furniture, pillows and mattrasses, including the new invention called the Granger's Spring [illegible]

COPPEROPOLIS RAILROAD LANDS

On the 15th instant the land office this city received the following decision the Commissioner of the General Land in reference to lands embraced in the fo grant to the Copperopolis Railroad pany, which were restored to the publi main by the Act of Congress of last ses secured through the instrumentality of gressman Page. The land embraced i decision quoted below are situated in St laus county, east of Oakdale, and nea San Joaquin county line. Following i decision:

WASHINGTON, D. C., Nov. 5, 18

Register and Receiver, Stockton, C Gentlemen: This office has examine testimony in the case of Oliver C. Tim vs. Dening Gleason and Johana Mahe volving N. W. ¼ 23, 7 S, 11 E., M. I Township plat filed in local office, Jul 1858. Odd sections reserved for the S ton and Copperopolis Railroad Compa November, 1867. Same restored to to emption and homestead entry Septem 1874.

Timmons filed D. S. 7,667 for said September 4, 1874, alleging settlement day.

Gleason filed D. S. 7,670, for the same September 4, 1874, alleging settlement day.

Maher filed D. S. 7,669, for W. ½ of ½ and N. ½ of N. W. ¼ 23, September 4, alleging settlement December 10, 1872.

Hearing before local officers March 1874. Maher made default, and it is s that since filing she has married.

Timmons went upon the land early morning of the 4th of September, 1874. immediately commenced the erection house, and slept upon the land that n His residence since settlement has been tinuous. He has made valuable impr ments and appears to be a qualified clai

Gleason settled upon the land in 1874. He has built a house and has acres under cultivation. He left the la the night of the 3d of September to Stockton to file his declaratory statement, did not return until after the 4th.

The land in contest was not subject to emption settlement until September 4, when the reservation for railroad pur was removed. On that day Gleason di new or distinct act of settlement.

I must, therefore, award the priori right to Timmons, and you will allow to prove up, on showing full compliance law to date of entry. The filings of Gle and Maher are held for cancellation.

Notify the parties in interest accordi and allow sixty days for appeal. Prom report the action taken. Respectfully,

S. S. BURDETT, Commission

RELIGIOUS SERVICES TO-MORROW.

Central Baptist Church—Pastor, Re W. Spanswick. Preaching every Sabba 11 A. M. and 7 P. M., in the Court Ho Preaching by the pastor every alternate bath morning and every Sabbath evenin

St. John's Church (Protestant Epi pal), corner of Miner avenue and Dorado street. Services at 11 A. M. 7 P. M. Rev. H. L. Foote, Rector.

Reformed Church (German), Miner a ue, corner of Stanislaus—Services by J. Mullbaupt, Pastor, at 11 o'clock A and 7 P. M. Sabbath School at 2 P. M.

German Methodist Church, Sutter st between Main and Market streets er at 11 o'clock A. M. and 7 o'clock P. Rev. K. Franz, pastor. Prayer mee Wednesday evening at 7 o'clock. Sab school at 9:30 A. M.

St. Mary's Church, Rev. W. B. O'Con Pastor; Rev. Father O'Rierdon, Assis First Mass at 7½ o'clock, and High Mas 10½ o'clock. Sunday School at 2 P. M., pers at 7 P. M.

A. M. E Church, Commerce street, tween Washington and Sonora streets. vices at 11 o'clock A. M., and 7 o'clock Sabbath School at 1 o'clock P. M., I Barton Superintendent. Rev. J. C. H ilton, pastor.

Second Baptist Church—Rev. Samue Reid, pastor; services at 11 o'clock A. and 7 o'clock P. M. Sabbath School at M. Prayer meeting on Wednesday even

Central M. E. Church, San Joaquin st between Main and Weber avenue stre Rev. H. B. Heacock pastor. Service 11 o'clock A. M. and 7 o'clock P. School and Bible Class at 2½ o'clock P. Prayer meeting every Thursday even

First Presbyterian Church, San Joaq

here and Lodi. The train from the San Joaquin Valley road, due here yesterday morning, did not arrive, being detained by high water and breaks between here and Merced. We learn from a gentleman from Lodi that

THE MOKELUMNE RIVER

Was considerably higher than at any time last Winter, and that water was running through the town of Woodbridge and communication between Lodi and Woodbridge cut off.

THE STANISLAUS RIVER

Rose nineteen feet at Oakdale, and from the indications we should judge that all the streams pouring their waters into the San Joaquin are unusually high. It is feared that the floods so early in the season will seriously retard the great work of reclamation being carried forward on Roberts Island by Mr. Whitney. The system of levees designed to reclaim the upper end of that island was not completed, and the work may therefore be retarded for another year. While the overflow has been unusual for this season of the year, the thorough saturation of the soil is very favorable to the farmer, and although some damage has undoubtedly been done, the benefits are greatly in excess of all the damages.

DESERVE ASSISTANCE.—It is seldom the lot of any people to pass through so many difficulties in securing a permanent house of worship as have the Methodists in Virginia City. When material was high they constructed a fine edifice, costing about $60,000. There remained on this about four years ago a debt of $10,000. The building, from some defect in architecture or other cause, fell to the ground about three years ago and was a total ruin. Governor Blaisdell, who held the notes against the society, immediately cancelled them and left the society free to commence rebuilding. This they promptly did, but just as they were completing a neat edifice it was burned to the ground. A little over a year ago a house was erected costing about $6,000. This had stood but about six months when a storm injured it so seriously that a heavy expense was incurred in repairing. And now comes the recent fire, which not only burned the church and parsonage, but leaves a majority of the members penniless. An insurance of $4,000 will not quite cancel a debt of $4,500, contracted in the repairs of a few months ago. In that growing city, always ready to respond to appeals for aid, now is presented an opportunity of rendering needed assistance. The churches of that denomination in San Francisco and other portions of the State are joining liberally, and it is probable a church will soon be erected there again, partially at least, from the generosity of California.

U. T. SOCIETY.—Pursuant to a call a number of young men of our city met last evening to perfect the organization of a society, known as the U. T. Society. It was perfected by the election of the following officers: President, L. B. Noble; Secretary, J. A. Hosmer; Treasurer, W. B. Starbird. It is the design of the society this Winter to secure the most popular speakers of this coast, and to open a course of lectures as soon as practicable, which will be advertised in due season. A society of this character Stockton has long needed. Lecturing is quite popular in the Eastern States, and there is no reason why it should not be here. It is not only entertaining, but it is beneficial, and it affords a place where our youths can go and spend an evening, which will be more profitable to their morals and intellect than spending the same time on the streets or in the saloons. Let the people appreciate such an object by helping it along when an opportunity offers.

POLICE COURT.—Yesterday three boys were arraigned before Police Judge Hopkins charged with disturbing the peace of Franklin school. The boys were arrested on Thursday, the teacher being the complainant. On examination, the charge against one of the lads was dismissed, and the others were adjudged guilty, fined ten dollars each with the alternative of five days in jail. One of the boys paid his fine and the other was granted until to-day to get the money.

FIRST BAPTIST CHURCH.—Rev. J. C. Baker will preach to-morrow morning and evening, and will hold a gospel meeting for the Sunday school at 1:30 P. M. and a meeting for the church at 8 P. M. It is expected that the meetings will continue through next week.

lation," the theme being "Arguments from analogy, with natural religion." Sunday School at 2:30.

OUR STREETS.—The streets of Stockton are again in a bad condition, and the necessity of providing some means for draining off the surplus water is again made apparent. If, when the streets were graded and graveled, greater care was taken in the construction of drains on either side of the streets for the discharge of the surplus water, the general condition of the streets would be vastly improved.

ARRIVED LATE.—The train over the San Joaquin Valley road arrived at the depot in this city last night at 11:30. It was detained by breaks in the road, principally above Merced. There are five places on the road between Plainsburg and this city, where the passengers and mail had to be transferred past breaks.

THE WHEAT MARKET.—There is little being done in the wheat market at the present time and no improvement in prices. Wheat of good quality might have been sold yesterday at $1 75 to $1 80, yet there were no sales made. Holders seem indisposed to sell and there is no great demand at prices quoted.

ANOTHER PEAT COMPANY.—The articles of incorporation of the San Jose Peat Fuel Company have been filed with the Secretary of State. The works will be situated on the island between Sacramento and San Joaquin, where there is an abundance of material.

THE LUMBER TRADE.—We are informed that there is a great demand for lumber in the San Joaquin valley at the present time, farmers being encouraged by the prospects of a good season to improve their buildings and construct fences.

POSTPONED.—Yesterday the case of Wolf, charged with erecting a wooden building, contrary to the city ordinance, inside the fire limits, was called in the Police Court, but by consent of counsel was postponed until Wednesday next.

CHANCE FOR FARMERS.—Proposals for the lease of the farm of the late Henry Ortman, located on the Linden road, eight miles from this city, will be received at the office of Messrs. Hopkins & Loutitt until 2 P. M. today.

FRESH ARRIVALS FROM THE EAST!

That well-known emporium, the Palace Clothing Store, No. 224 Main street, Stockton, having disposed of the old stock, will receive Saturday, November 20th, an extensive assortment of Fall and Winter Goods. These Goods are imported direct from the Eastern houses in New York and Philadelphia, and are warranted to give satisfaction. Men's and Boys' Clothing, Underwear, etc., etc., can be purchased at prices that defy competition. Everything in the line of Clothing and Furnishing Goods can be purchased in this house, from a paper collar to an overcoat. Remember the place—Palace Clothing Store, 224 Main street. no18

Spooner's next—the "Albatype." a9

GOODS AT COST

To close out business, at Crockery Store, 171 Main street. no9

G. N. Milco, near the Postoffice, receives only the Choicest Fruit direct from the orchards. Go and see his supply and find out his prices. You know that he sells the same on commission, and can suit you as to price, quality and condition. se22

Gentlemen wishing a Pocket Knife, IXL, or any other kind; a nice Cane, Purse or Razor, or a Havana Cigar, should call at G. N. Milco's Hunter Street Stand. se22

GO AND SEE

The beautiful New Style Pictures at BATCHELDER'S. de14

Candy is imported by G. N. Milco, near Postoffice, direct from New York. se22

Doctors' bills saved by Bishop's Lung Balsam. fe16

The undersigned has opened a new furniture store at No. 204 Main street, Stockton, in the building recently occupied by L. M. Hickman, hardware merchant. In addition to a full assortment of nearly all grades of furniture, pillows and mattrasses, including the new invention called the Granger's Spring Bed, he will keep a variety of other merchandize, consisting in part of blankets, comforters, matting, window shades, cornice, brackets, cutlery, crockery, etc. An effort will be made to give satisfaction to all that favor him with their patronage both in price and quality of goods. We will exchange new furniture for second hand if not too much worn and dilapidated.

oc25 A. EASTON.

Bishop's Lung Balsam cures Bronchitis.

Bishop's Lung Balsam cures Incipient Consumption. fe16

Bishop's Lung Balsam cures Coughs and Colds. fe16

WILL CLOSE OUT

Within thirty days, the large stock of Crockery, Glass and Plated Ware, at 171 Main street. no9

Bishop's Lung Balsam cures Influenza.

A NEW DEPARTURE.

You can buy at Kierski's all the New Sheet Music, one dollar's worth for 75 cents. Extra Discount to teachers. All other Musical Books and Instructors at reduced figures, at 185 Main street, Kierski's Music Store. jo11

Every family should have Bishop's Lung Balsam. fe16

THE SATIN BRILLIANT

Are the Latest Styles at BATCHELDER'S

Remember that G. N. Milco's Fruit Market is next to Postoffice. se22

Children cry for Bishop's Lung Balsam.

FOR the very best Photographs go to BATCHELDER'S GALLERY, 186 El Dorado street, between Main and Levee. se5

THE PROMENADE AND GLACE PHOTOGRAPHS

Are now introduced by The Photographer, Batchelder. ja11

It is no wonder that invalids lose faith in all specifics, when so many worthless medicines are advertised for the cure of various diseases; but which, when tried, are "found wanting." We have yet to learn, however, of the first failure of "Dr. Wistar's Balsam of Wild Cherry" to cure coughs, colds, and pulmonary disease. no19-d&w1w

"Promenade," all at Spooner's. a9

Try the best Musical Strings, found only at G. N. Milco's, near Postoffice. se22

A 1 Photographs by Spooner. a9

The late awful Winter leaves behind it a frightful legacy of Coughs, Colds and Pulmonary Inflammation. Providentially, however, an absolute and immediate cure has been provided in "Hale's Honey of Horehound and Tar."

Pike's Toothache Drops cure in one minute. no19-d&w1w

Postage Stamps and Stationery in supply, always handy, at G. N. Milco's, next to the Postoffice. se22

A FRAGRANT BREATH AND PEARLY TEETH

Are easily obtained by cleansing your teeth daily with that justly popular dentifrice, "Sozodont." Composed of rare antiseptic herbs, it imparts whiteness to the teeth, a delicious aroma to the breath, and preserves intact, from youth to old age, the teeth. Acidity of the stomach will destroy the strongest teeth unless its effects are counteracted with "Sozodont," and this pure toothwash protects the dental surfaces by removing every impurity that adheres to them. Ask your druggist for "Sozodont." n15-1m

and 7 o'clock P. M. Sabbath School at 2 M.—Prayer meeting on Wednesday evenin

Central M. E. Church, San Joaquin stre between Main and Weber avenue stree Rev. H. B. Hazcock pastor. Services 11 o'clock A. M. and 7 o'clock P. School and Bible Class at 2½ o'clock P. Prayer meeting every Thursday evenin

First Presbyterian Church, San Jo street, between Main and Market s Services at 11 o'clock A. M. and 7 o P. M. Sunday School at 9.30 A. M. R. Samuel Robinson, Pastor. Prayer Meeti Wednesday evening.

First Baptist Church, corner of Hun and Lindsay streets, Rev. S. B. Morse, p tor. Services every Sabbath at 11 A. M. 7 P. M. Sabbath School at 12½ o'clock M. Prayer meeting Thursday evening at o'clock.

Congregational Church, Miner aven between San Joaquin and Sutter street Rev. Martin Post, Pastor. Services at 11 M. and 7 P. M. Sabbath School and Bi Class at close of the morning service. Pra Meeting every Thursday evening.

Christian Church, Sutter street—Preach every Sunday at 11 o'clock A. M. and 7 P. M. Sunday School at 10 A. M. Pra meeting Thursday evening. All are invit Seats free. H. D. Connell, Pastor.

Grace (M. E. C. S.) Church, Weber nue, between California and Sutter.—Sun services at 11 A. M., and at night. S free. Sunday School at 9½ o'clock A. Prayer meeting Thursday night. Rev. A. Finley, Pastor. Office at the chu Residence, No. 271 Weber avenue.

GREAT ATTRACTION IN FURS.

Messrs. Windmiller & Mails desire to turn their thanks to the public of Stoc for the liberal patronage extended to t since the establishment of their Fur M factory. This is a new enterprise, to wi the proprietors propose to make enla ments and add new attractions. They ma facture Furs in single pieces or sets of finest Sable, Ermine, Seal, or cheaper terial if desired, to suit any design sele by the most fastidious taste. An assorti of Fur Collars, Carriage Robes and Bal Buggy Robes; also, all kinds of Fur T mings for sale. Furs cleaned, renov and repaired. The highest marke paid for Raw Furs. In a word, any the Fur line can be found at their es ment, No. 257 Yosemite Block, Main st Stockton. no

LAST CHANCE

To purchase Crockery and Glassware a duced rates, 171 Main street. n

Bishop's Lung Balsam cures croup.

Bishop's Lung Basam cures Asthma.

"Brown's Bronchial Troches," for Pu nary and Asthmatic Disorders, have pr their efficacy by a test of many years, have received testimonials from eminent who have used them. no19-d&w1

Notice to Settlers

TO MESSRS. TREDWAY, FIS and COLE.—If people interested in Sa versus Railroad case will meet at Stockt SATURDAY, NOVEMBER TWENTIETH. will come and explain land matters.

MULLAN & HYL

San Francisco, November 13, 1875.

All Settlers interested in the above please notice and govern yourselves accordingly. Meet at the City Hall at 1 o'clock P. M., o Per order of

no16-td COMMITT

REMOVAL.

THE NEW YORK BAZAAR A DOLLAR STORE has been removed to El Dorado St., second door from Dr. den's Drug Store, where the latest styles F Goods, Solid Gold and Plated Jewelry, Combs, Brackets, Slipper Cases, Picture Fra Looking Glasses, Crockery, Glassware, Cages, Boys' Iron Axle Wagons, etc., c for cash. This is the place to buy your Carriages. [se22] E. H. LE

NOTICE.

THE SUBSCRIBER WILL hereafter carry on the business of R. Furniture.

JOSEPH HEINZ

Stockton, November 16, 1875.

Stockton Daily Independent.

SATURDAY MORNING, NOV. 20, 1875.

EFFECTS OF THE STORM.

The copious rain of Wednesday and Thursday caused the streams to rise very rapidly, and had there been any snow in the mountain regions to have been melted by the warm rain, the flood of 1861-62 would have been repeated. It is seldom that we have so great a rainfall as three inches in the short space of forty-eight hours, and this coming as it did, after the ground was well saturated from previous storms, high water must be expected. The different sloughs and water courses were all carrying large streams of water at sunrise yesterday morning, but the volume of this aqueous element pouring from the foothills and mountains of Calaveras toward the bay, continued to increase until about 2 P. M., when the water rose to a higher point, in many parts of the city, than it has before reached since 1861-62. The Calaveras river overflowed its banks, and a large volume of water covered the land between its channel and that of Mormon slough, which for the time was made a large river. From the tops of the highest buildings of the city, the country northeast of Stockton seemed to be almost entirely covered with water, while through every natural channel miniature rivers were flowing toward the tule lands.

IN THE CITY

But little damage was done, although the water was higher in localities east of California and north of Channel street than it has been for years before. The foot bridges on California and Sutter streets, crossing Minor channel, were carried away and also the footbridge on Miner avenue crossing Minor channel. The water rose in the northeastern portion of the city so as almost to make a lake, many of the houses being surrounded, but it was not high enough to reach the first floor of any buildings on the established grade. Minor and Lindsay channels overflowed their banks in many places and presented the appearance of large rivers. The water in Stockton channel also rose very rapidly from backwater from the San Joaquin, and was higher than it has been for some years, coming nearly up to the wharf planking. Although the rise was so sudden we hear of no serious accident. It was reported at one time yesterday that a young man was drowned at East street, but the rumor was evidently without foundation. A son of A. C. Rider fell in the water on Miners avenue, but was rescued after floating down the stream a short distance.

A GANG OF MEN

Were engaged all day strengthening the levee at East street, and it is probable that the damming of the water at that point is one cause of the high water in the northern portion of the city. It would seem, however that our city fathers might sometime learn the fact that it is necessary to provide a better outlet for the vast volume of water that flows toward this city from the east during the wet seasons, and it is about time for them to devise some plan by which the water can be carried around the city, or else through it, where it will not discommode a large portion of the population.

HIGH WATER IN THE COUNTRY.

Owing to the fact that no trains run over the Stockton and Copperopolis Railroad, we have heard but little from that direction. The water was so high as to hide the track of that road for miles beyond East street, and it is expected that considerable damage must be done in washing away the grade and thus causing the misplacement of the track. It was not deemed safe to run trains over the road yesterday, and neither the Milton or Oakdale trains came into the city. The track of the Central Pacific Railroad through this county is all right, although the water was pretty high at points between here and Lodi. The train from the San Joaquin Valley road, due here yesterday morning, did not arrive, being detained by high water and breaks between here and Merced. We learn from a gentleman from Lodi that

THE MOKELUMNE RIVER

Was considerably higher than at any time last Winter, and that water was running through the town of Woodbridge and communication between Lodi and Woodbridge

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HOMESTEAD RIGHTS VS. RAILROAD TITLE. A. Hohenschell, of this county, has filed a bill in the United States Circuit Court against W. J. Little, also of this county, in which he alleges that on the 2d of January, 1875, Little filed in the United States Land Office in this city, a declaration of intention to claim a homestead on the southwest quarter of section 11, in township 2 north, range 6 east of Mount Diablo meridian, which land was within twenty miles of the Western Pacific Railroad, lying between Stockton and Sacramento, and which was a portion of the land granted to that road by Congress. That on the 5th of December, 1872, a patent was issued to Little for the land. Hohenschell avers that he has succeeded by conveyance of the title and interest of the railroad company to a strip of twenty rods wide on the east side of the quarter section, containing twenty acres, and that he has been in possession for nineteen years. But Little has obtained judgment against him for possession of the land and $100 damages, and threatens to eject him. The Court is asked to require Little to show cause why he should not be compelled to convey the land to Hohenschell.

STOCKTON, Nov. 18, 1875.—To the STOCKTON INDEPENDENT: I wrote you a note yesterday, thanking you for the cure for horses cough that you published Monday morning last. I wish now I had not done so, and I think you acted contemptibly mean to print that note, but then I never yet heard of a newspaper man that was not mean enough to do most anything, and I find that you are like all the rest of them. Now I want to have you understand that when a woman wants to find out anything, she will find it out or die in the attempt. I was telling a friend of mine yesterday how I cured my little horse, and he told me that he got the very same receipt, when the horse disease prevailed here two years ago, from a gentleman by the name of ——, who sells Bibles, and I presume you got your receipt from the same man. So now, I thank him and take back your part of the thanks and true inwardness.

A WIDOW.

FROM THE TULES.—The steamer Clara Grow arrived from Roberts Island last evening, bringing about one hundred Chinamen that had been engaged in building levee in vicinity of Duck Slough. Mr. Whitney reports the water very high and the rise as having been very rapid. The fact that the water is so high in the various channels of the San Joaquin west of Stockton is an indication of very high water in the Sacramento, which causes the San Joaquin to back up in this direction. If there should be more rainy weather to prevent the waters from receding the work of reclamation of Roberts Island will be retarded, yet a fall of four feet would allow the work to be again prosecuted. Mr. Whitney is confident of the perfect practicability of making a thorough reclamation of the island, and the completion of his work is only a question of time.

FOWL DEATH.—While the water was at its greatest hight in the northwestern portion of the city yesterday, Mr. Blake, our worthy Deputy Coroner, became anxious for the safety of a pet Legborn rooster, which he highly prized. On going to the chicken house to remove the fowl to more secure quarters, it flew from its perch, and alighting in the water was drowned before Mr. Blake could reach it—literally "going upward with the flood." As incidents of the high water, we have recorded elsewhere several minor casualties, but this, so far as is known, is the only fatality here, justly chargeable to the recent excess of moisture.

CENTRAL M. E. CHURCH.—Preaching tomorrow morning and evening. In the morning a contribution will be asked for the Virginia City M. E. Church, which has now, for the third time, been entirely destroyed. In the evening the pastor will conclude his series of discourses on "Evidences of Revelation," the theme being "Arguments from analogy, with natural religion." Sunday School at 2:30.

OUR STREETS.—The streets of Stockton are again in a bad condition, and the necessity of providing some means for draining off the surplus water is again made apparent. If, when the streets were graded and graveled, greater care was taken in the construction of

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BAPTIST COLLEGE.—The Baptists contemplate moving their California College from Vacaville, Solano county, to a more eligible locality, and bidding is now in order all round. Here is a chance for Stockton.

NEW GOODS.—A large invoice of gents' clothing and furnishing goods arrived at the Palace Clothing Store, No. 224 Main street, yesterday, and will be subject to the order of customers to-day.

IN the Supreme Court on Wednesday last, the case of People vs. Granice was argued by Terry for the appellant, Dudley for the respondent, and submitted, with ten days to respondent.

LOST, somewhere in this city, a small black satchel containing a prospectus of an encyclopedia of Masonry. The finder will confer a favor by leaving the same at this office.

SETTLERS' MEETING.—A meeting of the settlers interested in the case of Sargent vs. Railroad Company, is called to meet at the City Hall to-day at 1 o'clock P. M.

CONGREGATIONAL CHURCH.—Rev. J. E. Dwinelle, D. D., of Sacramento, will preach in the Congregational Church to-morrow, morning and evening.

STOCK BREEDERS.—There will be a meeting of the Stock Breeders' Association at Pioneer Hall, at 2 o'clock this afternoon.

REV. S. W. SPANSWICK will preach tomorrow morning at 11 o'clock at the Calaveras church on Cherokee lane.

LATE TRAIN.—The train from the East, due in this city at 12:40 yesterday, did not arrive until 10:30 last night.

THE bridge on the Cherokee Lane road, just north of Chase's store, was carried away yesterday.

THE various gardens and orchards east of the city were all under water yesterday.

THERE will be religious services this evening at the First Baptist church.

THE COURTS.

County Court—HON. W. S. BUCKLEY, Judge.

FRIDAY, Nov. 19, 1875.

People vs. William Lynn (charge of assault to murder)—Verdict of "not guilty." Defendant's surties released.

A motion to dismiss the charges against sundry youths indicted for arson, continued till Saturday morning, 20th instant, at 10 o'clock.

People vs. Robert Hardwick (charge of assault with a deadly weapon)—Defendant pleaded not guilty. Trial set for the 26th instant.

People vs. John Noonan—Defendant's demurrer overruled. Defendant pleaded not guilty. Trial set for the 23d instant, at 10 o'clock A. M.

People vs. Henry Smith and Daniel Lambert (burglary)—Defendants allowed until to-morrow at 10 o'clock A. M.

People vs. Charles McHenry (burglary)—Defendant's demurrer overruled. Pleaded not guilty. Trial set for 24th instant, at 10 o'clock A. M.

People vs. Charles Berg (house-breaking)—Defendant allowed until the 22d instant to plead.

People vs. Wm. Greene (grand larceny)—Defendant allowed until to-morrow at 10 A. M. to plead.

People vs. Wm. Williams (burglary)—Case tried and jury out.

H. Fisk vs. H. Sayers—Tried and taken under advisement.

Probate Court—HON. W. S. BUCKLEY, Judge.

FRIDAY, Nov. 19, 1875.

Estate of Joseph H. Wolf, deceased—Letters of administration issued to Semantha A. Wolf, on giving bond of $5,300. Humphry Howland, Willis Prather and James Duncan appointed appraisers. Notice to creditors ordered.

Estate of D. Broner, deceased—Continued until to-morrow, at 10 o'clock A. M.

NEW FURNITURE STORE.

The undersigned has opened a new furniture store at No. 204 Main street, Stockton, in the building recently occupied by L. M. Hickman, hardware merchant. In addition to a full assortment of nearly all grades of furniture, pillows and mattresses, including the new invention called the Granger's Spring [illegible] will been a variety of other merchan-

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COPPEROPOLIS RAILROAD LANDS

On the 15th instant the land office [illegible] this city received the following decision [illegible] the Commissioner of the General Land [illegible] in reference to lands embraced in the fo[illegible] grant to the Copperopolis Railroad [illegible] pany, which were restored to the publi[illegible] main by the Act of Congress of last ses[illegible] secured through the instrumentality of [illegible] gressman Page. The land embraced i[illegible] decision quoted below are situated in St[illegible] laus county, east of Oakdale, and nea[illegible] San Joaquin county line. Following i[illegible] decision:

WASHINGTON, D. C., Nov. 5, 18[illegible]

Register and Receiver, Stockton, C[illegible]

Gentlemen: This office has examine[illegible] testimony in the case of Oliver C. Tim[illegible] vs. Denins Gleason and Johana Mahe[illegible] volving N. W. ¼ 23, 7 S, 11 E., M. I[illegible] Township plat filed in local office, Jul[illegible] 1858. Odd sections reserved for the S[illegible] ton and Copperopolis Railroad Compa[illegible] November, 1867. Same restored to to[illegible] emption and homestead entry Septem[illegible] 1874.

Timmons filed D. S. 7,667 for said [illegible] September 4, 1874, alleging settlement [illegible] day.

Gleason filed D. S. 7,670, for the same [illegible] September 4, 1874, alleging settlement [illegible] day.

Maher filed D. S. 7,669, for W. ½ of [illegible] ¼ and N. ½ of N. W. ¼ 23, September 4, [illegible] alleging settlement December 10, 1872.

Hearing before local officers March [illegible] 1874. Maher made default, and it is s[illegible] that since filing she has married.

Timmons went upon the land early i[illegible] morning of the 4th of September, 1874, [illegible] immediately commenced the erection [illegible] house, and slept upon the land that n[illegible] His residence since settlement has been [illegible] tinuous. He has made valuable impr[illegible] ments and appears to be a qualified clain[illegible]

Gleason settled upon the land in [illegible] 1874. He has built a house and has [illegible] acres under cultivation. He left the la[illegible] the night of the 3d of September to [illegible] Stockton to file his declaratory statement, [illegible] did not return until after the 4th.

The land in contest was not subject to [illegible] emption settlement until September 4, [illegible] when the reservation for railroad pur[illegible] was removed. On that day Gleason di[illegible] new or distinct act of settlement.

I must, therefore, award the priorit[illegible] right to Timmons, and you will allow [illegible] to prove up, on showing full compliance [illegible] law to date of entry. The filings of Gle[illegible] and Maher are held for cancellation.

Notify the parties in interest accordi[illegible] and allow sixty days for appeal. From [illegible] report the action taken. Respectfully,

S. S. BURDETT, Commissione[illegible]

RELIGIOUS SERVICES TO-MORROW.

Central Baptist Church—Pastor, Re[illegible] W. Spanswick. Preaching every Sabba[illegible] 11 A. M. and 7 P. M., in the Court-Ho[illegible] Preaching by the pastor every alternate [illegible] bath morning and every Sabbath evenin[illegible]

St. John's Church (Protestant Epi[illegible] pal), corner of Miner avenue and [illegible] Dorado street. Services at 11 A. M. [illegible] 7 P. M. Rev. H. L. Foote, Rector.

Reformed Church (German), Miner a[illegible] nue, corner of Stanislaus—Services by [illegible] J. Mullhaupt, Pastor, at 11 o'clock A [illegible] and 7 P. M. Sabbath School at 2 P. M.

German Methodist Church, Sutter st[illegible] between Main and Market streets [illegible] at 11 o'clock A. M. and 7 o'clock P. [illegible] Rev. K. Franz, pastor. Prayer mee[illegible] Wednesday evening at 7 o'clock. Babb[illegible] school at 9:30 A. M.

St. Mary's Church, Rev. W. B. O'Con[illegible] Pastor; Rev. Father O'Riordon, Assist[illegible] First Mass at 7½ o'clock, and High Mas[illegible] 10½ o'clock. Sunday School at 2 P. M., [illegible] pers at 7 P. M.

A. M. E Church, Commerce street; [illegible] tween Washington and Sonora streets. [illegible] vices at 11 o'clock A. M., and 7 o'clock [illegible] Sabbath School at 1 o'clock P. M., I[illegible] Barton Superintendent. Rev. J. C. H[illegible] ilton, pastor.

Second Baptist Church—Rev. Samue[illegible] Reid, pastor; services at 11 o'clock A. [illegible] and 7 o'clock P. M. Sabbath School at [illegible] M. Prayer meeting on Wednesday even[illegible]

Central M. E. Church, San Joaquin str[illegible] between Main and Weber avenue stre[illegible] Rev. H. B. Heacock pastor. Service[illegible] 11 o'clock A. M. and 7 o'clock P. [illegible] School and Bible Class at 2½ o'clock P. [illegible] Prayer meeting every Thursday even[illegible]

First Presbyterian Church, San Joaq[illegible]

EXHIBIT 31

here and Lodi. The train from the San Joaquin Valley road, due here yesterday morning, did not arrive, being detained by high water and breaks between here and Merced. We learn from a gentleman from Lodi that

THE MOKELUMNE RIVER

Was considerably higher than at any time last Winter, and that water was running through the town of Woodbridge and communication between Lodi and Woodbridge cut off.

THE STANISLAUS RIVER

Rose nineteen feet at Oakdale, and from the indications we should judge that all the streams pouring their waters into the San Joaquin are unusually high. It is feared that the floods so early in the season will seriously retard the great work of reclamation being carried forward on Roberts Island by Mr. Whitney. The system of levees designed to reclaim the upper end of that island was not completed, and the work may therefore be retarded for another year. While the overflow has been unusual for this season of the year, the thorough saturation of the soil is very favorable to the farmer, and although some damage has undoubtedly been done, the benefits are greatly in excess of all the damages.

DESERVE ASSISTANCE.—It is seldom the lot of any people to pass through so many difficulties in securing a permanent house of worship as have the Methodists in Virginia City. When material was high they constructed a fine edifice, costing about $60,000. There remained on this about four years ago a debt of $10,000. The building, from some defect in architecture or other cause, fell to the ground about three years ago and was a total ruin. Governor Blaisdell, who held the notes against the society, immediately cancelled them and left the society free to commence rebuilding. This they promptly did, but just as they were completing a neat edifice it was burned to the ground. A little over a year ago a house was erected costing about $6,000. This had stood but about six months when a storm injured it so seriously that a heavy expense was incurred in repairing. And now comes the recent fire, which not only burned the church and parsonage, but leaves a majority of the members penniless. An insurance of $4,000 will not quite cancel a debt of $4,500, contracted in the repairs of a few months ago. In that growing city, always ready to respond to appeals for aid, now is presented an opportunity of rendering needed assistance. The churches of that denomination in San Francisco and other portions of the State are joining liberally, and it is probable a church will soon be erected there again, partially at least, from the generosity of California.

U. T. SOCIETY.—Pursuant to a call a number of young men of our city met last evening to perfect the organization of a society, known as the U. T. Society. It was perfected by the election of the following officers: President, L. B. Noble; Secretary, J. A. Hosmer; Treasurer, W. B. Starbird. It is the design of the society this Winter to secure the most popular speakers of this coast, and to open a course of lectures as soon as practicable, which will be advertised in due season. A society of this character Stockton has long needed. Lecturing is quite popular in the Eastern States, and there is no reason why it should not be here. It is not only entertaining, but it is beneficial, and it affords a place where our youths can go and spend an evening, which will be more profitable to their morals and intellect than spending the same time on the streets or in the saloons. Let the people appreciate such an object by helping it along when an opportunity offers.

POLICE COURT.—Yesterday three boys were arraigned before Police Judge Hopkins charged with disturbing the peace of Franklin school. The boys were arrested on Thursday, the teacher being the complainant. On examination, the charge against one of the lads was dismissed, and the others were adjudged guilty, fined ten dollars each with the alternative of five days in jail. One of the boys paid his fine and the other was granted until to-day to get the money.

FIRST BAPTIST CHURCH.—Rev. J. C. Baker will preach to-morrow morning and evening, and will hold a gospel meeting for the Sunday school at 1:30 P. M. and a meeting for the church at 8 P. M. It is expected that the meetings will continue through next week.

lation," the theme being "Arguments from analogy, with natural religion." Sunday School at 2:30.

OUR STREETS.—The streets of Stockton are again in a bad condition, and the necessity of providing some means for draining off the surplus water is again made apparent. If, when the streets were graded and graveled, greater care was taken in the construction of drains on either side of the streets for the discharge of the surplus water, the general condition of the streets would be vastly improved.

ARRIVED LATE.—The train over the San Joaquin Valley road arrived at the depot in this city last night at 11:30. It was detained by breaks in the road, principally above Merced. There are five places on the road between Plainsburg and this city, where the passengers and mail had to be transferred past breaks.

THE WHEAT MARKET.—There is little being done in the wheat market at the present time and no improvement in prices. Wheat of good quality might have been sold yesterday at $1 75 to $1 80, yet there were no sales made. Holders seem indisposed to sell and there is no great demand at prices quoted.

ANOTHER PEAT COMPANY.—The articles of incorporation of the San Jose Peat Fuel Company have been filed with the Secretary of State. The works will be situated on the island between Sacramento and San Joaquin, where there is an abundance of material.

THE LUMBER TRADE.—We are informed that there is a great demand for lumber in the San Joaquin valley at the present time, farmers being encouraged by the prospects of a good season to improve their buildings and construct fences.

POSTPONED.—Yesterday the case of Wolf, charged with erecting a wooden building, contrary to the city ordinance, inside the fire limits, was called in the Police Court, but by consent of counsel was postponed until Wednesday next.

CHANCE FOR FARMERS.—Proposals for the lease of the farm of the late Henry Ortman, located on the Linden road, eight miles from this city, will be received at the office of Messrs. Hopkins & Lauttit until 2 P. M. today.

FRESH ARRIVALS FROM THE EAST!

That well-known emporium, the Palace Clothing Store, No. 224 Main street, Stockton, having disposed of the old stock, will receive Saturday, November 20th, an extensive assortment of Fall and Winter Goods. These Goods are imported direct from the Eastern houses in New York and Philadelphia, and are warranted to give satisfaction. Men's and Boys' Clothing, Underwear, etc., etc., can be purchased at prices that defy competition. Everything in the line of Clothing and Furnishing Goods can be purchased in this house, from a paper collar to an overcoat. Remember the place—Palace Clothing Store, 224 Main street. no18

Spooner's next—the "Albatype." a9

GOODS AT COST

To close out business, at Crockery Store, 171 Main street. no9

G. N. Miloo, near the Postoffice, receives only the Choicest Fruit direct from the orchards. Go and see his supply and find out his prices. You know that he sells the same on commission, and can suit you as to price, quality and condition. se22

Gentlemen wishing a Pocket Knife, IXL, or any other kind; a nice Cane, Purse or Razor, or a Havana Cigar, should call at G. N. Miloo's Hunter Street Stand. se22

GO AND SEE

The beautiful New Style Pictures at BATCHELDER'S. de14

Candy is imported by G. N. Miloo, near Postoffice, direct from New York. se22

Doctors' bills saved by Bishop's Lung Balsam. fe16

The undersigned has opened a new furniture store at No. 204 Main street, Stockton, in the building recently occupied by L. M. Hickman, hardware merchant. In addition to a full assortment of nearly all grades of furniture, pillows and mattresses, including the new invention called the Granger's Spring Bed, he will keep a variety of other merchandise, consisting in part of blankets, comforters, matting, window shades, cornice, brackets, cutlery, crockery, etc. An effort will be made to give satisfaction to all that favor him with their patronage both in price and quality of goods. We will exchange new furniture for second hand if not too much worn and dilapidated.
oc25 A. EASTON.

Bishop's Lung Balsam cures Bronchitis.

Bishop's Lung Balsam cures Incipient Consumption. fe16

Bishop's Lung Balsam cures Coughs and Colds. fe16

WILL CLOSE OUT

Within thirty days, the large stock of Crockery, Glass and Plated Ware, at 171 Main street. no9

Bishop's Lung Balsam cures Influenza.

A NEW DEPARTURE.

You can buy at Kierski's all the New Sheet Music, one dollar's worth for 75 cents. Extra Discount to teachers. All other Musical Books and Instructors at reduced figures, at 185 Main street, Kierski's Music Store. no11

Every family should have Bishop's Lung Balsam. fe16

THE SATIN BRILLIANT

Are the Latest Styles at BATCHELDER'S

Remember that G. N. Miloo's Fruit Market is next to Postoffice. se22

Children cry for Bishop's Lung Balsam.

FOR the very best Photographs go to BATCHELDER'S GALLERY, 186 El Dorado treet, between Main and Levee. se5

THE PROMENADE AND GLACE PHOTOGRAPHS

Are now introduced by The Photographer, Batchelder. ja11

It is no wonder that invalids lose faith in all specifics, when so many worthless medicines are advertised for the cure of various diseases; but which, when tried, are "found wanting." We have yet to learn, however, of the first failure of "Dr. Wistar's Balsam of Wild Cherry" to cure coughs, colds, and pulmonary disease. no19-d&w1w

"Promenade," all at Spooner's. a9

Try the best Musical Strings, found only at G. N. Miloo's, near Postoffice. se22

A 1 Photographs by Spooner. a9

The late awful Winter leaves behind it a frightful legacy of Coughs, Colds and Pulmonary Inflammation. Providentially, however, an absolute and immediate cure has been provided in "Hale's Honey of Horehound and Tar."

Pike's Toothache Drops cure in one minute. no19-d&w1w

Postage Stamps and Stationery in supply, always handy, at G. N. Miloo's, next to the Postoffice. se22

A FRAGRANT BREATH AND PEARLY TEETH

Are easily obtained by cleansing your teeth daily with that justly popular dentifrice, "Sozodont." Composed of rare antiseptic herbs, it imparts whiteness to the teeth, a delicious aroma to the breath, and preserves intact, from youth to old age, the teeth. Acidity of the stomach will destroy the strongest teeth unless its effects are counteracted with "Sozodont," and this pure toothwash protects the dental surfaces by removing every impurity that adheres to them. Ask your druggist for "Sozodont." n15-1m

and 7 o'clock P. M. Sabbath School at 2 M.—Prayer meeting on Wednesday evenin

Central M. E. Church, San Joaquin stre between Main and Weber avenue stree Rev. H. B. Hancock, pastor. Services 11 o'clock A. M. and 7 o'clock P. School and Bible Class at 2½ o'clock P. Prayer meeting every Thursday evenin

First Presbyterian Church, San Jo street, between Main and Market s Services at 11 o'clock A. M. and 7 o P. M. Sunday School at 9.30 A. M. R. Samuel Robinson, Pastor. Prayer Meeti Wednesday evening.

First Baptist Church, corner of Hun and Lindsay streets, Rev. S.-B. Morse, p tor. Services every Sabbath at 11 A. M. 7 P. M. Sabbath School at 12½ o'clock M. Prayer meeting Thursday evening at o'clock.

Congregational Church, Miner aven between San Joaquin and Sutter street Rev. Martin Post, Pastor. Services at 11 M. and 7 P. M. Sabbath School and Bi Class at close of the morning service. Pra Meeting every Thursday evening.

Christian Church, Sutter street—Preach every Sunday at 11 o'clock A. M. and 7 P. M. Sunday School at 10 A. M. Pra meeting Thursday evening. All are invit Seats free. H. D. Connell, Pastor.

Grace (M. E. C. S.) Church, Weber nue, between California and Sutter.—Sun services at 11 A. M., and at night. S free. Sunday School at 9½ o'clock A. Prayer meeting Thursday night. Rev. A. Finley, Pastor. Office at the chu Residence, No. 271 Weber avenue.

GREAT ATTRACTION IN FURS.

Messrs. Windmiller & Mails desire to turn their thanks to the public of Stoc for the liberal patronage extended to t since the establishment of their Fur M factory. This is a new enterprise, to wh the proprietors propose to make enla ments and add new attractions. They ma facture Furs in single pieces or sets of finest Sable, Ermine, Seal, or cheaper terial if desired, to suit any design sele by the most fastidious taste. An assortm of Fur Collars, Carriage Robes and Ba Buggy Robes; also, all kinds of Fur T mings for sale. Furs cleaned, renov and repaired. The highest marke paid for Raw Furs. In a word, any the Fur line can be found at their es ment, No. 257 Yosemite Block, Main s Stockton. no

LAST CHANCE

To purchase Crockery and Glassware a duced rates, 171 Main street. n

Bishop's Lung Balsam cures croup.

Bishop's Lung Basam cures Asthma.

"Brown's Bronchial Troches," for Pu nary and Asthmatic Disorders, have pr their efficacy by a test of many years, have received testimonials from eminent who have used them. no19-d&w1

Notice to Settlers

TO MESSRS. TREDWAY, FIS and COLE.—If people interested in Sa versus Railroad case will meet at Stockt SATURDAY, NOVEMBER TWENTIETH, will come and explain land matters.
MULLAN & HYL
San Francisco, November 18, 1875.

All Settlers interested in the above please notice and govern yourselves accordingly. Meet at the City Hall at 1 o'clock P. M., s
Per order of
no18-1d COMMITTE

REMOVAL.

THE NEW YORK BAZAAR A DOLLAR STORE has been removed to El Dorado St., second door from Dr. den's Drug Store, where the latest styles F Goods, Solid Gold and Plated Jewelry, Combs, Brackets, Slipper Cases, Picture Fra Looking Glasses, Crockery, Glassware, Cages, Boys' Iron Axle Wagons, etc., c for cash. This is the place to buy your Carriages. [oc21] S. H. LE

NOTICE.

THE SUBSCRIBER WILL hereafter carry on the business of R. Furniture.
JOSEPH HEINZ
Stockton, November 16, 1875.

Stockton Daily Independent.

SATURDAY MORNING, NOV. 13, 1875.

RECLAMATION OF ROBERTS ISLAND.—The last work on the closing up of the upper division on this island is now being completed. Between 500 and 600 Chinamen are now stretched out along Middle river, Duck slough and Burns' cut-off, and if any one has a curiosity to see how industriously and rapidly these Celestials lay up embankments a good opportunity is presented in this labor. At the present rate of progress the last work on the line will be completed before December 1st. It had been intended by Mr. Whitsey to complete a gap of about four miles on Burns' cut-off and Duck slough, with the large dredges lately launched from the yard of Mr. Davis, at Lindsay Point, in this city, but owing to the length of time required in obtaining the lumber from Oregon to build the boats and the delay in having the boats completed and the machinery properly adjusted, it was found necessary to put on Chinese labor to close up the reclamation before December 1st. Besides, the water in the San Joaquin river being lower this Fall than it has been for years, necessitated the moving of a vast deal more of material from the bed of the river in Burns' cut-off [illegible] the first dredge, the Samson, being compelled to cut its way bodily along, and move a mass of material of thirty feet in width by seven feet in depth. We may say that the work executed by the dredge Samson, at Burns' cut-off, has demonstrated the ability of these dredges to take material, however hard it may be, from the bottom of our rivers and rapidly deposit it at a considerable distance at right angles from the boat, and the rapidity and ease with which the material is carried suggests the applicability of dredges of this character to the deepening of channels and rivers in our locality, as well as the cutting of canals and the building of levees. It has not yet been decided if these dredges will be put on the lower part of Roberts Island this Fall, or be employed in strengthening some of the levees on the Sacramento river, for which urgent request from various quarters has been made.

SUPREME COURT.—On Thursday, 11th instant, the Supreme Court, in the case of T. J. Hook against the city of Stockton, affirmed the judgment of the District Court, which was in favor of the city. It will be remembered that the Council passed an order to fill up the large sewer along the south side of Weber avenue, from Hunter street to the east end of the planking. On petition of Mr. Hook, a temporary injunction was issued by the District Court and the trial of the [illegible]

MR. PLATT'S EXPENDITURES.

STOCKTON AND IONE RAILROAD OFFICE,
STOCKTON, California,
September 23, 1875.

To the Directors—At Mr. Toomy's request, I make to you the following statement: The gross amount expended by H. B. Platt, and standing to his credit on the books as Contractor of the Stockton and Ione Railroad, from the time of his commencement of the work, up to the transfer of contract to Henry Toomy sums up $32,770 04. This amount has been reported by me from month to month until it reaches the above figure. Some time since I made out a detailed statement of this, showing every item of expenditure up to February 1, 1875, and handed it to the Board for their inspection and approval. As no action was then taken, I wish now to say that this detailed statement, which I submit herewith, shows several items not strictly due to railroad work, and which should be deducted as follows:

Platt's personal salary	$1,800 00
Overcharge on transit	90 00
Incidental account (about)	450 00
	$2,340 00

In addition to the above should be deducted from the total amount as shown:

First—The amount due to stock subscribers and not charged to Mr. Platt as cash	$007-93
Second—Outstanding indebtedness due [illegible] penditure account	1,462 82
Amount of cash paid by stock subscribers	13,606 21
	$15,977 06
Add as previously stated	2,340 00
Total	$18,317 06
Deduct this total amount from	32,770 04
Leaves a total balance due Platt of	$14,452 98

In examining the accounts and drawing off the deduction given, I have had the co-operation of Mr. Miller and Mr. Toomy, who concur in all of the above. I may state, however, that in looking over these detailed accounts you may find other overcharges and errors which you may wish to abate. All of which I leave to your judgment without further comment.

JAMES D. SCHUYLER,
Chief Engineer.

THE COURTS.

District Court—HON. S. A. BOOKER, Judge.

FRIDAY, November 12, 1875.

Charles H. Gordon et al. vs. The City of Stockton et al.—Defendant's demurrer sustained; plaintiff excepts.

Mary W. Rover vs. Ann O'Neil—Submitted as per stipulation on file.

W. S. Moss vs. O. G. Langmaid—Continued till the 13th instant.

J. T. Davis vs. M. Carroll, Jr. et al.—Plaintiff's motion to amend complaint denied. Cause continued for argument.

Court adjourned until Saturday, 13th instant.

CLAIMS AGAINST THE ESTATE OF THOMAS H. SELBY.—The executors of the late Thomas H. Selby have allowed claims against the estate as follows: Bank of California, $757,304 87; D. O. Mills, $207,882; Michael Reese, $103,833 93; Eureka Consolidated Mining Company, $197,825 87; Nicholas Luning, $51,827 80; Abbot Mining Company, $9,523 78; A. B. Woods of New York, $15,466 41; Macondray & Co., $9,130 05; National Tub Works Company of Boston, $8,741 24; Samuel H. Brodie, $6,726 22; Jessie W. Starr & Sons of New Jersey, $4,735; W. B. Hooper & Co., $5,387 60; Cornelia and Louis Kempff, $7,212 45; Glasgow Iron and Metal Importing Company, $2,810; Pope & Talbot, $2,603 93; A. Warner & Sons of New York, $2,277 92; Dickson, DeWolf & Co., $1,709; N. Gray & Co., $552 75. The executors have allowed 29 other minor claims amounting in the aggregate to $5,000 75. The total claims thus far allowed amount to $1,308,451 21; of which $37,078 35 is payable in currency.

The *Post* of Thursday evening says:

We are informed, upon authority, that the statement of liabilities thus far allowed by the executors, and recently published, does the Selby estate great injustice. There has been no real appraisement of the estate yet field. The $765,000 named in the application for letters of probate was merely a nominal figure set down by the clerk who drew up the application. It was not based upon an estimate of the value of the estate, for at that time, but a few days after Mr. Selby's death, no trustworthy estimate could be arrived at. It may be stated now that enough has already been realized from the assets to pay every claim against the estate and leave a surplus for the benefit of the heirs. More than this, it may be stated that more of asset remain to be realized upon to be settled.

THE LATEST "FIEND."—About a year ago we were informed that there was a man in the Territory who made it his business to entice others to go into the mountains with him upon the pretense of showing them rich mine, and that it was seldom that persons so entreed were ever heard from afterward. Our informant told us that upon one occasion he himself was allured by this man's stories, and started with him on the journey of death and was only saved by a message reaching him from a friend warning him of his danger; that upon receipt of this message he administered to his would-be-murderer a sound thrashing with a pick handle, and left him to seek other victims. Recently we are informed that this same fiend had enticed away and murdered eight victims during the

EXHIBIT 32

S.L.D.
FIELD NOTES BOOK No. 90

E.H. Tucker Book No.2

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EXHIBIT 33

Where a ditch cut like this would not furnish material enough for the levee, smaller ditches were cut in the bottom and on the river side of the main ditch.

The ditch was not a continuous one, benches being left every 800 or 1000 feet to prevent the current from washing it out, and to precipitate sediment in time of flood; openings 2 or 3 feet wide were cut, between these benches, and from the river to the ditch, to admit the water during a slight raise. The height of the levee on the San Joaquin River was about 3 feet above the banks; on Old River from 3 to 5 1/2 feet.

All this levee, about 8 1/2 miles was completed in Oct. 1875, total cost $7,647.75. From the lower line of the Rancho El Pescadero to Willow Lake Slough a distance of 1 1/2 miles the land was owned by James Rea, Wm. Pile and B. Ralto; they each built their own levee, which was of the same dimensions as the other levee, but it was much nearer the river, in some places being not more than 12 feet distant, material was taken from both sides, but mostly from the outside, work was finished in Nov. 1875; as each man did his own work without employing laborers the cost was very little.

The dam in Willow Lake Slough was built with "Slusser Excavators", material being taken from the bank of the Slough.

From Willow Lake Slough to Honker Ridge 4 1/3 Miles the ground was all plowed 1 foot deep commencing about 6 feet from the bank and extending back about 60 feet; on this plowed ground the levee was located; the banks slope back very fast and to save heavy fills the levee was put as near the river as it could be, and leave material for its construction on the outside. The work was commenced in Sept. 1875; the levee was from 5 to 8 feet high, 4 feet wide on top, outside slope 2 to 1, inside slope 1 1/2 to 1. About 400 chinamen were employed and the work was nearly finished in Nov. 1875, when the river raised suddenly and stopped it.

In a number of places, where the levee was unfinished the water rushed through and would have swept away everyhting if we had not built bulkheads, as it was very little was lost. Work, of course, had to be stopped until the water subsided, a year was lost on that account.

Four miles of the crop levee, on Honker Ridge, from Middle River to Honker Mound, at the head of Duck Slough, was built during the summer of 1875; a great deal of experimental work was done with machinery; all the land on which the levee was built was first plowed, then "McCall Scrapers," "Wanchape Graders" and "Slusser Excavators" were tried at an immense expense but with very little success, common road scrapers worked well and with them most of the work was done.

This 4 miles was completed before the flood came. The average height of the levee was 6 ft. slopes 2 to 1 and crown 4 feet wide. The two miles along Duck Slough from Honker Mound to Burns' Cutoff was located and construction well started when the flood came, but had to be left unfinished.

Daily Stockton Independent.

Friday Morning, Sept. 21, 1877.

Stockton Grain and Flour Market.

STOCKTON, September 20, 1877.

WHEAT—$2 20@2 30; choice milling, $2 35.

BARLEY—$1 55@1 65.

WOOL—9@18½c.

HAY—$15@18 ⅌ ton.

FLOUR, ETC.— (Silver.)	Wholesale.	Retail.
City Mills, hf sks, ⅌ bbl	$ 8 7 25	$7 50
City Mills, qr sks, ⅌ bbl	7 25	7 75
Lane's Mills, hf sks, ⅌ bbl	7 25	7 50
Lane's Mills, qr sks, ⅌ bbl	7 25	7 75
Graham, ⅌ bbl	7 25	7 75
Cornmeal, ⅌ bbl	6 50	7 00
Middlings, ⅌ 100 lbs	1 [illegible]	1 75
Bran, ⅌ 100 lbs	1 25	1 [illegible]

San Francisco and Liverpool Markets.

SAN FRANCISCO, September 20.

FLOUR—Extra is jobbing at $7 37½@7 87½ [illegible]

WHEAT—The market is steady at $2 32½@2 37½ for shipping and $2 35½@2 42½ for milling, with fair business.

BARLEY—The gold rates for feed are $1 60@$1 67½, with liberal sales.

The Liverpool wheat market is given to-day at 12s 8d@13s for average California and 12s 11d to 13s 3d for club.

Gold and Currency Quotations.

Gold opened in New York yesterday at 103½, closing at 3 P. M. at 103¼.

Legal Tenders in San Francisco were 97@97½ buying and 97¼@97½ selling.

Half Dollars were 4 20@4½ per cent discount buying, and selling at 3¾@4½ per cent discount.

Trade Dollars were quoted at 94½ per cent buying and 94¾ selling.

ROBERTS ISLAND.

Progress of the Reclamation Works—What Has Been Done and What Remains to be Accomplished—Another Visit to the Scene of Operations.

It is the province of the faithful journalist to keep the public informed of all that transpires within the scope of his observation, and particularly of the progress of all enterprises that affect the prosperity of city, county and State so greatly as do the mammoth reclamation works that are now on foot in this county. The INDEPENDENT has from the conception of the works taken an active interest in these gigantic enterprises, and, although not neglecting other improvements in progress in other directions, has devoted much space to description of the lands in process of reclamation and the means adopted to effect the work, striving thereby to impress upon our citizens a proper appreciation of the value and importance of the improvements. A [illegible] pleted before the 1st of January next.

One day this week we accepted an invitation kindly extended by Mr. Fisher, to accompany him on a short trip up the river on his comfortably appointed steamer Clara Crow, to inspect the new channel recently cut through one of the sharpest bends in the river by the dredge Samson. The point cut off was on the north side of the river opposite Jos. Hale's farm. The sharp bend has long been a serious impediment to navigation, and a constant threat to the safety of the levee on Roberts Island. The cut was a very severe test of the efficacy of the dredge, as it attacked a vertical bank, fourteen feet high above the water line, and sliced out a channel six feet deep, and fifty wide through which our steamer sailed, and which has now become the mainchannel of the river. The cut was made by the dredge in ten days' work, at a cost of about $1,400, which was borne entirely by Mr. Fisher. The number of yards removed was about fourteen to sixteen thousand and the length of the cut a little short of five hundred feet. Passing this place, we steamed up the stream to Wilmington, near Burnetts, where the dredge had just completed the excavation of a lot of material for a landing place. Here we found Messrs. E. H. Allen, J. M. Garnett, and C. H. Covell, the commissioners appointed by the Board of Supervisors to assess the damages and the proportionate benefits accruing to the settlers by the construction of the levee, and thus equalize the cost. A few miles farther up the river the steamer stopped at Dangers' ranch, where a meeting of Trustees of Swamp Land District 110 was held, and measures for the promotion of the work adopted. Returning in the evening, the steamer towed the dredge back to Wakefield, the present headquarters of the lower division, six miles below Stockton, at the junction of Burns cut-off, where we arrived at 11 o'clock, and by moonlight inspected the huge, black embankment winding in long serpentine curves out into the darkness by the river side. An hour afterwards we were in Stockton, having spent a day full of interesting sights and incidents.

MINISTERIAL APPOINTMENTS.—The following appointments for the Stockton District were made by the Methodist Conference: W. Dennett, Presiding Elder; Stockton, T. S. Dunn; Oakland, First Methodist Church, R. Beatty; Centennial Church, Oakland, J. H. Wythe, Jr.; East Oakland, C. J. Lovejoy; Alameda, H. B. Heacock; Oak Grove and Barneyville, T. C. George; Linden, T. B. Palmer; Lodi, J. H. White; Lockeford, G. R. Stanley; San Leandro, W. Hurlburt; Haywards, S. Kinsey; Walnut Creek, W. B. Priddy; Antioch and Somersville, [illegible]

PRELIMINARY EXAMINATION.—The preliminary examination of Manuel Silva, arrested by Sheriff Cunningham, last Sunday, on a charge of having robbed the depot at Peters, two years ago, was held before Justice Hopkins yesterday. The defendant made no defence whatever. The circumstantial evidence against him was very strong, and he was held to answer before the next Grand Jury for the crime of burglary, with bail fixed at $1,500. Not being able to give bail, he was remanded to jail.

TAP-DRILL.—The Stockton Rifle Cadets have been perfecting themselves in going through military evolutions to the tap of the drum, and will give an exhibition of their skill in the Mozart Hall this evening. The drill will be highly interesting, and will be followed by a social. Everybody interested in the military proficiency of the boys are invited to be present. Fifty cents admission.

$100.—A note for $100, given by Robert W. Rozier in favor of Francis Dustin and dated September 19, 1877, was found yesterday by Theodore Lee, four miles north of Stockton, on the road to Galt. The owner may have the same by calling at this office and proving property.

THERE was no change in the wheat market yesterday, the price for choice milling being about $2 30 per cental. As high as $2 32½ and $2 35 was paid for small lots of gilt-edged. The receipts were the lightest of any day this season. No wheat came in by rail and but little by teams.

THE steamer Alice Garratt was built by C. M. Small, and as the vessel is of a very fine model, the builder don't care who knows it. May he live to build a thousand more just like her, and all running on the same route.

SEVEN carloads of wood were brought in yesterday by rail.

THE COURTS.

County Court—HON. W. S. BUCKLEY, Judge.

FRIDAY, SEPT. 20, 1877.

People vs. Patrick Kennedy—Arraigned, pleaded not guilty to charge of assault to murder; trial set for October 4th, at 10 A. M.

People vs. T. L. Covie—Arraigned for embezzlement, and given till Monday, the 24th, to plead.

People vs. Wm. King—Arraigned for grand larceny, and given till Monday, the 24th, to plead.

People vs. John Mariarty and John O'Neil—Arraigned for burglary, and given till Monday, the 24th, to plead.

EXHIBIT 34

Trade Dollars were quoted at 94½ per cent buying and 94¾ selling.

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Progress of the Reclamation Works—What Has Been Done and What Remains to be Accomplished—Another Visit to the Scene of Operations.

It is the province of the faithful journalist to keep the public informed of all that transpires within the scope of his observation, and particularly of the progress of all enterprises that affect the prosperity of city, county and State so greatly as do the mammoth reclamation works that are now on foot in this county. The INDEPENDENT has from the conception of the works taken an active interest in these gigantic enterprises, and, although not neglecting other improvements in progress in other directions, has devoted much space to description of the lands in process of reclamation and the means adopted to effect the work, striving thereby to impress upon our citizens a proper appreciation of the value and importance of the improvements. A man that causes two blades of grass to grow where but one grew before is recognized as a public benefactor, but he who battles with the elements and rescues a small kingdom of the best of land from the dominion of water, preserving it for the support of hundreds of industrious families, is doubly worthy consideration and praise. The character of the work required to reclaim the large bodies of swamp lands in this county was such that it demanded the expenditure of large sums of money before any returns could be anticipated, and consequently it could never have been accomplished by the individual efforts of ordinary settlers without capital. For this reason the lands lay for many years almost untouched, before capitalists were convinced that they afforded unusual inducements for speculation and remunerative investment. Fortunately, in later years the value of these lands has been so thoroughly demonstrated that they no longer go begging for capital to improve them. The reclamation of Roberts Island, the largest island in the State, containing 67,000 acres, was begun in the Fall of 1875. The island was divided into two sections by a levee built across it, near its geographical centre, and the upper section of 21,000 acres was surrounded by a high levee. But a short gap of a mile or two remained to be closed when the high flood of 1875-6 came, suspending operations and filling up the island with water. Work was again resumed last Fall after the land had become dry enough to work, the levees were completed and raised to a uniform height, and last Spring the cultivation of [illegible]

cost. A few miles further up the river the steamer stopped at Dangers' ranch, where a meeting of Trustees of Swamp Land District 110 was held, and measures for the promotion of the work adopted. Returning in the evening, the steamer towed the dredge back to Wakefield, the present headquarters of the lower division, six miles below Stockton, at the junction of Burns cut-off, where we arrived at 11 o'clock, and by moonlight inspected the huge, black embankment winding in long serpentine curves out into the darkness by the river side. An hour afterwards we were in Stockton, having spent a day full of interesting sights and incidents.

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FAIR ITEMS.—A special freight train will leave Sacramento on Sunday at 11 o'clock A. M. to bring over stock now at the State fair for exhibition at the San Joaquin District Fair, which opens in this city next Tuesday, Sept. 25th. This will afford all parties desiring to exhibit stock at our fair an opportunity to come. We are informed that the tickets to be used at our fair will be the Pardee patent tickets, so successfully used here two and three years ago. They are the same tickets that are used at the State fair. Judge Haworth, probably the most competent and best informed man on the rules of the turf in the State, will preside in the judges' stand during the races, as he has done for years past. The outlook for a successful fair is now flattering, and in all departments we shall expect a highly creditable display.

HABEAS CORPUS.—The attorneys for E. N. Cahill yesterday swore out a writ of habeas corpus, which will be argued before Judge Buckley at ten o'clock this morning. Cahill's attorneys claim that in deciding that Cahill was subject to re-arrest, after having been dis-

market yesterday, the price for choice milling being about $2 30 per cental. As high as $2 32½ and $2 35 was paid for small lots of gilt-edged. The receipts were the lightest of any day this season. No wheat came in by rail and but little by teams.

THE steamer Alice Garratt was built by C. M. Small, and as the vessel is of a very fine model, the builder don't care who knows it. May he live to build a thousand more just like her, and all running on the same route.

SEVEN carloads of wood were brought in yesterday by rail.

THE COURTS.

County Court—HON. W. S. BUCKLEY, Judge.

FRIDAY, SEPT. 20, 1877.

People vs. Patrick Kennedy—Arraigned, pleaded not guilty to charge of assault to murder; trial set for October 4th, at 10 A. M.

People vs. T. L. Covie—Arraigned for embezzlement, and given till Monday, the 24th, to plead.

People vs. Wm. King—Arraigned for grand larceny, and given till Monday, the 24th, to plead.

People vs. John Mariarty and John O'Neil—Arraigned for burglary, and given till Monday, the 24th, to plead.

People vs. W. E. Maguire—Arraigned for perjury, and given till Sept. 21, at 1 P. M. to plead.

People vs. Guiseppi Montana—Arraigned for burglary, and given until Monday, the 24th, to plead.

People vs. Ah Sam—Arraigned for burglary and given until Monday, the 24th, to plead.

People vs. John Creeton—Arraigned for burglary and given until Monday, the 24th, to plead.

People vs. D. Woolf—Arraigned for assault to murder and given until Monday, the 24th, to plead.

People vs. John Fennell and Henry Thomas—Arraigned for burglary and given until Monday, the 24th, to plead.

People vs. John Wilson and Chas. Johnson — Arraigned for burglary.—Pleaded guilty, waived time; sentenced to 2¼ years each in State Prison.

People vs. Wm. O'Connor—Arraigned for petty larceny and prior conviction; pleaded guilty and waived time—Sentenced to three years in State Prison.

People vs. Thomas Conier—Arraigned for false personation and given until Monday to plead.

People vs. Ah Hom—Arraigned for burglary and given until Monday to plead.

People vs. Frank C. Pease and Wm. Weaver—Arraigned for burglary and given until Monday to plead.

People vs. James Johnson—Arraigned for burglary and prior conviction and given until Monday to plead.

People vs. John Low—Arraigned for burglary and given until Monday to plead.

People vs. Alex Malone—After argument referred to Justice Morrison

two sections by a levee built across it near its geographical centre, and the upper section of 21,000 acres was surrounded by a high levee. But a short gap of a mile or two remained to be closd when the high flood of 1875-6 came, suspending operations and filling up the island with water. Work was again resumed last Fall after the land had became dry enough to work, the levees were completed and raised to a uniform hight, and last Spring the cultivation of the land was begun. The owners of the property are now engaged in a radical improvement of the levees, raising them two to three feet high, giving them a greater slope, straightening and generally improving them. Three hundred and fifty Chinamen are now at work, and others are to be put on soon. Mr. M. C. Fisher, the owner of nine-tenths of the land, has suffered many annoyances from the obstinate and unreasoning opposition of some of the settlers who own land along the river bank. Although he has thus far advanced for them every dollar of the money required to build their portion of the levees, and by the reclamation of the island has made productive from one to three hundred acres of back land for each of them, they seem so shortsighted that they actually oppose the improvement in the levees, and resist the measures by which a fortune is forced upon them.

On the lower section of the island (containing 46,000 acres), the engineers took advantage of the experiences and failures of the past in the location and plan of the levee, and have projected a work almost unequaled in the State. The whole length of the main levee from one end of the cross levee around the island to the other, is 32¼ miles, which encloses 36,000 acres, leaving about 10,000 acres outside, in the complicated tangle of sloughs at the lower end of the island. The levee is placed over one hundred feet from the banks of the river, and the material is all excavated next the stream, leaving a strip of the natural bank intact, and a berme of fifteen feet at the foot of the embankment. For six or eight miles from the upper end of the division on each side of the island the levee is of [illegible] top, nine to twelve feet high, with slopes of three to one on the outside and two to one on the inside. For the remaining distance the land is of a peaty character and the levee is built of peat sods carefully laid, while the top width is increased to twenty feet, forming a wide avenue, like a great elevated highway. So quietly has the work progressed that almost before people realize that any work is being done it will be completed. It is already about half done, and the grading is being pushed forward by a force of thirteen hundred Chinamen at the rate of a quarter of a mile a day. The Chinamen work by contract for nine cents per cubic yard. As the work averages from 60,000 to 100,000 cubic yards per mile some conception of the cost may [illegible] the roads, as he has done for years past. The outlook for a successful fair is now flattering, and in all departments we shall expect a highly creditable display.

HABEAS CORPUS.—The attorneys for E. N. Cahill yesterday swore out a writ of habeas corpus, which will be argued before Judge Buckley at ten o'clock this morning. Cahill's attorneys claim that in deciding that Cahill was subject to re-arrest, after having been discharged by the Grand Jury, and in remanding him to jail for preliminary examination, Justice Mowbray exceeded his jurisdiction. Should Judge Mowbray's decision be reversed Cahill will be scot free and it is presumed can have nothing further to fear from the operation of the law, but if the decision is sustained it is possible that he may yet come to trial.

NEW ORLEANS MINSTRELS.—The Minstrels are the attraction of the week to those of a speculative turn of mind, which class includes the greater portion of the human family. Last evening Dave Adams drew a silver butter dish, Eva M. Gilbert a silver and crystal butter dish, Mrs. E. E. Washburn a boquet and card holder, Mrs. Selna a silver cake basket, Edward Mattuson the same, Edna Orr a silver soupladle, P. Ford a silver fish knife, John Eck an inkstand, and John B. Buckley a table set. To-night the principal gifts will be a silk dress, a watch and three other leading presents. A matinee will be given on Saturday afternoon, and the final performance will take place on Saturday night.

Genuine Majolica Goods, Decorated Fayence and and China Ware—A choice lot received at C. Behrns, 174 El Dorado street.

Crystal Piano Stands

Increase the volume of sound. If you try them you will never be without them C. Behrns, sole agent for Stockton and vicinity.

For the very best Photographs go to Batchelder's Gallery, 186 El Dorado street, between Main and Levee. se5

Landscape and Portraits—J. Pitcher Spooner.

Furnished Rooms.

Parties desirous of procuring nice furnished rooms will do well to call on LESHER BROS., who have lately fitted up the rooms of the second story of the Postoffice building, and are prepared to lease them by the day or month. my30

Promenades at Batchelder's. ap4

Photographic views of Stockton and vicinity at Batchelder's. de11

For Coughs and Throat Disorders, use "Brown's Bronchial Troches," having proved their efficiency by a test of many years.

burglary and given until Monday to plead.

People vs. Frank C. Pease and Wm. Weaver—Arraigned for burglary and given until Monday to plead.

People vs. James Johnson—Arraigned for burglary and prior conviction and given until Monday to plead.

People vs. John Low—Arraigned for burglary and given until Monday to plead.

People vs. Alex Malone—After argument, referred to Justice Mowbray.

Adjourned till Sept. 21st at 1 P. M.

If you want your boots neatly polished, or your clothes carefully and thoroughly brushed, call on Louis DeFerrari, at the old stand, Levee street. je24

Pianos! Pianos!! Pianos!!!

DECKER BRO.S' PIANOS are the Leading Pianos of the world, and the only Pianos in the world guaranteed for seven years. G. N. MILCO, Agent. Also Agent for Emerson's, Dunham's, Bell Treble Pianos, St. Louis Piano Manufacturing Company, and Fisher Upright Pianos. The public are invited to call and examine the instruments, as well as prices, and I assure one and all that I can sell them here as low as they can be bought anywhere in California. Remember the place, at G. N MILCO'S, 173 Hunter street, near the Post office. au27

Emerson's Pianos

Are the Cheapest First-class Pianos in America. G. N. MILCO, Agent, Stockton. je2

Novelties for Tin and Wooden Weddings just received at Behrns', 174 El Dorado street.

Accident.

It was all an accident how Fred. Arnold discovered his Magic Polish. It makes old shoes look like new. The largest and finest assortment of Boots and Shoes are sold cheap at 194 Main street. They buy their goods at the lowest cash prices. Try Fred. Arnold's "One Price Store." se7

MANSION HOUSE.

The undersigned would respectfully announce that the Mansion House of this city has been renovated and opened to the public [illegible] Elegant rooms and suites of apartments may be obtained in the upper stories from Mrs. M. A. Holden, and connected with the House, on the lower floor, Mr. B. F. McCrillis has opened a first-class Restaurant, where meals may be obtained at all hours.

MRS. M. A. HOLDEN,
Proprietress of Lodging.
B. F. McCRILLIS,
Restaurateur.
au23-1m

Elegantly Poised and Lighted by Spooner.

THOSE Beautiful Crystal Minatures in Oil—At Batchelder's.

In the whole history of Medicine

No preparation has ever performed such marvellous cures, or maintained so wide a reputa-

the obstinate and unreasoning opposition of some of the settlers who own land along the river bank. Although he has thus far advanced for them every dollar of the money required to build their portion of the levees, and by the reclamation of the island has made productive from one to three hundred acres of back land, for each of them, they seem so shortsighted that they actually oppose the improvement in the levees, and resist the measures by which a fortune is forced upon them.

On the lower section of the island (containing 46,000 acres), the engineers took advantage of the experiences and failures of the past in the location and plan of the levee, and have projected a work almost unequaled in the State. The whole length of the main levee from one end of the cross levee around the island to the other, is 32¼ miles, which encloses 36,000 acres, leaving about 10,000 acres outside, in the complicated tangle of sloughs at the lower end of the island. The levee is placed over one hundred feet from the banks of the river, and the material is all excavated next the stream, leaving a strip of the natural bank intact, and a berme of fifteen feet at the foot of the embankment. For six or eight miles from the upper end of the division on each side of the island the levee is of [illegible] top, nine to twelve feet high, with slopes of three to one on the outside and two to one on the inside. For the remaining distance the land is of a peaty character and the levee is built of peat sods carefully laid, while the top width is increased to twenty feet, forming a wide avenue, like a great elevated highway. So quietly has the work progressed that almost before people realize that any work is being done it will be completed. It is already about half done, and the grading is being pushed forward by a force of thirteen hundred Chinamen at the rate of a quarter of a mile a day. The Chinamen work by contract for nine cents per cubic yard. As the work averages from 60,000 to 100,000 cubic yards per mile some conception of the cost may be obtained. Besides this small army of Chinamen, Messrs. Lemon & Wing, contractors, have a force of two hundred scraper teams at work on Middle river, where they have a contract for putting up about five miles of the work. The levee proper is but a portion of the entire work, as there are a number of very large sloughs to be dammed, with immense, automatic tidal flood-gates to be constructed, etc. Whisky slough, the largest of the number, will require a dam fifty feet in hight from top to bottom, two hundred feet long and two hundred feet wide. Of this work, however, we shall speak further at some future time. At the present rate of progress the whole work will be com-

strels are the attraction of the week to those of a speculative turn of mind, which class includes the greater portion of the human family. Last evening Dave Adams drew a silver butter dish, Eva M. Gilbert a silver and crystal butter dish, Mrs. E. E. Washburn a boquet and card holder, Mrs. Seina a silver cake basket, Edward Muttesou the same, Edna Orr a silver soupladle, P. Ford a silver fish knife, John Eck an inkstand, and John B. Buckley a table set. To-night the principal gifts will be a silk dress, a watch and three other leading presents. A matinee will be given on Saturday afternoon, and the final performance will take place on Saturday night.

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An immense stock of Ladies' Silk Ties, in all shades and colors, at E. Hickman's.

A UNIVERSAL REMEDY.—"Brown's Bronchial Troches" for Coughs, Colds, and Bronchial Affection, stand first in public favor and confidence; this result has been acquired by a test of many years.

First Class and Cheap Furniture,

And entire new outfits for housekeeping, can be bought at reduced rates at A. Easton, corner El Dorado and Main Streets.

Centennial Photographs, $1 per dozen, at the Pioneer Gallery, 178 Main street, between Hunter and El Dorado streets. ap20

in the world guaranteed for seven years. G. N. Milco, Agent. Also Agent for Emerson's, Dunham's, Bell Treble Pianos, St. Louis Piano Manufacturing Company, and Fisher Upright Pianos. The public are invited to call and examine the instruments, as well as prices, and I assure one and all that I can sell them here as low as they can be bought anywhere in California. Remember the place, at G. N. MILCO'S, 173 Hunter street, near the Post office. au27

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MRS. M. A. HOLDEN,
Proprietress of Lodging.
B. F. McCRILLIS,
Restaurateur.
au22-1m

Elegantly Poised and Lighted by Spooner.

THOSE Beautiful Crystal Minatures in Oil—At Batchelder's.

In the whole history of Medicine

No preparation has ever performed such marvellous cures, or maintained so wide a reputation as AYER'S CHERRY PECTORAL, which is recognized as the world's remedy for all diseases of the throat and lungs. Its long-continued series of wonderful cures in all climates has made it universally known as a safe and reliable agent to employ. Against ordinary colds, which are the forerunners of more serious disorders, it acts speedily and surely, always relieving suffering, and often saving life. The protection it affords by its timely use in the throat and lung disorders of children, makes it an invaluable remedy to keep always on hand in every home. No person can afford to be without it, and those who have used it never will. From their knowledge of its composition and effects, Physicians use the CHERRY PECTORAL extensively in their practice, and clergymen recommend it. It is absolutely certain in its remedial effects, and will always cure where cures are possible. For sale by all Dealers. au7-1

S.L.D.
FIELD NOTES BOOK No. 90

E.E. Tucker Book No.2

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EXHIBIT 35

From Duck Slough, up Burns' Cut-off to the San Joaquin River, and up that river to the end of the district all the levee was built in 1875 and was not affected by the flood that year. The height of this levee was from 3 1/2 to 5 feet, crown 4 feet wide, and slopes 1 1/2 to 1.

In the fall of 1876 work was resumed on the unfinished levee, under the supervision of Mr. W. R. Fisher, the levee was completed on Middle River and on Duck Slough and some repairs made on the San Joaquin River; on Honker Ridge in all concave Curves and badly exposed places the outer slope of the levee was made 3 to 1, and, in some places 4 to 1, crown 5 feet wide. On the Rancho El Pescadero the crown of the levee was widened to 5 feet slopes changed from 1 1/2 to 1 to 2 to 1 and the height was increased from 9 to 18 inches. The work was all finished early in the spring of 1877 and the total cost of the whole levee, including superintendence and $1300 spent in repairs on Rancho El Pescadero, was $107,734.35.

During the Summer of 1877 the levee on Middle River from Willow Lake Slough to Honker Ridge 4 1/3 miles, was raised to a grade 3 1/2 feet above the high water mark of June 1876, and the slopes made 3 to 1 outside and 2 to 1 inside crown 5 feet wide, material taken from inside of levee; cost $11,000.

Mr. Fisher plowed 4300 acres of his land in 1877 at a cost of $4.00 per acre; he also expended from $3.00 to $4.00 per acre more to have it harrowed the tule roots and hard sods made plowing and harrowing very difficult. A good crop of wheat and barley was raised in 1878. At present nearly the whole district is under cultivation and the wheat is unusually fine.

Good comfortable houses and large barns have been built and the future looks bright for land owners in District No. 302.

ERS' IMPLEMENTS.

H. C SHAW 1876

OW COMPANY,

ULTURAL WAREHOUSE, NOS. 201 AND 203,

le Street............Stockton

he sale of all the Latest Styles of ... Implements, Wagons, ...

col-d&w

ETCHERS,

TREES,

HORSE-TREES,

3-HORSE-TREES.

H. C. SHAW PLOW CO., 201 and 203 El Dorado street, Stockton.

IES WRINGERS AND

HING MACHINES.

H. C. SHAW PLOW CO., 201 and 203 El Dorado street, Stockton.

E SINGLE PLOWS!

AW'S PATENT GANG PLOWS,

Sulky Gang Plows.

H. C. SHAW PLOW CO., & 203 El Dorado St., Stockton.

enters' Tools.

HARDWARE,

NAILS, ETC.

H. C. SHAW PLOW CO., 201 and 203 El Dorado street, Stockton.

BARB WIRE FENCE!

ENTION OF THE AGE in the fence line.

H. C. SHAW PLOW CO., & 203 El Dorado St., Stockton.

BAKER BUGGIES

ASSORTMENT JUST RECEIVED BY

H. C. Shaw Plow Co., & 203 El Dorado St., Stockton.

HOLLOW-TOOTH HARROWS.

AIL TO CALL AND SEE THEM.

H. C. Shaw Plow Co., 203 El Dorado St., Stockton.

DMILLS!

'REGULATOR."

CONSTRUCTED AS TO ... BREEZE than any other ... water 200 feet. It is not only ... itself against gales, but is a ... REGULATOR, as it can be to ... slow or fast.

REFERENCES:

Stockton; J. A. Crew, Stockton; Crow's Landing; Pike Crew, Crow; Crow's Landing; John ..., Modesto; C. Hawell, San Joa... Green, Oakdale; F. G. Whitby; ...mpbell, Oakdale; D. Chedester, ...Callender, Oakdale; R. R. Burdi... S. Sydnor, Oakdale; G. Lucas, ...ter, Oakdale; Dr. G. A. Shurtleff, ...ent Insane Asylum, Stockton; ...ppee, President S. J. V. A. S., se26 1md&w

on & Williamson,

CTURE AND KEEP ...y on hand at their works,

in & California Sts., ockton, Cal.,

among other Implements:

TRUCKS;

lky Gang Plows; Amer...; Patent Diamond or ...red Plows; Camel, Rail... ...ngle Plows of all sizes; ...d Iron Bottom Road ... Patent Chisel Culti... Patent Horse Forks for ... Grain, Threshing and ... Derricks.

...and General Jobbing and Ma... done on Short Notice and ... LOWEST PRICES. Catalogue and Price List. se24

Compression Engine!

and Permanent.

orence Oil Stove!

ing, Heating and luminating.

ace Sewing Machines!

for Family Use.

EXHIBIT 36

Stockton Daily Independent.

WEDNESDAY MORNING, OCTOBER 11, 1876.

CURRENCY QUOTATIONS.

Gold closed in New York yesterday at 109.

Legal tenders in San Francisco were 91 buying and 91[illegible] selling.

Half-dollars are quoted at 6¼@6¾ per cent discount and selling at 5¾@6¼ per cent discount. Trade-dollars at 95 buying and 98 selling.

THE REPUBLICAN MEETING.—The citizens of Stockton were treated last evening to two very entertaining speeches delivered in National Hall by General John F. Miller and Hon. H. G. Rollins of San Francisco, both able men and excellent speakers. The meeting was presided over by our fellow-townsman General George S. Evans, who, in his introductory remarks, stated that on a recent tour through the Eastern and Southern States, embracing a travel of over 16,000 miles, he had taken pains to examine as much as he could the feeling of the country in political matters, and the result of his observations all over the country, even in the Southern States, among merchants, farmers and business men, was a perception of a strong feeling for Hayes and Wheeler. Men who pay taxes can realize the danger of putting the Democratic party in power. General Evans then introduced the first speaker of the evening, General Miller, an ex-General of the Union army in the late war, who began in a clear voice that commanded the earnest attention of the large audience at once. He first referred to the great battle that had just been fought in Ohio and Indiana, over the great issues of the day, expressing confidence in the loyalty of those great States. So far as an expression of the sentiments of the people has yet been obtained, it has been overwhelmingly Republican, even the glorious little centennial State raising her voice to the pitch of 2,000 majority. But whether the doubtful State of Indiana has gone Republican or Democratic, the fight is not yet over, and must be kept up until the very end and without relaxation. In addressing himself to the young men of the audience he adjured them to vote for principles, vote as they would fight, and fight for the principles for which they would vote. The speaker then outlined the great underlying principles and history of the two great parties of the nation, and arraigned the Democracy in a scathing manner, tearing off the mask of hypocrisy and false reform and showing them in their true colors. We regret that time and space forbid a full report, which we might otherwise make from our notes. He was frequently applauded, and his sentiments expressed struck a responsive chord in the breast of every true patriot present. General Miller was succeeded by Hon. H. G. Rollins in a ringing speech of an hour in length, beginning with a pleasant compliment to the ladies, who were largely represented at the meeting, saying that although they cannot exercise the more than regal privilege of voting, yet they are the acknowledged power behind the throne, and somehow they always have their way. As the ladies are generally for Hayes and Wheeler, it is an augury of the election of these candidates. The meeting was enlivened with excellent music by the Musical Union Band, and closed with thundering cheers for Hayes and Wheeler, our noble standard-bearers, who are leading us to a positive and certain victory.

RECLAMATION WORKS.—Favorable reports come to us of the progress of the reclamation works on Union Island. About 200 Chinamen have been employed for some time and the results are very satisfactory. A number of miles have been completed and it is confidently expected that the whole island will be surrounded with a substantial levee, six feet high, six feet wide on top and fifty feet wide at the base, before the rainy season sets in. The plan of reclamation is about the same as that pursued on Roberts' Island, adjoining. A cross levee is being built on a ridge dividing the island, near the centre, and the material for its construction will be taken from an artificial channel to be cut along side of it. The object of the channel cutting the island in half, is to increase navigation facilities around the island, which are now defective and inconvenient. The mud pumping machine is to be at work this week, when its practical utility will be thoroughly tested. The banks on the upper division of the island are composed of alluvial soil that is now dry and easily worked with plow and shovel. The levee built of it will therefore be permanent and substantial, rendering the land inclosed by it safe from overflow beyond question. On the lower section the reclamation will be more difficult but will be as thoroughly effected nevertheless. The work of enclosing the upper section of Roberts' Island is progressing in a manner equally satisfactory. A large force of Chinamen are at work filling the gap on Burns' cut-off, and building the earthen dam at the mouth of Duck slough. Two self acting flood-gates, three feet square and forty feet long, have been put in near the dam at low watermark, and are so arranged that whenever the tide falls lower than the level of the water inside the gates will open and drain it off. Whenever the water on the outside rises higher than that on the inside the gates will close and shut it out. The settlers in District No. 110 who have not yet completed their levees according to a uniform standard, have begun work actively with a view of getting through before the possibility of being again caught by early freshets.

A MEMBER of the West Side Irrigation party writes as follows to the Stanislaus

THE SUBSIDY BOND JUDGMENT—PUBLIC MEETING.

STOCKTON, October 10, 1876.

Hon. T. B. Buck, Mayor of the city of Stockton—Dear Sir: We, the undersigned citizens and tax-payers of the city of Stockton, would most respectfully ask you to call a public meeting of the citizens of the city and county for next Friday evening at 8 o'clock, for the purpose of taking some action in regard to the Bond case recently decided against the city by the Supreme Court:

E F Thrift,	N Spesati,
Wm P Miller,	W H Groves,
C C Schneider,	M H Bond,
M P Henderson,	H L Farmington,
T P Williamson,	D G Matteson,
N C Hilke,	C B Ring,
Cheate & McCurdy,	W Greenblatt,
W C Miller,	W C Daggett,
W H Kreier,	J C White,
Cadien & Ingley,	E B Noble,
Thos Driver,	J W England,
Alonzo Rhodes,	J H Doak,
C G Ernest,	Julius Steiny,
Corcoran & Dyas,	Wm Inglis,
Samuel Eldridge,	B H Huffman,
J B Saars,	E Gumpert,
N Colman,	A C Russell,
H H Moore,	W L Hopkins,
Geo F Smith,	J R Williams,
Geo S Ladd,	D S Rosenbaum,
H C Southworth,	H K Clifford,
W B West,	W M Hickman,
M Severy,	B F Wellington,
Wm Graham,	H Thornlow,
J T Mills,	G M Doll,
J S Davis,	Chas Haas,
A Gall,	John Gross,
Otto Lutje,	Robt K Reid,
S Williams,	Callahan & Co
Sam'l Elliott,	J B Hueche,
F J Huggins,	H O Matthews,
Gilb't B Claiborne,	R W Beurs,
I S Bostwick,	John Inglis,
A C Paisell,	W M Baggs,
B H Brown,	I R Wilber,
S Sallnacht,	V Dalgiani,
H E Hall,	H G Bulseller,
L M Cutting,	John Jackson,
K E Washburne,	S Badger,
R F Rogers,	J F Chase,
P Musto,	Jas E Kidd,
R B Parker,	B Arendt,
J B Douglass,	Jas Edwards,
Jas Cole,	R S Johnson,

E A Stockton.

Mayor's Call.

GENTLEMEN: In conformity to the foregoing request I hereby formally call a meeting of the citizens of Stockton to be held on Friday evening next, for the purposes set forth. Fully appreciating the importance of prompt and united action on the part of the citizens and municipal authorities in relation to a matter so vitally touching the public interest, I cannot do less than proffer my personal and official co-operation in any measures looking to the protection of these interests. Respectfully,

T. B. BUCK, Mayor.

To Messrs. Thrift, Spesati, Doak and others.

A SUBSTANTIAL old Democrat of that fossiliferous kind who would continue to vote for Jackson if they were not forcibly prevented, an earnest old fellow living not a thousand miles from Stockton, engaged in an argument recently with a young Republican, with the object of convincing him of the error of his ways. "Why," said he, "the Republican party is corrupt; there is not a single man of the fifty million office holders that is not a thief, from Grant down." When his opponent told him that there were but forty million people in the United States all told, he seemed for a moment rather non plussed, but it was only for a moment, for he immediately recovered his equanimity as he triumphantly clinched the argument by saying that "lots of 'em hold two offices." He was not to be put down by a small obstacle of a few million people.

RACING AND DRAFT HORSES.—Farmers in this country engaged to a greater or less extent in the breeding of horses, are inclined to give more attention to the breeding of racing stock than that class of animals which is of direct utility on the farm, and which brings the most remunerative prices. The result is that with very few exceptions the colts are found to be just fast enough to be beaten, and worthless as racing stock and of very little practical utility to the farmers, as they are too light for farm work. On the other hand, were more attention given to breeding thoroughbred Clydesdale or Norman horses, that are always in good demand, their profits will be found satisfactory. The breeding of racing horses should be left to those regularly engaged in the business, and not attempted by the average farmer.

THE BOND QUESTION.—We publish in another column the result of a movement which has been on foot for securing a public expression of sentiment on the question of the Visalia Railroad bonds. The object of the meeting called by the Mayor at the request of numerous citizens for Friday evening next, is to adopt some active measures of resistance against the payment of the bonds, the forcing of which, by the decision of the Supreme Court, would work the greatest injustice and outrage ever perpetrated on a community. We are thoroughly in sympathy with any such movement, and hope some feasible plan of action will be devised. Whatever action is taken must be taken quickly if it would anticipate the serving of the mandamus of the Supreme Court on the District Court, October 16th.

LOCKEFORD LITERATI.—We learn that the Lockeford Literary and Social Club has reorganized with the following elected as

FOR SAN QUENTIN.—In the County Court yesterday Judge Buckley sentenced Frank Graham, the sleek and sly thief, who burglarized the desk of the Yosemite House a few months ago, and who was convicted of grand larceny last week, to five years in San Quentin. August Ringenbach was also sentenced for the same length of time for petty larceny and a prior conviction.

A TERRIBLE INFLICTION.—We are sorry for the wretched people of Grayson who were bored with the frightful infliction of five Democratic speeches, consecutively, covering a space of five hours time. It is bad enough to have two Democratic speakers at once, but we cannot imagine what the poor people of Grayson have done that they should be so persecuted.

THERE was "music in the air" last night coming from the band in the direction of Louis Waggerman's residence by the bridge, and we surmise that he was being serenaded in honor of his late marriage. The old time charivari was revived the night of his wedding, and the melody therefrom was not quite so harmonious and delightful as that of last evening, although he took it in the best of humor.

COMMITTEE MEETING.—There will be a meeting of the Executive Committee of the Republican County Central Committee held this evening at the Republican headquarters. A full attendance is desired. Members will govern themselves accordingly and be present in full force.

THE gentlemen and ladies class of Prof. Lippard's dancing school meets at 7 o'clock this evening at Turn Verein Hall.

THE District Court, Judge Booker presiding, opens for the Fall term next Monday, October 16th.

THE Elgin ladies' 18 karat gold watch, a perfect time-keeper, ruby jeweled; worth $85, price, $40, at Uncle Harris', 702 Kearny street, San Francisco. Send for it.

BEAUTIFUL and life like are the pictures taken by Batchelder. de11

The Acme, "The Boudoir," by Spooner.

E. D. A. & L.

Humboldt Hall, Weber Avenue. se26-2w

ATTENTION, FARMERS.

The Farmers' Co-operative Union loan $20 per ton at one per cent on wheat stored in the Eureka Warehouses. jy20

THE BEST PLACE

To get a good Mitchell Wagon or Header Truck is at the Farmers' Co-operative Union, on Levee street. Go and see them. my11

Promenades, Cabinets and Cards at Spooner's. oc6

Use Abietene for rheumatism and neuralgia. oc23

Batchelder's latest—The Centennial. jy4

ICE COLD SODA!

At Hickman's Drug Store, 212 Main Street

Use Abietene for croup, colds, sore throat and hoarseness. no23

FOR the very best Photographs go to BATCHELDER'S GALLERY, 186 El Dorado street, between Main and Levee. se6

KID GLOVES!

Cleaned equal to new for 15 to 20 cents per pair at the Stockton Chemical Steam Dyeing Works, corner of Main and American streets. se18-1m H. HESS, Proprietor.

BEAUTIFY the complexion, and remove pimples, spots, burns, scalds, stings, chapped lips, prickly heat and all irritation of the skin by using "Glenn's Sulphur Soap." In cases of Gout and Rheumatism it is also very efficacious. se30-1wd&w

A FINE THING FOR THE TEETH.

Fragrant SOZODONT is a composition of the purest and choicest ingredients of the Oriental vegetable kingdom. Every ingredient is well known to have a beneficial effect on the teeth and gums. Its embalming or antiseptic property and aromatic fragrance makes it a toilet luxury. SOZODONT removes all disagreeable odors from the breath caused by catarrh, bad teeth, etc. It is entirely free from the injurious and acrid properties of tooth pastes and powders which destroy the enamel. One bottle lasts six months. se14-1md&w

ABSCESSES and sores of long standing, which have resisted the operation of ointments and washes, may be cleansed and healed by frequent and persistent washing with "Glenn's Sulphur Soap." oc7-d&w

WISTAR'S BALSAM OF WILD CHERRY.

The great remedy for Consumption. This well-known remedy is offered to the public, sanctioned by the experience of over forty years; and when resorted to in season, seldom fails to effect a speedy cure of Coughs, Colds, Croup, Bronchitis, Influenza, Whooping Cough, Hoarseness, Pains or Soreness in the Chest or Side, Bleeding at the Lungs, Liver Complaint, etc. Beware of Counterfeits! Remember that the genuine "Wistar's Balsam of Wild Cherry" has on the outside wrapper the signature of "I. Butts," and the printed name of the proprietors, "Seth W. Fowle & Sons, Boston." All others are base imitations. Examine the wrapper carefully before purchasing.

A CASE OF THIRTY-YEARS' STANDING.

NEW GOODS—LATEST STYLES!

LARGEST ASSORTMENT AND BEST WORK.

H. Marks, Merchant Tailor, No. 250 Main Street, has just returned from San Francisco with the largest and most complete assortment of goods in his line ever before brought to Stockton. Gentlemen furnished with fashionable suits from best materials on the most reasonable terms. Give him a call. my4

Crayons, Ink and Colored Work at Spooner's. oc6

ACCIDENT.

It was all an accident how FRED. ARNOLD discovered his MAGIC POLISH. It makes old shoes look like new. The largest and finest assortment of Boots and Shoes are sold CHEAP at 194 Main street. They buy their goods at the Lowest Cash Prices. Try FRED. ARNOLD'S "One Price Store." se7

THE BEST BARBER.

M. Vasquez has twenty years experience in the tonsorial profession, in which he has made many discoveries used by himself, unknown to the rest of the Barbers. He has the art of beautifying the young and rejuvinating the old, through a natural gift of genius, daily exhibited upon all classes of his customers. He cuts and dresses hair according to the shape of the head and face. He is one of nature's artists in all of his manipulations. He transforms gray hair of all ages, upon both male and female, to its natural color in five minutes' time. His work gives the best satisfaction. Try him. No. 208 Weber avenue (Hickman's building.) oc3-1m

HENDERSON'S DENTAL OFFICE,

Has been removed to McKee's new building corner of Main and Hunter streets, up stairs.

Instantaneous views of the Centennial celebration in Stockton, at Batchelder's.

TAKE NOTICE.

All persons indebted to the undersigned, and whose obligations are past due, are requested to make immediate payment. This is in lieu of personal notice, and by it we mean business.

July 19, 1876.

jy22 MATTESON & WILLIAMSON.

Spooner's Stockton and Centennial views.

Abietene for burns, scalds, cuts and sores of all kinds. no23

SHIRTS made to order at the American Clothing House.

TESTIMONIALS TO THE VALUE OF THE "FLORENCE OIL STOVE."

STOCKTON, Sept. 21, 1876.

Geo. Vincent, Esq.—Dear Sir: We are highly pleased with the "Florence Oil Stove." It is a complete success in all respects claimed for it. Yours, truly,

JAS. LITTLEHALE.

STOCKTON, Sept. 21, 1876.

Mr. Geo. Vincent—Dear Sir: I have used one of your "Florence Coal Oil Cooking Stoves" for the last month. I assure you that it is everything you claim for it. For economy and convenience, it surpasses any cook-stove I have ever seen, and I cheerfully recommend it. Yours, truly.

se22 G. W. MELONE.

LYON'S KATHAIRON makes beautiful glossy, luxuriant hair; prevents its falling out or turning gray. It has stood the test of 40 years. Is charmingly perfumed and has no rival. ap8-1y

STOCKTON GRAIN AND FLOUR MARKET

STOCKTON, October 10, 1876.

WHEAT—Old, $1 50@1 55.

BARLEY—85c@93.

Wool, 9 to 14c.

HAY—Baled, $7@10; Loose, $8 ₩ ton.

FLOUR, ETC.—	Wholesale.	Retail.
City Mills, bakers, ₩ bbl	$5 25	$5 50
City Mills, family, ₩ bbl	5 25	5 75
Lane's Mills, bakers, ₩ bbl	5 25	5 50
Lane's Mills, family, ₩ bbl	5 25	5 75
Graham, ₩ bbl	5 25	5 75
Oatmeal, ₩ bbl	4 50	5 00
Middlings, ₩ 100 lbs	1 12½	1 25
Bran, ₩ 100 lbs	90	1 00

THE STOCK MARKET.

SAN FRANCISCO, October 10th.

STREET QUOTATIONS—5 O'CLOCK P. M.

MINE.	BID	ASKED.	SALES.
Ophir	45¾	....	....
Mexican	24¼	....	....
Gould and Curry	14	....	....
Best and Belcher	48¼	....	....
Hale and Norcross	[illegible]	....	....
Yellow Jacket	20½	....	....
Crown Point	11	....	....
Imperial	[illegible]	....	....
Alpha	44½	....	....
Consolidated Virginia	64½	....	....
Sierra Nevada	11	....	....
California	50¼	....	....
Exchequer	3½	....	....
Justice	[illegible]	....	....
Union	[illegible]	....	....
Overman	70½	....	....
Julia	[illegible]	....	....
Savage	[illegible]	....	....
Chollar	78½	....	....
Belcher	18¼	....	....
Kentuck	....	....	....
Caledonia	[illegible]	....	....

POSTOFFICE REGULATIONS.

From 8 A. M. to 5 P. M., and from 6.30 P. M. to 7.30 P. M.

Sundays, from 1:15 P. M. to 2:30 P. M.

Register Department—From 9 A. M. to 5 P. M.

During the arrival and assorting of the Western mail and eastern mail at 1 00 P. M., the office will be closed temporarily, opening as soon as the letters are boxed.

MONEY ORDER DEPARTMENT

SPECIAL

ASSESSM...

Lodi Flouring ... house Company—Loc... county, California. ... at a meeting of the Di... of September, 1876, ... Twenty-five Cents per ... on the Capital Stock ... immediately, in Uni... secretary, at the office ... San Joaquin county. Any stock upon wh... remain unpaid on th... ...BER, 1876, will be del... DAY OF OCTOBER, ... public auction and, ... before, will be sold ... to pay the Delinquent ... the costs of advertising ... Office, in the Mill ...

A

To all who are ... errors and indiscretion ... ness, early decay, los... send a recipe that w... CHARGE. This great ... a Missionary in South ... dressed envelope to ... Station D, Bible Hous... jal2

Dr. J. F. Gibbon, ... physician has returned ... absence of a year, d... visited the prominen... states, England, Irela... and after having saref... modes of treatment ta... comes back with ful... adaptation of them in ... He has resumed the pr... No. 623 Kearny stre... will find him, and thus ... ills which his practi... His card will be found ...

MACHIN...

W. L. FARRINGTON ...

STOCKTON ...

183 CALI...

Between Main ... Avenue,

FARRINGTON ...

—MANUFAC...

STEAM ENGI... MACHI...

OF EVERY D...

GLOBE IR...

MACHIN...

Corner Main an... Sto...

Manufacturer of Machi... Castings of ...

STEAM

For Steamboats and Sta... powers, Pumps and Hon... Particular attention ... and repairing of Agricul... its branches, and Gener... shortest notice. Agent and manufactur... PIRON BLAST BLOW... FORGES. The highest price ... oc4 JOHN...

LIVERY S...

EL CAPITAN

MERCED C...

M. McCLENATHA...

The public will be acco... DLE HORSES and HOR... of all descriptions, at the ... Yosemite and other To... sonable terms. A share of public patron...

W. S. MORRIS.

WEBER S...

Centre Street

MORRIS & SELDEN.

THE BEST TEA... elegant turnouts in ... patrons on the most reaso... Call and give us a trial.

Open Day a...

JOHNS...

YOSEMITE

—AND

HACK ST...

WEBER AVENUE

The Best Teams and ... Turnouts in the C...

The Best and Safes... tions for Se...

ORDERS FOR HACKS, O... PROMPTLY ATTE...

Tourists to the B... Yosemite V...

Can procure any kind of Ca... with No. 1 Drivers, making ...

RECULATOR."

NSTRUCTED AS TO
ER BREEZE than any other
water 200 feet. It is not only
t itself against gales, but is a
EGULATOR, as it can be to
low or fast.

ERENCES:

kton; J. A. Crow, Stockton;
ow's Landing; Pike Crow,
row, Crow's Landing; John
odesto; C. Howell, San Joa-
n, Oakdale; F. G. Whitby;
bell, Oakdale; D. Chedester,
ender, Oakdale; R. R. Suedl-
. Sydnor, Oakdale; G. Lucas,
Oakdale; Dr. G. A. Shurt-
Insane Asylum, Stockton;
e, President S. J. V. A. S.,
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Williamson,

URE AND KEEP
hand at their works,

& California Sts.,
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nong other Implements:

TRUCKS;
y Gang Plow "Amer-
Patent Diamond or
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ie Plows of all Sizes;
Iron Bottom Road
Patent Chisel Culti-
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ne on Short Notice and
OWEST PRICES.

logue and Price List. se24

Compression
ngine!

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orence Oil
Stove!

g, Heating and
minating.

e Sewing
chines!

or Family Use.

COMPRESSION
ENGINE

y, Simplicity and Durability,
tor. No steam, hot air being
Impossible for it to explode.
umping, Factories or Shops
gine. Will lift 3,000 gallons
Cost of running 12 hours will
Can be run by any person.
utility furnished on applica-

an hour in length, beginning with a pleasant compliment to the ladies, who were largely represented at the meeting, saying that although they cannot exercise the more than regal privilege of voting, yet they are the acknowledged power behind the throne, and somehow they always have their way. As the ladies are generally for Hayes and Wheeler, it is an augury of the election of these candidates. The meeting was enlivened with excellent music by the Musical Union Band, and closed with thundering cheers for Hayes and Wheeler, our noble standard-bearers, who are leading us to a positive and certain victory.

RECLAMATION WORKS.—Favorable reports come to us of the progress of the reclamation works on Union Island. About 200 Chinamen have been employed for some time and the results are very satisfactory. A number of miles have been completed and it is confidently expected that the whole island will be surrounded with a substantial levee, six feet high, six feet wide on top and fifty feet wide at the base, before the rainy season sets in. The plan of reclamation is about the same as that pursued on Roberts' Island, adjoining. A cross levee is being built on a ridge dividing the island, near the centre, and the material for its construction will be taken from an artificial channel to be cut along side of it. The object of the channel cutting the island in half, is to increase navigation facilities around the island, which are now defective and inconvenient. The mud-pumping machine is to be at work this week, when its practical utility will be thoroughly tested. The banks on the upper division of the island are composed of alluvial soil that is now dry and easily worked with plow and shovel. The levee built of it will therefore be permanent and substantial, rendering the land inclosed by it safe from overflow beyond question. On the lower section the reclamation will be more difficult but will be as thoroughly effected nevertheless. The work of enclosing the upper section of Roberts' Island is progressing in a manner equally satisfactory. A large force of Chinamen are at work filling the gap on Burns' cut-off, and building the earthen dam at the mouth of Duck slough. Two self-acting flood-gates, three feet square and forty feet long, have been put in near the dam at low watermark, and are so arranged that whenever the tide falls lower than the level of the water inside the gates will open and drain it off. Whenever the water on the outside rises higher than that on the inside the gates will close and shut it out. The settlers in District No. 110 who have not yet completed their levees according to a uniform standard, have begun work actively with a view of getting through before the possibility of being again caught by early freshets.

A MEMBER of the West Side Irrigation party writes as follows to the *Stanislaus News*, under date of camp near Watson's Ferry, September 30th: "Our party consists of twenty-two men, who are classed as follows: One chief engineer and general superintendent, 1 draughtsman, 3 transit men, 2 levelers, 2 rod men, 4 Chinamen, 3 flag men, 2 axe men, 1 commissary, 2 teamsters, 1 cook and 1 camp man. Our first work

interests. Respectfully,

T. B. BUCK, Mayor.

To Messrs. Thrift, Sposati, Doak and others.

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LOCKEFORD LITERATI.—We learn that the Lockeford Literary and Social Club has reorganized with the following elected as officers: W. B. Ambrose, President; Howard Locke, Vice President; Ida Locke, Secretary, and H. M. Locke, Treasurer. There should be no difficulty in retaining everything the club may acquire with so many *Lockes* attached to it. We are pleased to learn of the revival of such an organization in Lockeford—an organization of that commendable nature that adds so immeasurably to the enjoyment of the long Winter even-

Daily Stockton Independent.

Wednesday Morning, Aug. 29, 1877.

Stockton Grain and Flour Market

STOCKTON, August 28, 1877.

WHEAT—$2 05@2 10; choice milling, $2 15.
BARLEY—$1 55@1 65.
WOOL—9@18½c.
HAY—$18@20 ₩ ton.

FLOUR, ETC.— (Silver.)	Wholesale.	Retail.
City Mills, hf sks, ₩ bbl	$7 25	$7 50
City Mills, qr sks, ₩ bbl	7 25	7 75
Lane's Mills, hf sks, ₩ bbl	7 25	7 50
Lane's Mills, qr sks, ₩ bbl	7 25	7 75
Graham, ₩ bbl	7 25	7 75
Cornmeal, ₩ bbl	6 50	7 00
Middlings, ₩ 100 lbs	1 [illegible]	1 75
Bran, ₩ 100 lbs	1 25	1 [illegible]

San Francisco and Liverpool Market.

SAN FRANCISCO, August 28.

FLOUR—Extra is jobbing at $7@7 62½, parcels in silver.

WHEAT—10,000 sks choice shipping, $2 15. We quote the extremes for all sorts at $2 07½@$2 20.

BARLEY—1,000 sks light feed, $1 57½; 2,000 sks fair do, $1 60; choice is held at $1 65; old crop brewing, $1 80@1 85.

The Liverpool wheat market is given to-day at 12s 1d@12s 2d for average California and 12s 5d to 13d for club.

Gold and Currency Quotations.

Gold opened in New York yesterday at 104¼, closing at 3 P. M. at 104¼.

Legal Tenders in San Francisco were 96 buying and 96½ selling.

Half Dollars were 5 per cent discount buying, and selling at 4½@4¾ per cent discount.

Trade Dollars were quoted at 94½ per cent buying and 95¼ selling.

IMPROVEMENTS.—Quite extensive improvements have been made in the way of building the present season. Quite a number of dwelling houses have been erected. Those of Rev. Martin Post and Wm. P. Miller, both nearly completed, are better than the average. Our mechanics seem to have been quite steadily employed during the season. Many of them have been engaged in the country, where the march of improvement in the comfort and elegance of farm dwellings is steadily progressing. Mr. Jahant, a prosperous farmer living near Acampo, is erecting a nice residence, and bids have been advertised for by the architect for the erection of a very large and handsome dwelling costing a small fortune, on the farm of James Gillis, three miles east of Stockton. It is a favorable sign to see the farmers in a season like the present investing their [illegible] in the improvement of their

The Exodus to Bantas.

EDITORS INDEPENDENT: The Silverside Club was recently invited by William Hucheson to a supper and grand ball at Bantas, Monday evening, August 20th. The club accepted the invitation and decided to go in a body. So on Monday, about one o'clock, the carriages, buggies and spring wagons were promptly on hand, and about thirty-five of the Silverside Club, members and officers, were soon seated in their different conveyances and headed for Bantas Station. As we got out about five miles we found the road very heavy pulling through the sand, and for about four miles thereafter it was very bad. We arrived at Bantas about five o'clock, had our horses put up, dusted ourselves, took a good wash and went up to the hotel, where we found Judge Hutchins' bar well supplied with good liquors, plenty of cigars and ice. After we got ourselves much refreshed we proceeded to Mr. Hucheson's house and were received and made welcome by his family, who soon prepared a fine lunch for us all. At 8 o'clock a bell was rung and in a few minutes a large crowd of people, both white and colored, had assembled at the hall. The meeting was opened by a short address by the President, Geo. B. Johnson. The Secretary called the roll and 48 members answered to their names. Miss Lottie Keyes next delivered a fine address, and soon after everything was cleared away for dancing, which was kept up until sunrise Tuesday morning. At 11 o'clock our host, Mr. Hucheson, served his guests with a very fine supper, as good a "lay-out" as any one would wish to sit down to. We reached home before noon on Tuesday, well pleased with our generous entertainment. GEO. B. JOHNSON.

RAPID WELL BORING.—The most rapid well boring that was ever heard of in these parts was accomplished on Monday by the new invention of Jerome Haas, which we described a few days ago. On Monday he started an artesian well to get flowing water for the paper mill, and in four hours and fifteen minutes bored a depth of 210 feet! The last fourteen feet were bored in five minutes. The deeper it goes the better it seems to work. The shaft keeps going down and is not pulled up to the surface at all, while on the outside pours up a stream of water carrying all the material cut by the augur. If the machine continues to work so success-

As we called upon an old friend yesterday we found him mourning over the death of a favorite spider that for more than six months had occupied a warm corner in the window of his office, directly in front of his desk. The spider never laid any traps or wove any webs to catch his flies, but caught them by superior agility, darting out of his nest like lightning and seizing the luckless fly that came too near. The man and the spider became very good friends and the spider would come out of his nest and take a fly offered him on the point of a pin. One day the spider came out on the desk to pay his friend a visit and in some way got injured and the next morning he was found dead. His grandson has taken possession of his former residence in the window.

RECLAMATION.—There are 450 Chinamen at work levee building on Roberts' Island along Burns' Cut-off and the San Joaquin river below Rough and Ready Island. The levee from the head of the lower division of the island at the dam on Duck slough, where the cross-levee leaves the Cut-off, is almost completed to Wakefield Landing, at the mouth of the Cut-off, two and a half miles. It is a fine piece of work. Its average height is about 8 to 9 feet; width on top, five feet; side slopes, two to one on the inside and three to one on the outside. On Middle river, from the cross-levee down stream, there are about 150 Chinamen at work. It is not expected to complete the levee this year, but they hope to be able to work all Winter at it.

THE County Medical Society met last evening at Pioneer Hall, where they were entertained by Dr. A. T. Hudson, first by an interesting scientific paper, and afterwards by a selection of tempting refreshments. Well treated, both physically and mentally, the body of medicos dispersed at a moderately late hour with mutual congratulations.

FAMILY RECORD.—From Geo. Stinson & Co., art publishers, Portland, Maine, we are in receipt of an elaborately designed steel engraving for a family record. Spaces are left for all the names and records desired, and the picture is intended to be framed and hung up in the parlor. It is very neat and handsome.

THEODORE TRIMMER, a farmer at Modesto, Stanislaus county, has filed a petition to be adjudged a bankrupt. He places his liabilities at $6,851 60 and his assets at $3,200.

Ice cream and cake, from the Metho-

EXHIBIT 37

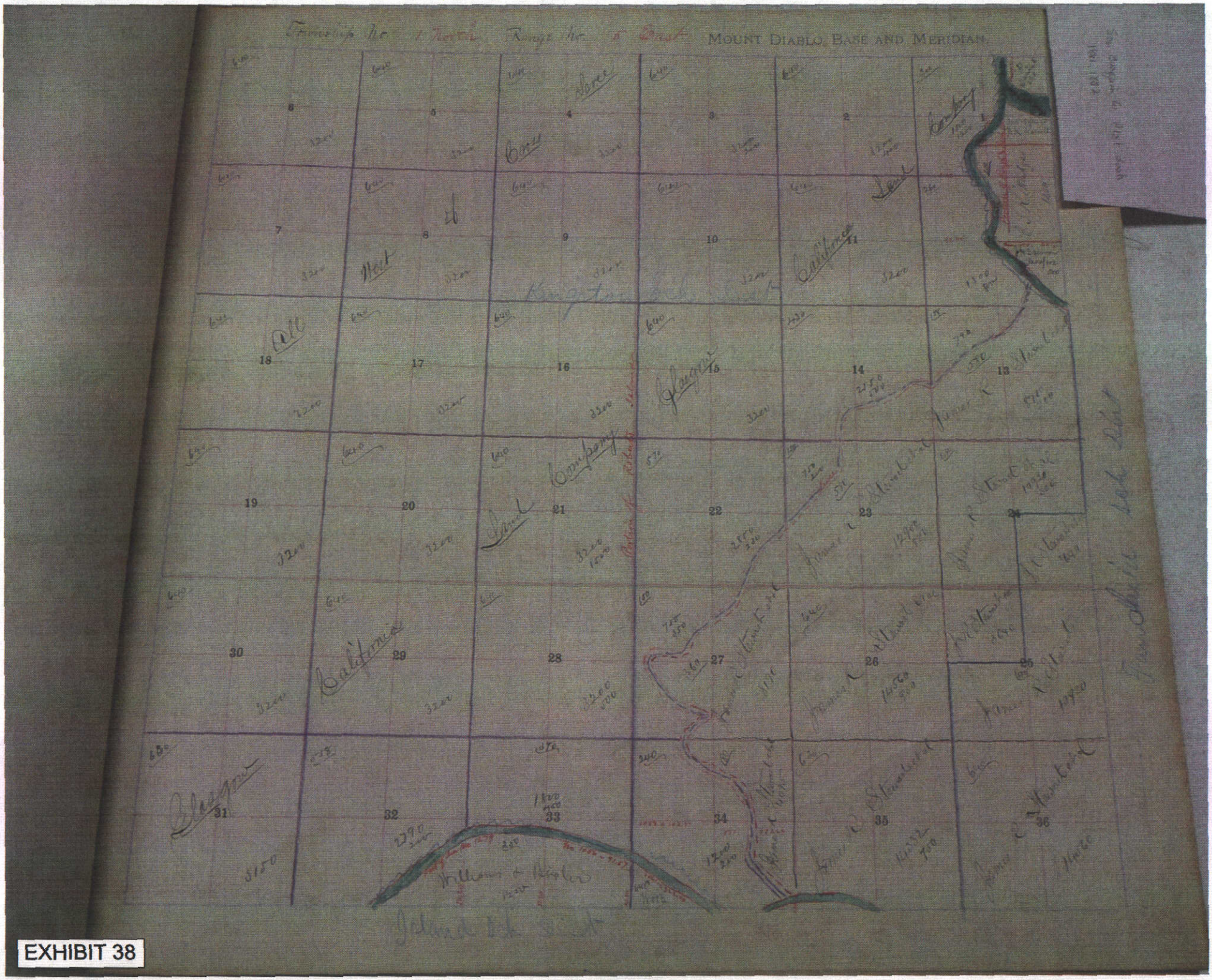
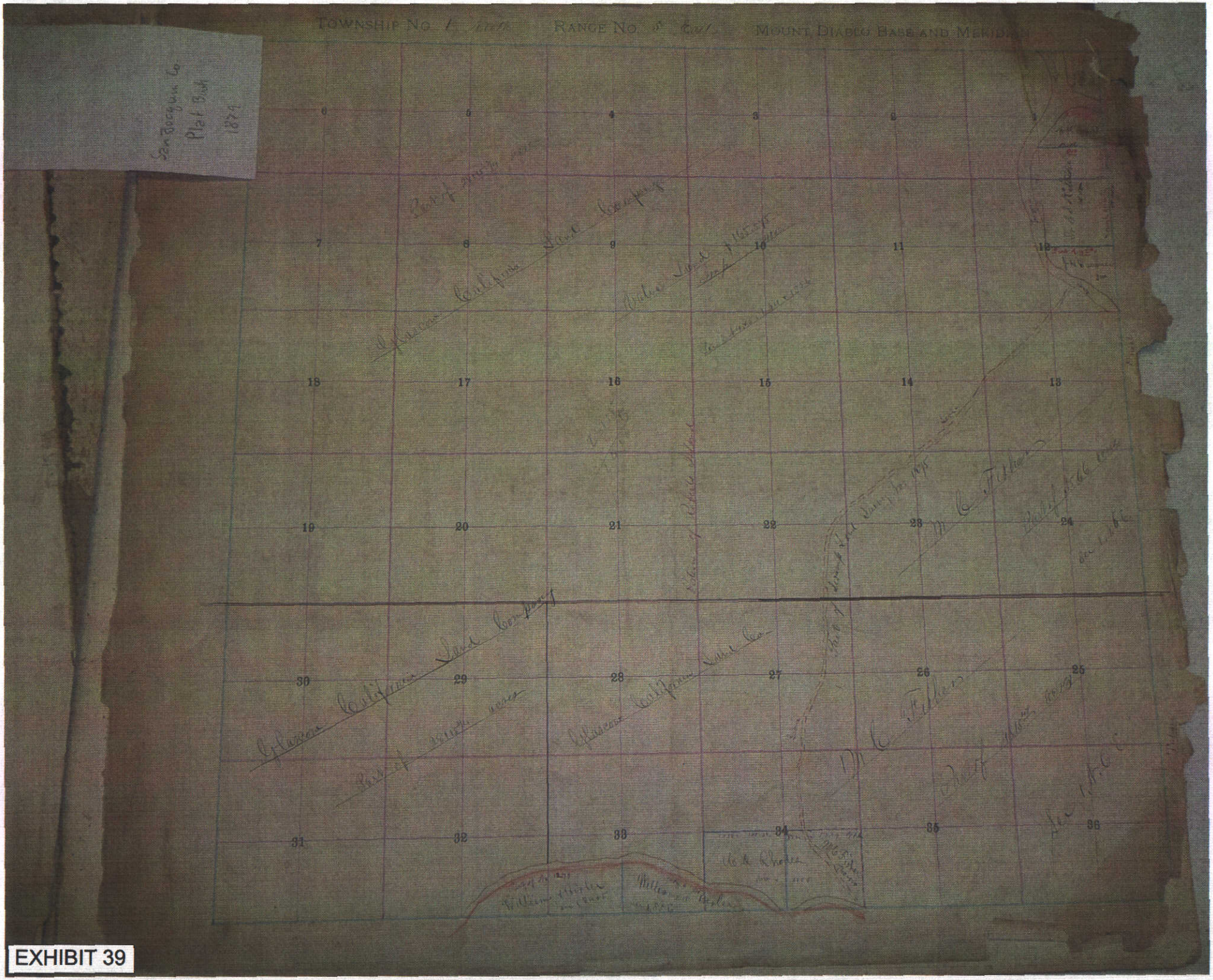

MOUNT DIABLO, BASE AND MERIDIAN
Township No. 1 North
Range No. 5 East
Cross Creek
Sand
Company
California
Glasgow
Williams & Bisler
Island Sch. Dist.

EXHIBIT 38


TOWNSHIP NO. 1 North
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Glascock California Land Company
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M C Fisher

EXHIBIT 39

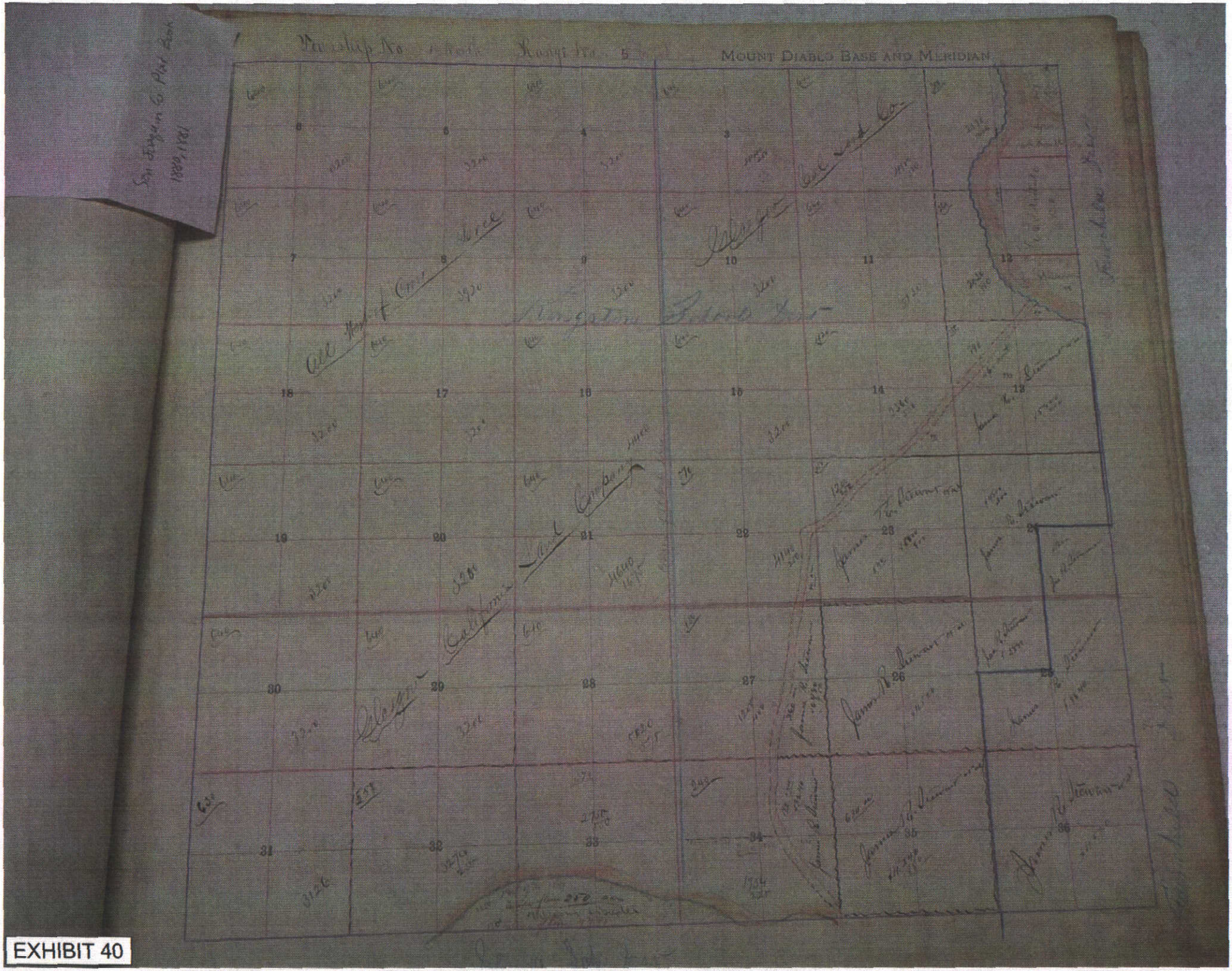
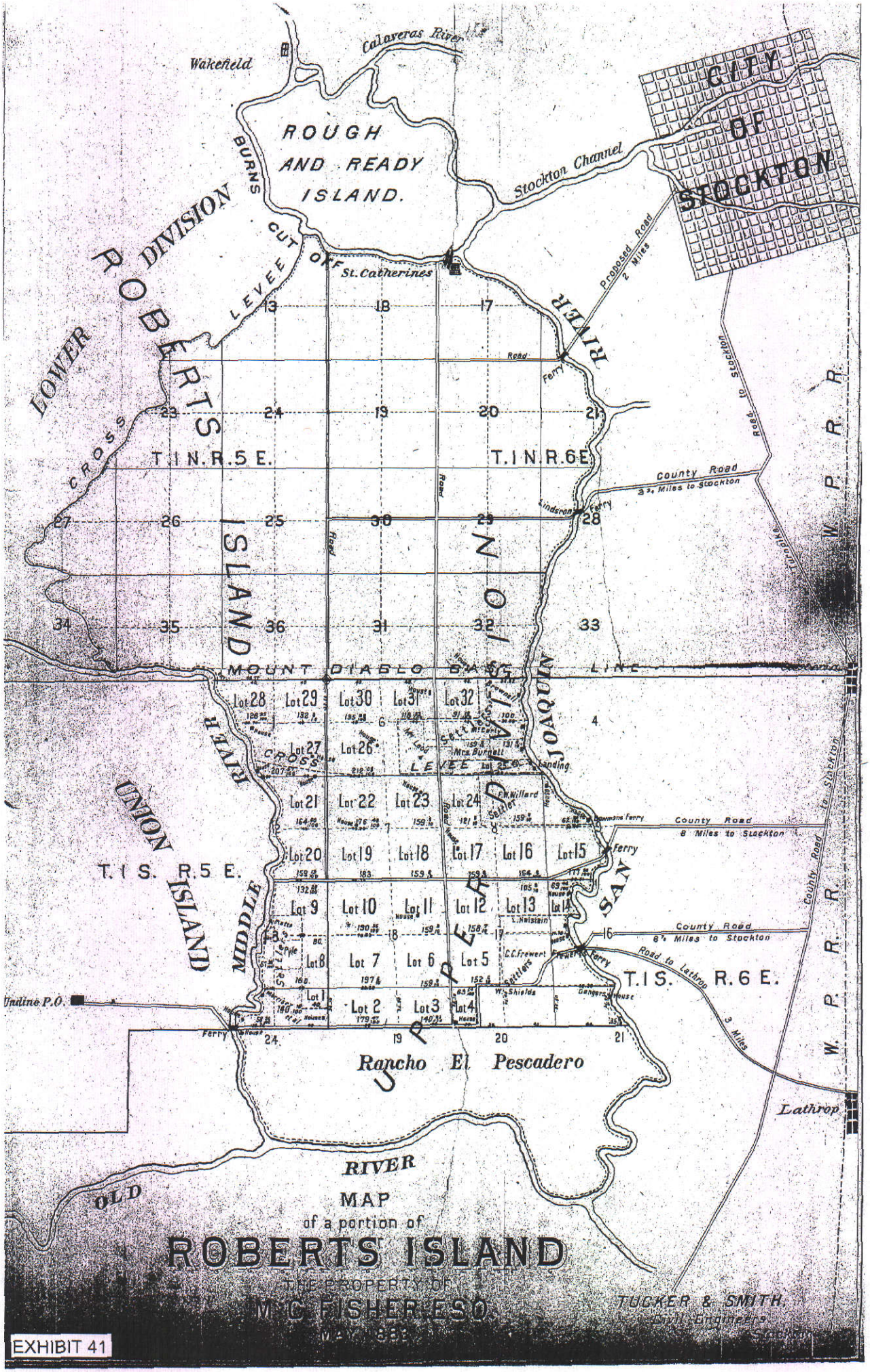


EXHIBIT 40



Wakefield
Calaveras River
ROUGH AND READY ISLAND.
BURNS CUT OFF
LEVEE
LOWER DIVISION
ROBERTS ISLAND
CROSS
St. Catherines
Stockton Channel
CITY OF STOCKTON
Proposed Road 2 Miles
RIVER
Road
Ferry
Road to Stockton
County Road 3¾ Miles to Stockton
Lindsron
Ferry
W. P. R. R.
T. 1 N. R. 5 E.
T. 1 N. R. 6 E.
MOUNT DIABLO BASE LINE
JOAQUIN
SAN
UPPER DIVISION
Lot 28
Lot 29
Lot 30
Lot 31
Lot 32
Lot 27
Lot 26
Lot 21
Lot 22
Lot 23
Lot 24
Lot 20
Lot 19
Lot 18
Lot 17
Lot 16
Lot 15
Lot 9
Lot 10
Lot 11
Lot 12
Lot 13
Lot 14
Lot 8
Lot 7
Lot 6
Lot 5
Lot 1
Lot 2
Lot 3
Lot 4
Mrs. Burnett
Landing
Bowmans Ferry
County Road 8 Miles to Stockton
County Road 8¾ Miles to Stockton
Road to Lathrop 3 Miles
T. 1 S. R. 5 E.
T. 1 S. R. 6 E.
UNION ISLAND
MIDDLE RIVER
Undine P.O.
Rancho El Pescadero
Lathrop
OLD RIVER
MAP
of a portion of
ROBERTS ISLAND
THE PROPERTY OF
M. C. FISHER ESQ.
TUCKER & SMITH
Civil Engineers

EXHIBIT 41

Township No. 1 North Range No. 5 East Mount Diablo Base and Meridian,

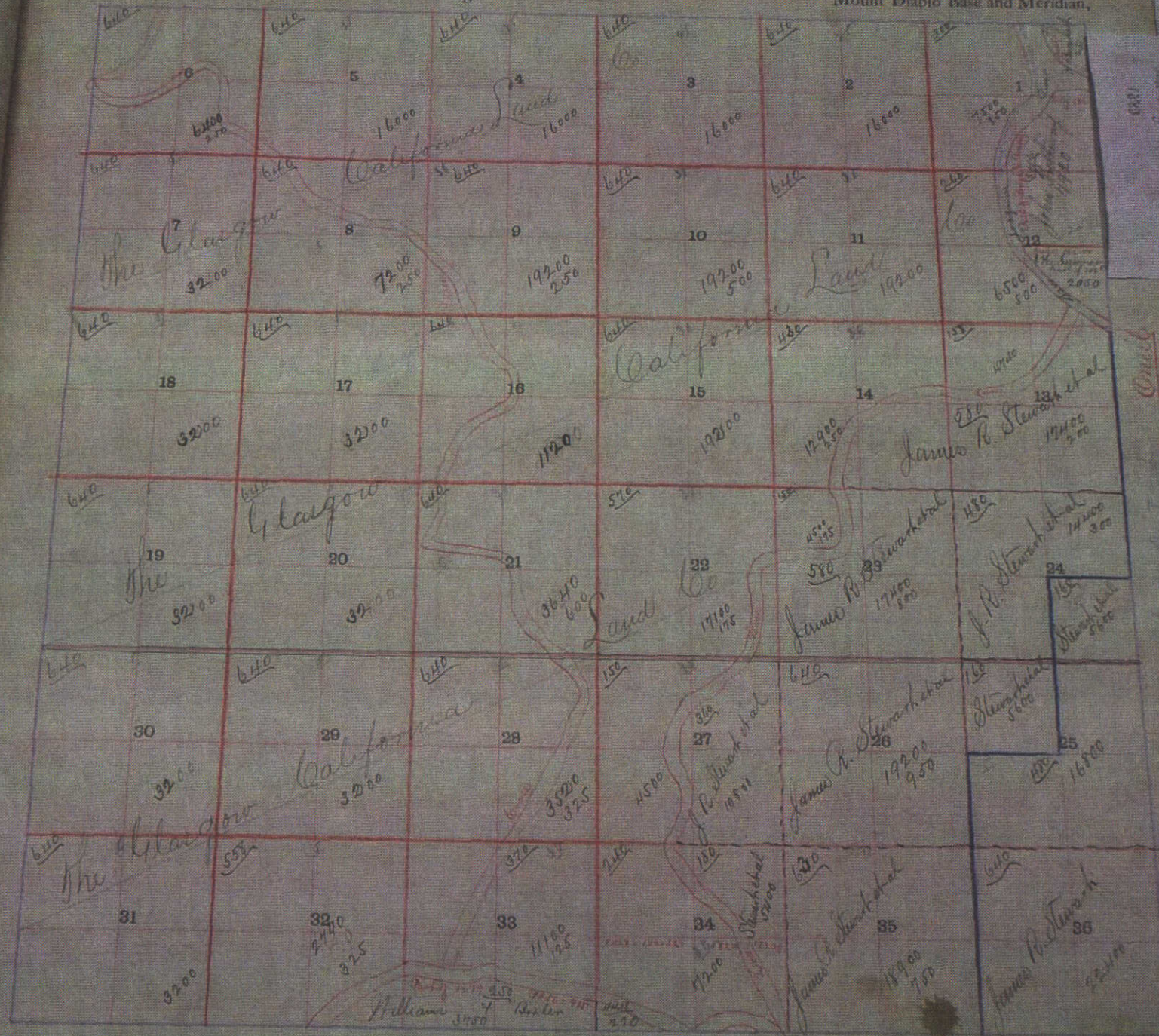


EXHIBIT 42

MAP COLLECTION
LIBRARY
UNIVERSITY OF CALIFORNIA
DAVIS

CALIFORNIA STATE ENGINEERING DEPARTMENT.

TOPOGRAPHICAL AND IRRIGATION MAP

OF THE

SAN JOAQUIN VALLEY.

SHEET NO. 1

WM. HAM. HALL, State Engineer.

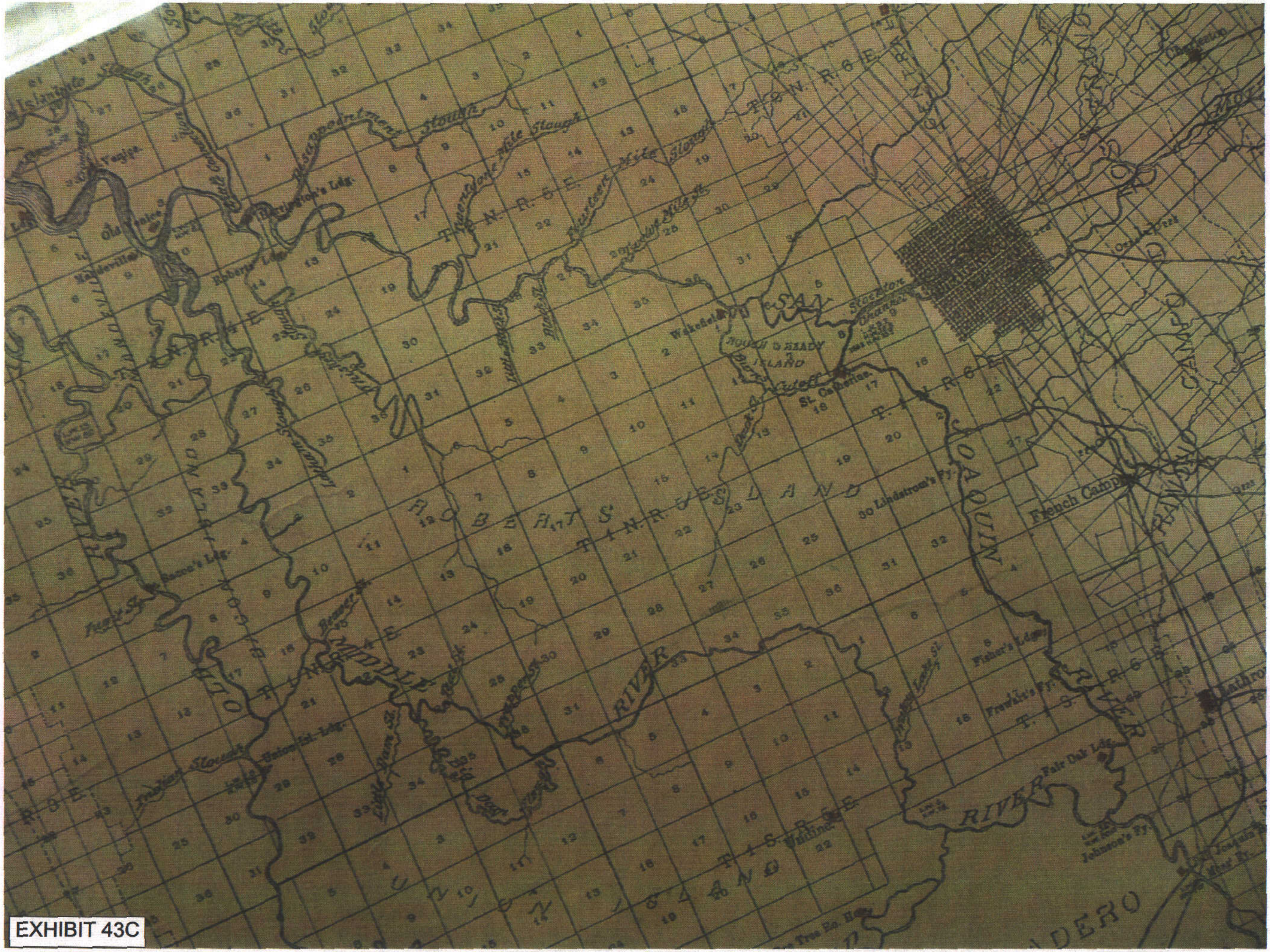
1886.

Scale: One Inch to Three Miles.

EXHIBIT 43A

CALIFORNIA STATE ENGINEERING DEPARTMENT.
TOPOGRAPHICAL AND IRRIGATION MAP
SAN JOAQUIN VALLEY.
SHEET NO. 1.

EXHIBIT 43B



ROBERTS ISLAND
UNION ISLAND
SAN JOAQUIN
RIVER
MIDDLE RIVER
OLD RIVER
Disappointment Slough
Twentyone Mile Slough
Fourteen Mile Slough
Latham Slough
Whiskey Slough
Little Potato Sl.
Black Sl.
Wakefield
ROUGH & READY ISLAND
Burns Cutoff
St. Catherine
Stockton Channel
Lindstrom's Fy.
French Camp
Fisher's Ldg.
Frewkin's Fy.
Fair Oak Ldg.
Johnson's Fy.
Union Isl. Ldg.
Trapper Slough
Little Dam Sl.
Bacon's Ldg.
Robert's Ldg.
T. 1 N. R. 6 E.
T. 1 N. R. 5 E.
T. 2 N. R. 5 E.
T. 1 S. R. 5 E.
T. 1 S. R. 6 E.

EXHIBIT 43C

COMMISSIONER OF PUBLIC WORKS,
Sacramento, Cal.
A.H.ROSE, Commissioner.

MARSDEN MANSON,
C.E.GRUNSKY,
Consulting Engineers.

STOCKTON-BELLOTA DRAINAGE DISTRICT

Topography from Public Land surveys, from surveys made by the late State Engineer Department, and from surveys made by M.A.Nurse and G.A.Atherton in 1894 under the direction of the Commissioner of Public Works.

J.C.HENKENIUS.
Chief Draughtsman.

Scale of Feet.
1000 0 2000 4000 6000 8000 10000

Elevations in feet above mean low tide at low water in Suisun Bay.

Elevations marked thus 43.5 from data in the late State Engineer's Office.
" " " (56.3) from surveys made by M.A.Nurse.
" " " 38.6 " " " " G.A.Atherton.
" " " 17.9 are elevations of tops of levees.

Line of Segregation of Swamp and Overflowed Land, thus.

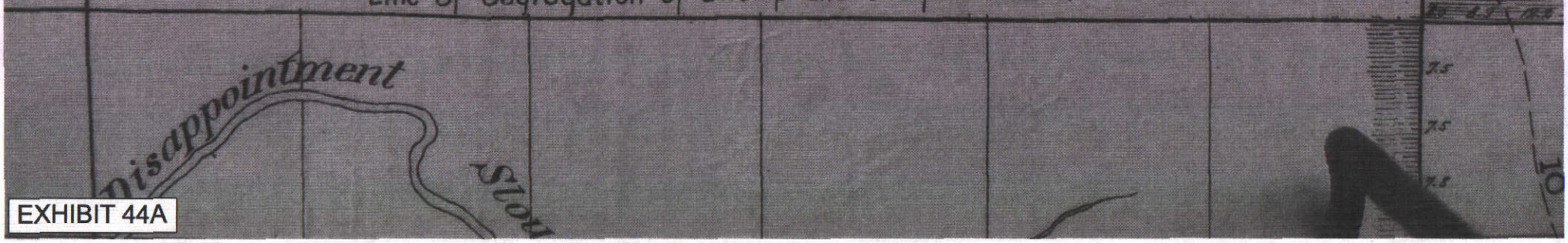
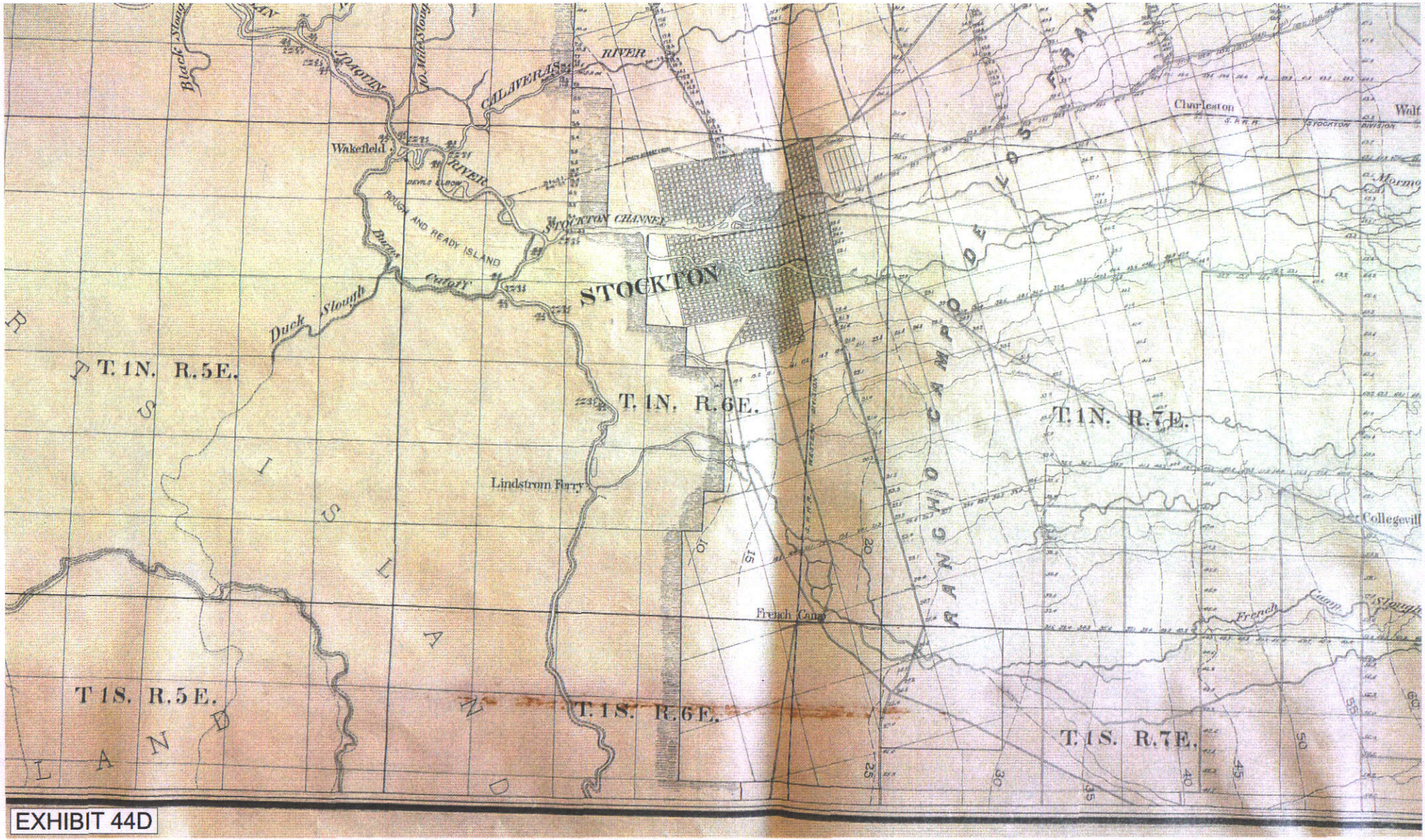


EXHIBIT 44A

STOCKTON-BELLOTA
DRAINAGE DISTRICT
T3N. R.4E.
T3N. R.6E.
T3N. R.7E.
T3N. R.8E.
VENICE ISLAND
T2N. R.4E.
T2N. R.5E.
T2N. R.6E.
T2N. R.7E.
T2N. R.8E.
STOCKTON
T1N. R.4E.
T1N. R.5E.
T1N. R.6E.
T1N. R.7E.
T1N. R.8E.
T1S. R.4E.
T1S. R.5E.
T1S. R.6E.
T1S. R.7E.
T1S. R.8E.
EXHIBIT 44B

Line of Segregation of Swamp and Overflowed Land, thus
Disappointment Slough
21 Mile Slough
14 Mile Slough
12 Mile Slough
Black Slough
Whiskey Slough
Duck Slough
Wakefield
Lindstrom Ferry
French Camp
Castle
STOCKTON
STOCKTON CHANNEL
CALAVERAS RIVER
SAN JOAQUIN RIVER
MIDDLE RIVER
OLD RIVER
BACON ISLAND
ROBERTS ISLAND
UNION ISLAND
RANCHO CAMPO DE LOS
T.2N. R.4E.
T.2N. R.5E.
T.2N. R.6E.
T.1N. R.4E.
T.1N. R.5E.
T.1N. R.6E.
T.1S. R.4E.
T.1S. R.5E.
T.1S. R.6E.

EXHIBIT 44C



Black Slough
JOAQUIN
10 Mile Slough
CALAVERAS
RIVER
Wakefield
RIVER
DEVILS ELBOW
ROUGH AND READY ISLAND
Burns
Cutoff
STOCKTON CHANNEL
STOCKTON
Duck Slough
T. 1N. R. 5E.
T. 1N. R. 6E.
T. 1N. R. 7E.
Lindstrom Ferry
French Camp
T 1S. R. 5E.
T. 1S. R. 6E.
T. 1S. R. 7E.
RANCHO CAMPO DE LOS FRAN
Charleston
Walf
Mormo
Collegevill
French Camp Slough

EXHIBIT 44D

JOAQUIN
10 Mile
CALAVERAS
RIVER
Wakefield
DEVILS ELBOW
RIVER
ROUGH AND READY ISLAND
Burns
Cutoff
Duck Slough
STOCKTON CHANNEL
NORTH STREET CANAL
STOCKT
E.

EXHIBIT 44E

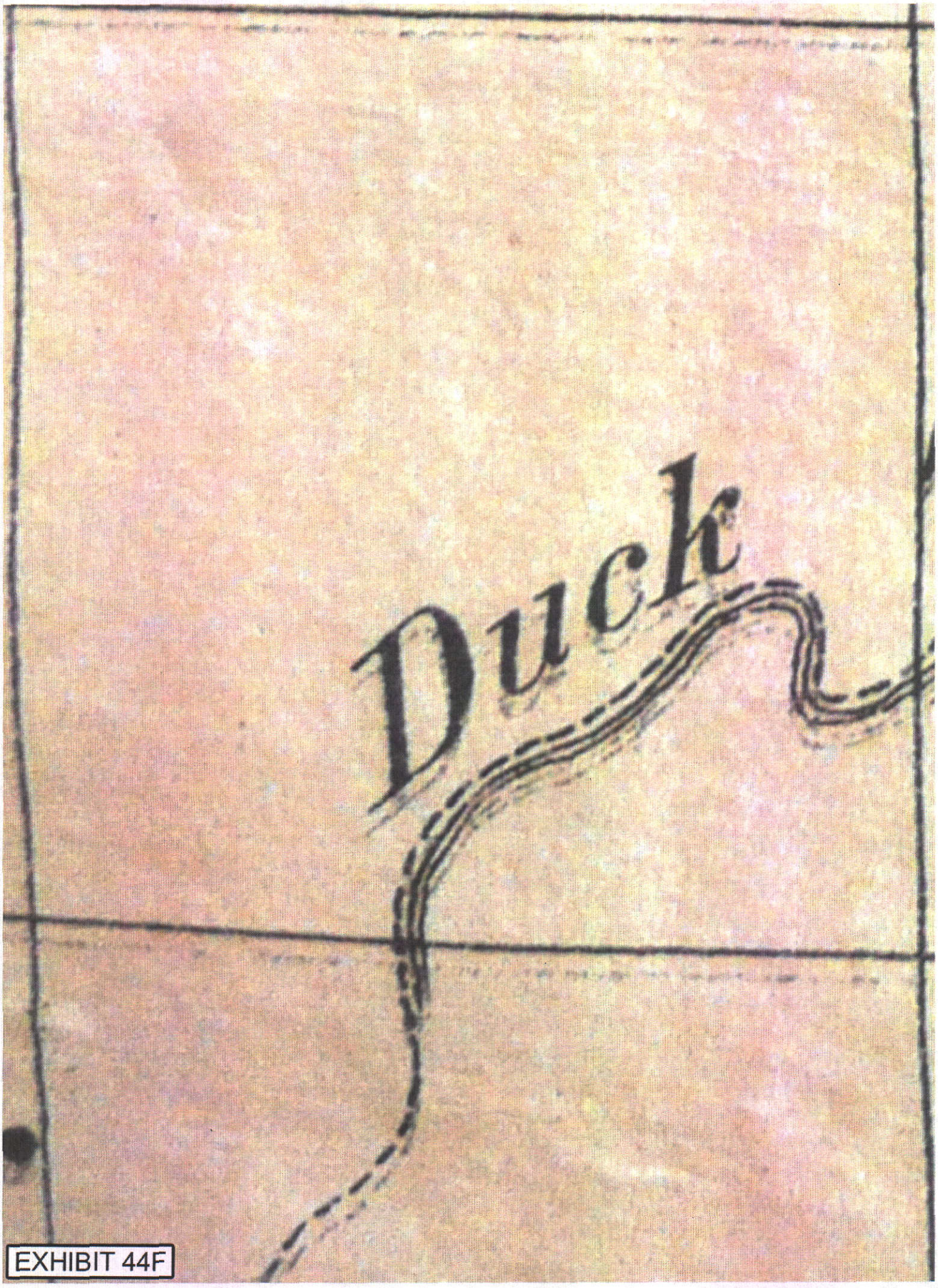


EXHIBIT 44F

EXHIBIT 45A

LIBRARY USE ONLY

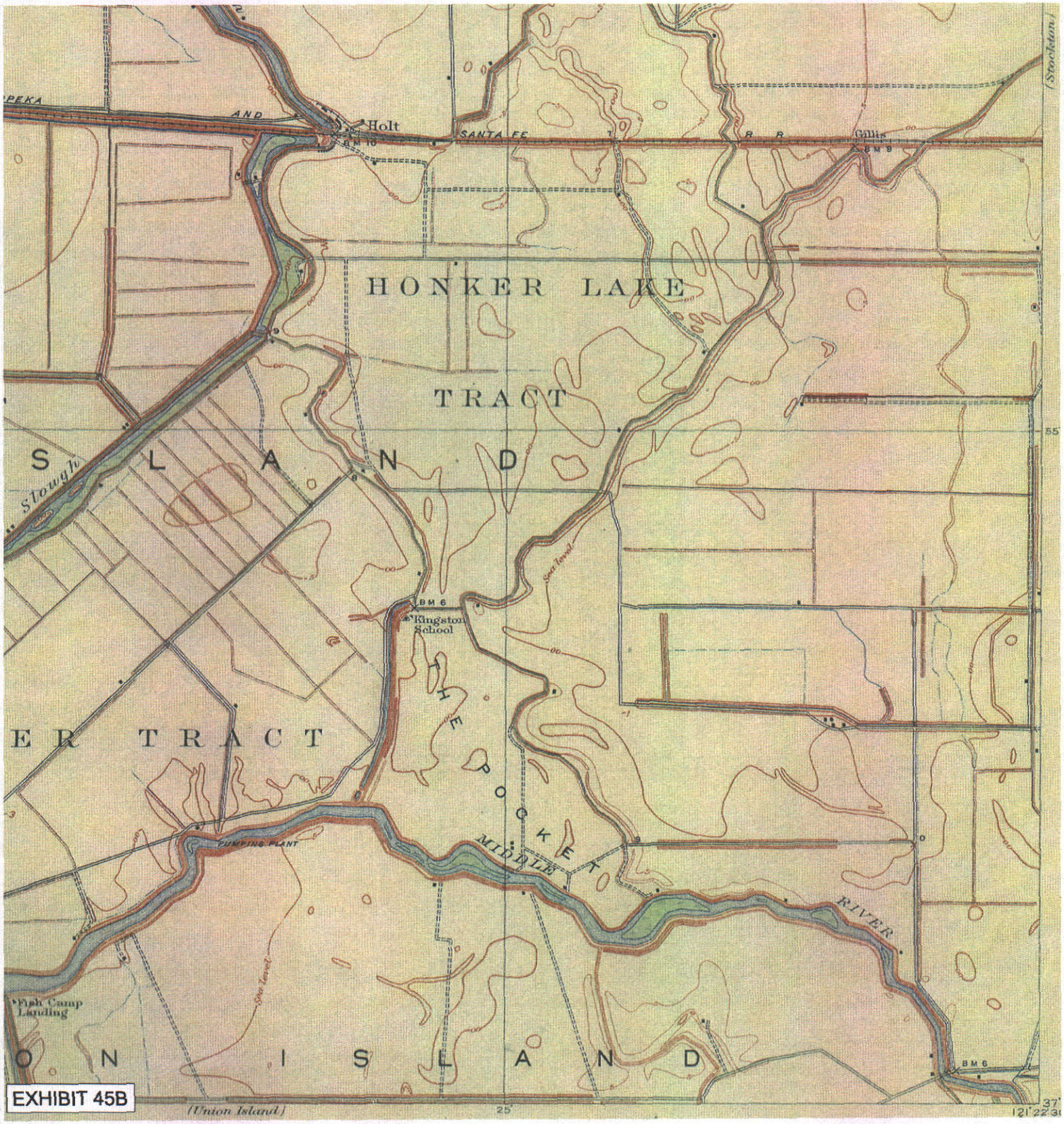

PEKA
AND
Holt
BM 10
SANTA FE
R R
Gillis
BM 9
(Stockton)
HONKER LAKE
TRACT
S L A N D
Slough
See level
BM 6
Kingston School
ER TRACT
THE POCKET
PUMPING PLANT
MIDDLE
RIVER
Fish Camp Landing
See level
O N I S L A N D
BM 6
(Union Island)
25
55
37
121 22 30

EXHIBIT 45B

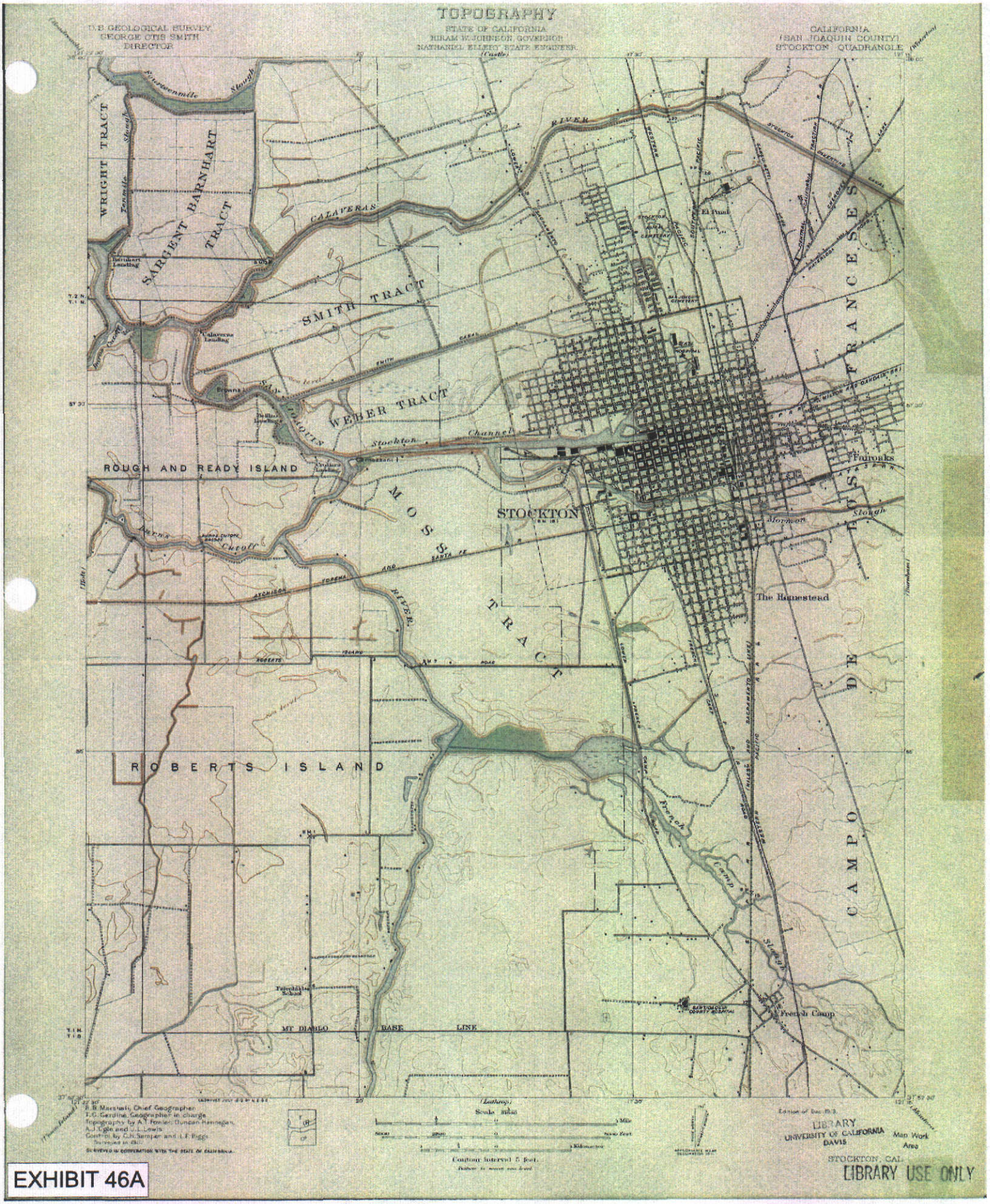

TOPOGRAPHY
U.S. GEOLOGICAL SURVEY
GEORGE OTIS SMITH
DIRECTOR
STATE OF CALIFORNIA
HIRAM W. JOHNSON, GOVERNOR
NATHANIEL ELLERY, STATE ENGINEER
CALIFORNIA
(SAN JOAQUIN COUNTY)
STOCKTON QUADRANGLE
WRIGHT TRACT
SARGENT BARNHART TRACT
SMITH TRACT
WEBER TRACT
MOSS TRACT
ROUGH AND READY ISLAND
ROBERTS ISLAND
CAMPO DE LOS FRANCESES
STOCKTON
Fairoaks
The Homestead
French Camp
Stockton Channel
Calaveras Landing
Barnhart Landing
Fairchild School
MT DIABLO BASE LINE
Contour interval 5 feet.
R. B. Marshall, Chief Geographer
T. G. Gerdine, Geographer in charge
Topography by A. T. Fowler, Duncan Hannegan, A. J. Egle and J. L. Lewis
Control by C. H. Semper and L. F. Riggs
Surveyed in 1911
SURVEYED IN COOPERATION WITH THE STATE OF CALIFORNIA
Edition of Dec. 1913
LIBRARY
UNIVERSITY OF CALIFORNIA
DAVIS
Map Work Area
STOCKTON, CAL.
LIBRARY USE ONLY

EXHIBIT 46A

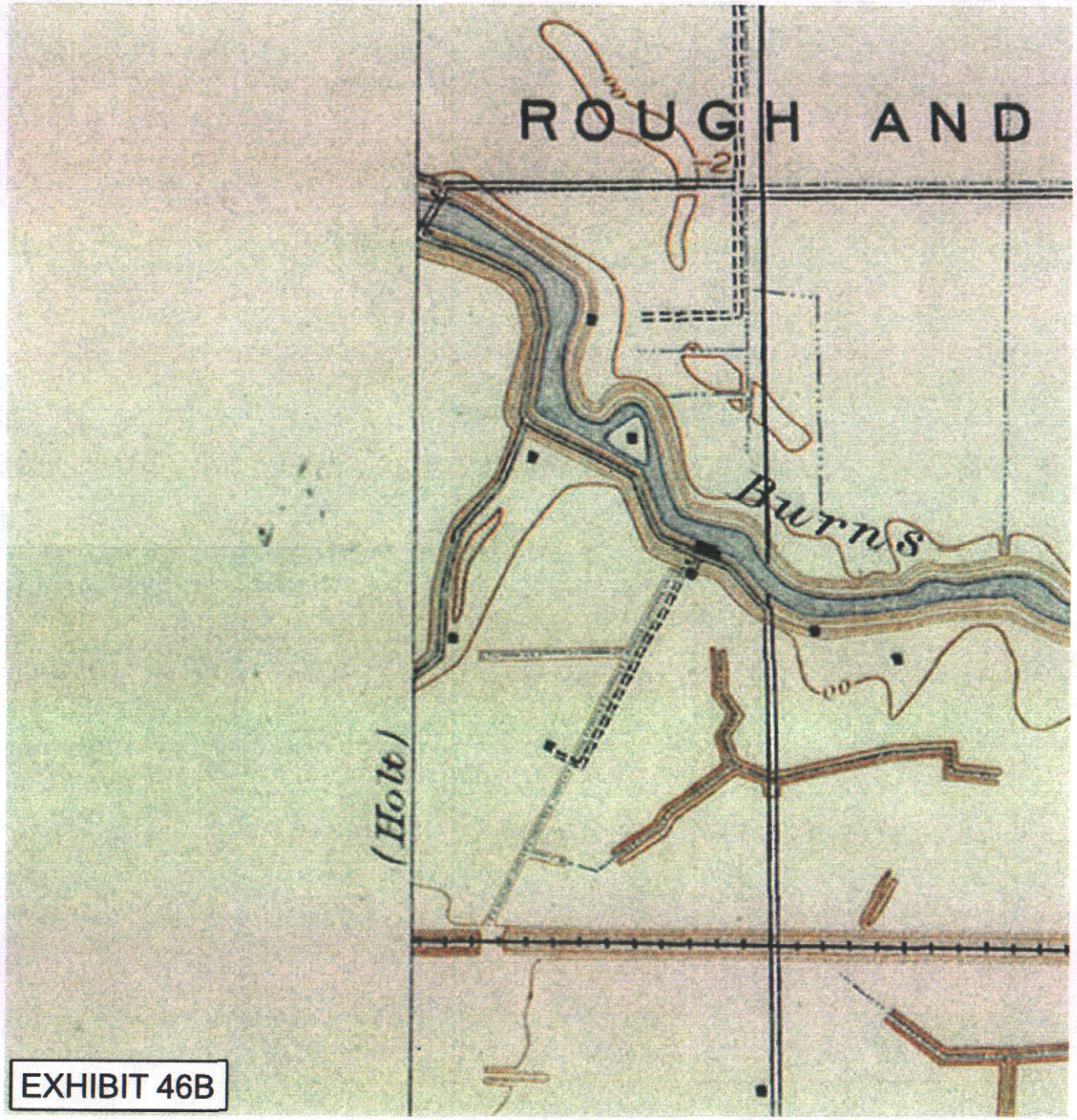


EXHIBIT 46B

MAP OF
CALIFORNIA DELTA
OF THE
SACRAMENTO AND SAN JOAQUIN RIVERS
COMPILED FROM U.S. SURVEYS BY
Captain H.M. Weathers
AND
Captain A.W. Petzinger.
Assisted by
RIVER PILOTS
SCALE IN MILES
LEGEND
LANDINGS BELOW WALNUT GROVE
PITTSBURG DOCKS ~ ANTIOCH DOCKS
LANDINGS ON GEORGIANA SLOUGH
LANDINGS ON STRAWBOAT SLOUGH
DELTA FERRIES
SACRAMENTO FERRIES
STOCKTON DOCKS
LIBERTY FARMS
HASTINGS TRACT
BRANNAN ISLAND
TWITCHELL ISLAND
BOULDIN ISLAND
BRADFORD ISLAND
VENICE ISLAND
FRANKS TRACT
MANDEVILLE
BETHEL TRACT
HOLLAND TRACT
BACON ISLAND
McDONALD TRACT
ROBERT JONES TRACT
STOCKTON
VICTORIA ISLAND
UNION ISLAND
FADIAN TRACT
TITUS TRACT
STEWART TRACT
SACRAMENTO
SAN JOAQUIN
CONTRA COSTA
ALAMEDA CO.
Mount Diablo Base Line
Byron Hot Spr.
Brentwood
Tracy
French Camp
Lathrop
COPYRIGHTED 1912 - 1913
BY
CAPTAIN H.M. WEATHERS
CORRECTED TO FEB. 1913.

EXHIBIT 47

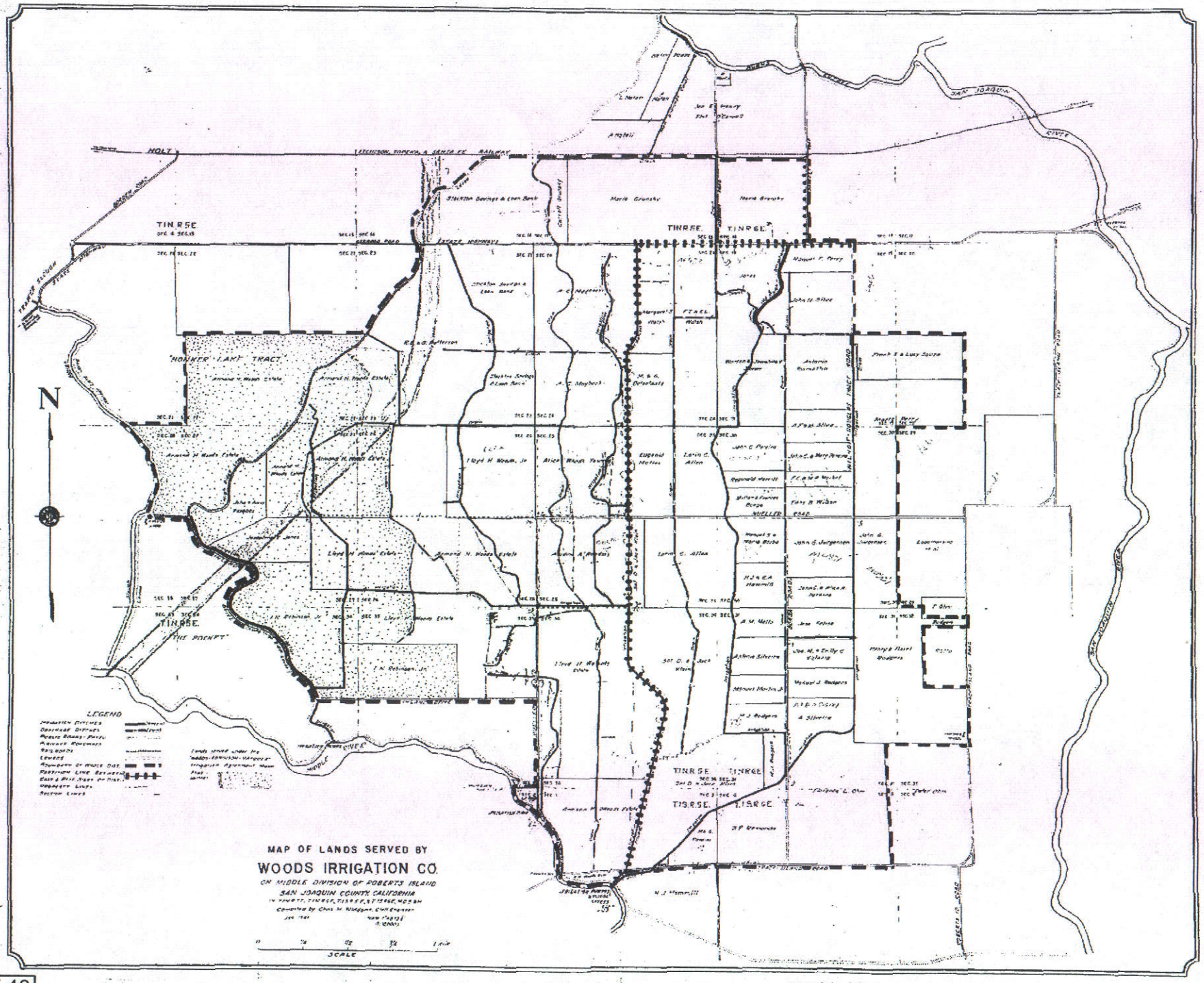

MAP OF LANDS SERVED BY
WOODS IRRIGATION CO.
ON MIDDLE DIVISION OF ROBERTS ISLAND
SAN JOAQUIN COUNTY, CALIFORNIA
LEGEND
SCALE
N
"HONKER LAKE TRACT"
"THE POCKET"
T1N R5E
T1N R6E
T1S R5E
T1S R6E
HOLT
SAN JOAQUIN RIVER
MIDDLE RIVER
WHELLER ROAD
WILLIAMS-DOUGLAS TRACT ROAD
SAN JOAQUIN ISLAND ROAD
ROBERTS ISLAND ROAD

EXHIBIT 48

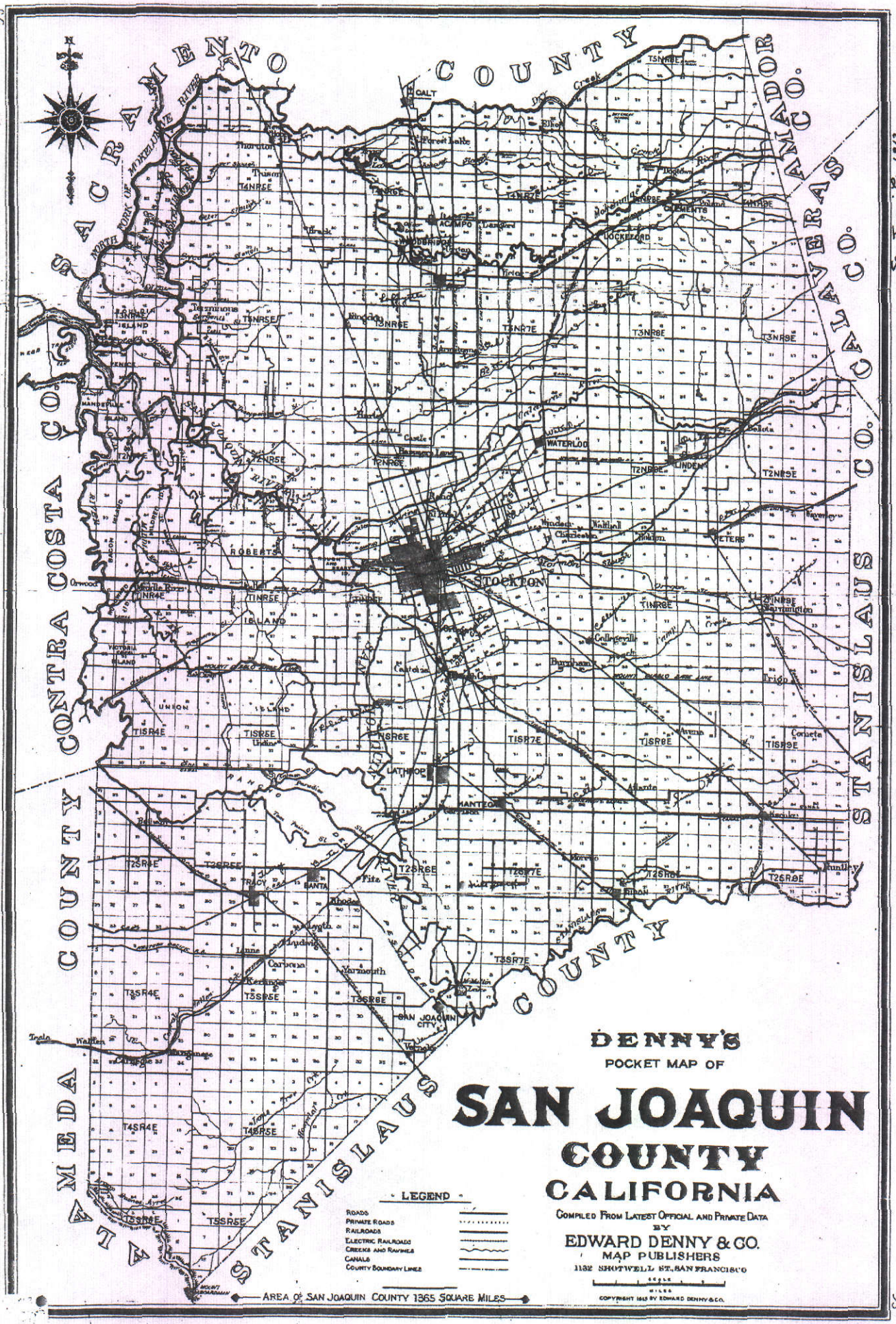

DENNY'S
POCKET MAP OF
SAN JOAQUIN
COUNTY
CALIFORNIA
COMPILED FROM LATEST OFFICIAL AND PRIVATE DATA
BY
EDWARD DENNY & CO.
MAP PUBLISHERS
1132 SHOTWELL ST., SAN FRANCISCO
LEGEND
ROADS
PRIVATE ROADS
RAILROADS
ELECTRIC RAILROADS
CREEKS AND RAVINES
CANALS
COUNTY BOUNDARY LINES
AREA OF SAN JOAQUIN COUNTY 1365 SQUARE MILES
SCALE
MILES
COPYRIGHT 1913 BY EDWARD DENNY & CO.
SACRAMENTO COUNTY
CONTRA COSTA CO.
ALAMEDA COUNTY
STANISLAUS COUNTY
CALAVERAS CO.
AMADOR CO.
STOCKTON
LATHROP
MANTECA
TRACY
SANTA
WATERLOO
LINDEN
PETERS
ROBERTS ISLAND
UNION ISLAND
GALT
ACAMPO
LOCKFORD
CLEMENTS
SAN JOAQUIN CITY
San Joaquin 1913

EXHIBIT 49

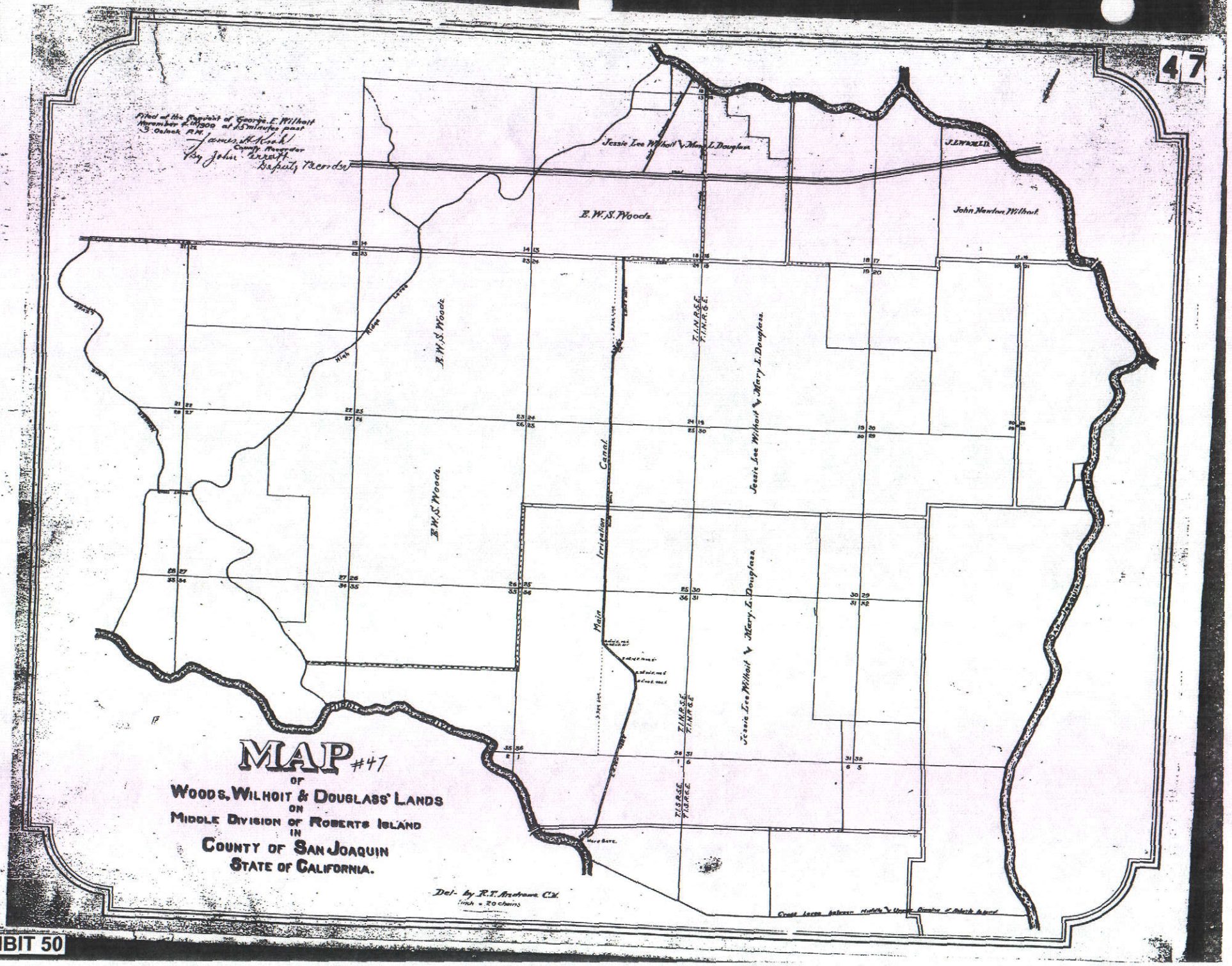

47
Filed at the Request of George E. Wilhoit
November 4th 1909 at 15 minutes past
3 O'clock P.M.
James H. Kirk
County Recorder
By John Terrett
Deputy Recorder
Jessie Lee Wilhoit & Mary L. Douglass
J.L. WEHLD
E.W.S. Woods
John Newton Wilhoit
E.W.S. Woods
E.W.S. Woods
High Ridge Levee
Main Irrigation Canal
T.1.N.R.5.E.
T.1.N.R.6.E.
Jessie Lee Wilhoit & Mary L. Douglass
Jessie Lee Wilhoit & Mary L. Douglass
T.1.S.R.5.E.
T.1.S.R.6.E.
MAP #47
OF
WOODS, WILHOIT & DOUGLASS' LANDS
ON
MIDDLE DIVISION OF ROBERTS ISLAND
IN
COUNTY OF SAN JOAQUIN
STATE OF CALIFORNIA.
Del. by R.T. Andrews C.M.
1 inch = 20 chains

EXHIBIT 50

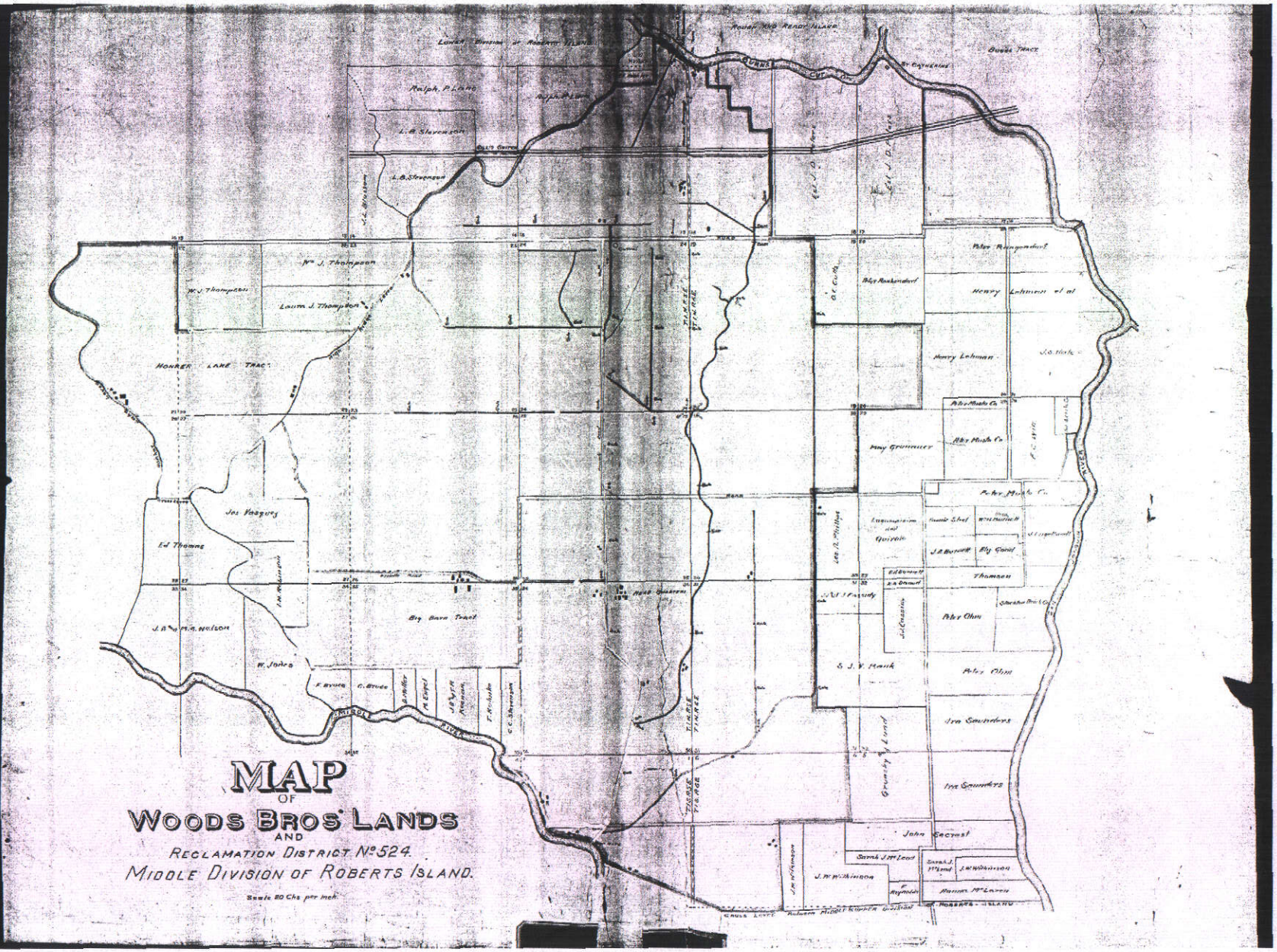

MAP
OF
WOODS BROS' LANDS
AND
RECLAMATION DISTRICT No. 524.
MIDDLE DIVISION OF ROBERTS ISLAND.
Scale 20 Chs per inch.
Ralph P. Lane
L. B. Stevenson
Mrs J. Thompson
Laura J. Thompson
Honker Lake Tract
Jos Vasquez
Ed Thomas
Big Barn Tract
W. Jones
Peter Rangendorf
Henry Lehman et al
Henry Lehman
Peter Musto Co
Mary Grunauer
Thomsen
Peter Ohm
S. J. V. Hauk
Ira Saunders
John Secrest
J. W. Whitinson
Middle River
Grusky's Land

EXHIBIT 51

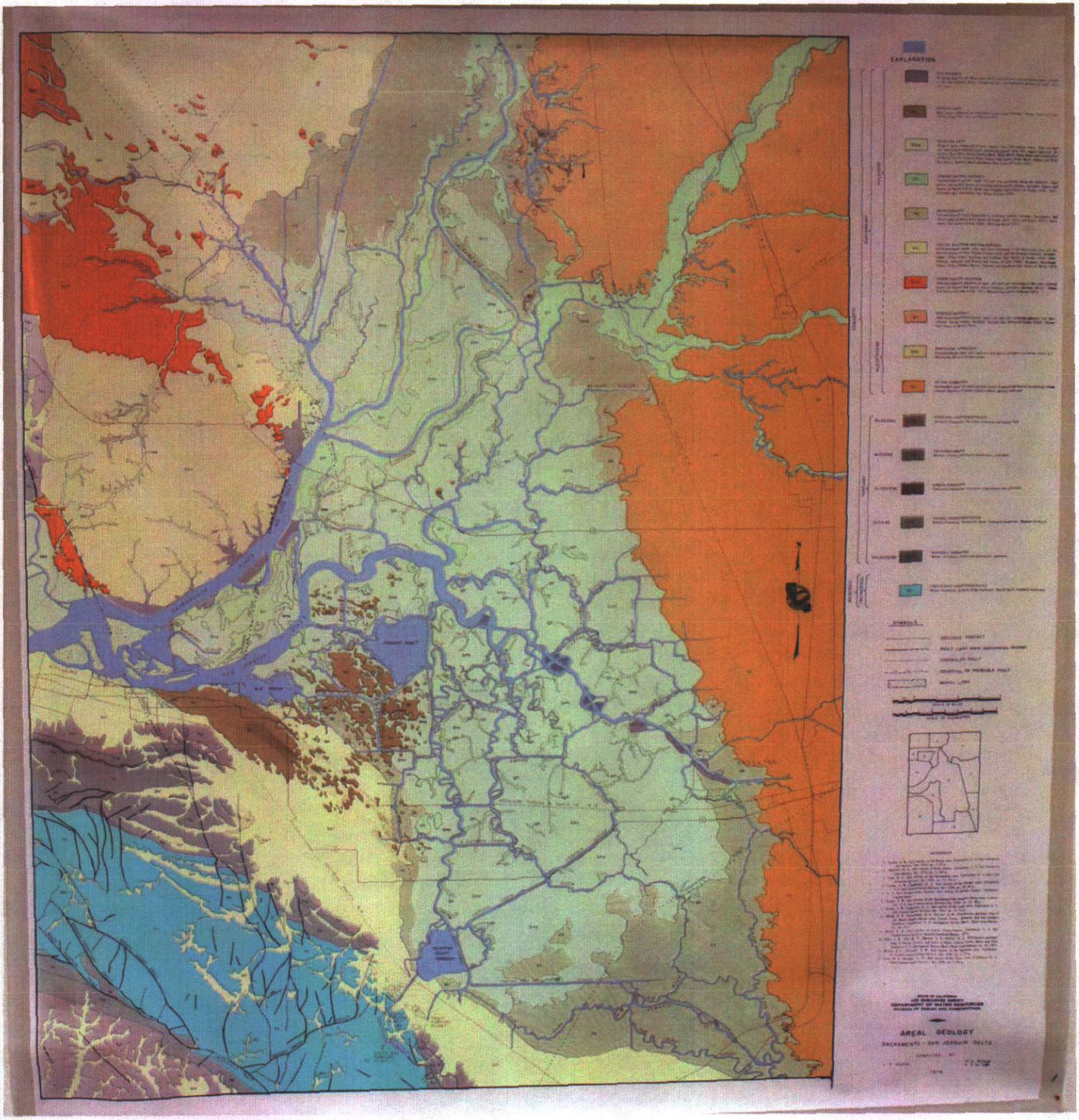


EXHIBIT 52

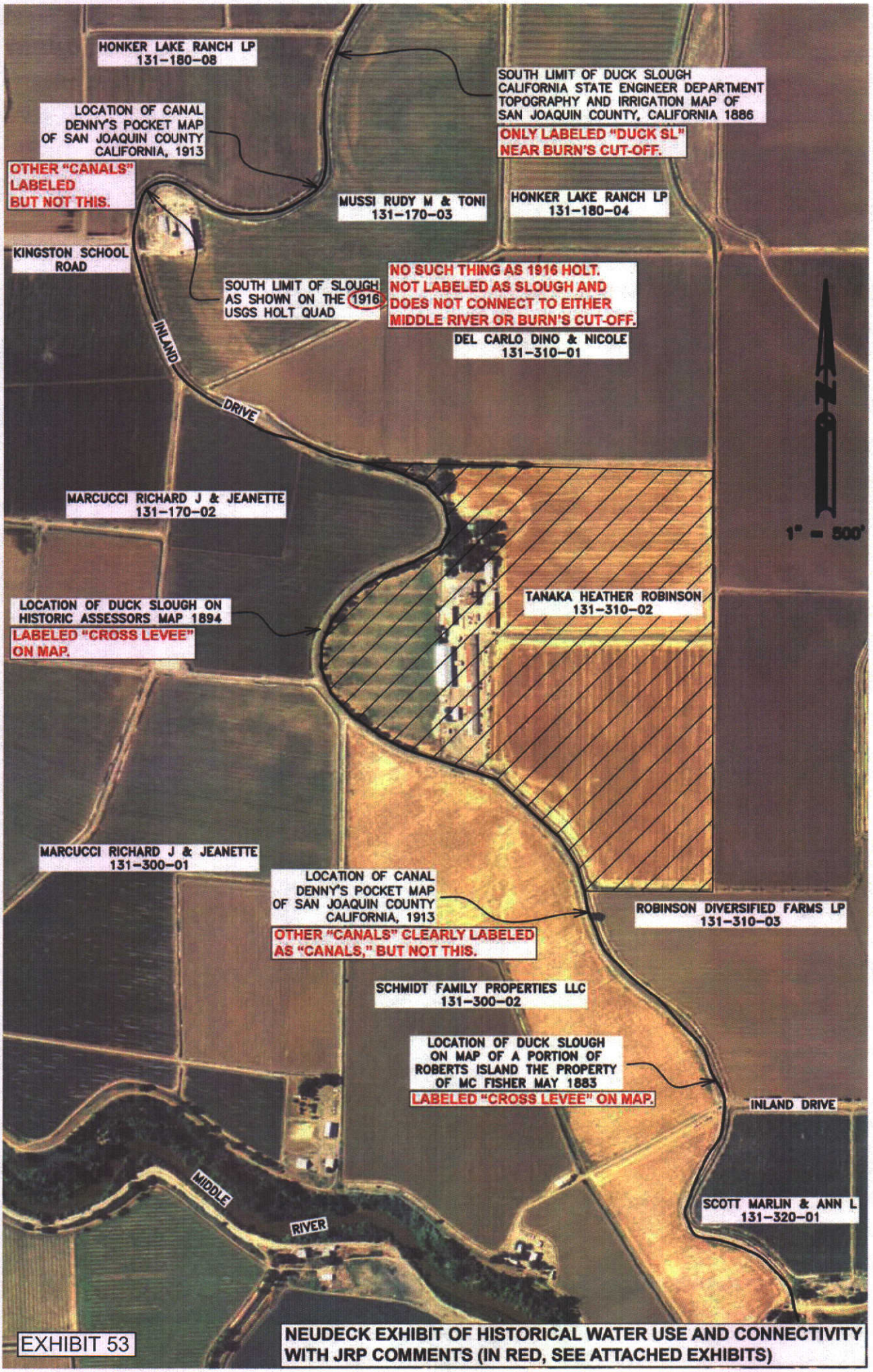
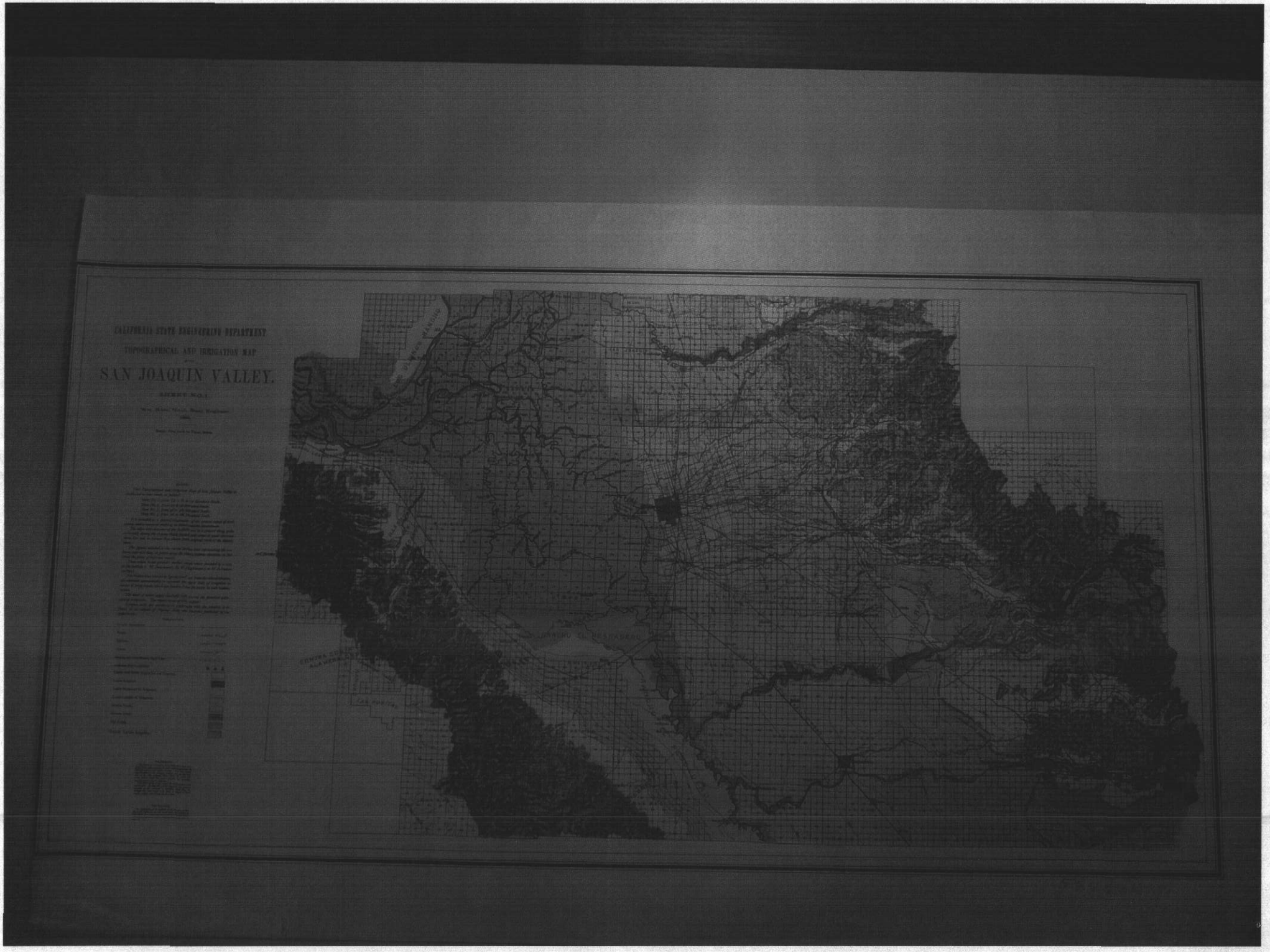
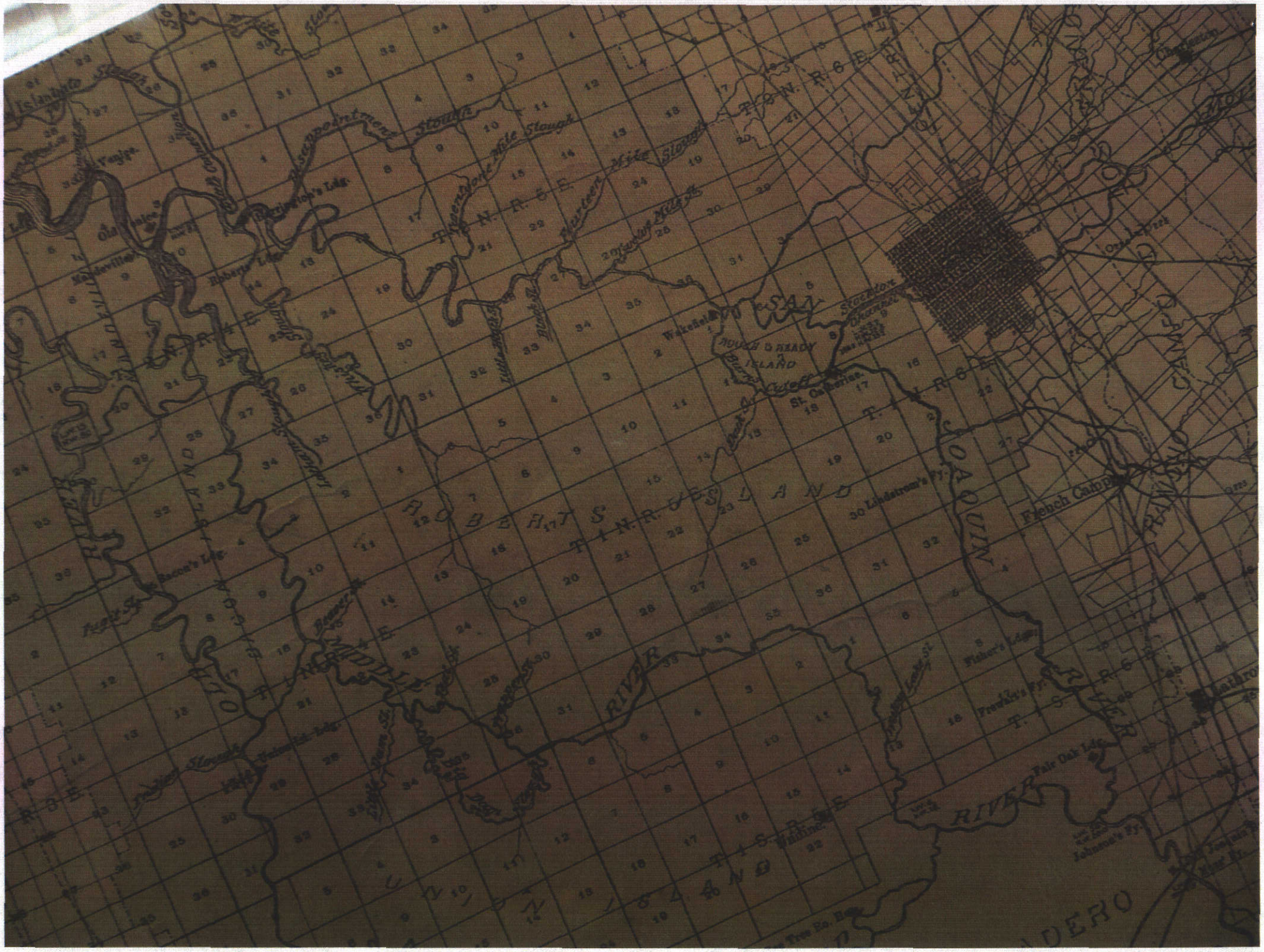


EXHIBIT 53

NEUDECK EXHIBIT OF HISTORICAL WATER USE AND CONNECTIVITY WITH JRP COMMENTS (IN RED, SEE ATTACHED EXHIBITS)


CALIFORNIA STATE ENGINEERING DEPARTMENT
TOPOGRAPHICAL AND IRRIGATION MAP
OF
SAN JOAQUIN VALLEY.
SHEET No. 1.


ROBERTS ISLAND
T. 1 N. R. 6 E.
T. 1 N. R. 5 E.
T. 1 S. R. 6 E.
T. 1 S. R. 5 E.
T. 2 S. R. 6 E.
T. 2 S. R. 5 E.
Thirteen Mile Slough
Fourteen Mile Slough
Fifteen Mile Slough
Sixteen Mile Slough
Seventeen Mile Slough
Eighteen Mile Slough
Nineteen Mile Slough
Twenty Mile Slough
Twenty One Mile Slough
Twenty Two Mile Slough
Twenty Three Mile Slough
Twenty Four Mile Slough
Twenty Five Mile Slough
Twenty Six Mile Slough
Twenty Seven Mile Slough
Twenty Eight Mile Slough
Twenty Nine Mile Slough
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One Hundred Eighty Seven Mile Slough
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One Hundred Ninety Mile Slough
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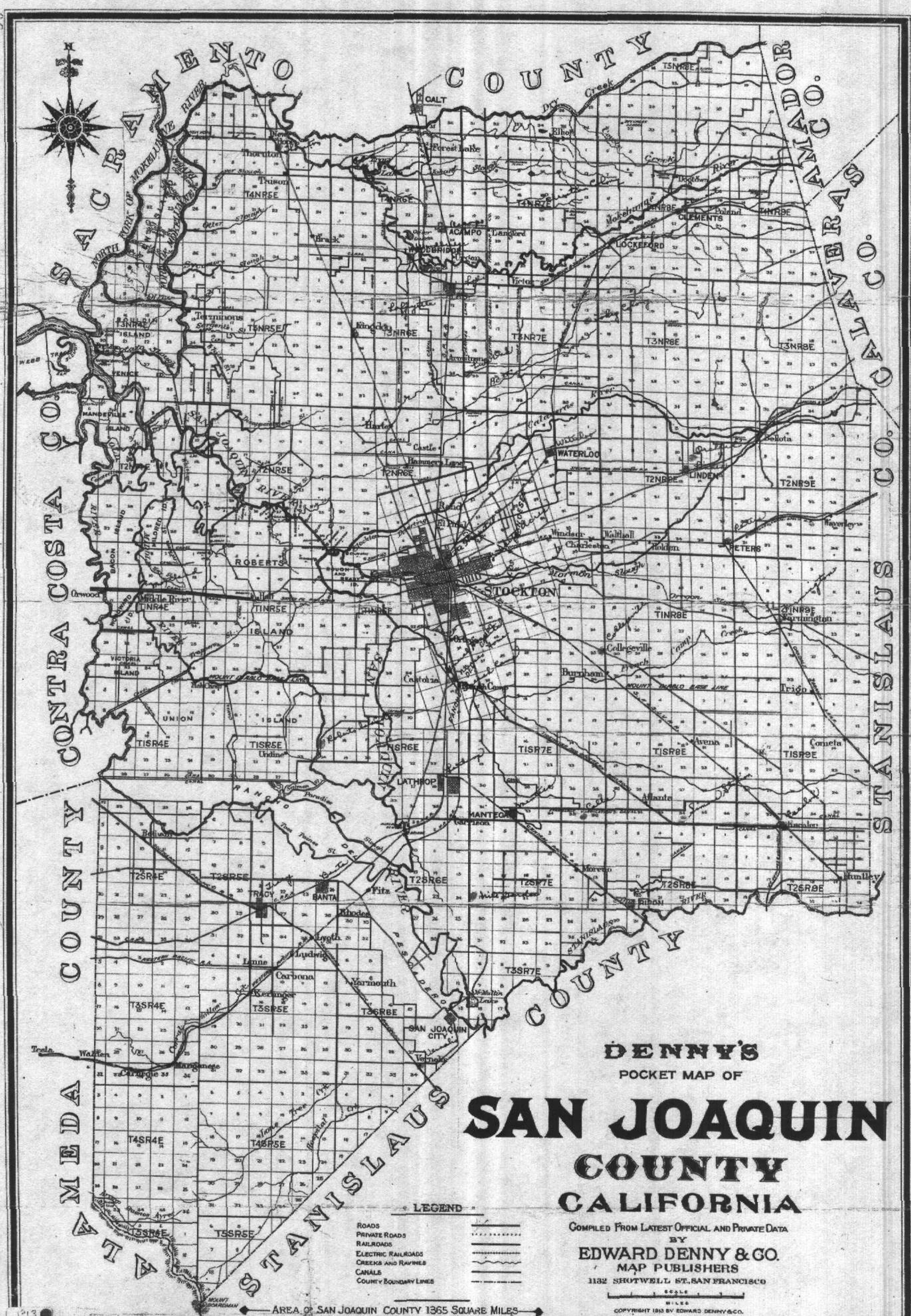
One Hundred Ninety Two Mile Slough
One Hundred Ninety Three Mile Slough
One Hundred Ninety Four Mile Slough
One Hundred Ninety Five Mile Slough
One Hundred Ninety Six Mile Slough
One Hundred Ninety Seven Mile Slough
One Hundred Ninety Eight Mile Slough
One Hundred Ninety Nine


DENNY'S
POCKET MAP OF
SAN JOAQUIN
COUNTY
CALIFORNIA
COMPILED FROM LATEST OFFICIAL AND PRIVATE DATA
BY
EDWARD DENNY & CO.
MAP PUBLISHERS
1132 SHOTWELL ST. SAN FRANCISCO
SCALE
MILES
COPYRIGHT 1913 BY EDWARD DENNY & CO.
LEGEND
ROADS
PRIVATE ROADS
RAILROADS
ELECTRIC RAILROADS
CREEKS AND RAVINES
CANALS
COUNTY BOUNDARY LINES
AREA OF SAN JOAQUIN COUNTY 1365 SQUARE MILES
SACRAMENTO COUNTY
AMADOR CO.
CALAVERAS CO.
STANISLAUS CO.
STANISLAUS COUNTY
CONTRA COSTA CO.
ALAMEDA COUNTY
STOCKTON
LODI
GALT
WATERLOO
LINDEN
PETERS
LOCKEFORD
CLEMENTS
ACAMPO
WOODBRIDGE
LATHROP
MANTECA
TRACY
BANTA
SAN JOAQUIN CITY
ROBERTS
UNION
ISLAND
MOKELUMNE RIVER
SAN JOAQUIN RIVER
STANISLAUS RIVER
MOUNT DIABLO BASE LINE
San Joaquin 1913
95
96

TOPOGRAPHY
STATE OF CALIFORNIA
HIRAM W. JOHNSON, GOVERNOR
NATHANIEL ELLERY, STATE ENGINEER
U.S. GEOLOGICAL SURVEY
GEORGE OTIS SMITH
DIRECTOR
CALIFORNIA
(SAN JOAQUIN COUNTY)
HOLT QUADRANGLE
WRIGHT TRACT
ROBERTS
LOWER JONES TRACT
HONKER LAKE
TRACT
UPPER JONES TRACT
ISLAND
DREXLER TRACT
THE POCKET
UNION ISLAND
VICTORIA ISLAND
Holt
Kingston School
Christensen Landing
Blacksleugh Landing
Shipyard I.
Eldorado Landing
Fish Camp Landing
Empire Slough
Whisky Slough
Turner Cut
Trapper Slough
Middle River
Rough and Ready Island
Scale 1/31680
Contour interval 5 feet.
Edition of Dec. 1913.
Map Work Area
HOLT
LIBRARY
UNIVERSITY OF CALIFORNIA
DAVIS
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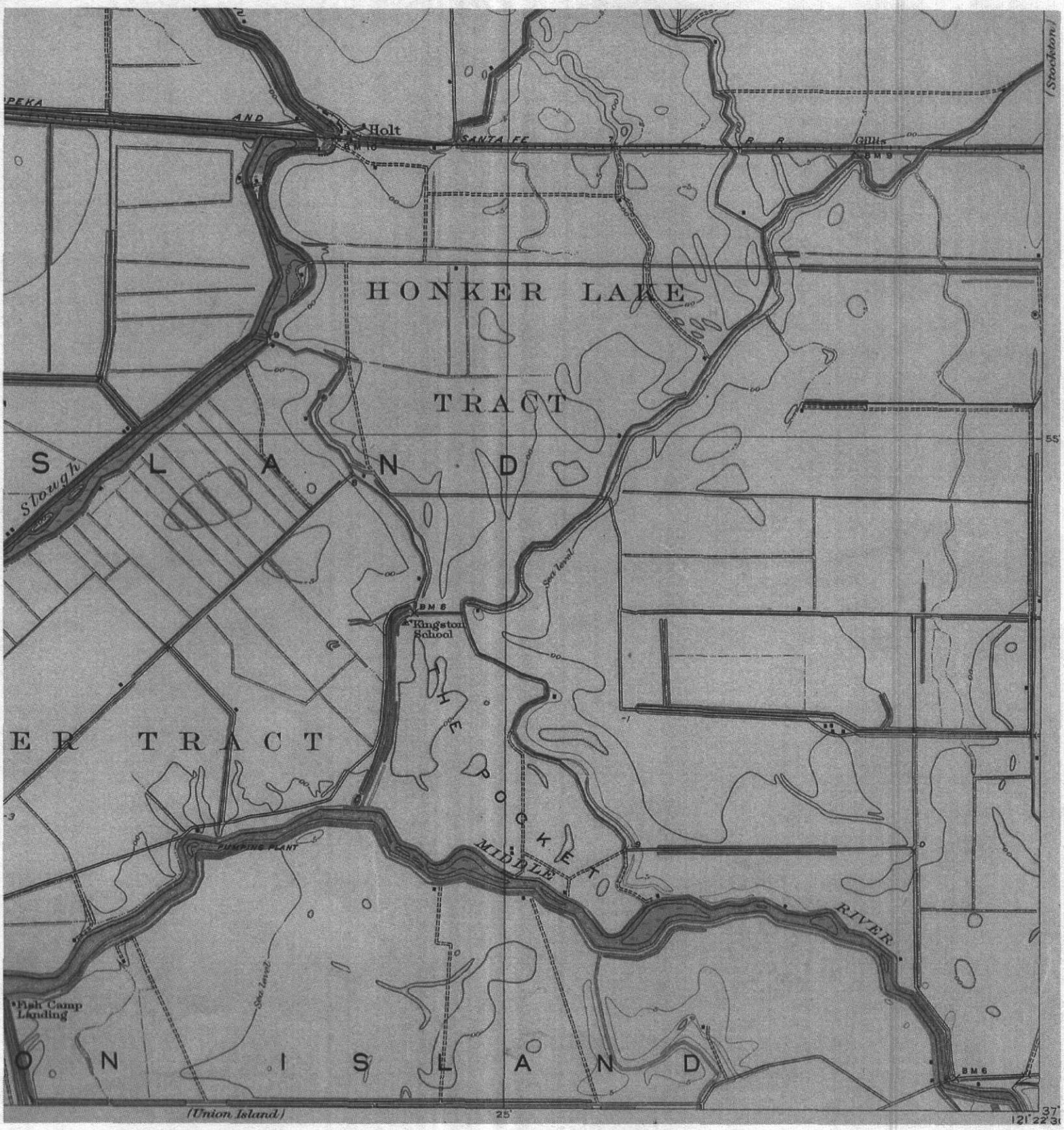
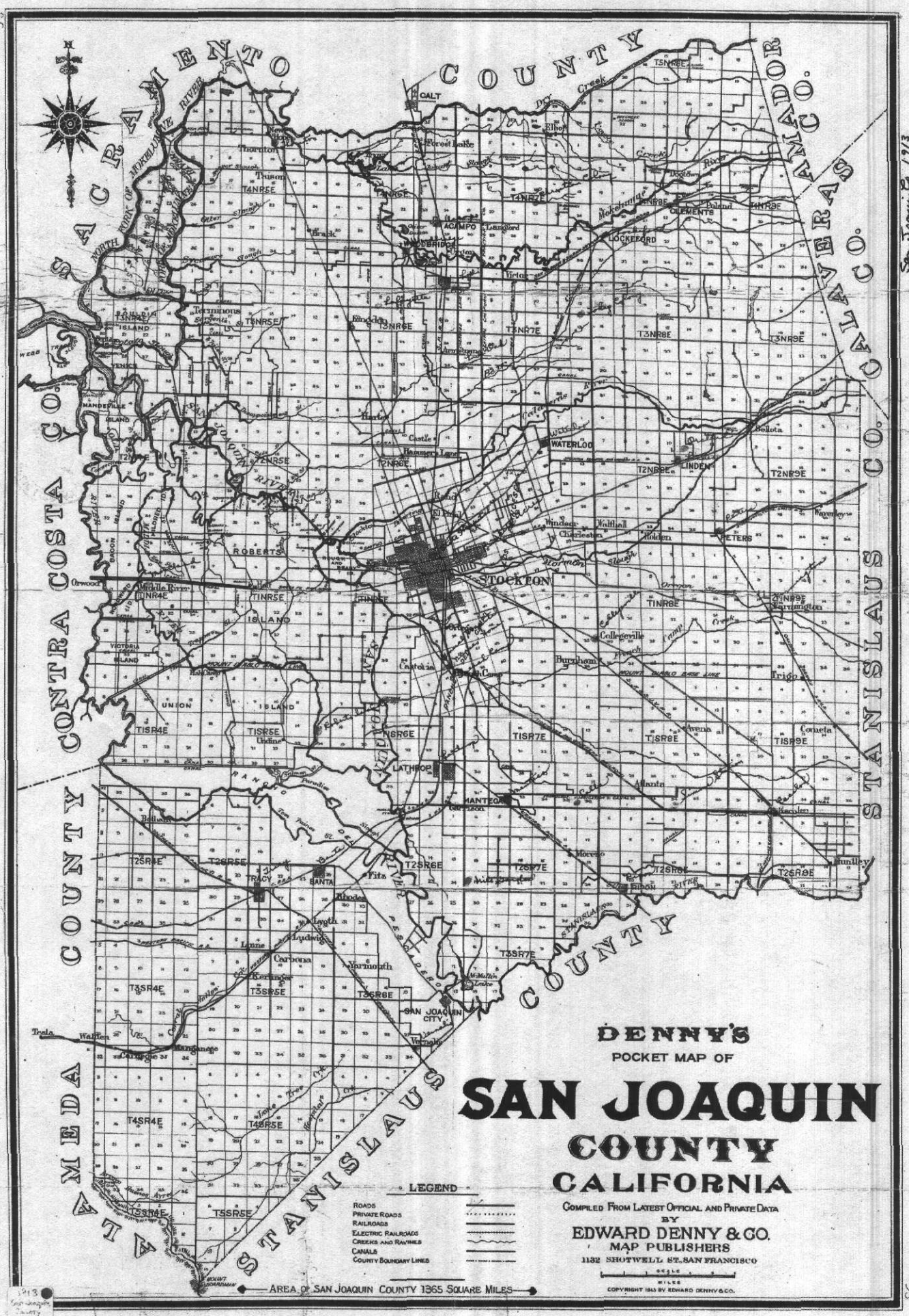


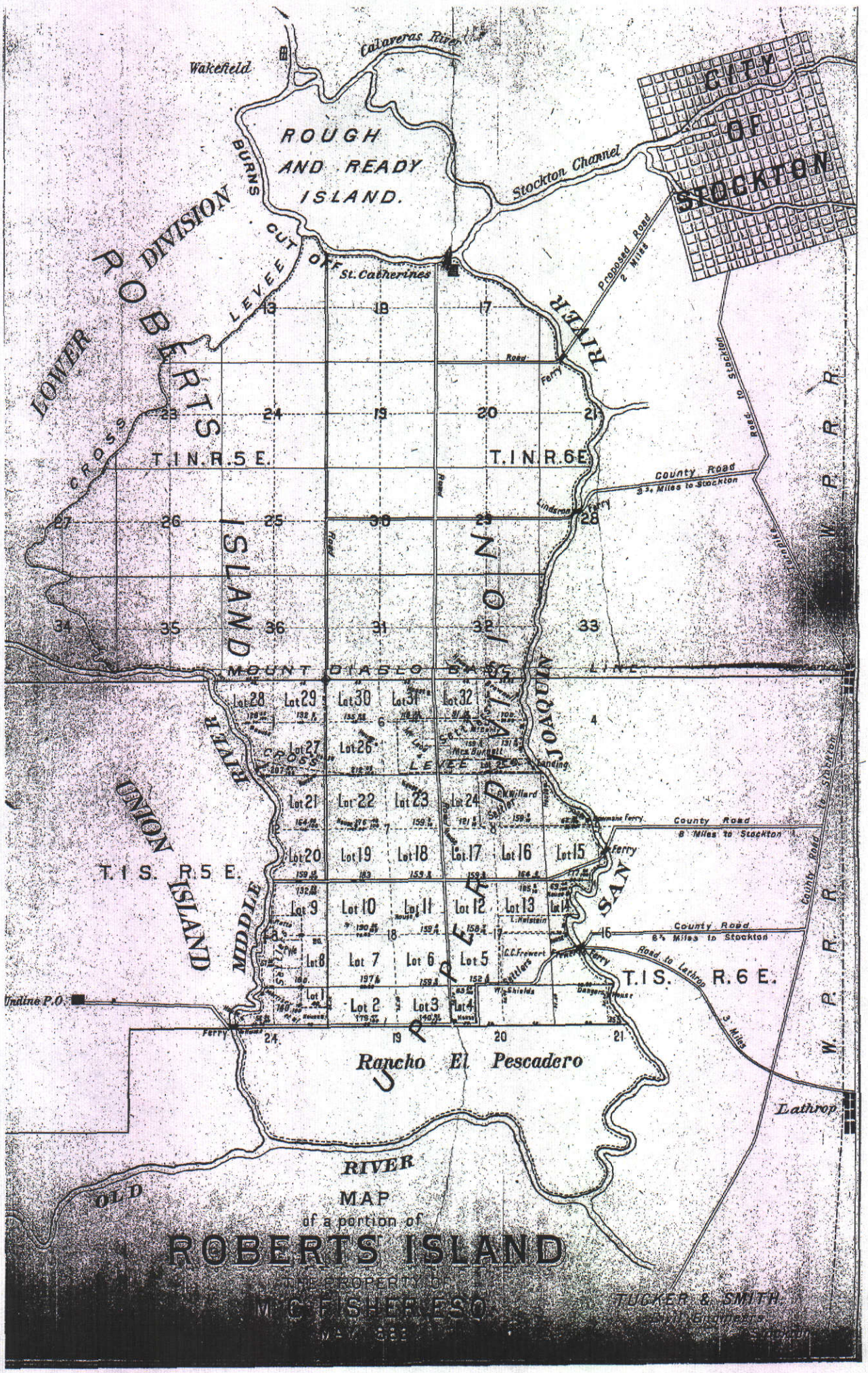
PEKA
AND
Holt
SANTA FE
R R
Gillis
BM 9
(Stockton)
HONKER LAKE
TRACT
S L A N D
Slough
55'
Sea level
BM 6
Kingston School
THE POCKET
ER TRACT
PUMPING PLANT
MIDDLE
RIVER
Fish Camp Landing
Sea level
O N I S L A N D
BM 6
(Union Island)
25'
37'
121°22'30"

Township No. 1 North, Range No. 5 East, Mt. Diablo Meridian.

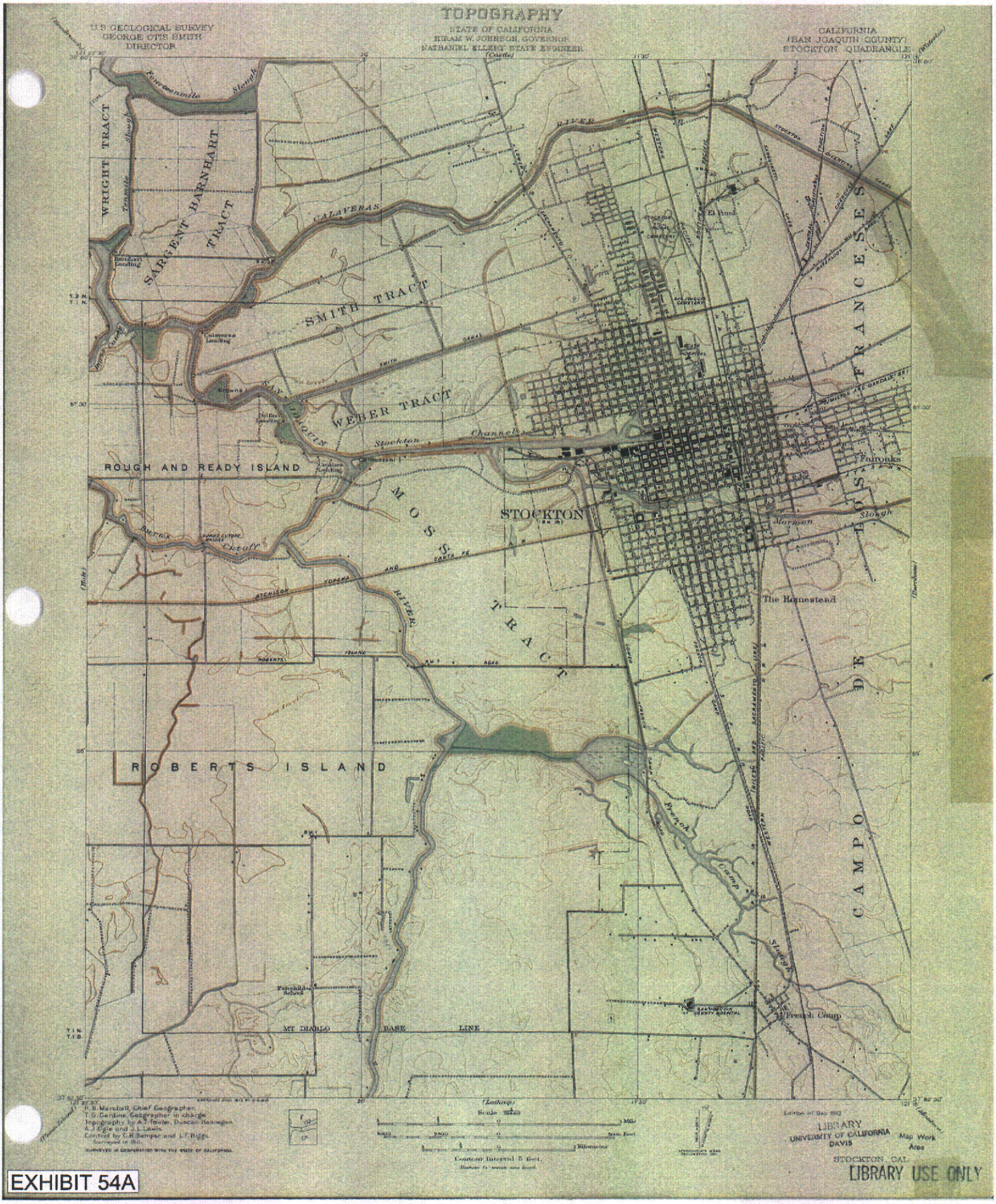


San Joaquin 1913

1913 San Joaquin County



Wakefield
Calaveras River
ROUGH AND READY ISLAND.
BURNS CUT OFF
LEVEE
LOWER ROBERTS ISLAND
CROSS
DIVISION
St. Catherines
Stockton Channel
CITY OF STOCKTON
Proposed Road 2 Miles
RIVER
Road
Ferry
T.1 N. R.5 E.
T.1 N. R.6 E.
County Road 3¾ Miles to Stockton
Lindsron
Road to Stockton
W. P. R. R.
MOUNT DIABLO BASE LINE
JOAQUIN
SAN
UPPER
UNION ISLAND
MIDDLE
RIVER
T.1 S. R.5 E.
T.1 S. R.6 E.
County Road 8 Miles to Stockton
County Road 8¾ Miles to Stockton
Road to Lathrop 3 Miles
Undine P.O.
Rancho El Pescadero
Lathrop
OLD RIVER
MAP
of a portion of
ROBERTS ISLAND
THE PROPERTY OF
M. G. FISHER ESQ.
TUCKER & SMITH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(SAN JOAQUIN COUNTY)
STOCKTON QUADRANGLE
WRIGHT TRACT
SARGENT BARNHART TRACT
SMITH TRACT
WEBER TRACT
MOSS TRACT
ROUGH AND READY ISLAND
ROBERTS ISLAND
STOCKTON
CALAVERAS RIVER
SAN JOAQUIN RIVER
Stockton Channel
Mormon Slough
French Camp Slough
Fairoaks
The Homestead
French Camp
CAMPO DE LOS FRANCESES
MT DIABLO BASE LINE
Fairchild School
Calaveras Landing
Barnhart Landing
Burns Cutoff
Fourteenmile Slough
Tenmile Slough
Scale
Contour Interval 5 feet.
Edition of Dec 1912
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STOCKTON, CAL.
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EXHIBIT 54A

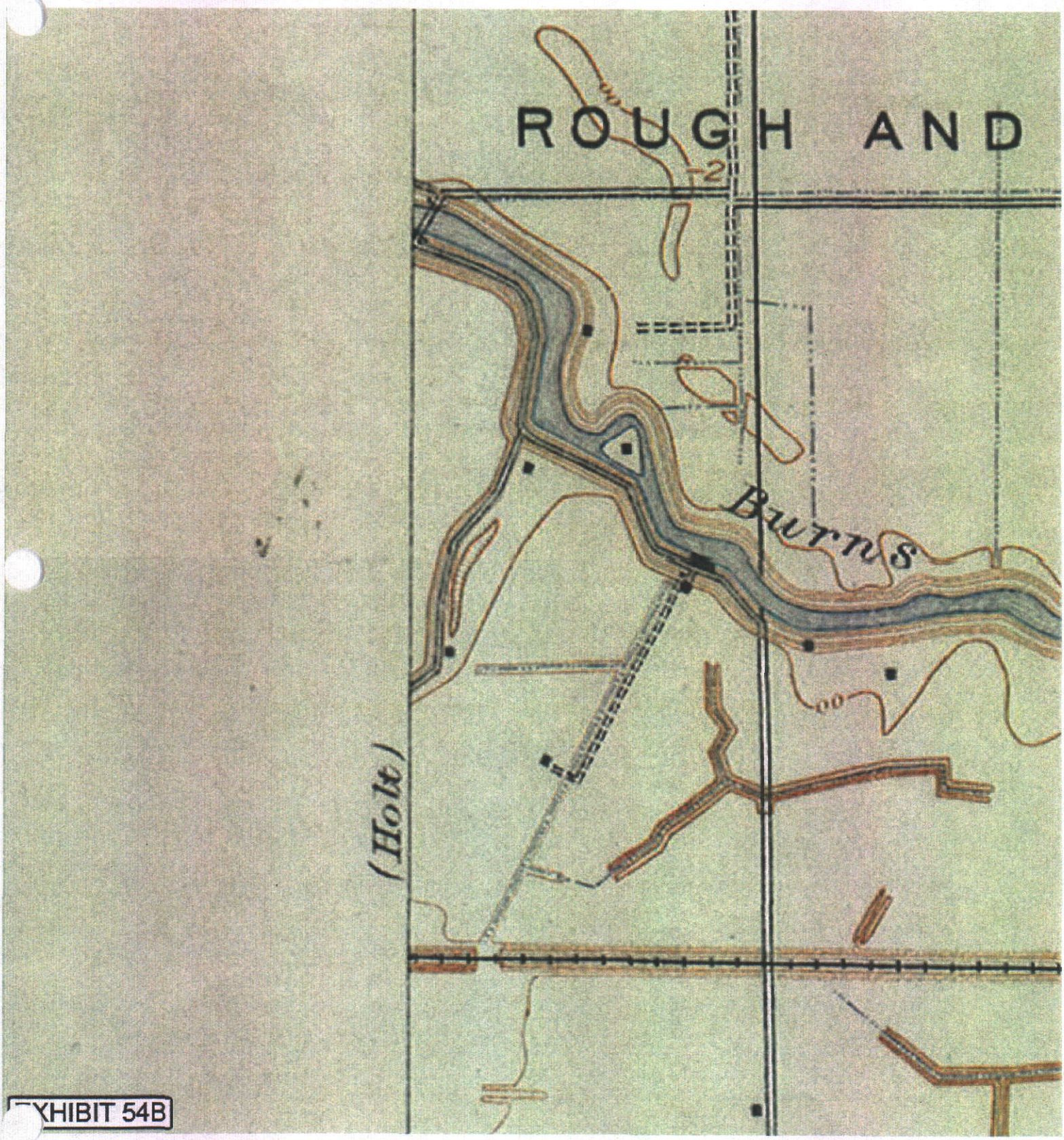


EXHIBIT 54B

'ERS' IMPLEMENTS.

H. C SHAW 1876

...W COMPANY,

...LTURAL WAREHOUSE,
NOS. 201 AND 203,

...o Street..................Stockton

...he sale of all the Latest Styles of ... Implements, Wagons, ... etc. col-d&w

...TRETCHERS,

...TREES,
...HORSE-TREES,
3-HORSE-TREES.

H. O. SHAW PLOW CO.,
201 and 203 El Dorado street,
Stockton.

...ES WRINGERS
AND
...HING MACHINES.

H. O. SHAW PLOW CO.,
...01 and 203 El Dorado street,
Stockton.

...E SINGLE PLOWS!

...AW'S PATENT GANG PLOWS,
Sulky Gang Plows.

H. O. SHAW PLOW CO.,
... & 203 El Dorado St., Stockton.

...enters' Tools.
...ARDWARE,
NAILS. ETC.
H. O. SHAW PLOW CO.,
201 and 203 El Dorado street,
Stockton.

...BARB WIRE FENCE!
...ENTION OF THE AGE
In the fence line.

H. O. SHAW PLOW CO.,
& 203 El Dorado St., Stockton.

...AKER BUGGIES

...SORTMENT JUST
...RECEIVED BY
H. C. Shaw Plow Co.,
& 203 El Dorado St., Stockton.

HOLLOW-TOOTH
HARROWS.

...AIL TO CALL AND SEE THEM.

H. C. Shaw Plow Co.,
& 203 El Dorado St., Stockton.

...NDMILLS!

'REGULATOR."

CONSTRUCTED AS TO ...TTER BREEZE than any other ...the water 200 feet. It is not only ...otect itself against gales, but is a ...F-REGULATOR, as it can be to ...un slow or fast.

...EFERENCES:
Stockton; J. A. Crow, Stockton; Crow's Landing; Pike Crow, ... Crow, Crow's Landing; John ... Modesto; O. Howell, San Joa... ...reen, Oakdale; F. G. Whitby; ...mpbell, Oakdale; D. Chedester, ...allender, Oakdale; B. R. Burdi... ... S. Sydner, Oakdale; G. Lucas, ...er, Oakdale; Dr. G. A. Shurt... ...lent Insane Asylum, Stockton; ...ippee, President S. J. V. A. S., se26 1md&w

...on &
Williamson,

...CTURE AND KEEP
...y on hand at their works,

...in & California Sts.,
...ockton, Cal.,

...g among other Implements:

...N TRUCKS;
...lky Gang Plow" Amar... ...ef; Patent Diamond or ...ged Plows; Canal, Rail... ...ngle Plows of all Sizes; ...d Iron Bottom Road ... Patent Chisel Culti... ...Patent Horse Forks for ... Grain, Threshing and ...Derricks.
...and General Jobbing and Ma... ...k done on Short Notice and ...e LOWEST PRICES.
...Catalogue and Price List. se26

... Compression
Engine!
and Permanent.
...lorence Oil
Stove!
...ing, Heating and
...luminating.
...ace Sewing
...achines!

EXHIBIT 55

Stockton Daily Independent.

WEDNESDAY MORNING, OCTOBER 11, 1876.

CURRENCY QUOTATIONS.

Gold closed in New York yesterday at 109.

Legal tenders in San Francisco were 91 buying and 91½ selling.

Half-dollars are quoted at 6¼@6½ per cent discount and selling at 5¼@6½ per cent discount. Trade-dollars at 95 buying and 96 selling.

THE REPUBLICAN MEETING.—The citizens of Stockton were treated last evening to two very entertaining speeches delivered in National Hall by General John F. Miller and Hon. H. G. Rollins of San Francisco, both able men and excellent speakers. The meeting was presided over by our fellow-townsman General George S. Evans, who, in his introductory remarks, stated that on a recent tour through the Eastern and Southern States, embracing a travel of over 16,-000 miles, he had taken pains to examine as much as he could the feeling of the country in political matters, and the result of his observations all over the country, even in the Southern States, among merchants, farmers and business men, was a perception of a strong feeling for Hayes and Wheeler. Men who pay taxes can realize the danger of putting the Democratic party in power. General Evans then introduced the first speaker of the evening, General Miller, an ex-General of the Union army in the late war, who began in a clear voice that commanded the earnest attention of the large audience at once. He first referred to the great battle that had just been fought in Ohio and Indiana, over the great issues of the day, expressing confidence in the loyalty of those great States. So far as an expression of the sentiments of the people has yet been obtained, *it has been overwhelmingly Republican*, even the glorious little centennial State raising her voice to the pitch of 2,000 majority. But whether the doubtful State of Indiana has gone Republican or Democratic, the fight is not yet over, and must be kept up until the very end and without relaxation. In addressing himself to the young men of the audience he adjured them to vote for principles, vote as they would fight, and fight for the principles for which they would vote. The speaker then outlined the great underlying principles and history of the two great parties of the nation, and arraigned the Democracy in a scathing manner, tearing off the mask of hypocrisy and false reform and showing them in their true colors. We regret that time and space forbid a full report, which we might otherwise make from our notes. He was frequently applauded, and his sentiments expressed struck a responsive chord in the breast of every true patriot present. General Miller was succeeded by Hon. H. G. Rollins in a ringing speech of an hour in length, beginning with a pleasant compliment to the ladies, who were largely represented at the meeting, saying that although they cannot exercise the more than regal privilege of voting, yet they are the acknowledged power behind the throne, and somehow they always have their way. As the ladies are generally for Hayes and Wheeler, it is an augury of the election of those candidates. The meeting was enlivened with excellent music by the Musical Union Band, and closed with thundering cheers for *Hayes and Wheeler, our noble standard-bearers*, who are leading us to a positive and certain victory.

RECLAMATION WORKS.—Favorable reports come to us of the progress of the reclamation works on Union Island. About 200 Chinamen have been employed for some time and the results are very satisfactory. A number of miles have been completed and it is confidently expected that the whole island will be surrounded with a substantial levee, six feet high, six feet wide on top and fifty feet wide at the base, before the rainy season sets in. The plan of reclamation is about the same as that pursued on Roberts' Island, adjoining. A cross levee is being built on a ridge dividing the island, near the centre, and the material for its construction will be taken from an artificial channel to be cut along side of it. The object of the channel cutting the island in half, is to increase navigation facilities around the island, which are now defective and inconvenient. The mud pumping machine is to be at work this week, when its practical utility will be thoroughly tested. The banks on the upper division of the island are composed of alluvial soil that is now dry and easily worked with plow and shovel. The levee built of it will therefore be permanent and substantial, rendering the land inclosed by it safe from overflow beyond question. On the lower section the reclamation will be *more difficult but will be as thoroughly* effected nevertheless. The work of enclosing the upper section of Roberts' Island is progressing in a manner equally satisfactory. A large force of Chinamen are at work filling the gap on Burns' cut-off, and building the earthen dam at the mouth of Duck slough. Two self acting flood-gates, three feet square and forty feet long, have been put in near the dam at low watermark, and are so arranged that whenever the tide falls lower than the level of the water inside the gates will open and drain it off. Whenever the water on the outside rises higher than that on the inside the gates will close and shut it out. The settlers in District No. 110 who have not yet completed their levees according to a uniform standard, have begun work actively with a view of getting through before the possibility of being again caught by early freshets.

A MEMBER of the West Side Irrigation party writes as follows to the Stanislaus

THE SUBSIDY BOND JUDGMENT—PUBLIC MEETING.

STOCKTON, October 10, 1876.

Hon. T. B. Buck, Mayor of the city of Stockton—Dear Sir: We, the undersigned citizens and tax-payers of the city of Stockton, would most respectfully ask you to call a public meeting of the citizens of the city and county for next Friday evening at 8 o'clock, for the purpose of taking some action in regard to the Bond case recently decided against the city by the Supreme Court:

E E Thrift,	N Sposati,
Wm P Miller,	W H Groves,
C C Schneider,	M H Bond,
M P Henderson,	H L Farmington,
T P Williamson,	D G Matteson,
N C Hilke,	C B Ring,
Choate & McCurdy,	W Greenblatt,
W C Miller,	W C Daggett,
W H Keeler,	J C White,
Cadien & Bagley,	E B Noble,
Thos Driver,	J W England,
Alonzo Rhodes,	J K Doak,
C G Ernest,	[illegible]
Corcoran & Dyas,	Wm Inglis,
Samuel Eldridge,	D H Huffman,
J B Sears,	E Gumpert,
N Colman,	A C Russell,
H H Moore,	W L Hopkins,
Geo F Smith,	J R Williams,
Geo S Ladd,	D S Rosenbaum,
H C Southworth,	H K Clifford,
W B West,	W M Hickman,
M Severy,	B F Wellington,
Wm Graham,	H Thornlow,
J T Mills,	G M Doll,
J S Davis,	Chas Haas,
A Gall,	John Gross,
Otto Lutje,	Robt K Reid,
S Williams,	Gullahan & Co
Sam'l Elliott,	J B Houcho,
F J Huggins,	H O Matthews,
Gilb't B Claiborne,	B W Bours,
I S Bostwick,	John Inglis,
A C Paulsell,	W M Bagge,
B H Brown,	I R Wilber,
S Sollnacht,	V Galgiani,
H E Hall,	H G Boisselier,
L M Cutting,	John Jackson,
E E Washburne,	S Badger,
B F Rogers,	J F Chase,
P Musto,	Jas K Kidd,
R B Parker,	B Arendt,
J H Douglass,	Jas Edwards,
Jas Cole,	R S Johnson,

E A Stockton.

Mayor's Call.

GENTLEMEN: In conformity to the foregoing request I hereby formally call a meeting of the citizens of Stockton to be held on Friday evening next, for the purposes set forth. Fully appreciating the importance of prompt and united action on the part of the citizens and municipal authorities in relation to a matter so vitally touching the public interest, I cannot do less than proffer my personal and official co-operation in any measures looking to the protection of those interests.

Respectfully,
T. B. BUCK, Mayor.

To Messrs. Thrift, Sposati, Doak and others.

A SUBSTANTIAL old Democrat of that fossiliferous kind who would continue to vote for Jackson if they were not forcibly prevented, an earnest old fellow living not a thousand miles from Stockton, engaged in an argument recently with a young Republican, with the object of convincing him of the error of his ways. "Why," said he, "the Republican party is corrupt; there is not a single man of the fifty million office holders that is not a thief, from Grant down." When his opponent told him that there were but forty million people in the United States all told, he seemed for a moment rather nonplused, but it was only for a moment, for he immediately recovered his equanimity as he triumphantly clinched the argument by saying that "lots of 'em hold two offices." He was not to be put down by a small obstacle of a few million people.

RACING AND DRAFT HORSES.—Farmers in this country engaged to a greater or less extent in the breeding of horses, are inclined to give more attention to the breeding of racing stock than that class of animals which is of direct utility on the farm, and which brings the most remunerative prices. The result is that with very few exceptions the colts are found to be just fast enough to be beaten, and worthless as racing stock and of very little practical utility to the farmers, as they are too light for farm work. On the other hand, were more attention given to breeding thoroughbred Clydesdale or Norman horses, that are always in good demand, their profits will be found satisfactory. The breeding of racing horses should be left to those regularly engaged in the business, and not attempted by the average farmer.

THE BOND QUESTION.—We publish in another column *the result of a movement which* has been on foot for securing a public expression of sentiment on the question of the Visalia Railroad bonds. The object of the meeting called by the Mayor at the request of numerous citizens for Friday evening next, is to adopt some active measures of resistance against the payment of the bonds, the forcing of which, by the decision of the Supreme Court, would work the greatest injustice and outrage ever perpetrated on a community. We are thoroughly in sympathy with any such movement, and hope some feasible plan of action will be devised. Whatever action is taken must be taken quickly if it would anticipate the serving of the mandamus of the Supreme Court on the District Court, October 16th.

LOCKEFORD LITERATI.—We learn that the Lockeford Literary and Social Club has reorganized with the following elected as

FOR SAN QUENTIN.—In the County Court yesterday Judge Buckley sentenced Frank Graham, the sleek and sly thief, who burglarized the desk of the Yosemite House a few months ago, and who was convicted of grand larceny last week, to five years in San Quentin. August Ringenbach was also sentenced for the same length of time for petty larceny and a prior conviction.

A TERRIBLE INFLICTION.—We are sorry for the wretched people of Grayson who were bored with the frightful infliction of five Democratic speeches, consecutively, covering a space of five hours time. It is bad enough to have two Democratic speakers at once, but we cannot imagine what the poor people of Grayson have done that they should be so persecuted.

THERE was "music in the air" last night coming from the band in the direction of Louis Weggerman's residence by the bridge, and we surmise that he was being serenaded in honor of his late marriage. The old time charivari was revived the night of his wedding, and the melody therefrom was not quite so harmonious and delightful as that of last evening, although he took it in the best of humor.

COMMITTEE MEETING.—There will be a meeting of the Executive Committee of the Republican County Central Committee held this evening at the Republican headquarters. A full attendance is desired. Members will govern themselves accordingly and be present in full force.

THE gentlemen and ladies class of Prof. Lippard's dancing school meets at 7 o'clock this evening at Turn Verein Hall.

THE District Court, Judge Booker presiding, opens for the Fall term next Monday, October 16th.

THE Elgin ladies' 18 karat gold watch, a perfect time-keeper, ruby jeweled; worth $85, price, $40, at Uncle Harris', 702 Kearny street, San Francisco. Send for it.

BEAUTIFUL and life like are the pictures taken by Batchelder. de11

The Acme, "The Boudoir," by Spooner.

E. D. A S. L.

Humboldt Hall, Weber Avenue. se26-2w

ATTENTION, FARMERS.

The Farmers' Co-operative Union loan $20 per ton at one per cent on wheat stored in the Eureka Warehouses. jy20

THE BEST PLACE

To get a good Mitchell Wagon or Header Truck is at the Farmers' Co-operative Union, on Levee street. Go and see them. my11

Promenades, Cabinets and Cards at Spooner's. oc6

Use Abietene for rheumatism and neuralgia. no23

Batchelder's latest—The Centennial. jy4

ICE COLD SODA!

At Hickman's Drug Store, 212 Main Street

Use Abietene for croup, colds, sore throat and hoarseness. no23

FOR the very best Photographs go to BATCHELDER'S GALLERY, 186 El Dorado treet, between Main and Levee. sed

KID GLOVES!

Cleaned equal to new for 15 to 20 cents per pair at the Stockton Chemical Steam Dyeing Works, corner of Main and American streets.
se13-1m H. HESS, Proprietor.

BEAUTIFY the complexion, and remove pimples, spots, burns, scalds, stings, chapped lips, prickly heat and all irritation of the skin by using "Glenn's Sulphur Soap." In cases of Gout and Rheumatism it is also very efficacious. se30-1wd&w

A FINE THING FOR THE TEETH.

Fragrant SOZODONT is a composition of the purest and choicest ingredients of the Oriental vegetable kingdom. Every ingredient is well known to have a beneficial effect on the teeth and gums. Its embalming or antiseptic property and aromatic fragrance makes it a toilet luxury. SOZODONT removes all disagreeable odors from the breath caused by catarrh, bad teeth, etc. It is entirely free from the injurious and acrid properties of tooth pastes and powders which destroy the enamel. One bottle lasts six months. se14-1md&w

ABSCESSES and sores of long standing, which have resisted the operation of ointments and washes, may be cleansed and *healed by frequent and persistent washing* with "Glenn's Sulphur Soap." oc7-dw1w

WISTAR'S BALSAM OF WILD CHERRY.

The great remedy for Consumption. This well-known remedy is offered to the public, sanctioned by the experience of over forty years; and when resorted to in season, seldom fails to effect a speedy cure of Coughs, Colds, Croup, Bronchitis, Influenza, Whooping Cough, Hoarseness, Pains or Soreness in the Chest or Side, Bleeding at the Lungs, Liver Complaint, etc. Beware of Counterfeits! Remember that the genuine "Wistar's Balsam of Wild Cherry" has on the outside wrapper the signature of "I. Butts," and the printed name of the proprietors, "Seth W. Fowle & Sons, Boston." All others are base imitations. Examine the wrapper carefully before purchasing.

A CASE OF THIRTY-YEARS' STANDING.

NEW GOODS—LATEST STYLES!

LARGEST ASSORTMENT AND BEST WORK.

H. Marks, Merchant Tailor, No. 250 Main Street, has just returned from San Francisco with the largest and most complete assortment of goods in his line ever before brought to Stockton. Gentlemen furnished with fashionable suits from best materials on the most reasonable terms. Give him a call. my4

Crayons, Ink and Colored Work at Spooner's. oc6

ACCIDENT.

It was all an accident how FRED. ARNOLD discovered his MAGIC POLISH. It makes old shoes look like new. The largest and finest assortment of Boots and Shoes are sold CHEAP at 194 Main street. They buy their goods at the Lowest Cash Prices. Try FRED. ARNOLD'S "One Price Store." se7

THE BEST BARBER.

M. Vasquez has twenty years experience in the tonsorial profession, in which he has made many discoveries used by himself, unknown to the rest of the Barbers. He has the art of beautifying the young and rejuvinating the old, through a natural gift of genius, daily exhibited upon all classes of his customers. He cuts and dresses hair according to the shape of the head and face. He is one of nature's artists in all of his manipulations. He transforms gray hair of all ages, upon both male and female, to its natural color in five minutes' time. His work gives the best satisfaction. Try him. No. 208 Weber avenue (Hickman's building.) oc3-1m

HENDERSON'S DENTAL OFFICE.

Has been removed to McKee's new building corner of Main and Hunter streets, up stairs.

Instantaneous views of the Centennial celebration in Stockton, at Batchelder's.

TAKE NOTICE.

All persons indebted to the undersigned, and whose obligations are past due, are requested to make immediate payment. This is in lieu of personal notice, and by it we mean business.
July 19, 1876.
jy22 MATTESON & WILLIAMSON.

Spooner's Stockton and Centennial views.

Abietene for burns, scalds, cuts and sores of all kinds. no23

SHIRTS made to order at the American Clothing House.

TESTIMONIALS TO THE VALUE OF THE "FLORENCE OIL STOVE."

STOCKTON, Sept. 21, 1876.

—Geo. Vincent, Esq.—Dear Sir: We are highly pleased with the "Florence Oil Stove." It is a complete success in all respects claimed for it. Yours, truly,
JAS. LITTLEHALE.

STOCKTON, Sept. 21, 1876.

Mr. Geo. Vincent—Dear Sir: I have used one of your "Florence Coal Oil Cooking Stoves" for the last month. I assure you that it is everything you claim for it. For economy and convenience, it surpasses any cook-stove I have ever seen, and I cheerfully recommend it. Yours, truly,
se22 G. W. MELONE.

LYON'S KATHAIRON makes beautiful glossy, luxuriant hair; prevents its falling out or turning gray. It has stood the test of 40 years. Is charmingly perfumed and has no rival. ap8-1y

STOCKTON GRAIN AND FLOUR MARKET

STOCKTON, October 10, 1876.

WHEAT—Old, $1 50@1 56.
BARLEY—85c@$1.
WOOL, 9 to 14c.
HAY—Baled, $7@10; Loose, $6 ₱ ton.

FLOUR, ETC.—	Wholesale.	Retail.
City Mills, bx sks, ₱ bbl	$5 25	$5 50
City Mills, gr sks, ₱ bbl	5 25	5 75
Lane's Mills, bf sks, ₱ bbl	5 25	5 60
Lane's Mills, gr sks, ₱ bbl	5 25	5 75
Graham, ₱ bbl	5 25	5 75
Cornmeal, ₱ bbl	4 50	5 00
Middlings, ₱ 100 lbs	1 12½	1 25
Bran, ₱ 100 lbs	80	1 00

THE STOCK MARKET.

SAN FRANCISCO, October 10th.

STREET QUOTATIONS—5 O'CLOCK P. M.

MINE.	BID	ASKED.	SALES.
Ophir	43½		
Mexican	24¾		
Gould and Curry	14		
Best and Belcher	48½		
Hale and Norcross	7¾		
Yellow Jacket	20½		
Crown Point	11		
Imperial	[illegible]		
Alpha	44½		
Consolidated Virginia	[illegible]		
Sierra Nevada	11		
California	50½		
Exchequer	3½		
Justice	17¾		
Union	[illegible]		
Overman	70½		
Julia	6½		
Savage	13½		
Chollar	70½		
Belcher	13½		
Kentuck	[illegible]		
Caledonia	[illegible]		

POSTOFFICE REGULATIONS.

From 8 A. M. to 5. P. M., and from 6.30 P. M. to 7.30 P. M.

Sundays, from 1:45 P. M. to 2:30 P. M.

Register Department—From 9 A. M. to 3 P. M.

During the arrival and assorting of the Western mail and eastern mail at 1 00 P. M., the office will be closed temporarily, opening as soon as the letters are boxed.

MONEY ORDER DEPARTMENT

SPECIAL
ASSESSM...

Lodi Flouring ... house Company—Loc... county, California. ... at a meeting of the Di... of September, 1876, ... twenty-five cents ... on the Capital stock o... immediately, in Uni... secretary, at the offic... San Joaquin county. Any stock upon w... remain unpaid on th... BER, 1876, will be del... DAY OF OCTOBER, ... public auction and, ... before, will be sold o... to pay the Delinquent ... the costs of advertising ...
Office, in the Mill ...

A ...

To all who are ... errors and indiscretion... ness, early decay, los... send a recipe that w... CHARGE. This great ... a Missionary in South ... dressed envelope to t... Station D, Bible Hous... ja12

Dr. J. F. Gibbon... physician has returned ... absence of a year, d... visited the prominen... states, England, Irela... and after having caref... modes of treatment in ... comes back with ful... adaptation of them in ... He has resumed the pr... No. 623 Kearny stree... will find him, and tho... ills which his practi... His card will be found ...

MACHIN...

H. L. FARRINGTON ...

STOCKTON ...
163 CALI...
Between Main ... Avenue,

FARRINGTON ...
— MANUFAC...
STEAM ENGIN...
MACHI...
— A...
OF EVERY D...

GLOBE IR...
— A...
MACHIN...
Corner Main an... Stoc...

Manufacturer of Mach... Castings of ...

STEAM ...

For Steamboats and Sta... powers, Pumps and Hon... Particular attention ... and repairing of Agricul... its branches, and Gener... shortest notice.
Agent and manufactur... FIRE BLAST BLOW... FORGES.
The highest price ... oc8 JOHN...

LIVERY S...
EL CAPITAN...
MERCED CI...

M. McCLENATHA...

The public will be acco... DLE HORSES and HOR... of all descriptions, at the ... Yosemite and other To... sonable terms.
A share of public patro...

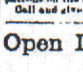
W. S. MORRIS.

WEBER S...
Centre Street ...

MORRIS & BELDEN, ...

THE BEST TEA...
elegant turnouts in ... patrons on the most reaso... Call and give us a trial.

Open Day a...



JOHNS...
YOSEMITE ...
— AND ...

HACK ST...
WEBER AVENUE ...

The Best Teams an... Turnouts in the C...

The Best and Safes... tions for Mo...

ORDERS FOR HACKS, O... PROMPTLY ATTE...

Tourists to the Bi... Yosemite V...

Can procure any kind of Ca... with No. 1 Drivers, making ...

RECULATOR."

NSTRUCTED AS TO
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EGULATOR, as it can be to
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ERENCES:

kton; J. A. Crow, Stockton;
ow's Landing; Pike Crow;
row, Crow's Landing; John
odesto; O. Howell, San Jose-
n, Oakdale; F. G. Whitby;
bell, Oakdale; D. Chedester,
ender, Oakdale; R. R. Suedi-
. Sydnor, Oakdale; G. Lucas,
Oakdale; Dr. G. A. Shurt-
Insane Asylum, Stockton;
e, President S. J. V. A. S.,
fe26 1md&w

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Williamson,

URE AND KEEP
hand at their works,

& California Sts.,
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nong other Implements:

TRUCKS;
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Patent Diamond or
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iron Bottom Road
Patent Chisel Culti-
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rain, Threshing and
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d General Jobbing and Ma-
ne on Short Notice and
OWEST PRICES.

logue and Price List. se24

Compression
ngine!

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orence Oil
Stove!

g, Heating and
minating.

e Sewing
chines!

or Family Use.

COMPRESSION
ENGINE

y, Simplicity and Durability,
tor. No steam, hot air being
Impossible for it to explode.
umping, Factories or Shops
gine. Will lift 3,000 gallons
Cost of running 12 hours will
Can be run by any person.
utility furnished on applica-

an hour in length, beginning with a pleasant compliment to the ladies, who were largely represented at the meeting, saying that although they cannot exercise the more than regal privilege of voting, yet they are the acknowledged power behind the throne, and somehow they always have their way. As the ladies are generally for Hayes and Wheeler, it is an augury of the election of these candidates. The meeting was enlivened with excellent music by the Musical Union Band, and closed with thundering cheers for Hayes and Wheeler, our noble standard-bearers, who are leading us to a positive and certain victory.

RECLAMATION WORKS.—Favorable reports come to us of the progress of the reclamation works on Union Island. About 200 Chinamen have been employed for some time and the results are very satisfactory. A number of miles have been completed and it is confidently expected that the whole island will be surrounded with a substantial levee, six feet high, six feet wide on top and fifty feet wide at the base, before the rainy season sets in. The plan of reclamation is about the same as that pursued on Roberts' Island, adjoining. A cross levee is being built on a ridge dividing the island, near the centre, and the material for its construction will be taken from an artificial channel to be cut along side of it. The object of the channel cutting the island in half, is to increase navigation facilities around the island, which are now defective and inconvenient. The mud pumping machine is to be at work this week, when its practical utility will be thoroughly tested. The banks on the upper division of the island are composed of alluvial soil that is now dry and easily worked with plow and shovel. The levee built of it will therefore be permanent and substantial, rendering the land inclosed by it safe from overflow beyond question. On the lower section the reclamation will be more difficult but will be as thoroughly effected nevertheless. The work of enclosing the upper section of Roberts' Island is progressing in a manner equally satisfactory. A large force of Chinamen are at work filling the gap on Burns' cut-off, and building the earthen dam at the mouth of Duck slough. Two self-acting flood-gates, three feet square and forty feet long, have been put in near the dam at low watermark, and are so arranged that whenever the tide falls lower than the level of the water inside the gates will open and drain it off. Whenever the water on the outside rises higher than that on the inside the gates will close and shut it out. The settlers in District No. 110 who have not yet completed their levees according to a uniform standard, have begun work actively with a view of getting through before the possibility of being again caught by early freshets.

A MEMBER of the West Side Irrigation party writes as follows to the Stanislaus *News*, under date of camp near Watson's Ferry, September 30th: "Our party consists of twenty-two men, who are classed as follows: One chief engineer and general superintendent, 1 draughtsman, 3 transit men, 2 levelers, 2 rod men, 4 Chinamen, 3 flag men, 2 axe men, 1 commissary, 2 teamsters, 1 cook and 1 camp man. Our first work

interests.

Respectfully,
T. B. BUCK, Mayor.

To Messrs. Thrift, Sposati, Doak and others.

A SUBSTANTIAL old Democrat of that fossiliferous kind who would continue to vote for Jackson if they were not forcibly prevented, an earnest old fellow living not a thousand miles from Stockton, engaged in an argument recently with a young Republican, with the object of convincing him of the error of his ways. "Why," said he, "the Republican party is corrupt; there is not a single man of the fifty million office holders that is not a thief, from Grant down." When his opponent told him that there were but forty million people in the United States all told, he seemed for a moment rather nonplussed, but it was only for a moment, for he immediately recovered his equanimity as he triumphantly clinched the argument by saying that "lots of 'em hold two offices." He was not to be put down by a small obstacle of a few million people.

RACING AND DRAFT HORSES.—Farmers in this country engaged to a greater or less extent in the breeding of horses, are inclined to give more attention to the breeding of racing stock than that class of animals which is of direct utility on the farm, and which bringe the most remunerative prices. The result is that with very few exceptions the colts are found to be just fast enough to be beaten, and worthless as racing stock and of very little practical utility to the farmers, as they are too light for farm work. On the other hand, were more attention given to breeding thoroughbred Clydesdale or Norman horses, that are always in good demand, their profits will be found satisfactory. The breeding of racing horses should be left to those regularly engaged in the business, and not attempted by the average farmer.

THE BOND QUESTION.—We publish in another column the result of a movement which has been on foot for securing a public expression of sentiment on the question of the Visalia Railroad bonds. The object of the meeting called by the Mayor at the request of numerous citizens for Friday evening next, is to adopt some active measures of resistance against the payment of the bonds, the forcing of which, by the decision of the Supreme Court, would work the greatest injustice and outrage ever perpetrated on a community. We are thoroughly in sympathy with any such movement, and hope some feasible plan of action will be devised. Whatever action is taken must be taken quickly if it would anticipate the serving of the mandamus of the Supreme Court on the District Court, October 16th.

LOCKEFORD LITERATI.—We learn that the Lockeford Literary and Social Club has reorganized with the following elected as officers: W. B. Ambrose, President; Howard Locke, Vice President; Ida Locke, Secretary, and H. M. Locke, Treasurer. There should be no difficulty in retaining everything the club may acquire with so many *Lockes* attached to it. We are pleased to learn of the revival of such an organization in Lockeford—an organization of that commendable nature that adds so immeasurably to the enjoyment of the long Winter even-

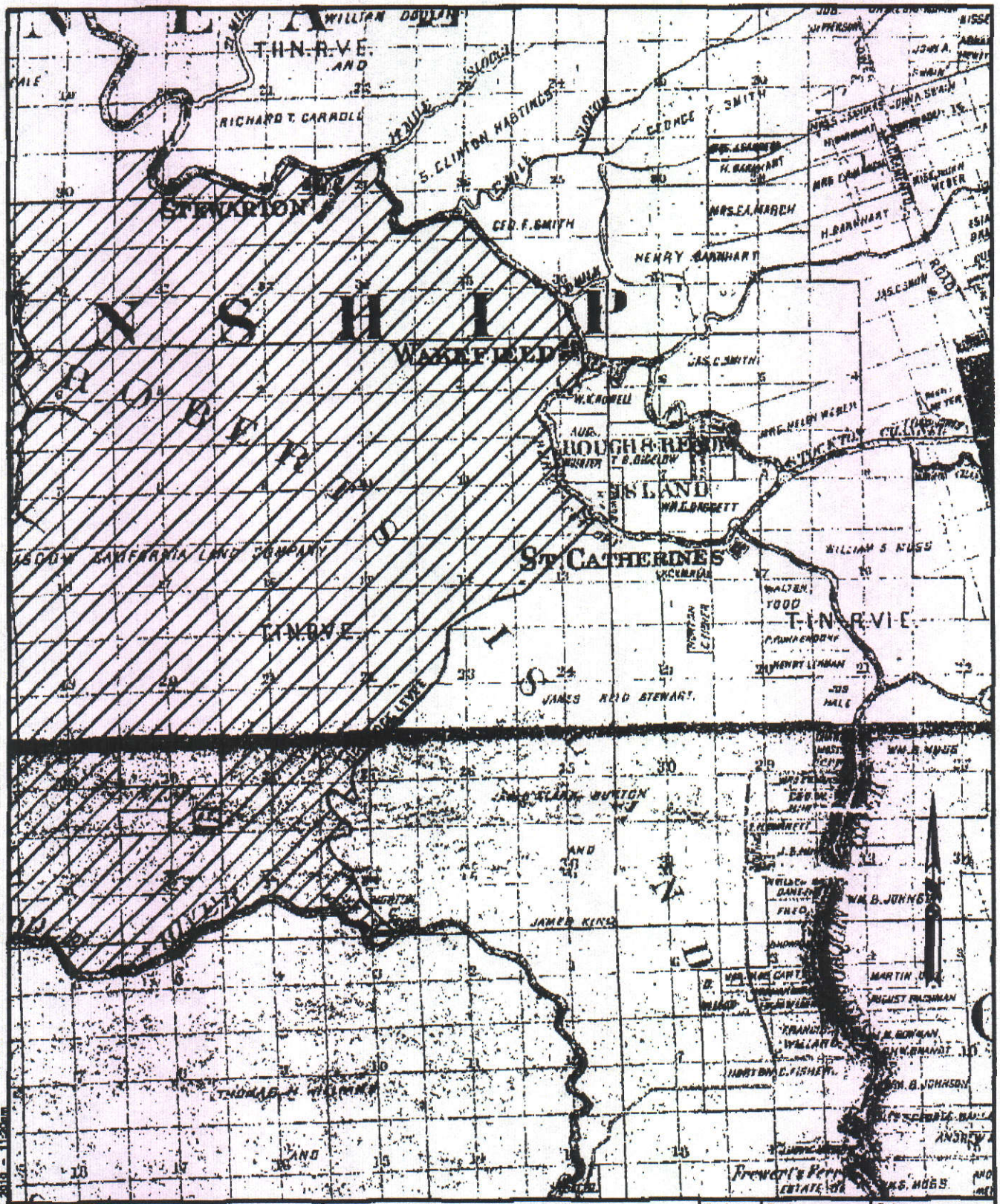
Joel P. Whitney
To
Morton C. Fisher

This Indenture, made the Twelfth day of December, one thousand eight hundred and seventy six. Between Joel P. Whitney party of the first part and Morton C. Fisher party of the second part, Witnesseth, That the said party of the first part, for and in consideration of the sum of Sixty two thousand five hundred Dollars, Gold Coin of the United States of America, to him in hand paid by the said party of the second part, at or before the ensealing and delivery of these presents, the receipt whereof is hereby acknowledged, Has granted, bargained, sold, conveyed and confirmed, and by these presents Does grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, All those pieces and parcels of land situate and being on Rohrts Island, San Joaquin County, State of California, described as follows: The fractional parts of the South East ¼ of Section Twenty six (26) and of Section Thirty six (36) lying East of Whiskey Slough in Township 2 North Range 5 East Mont. Diablo Meridian. Sections Thirty two (32), Three (33), Thirty four (34), South ½ of Section Thirty [illegible] the fractional parts of Sections Twenty six (26), Twenty [illegible] (27), Twenty eight (28), Twenty nine (29), Thirty five and Thirty six (36) lying South and West of the San Joaquin River, and of Section Thirty one (31) lying East and North of Whiskey Slough, in Township [illegible] North Range 5 East, Mont. Diablo Meridian: Sections Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19), Twenty (20), Twenty one (21), Twenty eight (28), [illegible] (30), Thirty one (31), North ½, South West ¼, North of South East ¼, and South West ¼ of South [illegible] of Section Twenty nine (29) [illegible]

Exhibit 3C

EXHIBIT 56

of sections one (1) and twelve (12) lying West of the San Joaquin River, Burns Cutoff and Duck Slough; the fractional parts of sections Thirteen (13), Fourteen (14), Twenty two (22) and Twenty seven (27) lying West of High Ridge Levee which extends from Burns Cutoff to Middle River; the fractional part of Section Thirty four (34) lying between High Ridge and Middle River, and the fractional part of Sections Thirty two (32) and Thirty three (33) lying North of Middle River, in Township 1 North, Range 5 East, Mount Diablo Meridian. Sections One (1), Twelve (12), and Thirteen (13) in Township 1 South Range 4 East, Mount Diablo Meridian. Fractional parts of Sections Three (3), Five (5) and Six (6) lying North of Middle River, in Township 1 South Range 5 East, Mount Diablo Meridian. Sections Fourteen (14), Fifteen (15), Twenty three (23), Twenty four (24), Twenty five (25) and the fractional parts of sections sixteen (16), Twenty one (21), Twenty two (22), Twenty six (26), Twenty seven (27), Thirty five (35) and Thirty six (36) lying East of Middle River, Township 1 North Range 4 East. Containing in the whole about Twenty eight thousand one hundred and fifteen and seventy five hundredths (28,115 Ths) [illegible]. Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof. And also all the estate, right, title, interest, property, possession, claim and demand whatsoever, as well in law as in equity of the said party of the first part, of, in or to the above described premises, and every part and parcel thereof, with the appurtenances. To have and to hold, all and singular, the above mentioned and described premises, together with the appurtenances



KSN INC. KJELDSEN SINNOCK NEUDECK Civil Engineers and Land Surveyors Post Office Box 844, 711 N. Pershing Avenue, Stockton, CA 95201-0844, Office: (209) 946-0268, Fax: (209) 946-0296, E-mail: KSN@ksninc.com	PAK CHAIN OF TITLE GRANTOR: WHITNEY GRANTEE: FISHER JANUARY 22ND, 1877	Design Drawn CSM Check SLB	Scale 1" = 5000' Original Drawing Scale 0 ¼" ½"	Date 3/30/10 Sheet Number Of Project File No. 1732-0070

FILE SPEC: P:\1732_SDWA\0070_Historical_Mapping\Survey\Pak\Exhibits\CAD\B_Whitney_to_Fisher.dwg
PLOT DATE: Mar 31, 2010 - 11:20am

(ES)

[illegible]
Notary Public

Recorded at the request of J. S. Hendricks Sept. 11th A. D. 1877 at 12 min. past 10 Oclock A. M.

35 D 480

Morton C. Fisher To The Glasgow Californian Land Company (Limited).	This Indenture made the twentieth day of June, One thousand eight hundred and seventy seven, Between Morton C. Fisher of the City of London England of the first part, and and The Glasgow Californian Land Company (Limited) a corporation of the second part. Witnesseth, That the said party of the first part for and in consideration of the sum of Fifteen thousand pounds Sterling to him in hand paid by the said party of the second part, at or before the ensealing and delivery of these presents the receipt whereof is hereby acknowledged and in further consideration of the future payments amounting to about Sixty thousand pounds sterling and seven thousand five hundred fully paid up shares of Ten pounds each in the Glasgow Californian Land Company Limited as per articles of agreement copy hereto attached. Hath granted, bargained, sold conveyed and confirmed and by these presents Doth grant bargain, sell convey and confirm unto the said party of the second part its successors and assigns forever, All those pieces and parcels of land situate and being on Roberts Island, San Joaquin County, State of California described as follows: The fractional parts of the South East 1/4 of Section Twenty five (25) and of Section Thirty six (36) lying East of Whiskey Slough in Township 2 North Range 4 East. Mount Diablo Meridian Sections Thirty two (32) Thirty three (33) Thirty four (34). South 1/2 of [illegible]

Exhibit 3D

EXHIBIT 57

seven (27), Twenty eight (28) Twenty nine (29) Thirty five (3[illegible]
and Thirty six (36) lying South and West of the San Joa-
quin River and of Section Thirty one (31) lying East and Ant[illegible]
of Whiskey Slough in Township 2 North Range 5 East Mount
Diablo Meridian; Sections Two (2) Three (3) Four (4) Five (5) Six (6)
Seven (7) Eight (8) Nine (9) Ten (10) Eleven (11) Fifteen (15) Sixteen
(16) Seventeen (17) Eighteen (18) Nineteen (19) Twenty (20) Twenty one
(21) Twenty eight (28) Thirty (30) Thirty one (31) North ½ South
West ¼ North ½ of South East ¼ and South West ¼ of
South East ¼ of Section Twenty nine (29), the fractional
parts of Sections One (1) and Twelve (12) lying West of
the San Joaquin River, Burns Cutoff and Duck Slough
the fractional parts of Sections Thirteen (13), Fourteen (14)
Twenty two (22) and Twenty seven (27) lying West of High
Ridge Levee which extends from Burns Cut off to Middle
River, the fractional part of Section Thirty four (34) lying be-
tween High Ridge and Middle river and the fractional part
of sections Thirty two (32) and thirty three (33) lying North
of Middle River in Township 1 North Range 5 East, Mount
Diablo Meridian; the fractional South half of section Thirty
M.C.F. four (34) Township 1 North Range Five (5) East excepted
Sections one (1) Twelve (12) and Thirteen (13) in Township
1 North Range 4 East Mount Diablo Meridian; Fractional
parts of Sections Five (5) and Six (6) lying North of Middle
River in Township 1 South Range 5 East Mount Diablo
Meridian. Sections Fourteen (14), Fifteen (15), Twenty three
(23) Twenty four (24) Twenty five (25) and the Fractional part
of Sections sixteen (16) Twenty one (21) Twenty two (22) Twenty
six (26) Twenty seven (27) Thirty five (35) and Thirty six (36)
lying East of Middle River Township 1 North Range 4 East
Containing in the whole about Twenty eight thousand
one hundred and fifteen and seventy five hundredths (28[illegible])
acres. Together with all and singular the tenements
[illegible] and appurtenances [illegible] belonging
[illegible]

[illegible] and remainder, rents, issues and profits thereof and also all the estate right, title interest property possession, claim and demand whatsoever, as well in law as in equity, of the said party of the first part, in or to the above described premises and every part and parcel thereof with the appurtenances. To have and to hold, all and singular the above mentioned and described premises together with the appurtenances: unto the said party of the second part its successors and assigns forever, and the said party of the first part for himself and his heirs the said granted premises, in the quiet and peaceable possession of the said party of the second part its successors and assigns against the said party of the first part and his heirs and against all and every person whomsoever, lawfully claiming or to claim the same shall & will warrant and by these presents forever defend. In Witness Whereof the said party of the first part hath hereunto set his hand and seal this day and year first above written.

Signed Sealed & Delivered in presence of Jas M M Carty. The words West 1/2 on the 11th line of the 1st page were stricken out and the word half inserted before signing

Jas M M Carty

Morton C. Fisher (Seal)

State of California } ss.
County of San Joaquin } On this Eighteenth day of September A.D. one thousand eight hundred and seventy [illegible] before me Jas M M Carty a Notary Public in and [illegible] the said County of San Joaquin personally appeared Morton C. Fisher known to me to be the same person [illegible] name is subscribed to the annexed instrument [illegible] acknowledged to me that he executed the same [illegible] have hereunto set [illegible]

Certificate first above written.

Jas. M. McCarty
Notary Public

Articles of Agreement made this Nineteenth day of April 1877 between Morton Coates Fisher of 19 Great Winchester Street, in the City of London as Vendor of the one part, and Michael Johnston of No. 10 Bothwell Street, Glasgow on behalf of a Company intended to be formed with limited liability and to be called The Glasgow Californian Land Company (Limited), upon a Memorandum and Articles of Association already agreed upon, and which Company is hereinafter called the purchasing Company of the other part, as follows: 1. The Vendor shall sell and the purchasing Company shall purchase upon the terms hereinafter mentioned, 30000 acres of land part of Roberts Island in the San Joaquin Valley in California. Such Island is delineated on the map hereunto annexed, and the portion sold shall include those parts which are coloured pink in such map, and if such portion shall prove to contain less than 30,000 acres, the Vendor shall supply the deficiency from some adjacent part of such Island. 2. The price of the land sold shall be £75,000 in Cash, and 7,500 Shares of £10 each, fully paid up in the purchasing Company to be issued to the Vendor, but to be held in security by the Company until the profits of said Company exceed six percent per annum. 3. Such sum of £75,000 shall be paid to the Vendor as follows – £15,000 on 1st May, £15,000 on 1st August, and £15,000 on 1st November 1877, £15,000 on 1st February, and £15,000 on 1st May 1878. 4. The Vendor's title shall commence with the Grant [illegible] from the Governor of the [illegible] [illegible] Attest shall be [illegible]

[illegible] proper Contract [illegible] with [illegible] of Joint Stock Companies in exchange for the Conveyance by the Vendor or others, by his direction of the land sold. 6. If the land coloured pink proves to contain less than 30,000 acres, and the Vendor shall declare himself unable to make or procure a conveyance to the purchasing Company of the land to supply the deficiency the purchasing Company shall accept a Conveyance of the land coloured pink on the map, but shall be entitled to retain £7 an acre (half in cash and the other half in shares) for the acreage short of 30,000 comprised in the land coloured pink. If, however, the acreage exceeds 30,000, the Company have the option, at any time within two years from receipt of notice thereof, of purchasing any excess acreage over and above the said 30,000 at the price £7 per acre half in Cash the other half in Shares.

7. The Vendor guarantees interest at £6 per cent per annum upon the £70,000 which shall have been paid up, to provide the purchase money to be paid to him in cash until such time as the net profits derivable from the property amount to a sum sufficient to pay interest at that rate; with however, the right of reimbursement provided for in the Articles of Association.

8. The Vendor contracts (Firstly) For the building of the necessary Levee, Dam, Sluice-Gates, and other works for the reclamation and protection of the land which is at present subject to overflow of water, and guarantees the maintenance of same in proper order for a period of five years from completion. (Secondly) For ploughing and harrowing not less than 20,000 acres of the land readily to receive the first sowing of seed.

9. The Price to be paid for the reclamation and [illegible] works shall be [illegible]

to per cent of the amount due; the remainder, 20 per cent shall become due and payable three months after the work has been completed, and the price to be paid for the ploughing and harrowing shall be at the rate of 16s. per acre payable upon the ploughing and harrowing of each 1000 acres; and such price respectively shall be paid at the option of the purchasing Company either in Shares of the Company or part not exceeding one half in Cash and the remainder in Shares, such Shares to be Shares in the purchasing Company, taken at par and issued under proper registered Contracts.

Morton C. Fisher
Michael Johnston

Witness,
M. M. Moore Merchant
10 Bothwell Street
Glasgow

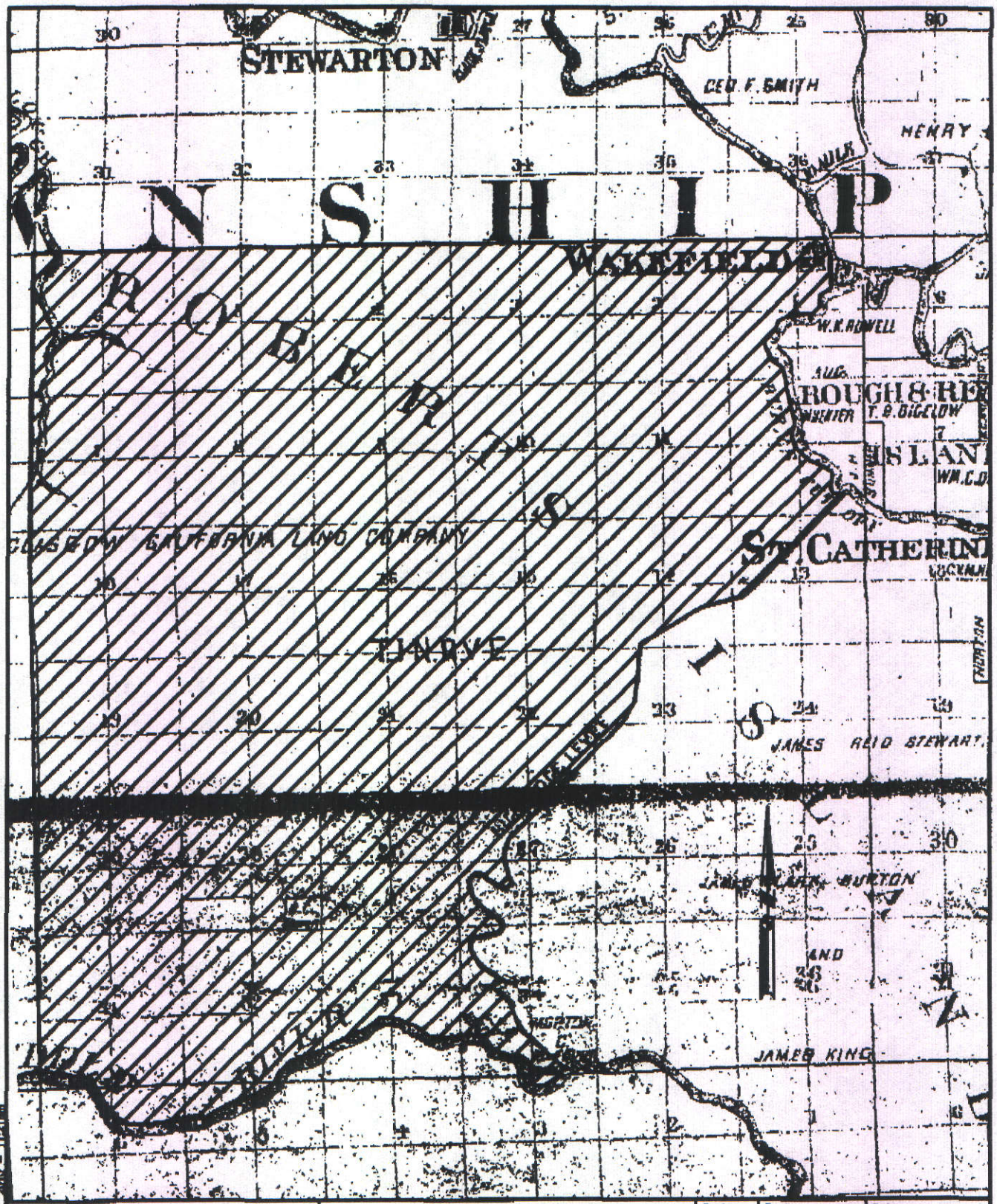
Copy of agreement referred to in Deed from Morton C. Fisher to The Glasgow Californian Land Company (Limited) dated June 20. 1877.

Jas. Thos Boyd.
Counsellor at law & Conveyancer

Recorded at the request of C. V. W. Neale Sept 18th A.D. 1877 at 7 min. past 11 Oclk A. M.

B. F. Foster
Geo. U. Foster.

This Indenture, made the twenty first day of August in the year of our Lord, one thousand eight hundred and seventy seven. Between B. F. Foster the party of the first part and Geo. U. Foster the party of the second part, Witnesseth, that the said party of the first part for and in consideration of the sum of One Thousand Dollars Gold Coin of the United States of America to be in hand paid by the said party of the second part, the



KSN INC. KJELDSEN SINNOCK NEUDECK Civil Engineers and Land Surveyors	Post Office Box 844 711 N. Pershing Avenue Stockton, CA 95201-0844 Office: (209) 946-0266 Fax: (209) 946-0296 E-mail: KSN@ksninc.com	PAK CHAIN OF TITLE GRANTOR: M.C. FISHER GRANTEE: GLASGOW CA LAND CO. JUNE 20, 1877	Design / Drawn CSM / Check SLB	Scale 1" = 5000' / Original Drawing Scale 0 ¼" ½"
Date 3/30/10	Sheet Number Of	Project File No. 1732-0070		

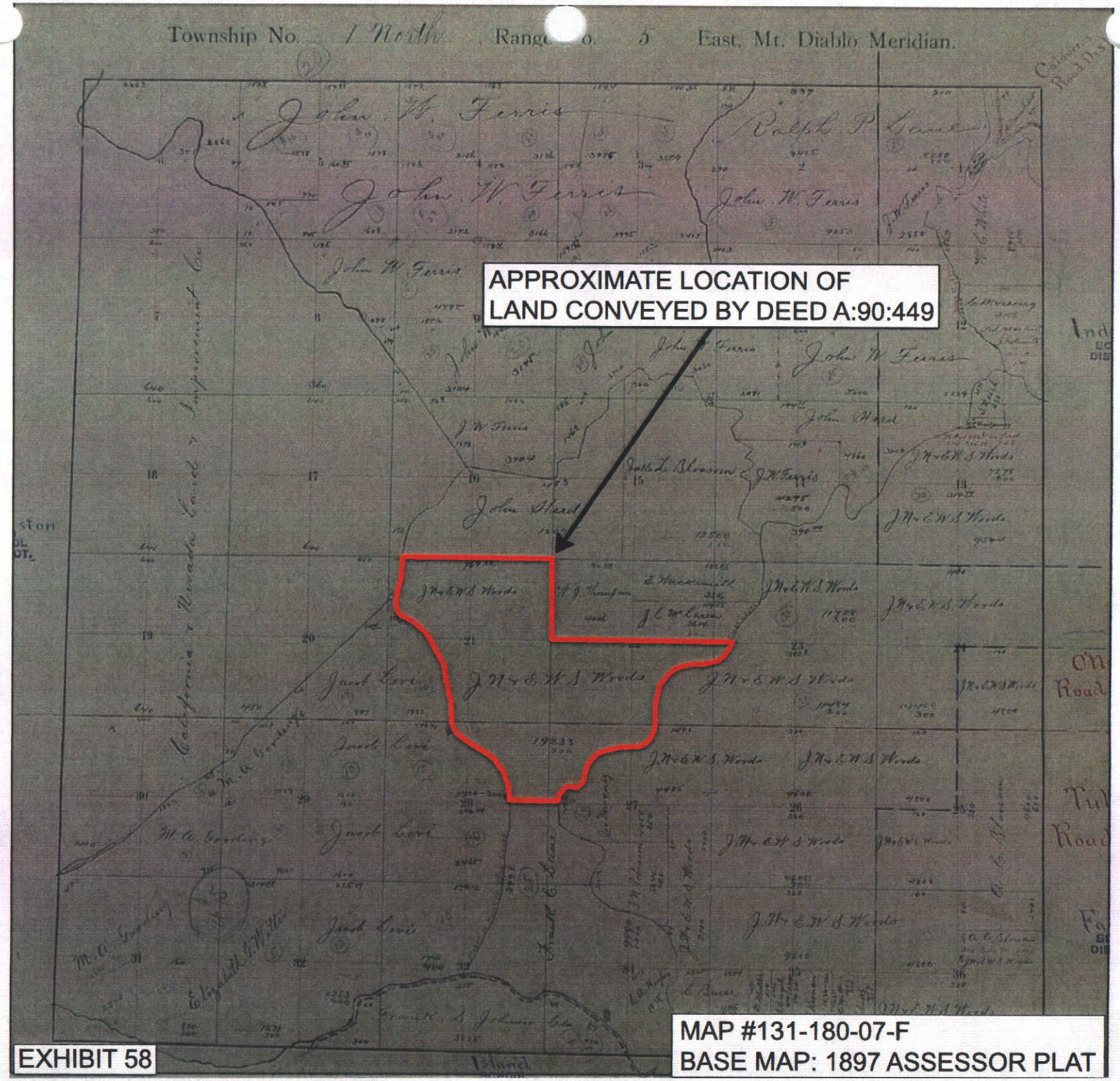


EXHIBIT 58

MAP #131-180-07-F
BASE MAP: 1897 ASSESSOR PLAT

Township No. 1 NORTH, Range No. 6 East, Mt. Diablo Meridian.

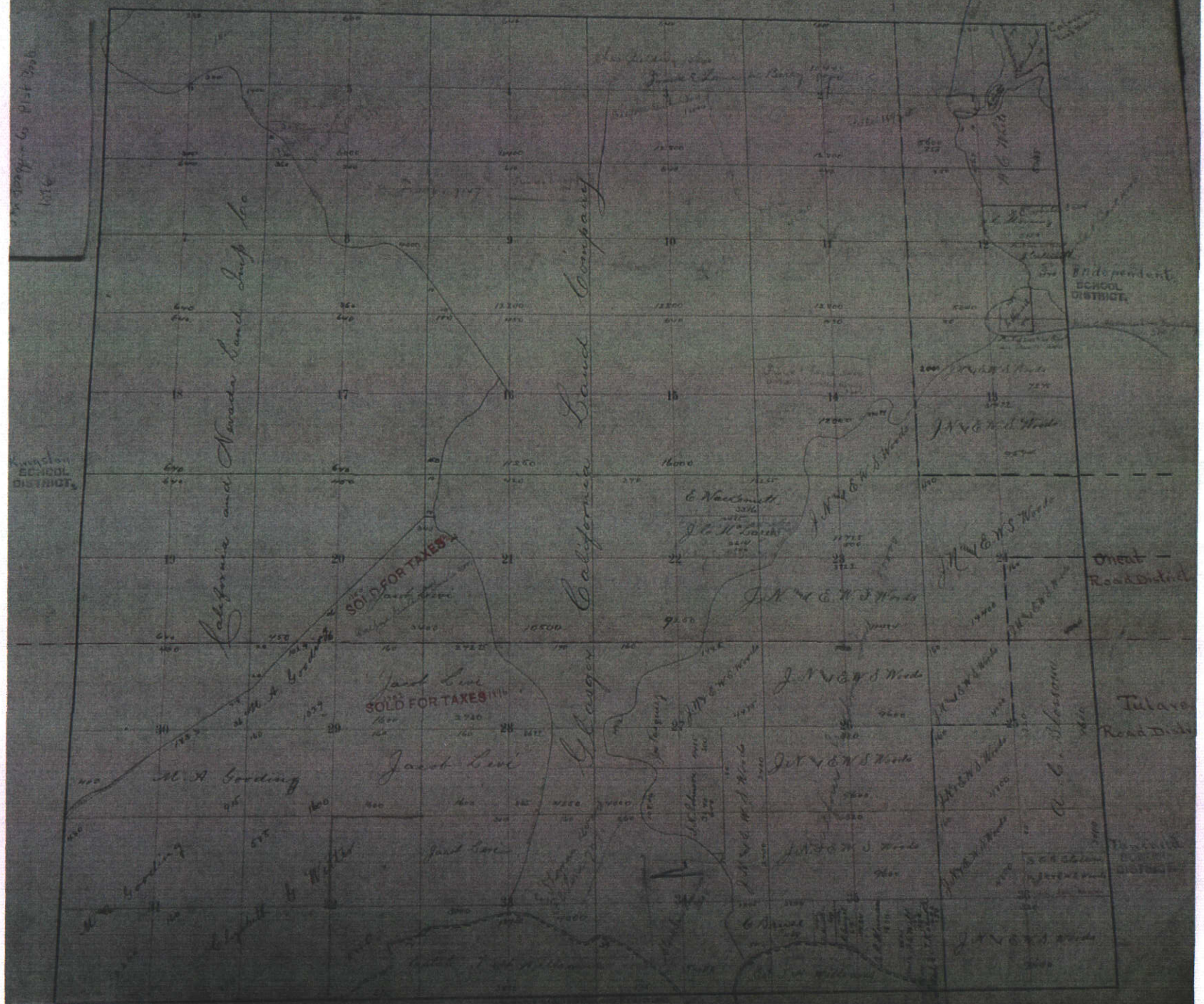
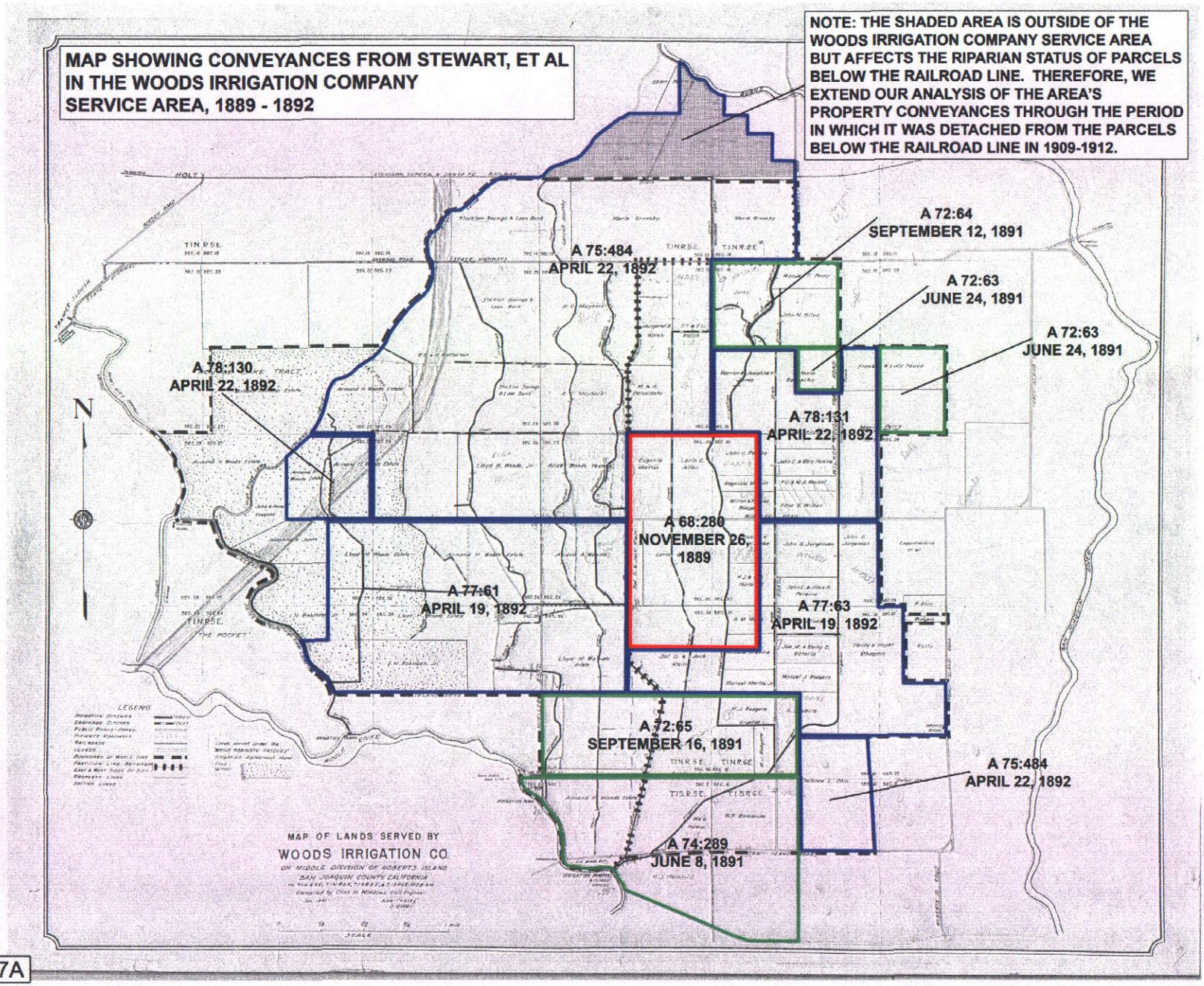


EXHIBIT 59



WIC EXHIBIT 7A

900449

Hagan Cal Land Co. (Limited)

To

Woods, John W.

Woods, E. W. S.

This Indenture, Made this Ninth day of December in the year of our Lord one thousand eight hundred and twenty-nine.

BETWEEN The Hagan California Land Co. (Limited) of Hagan, the party of the first part, and John W. Woods and E. W. S. Woods both of the City of Stockton, San Joaquin County, State of California parties of the second part.

Witnesseth: That the said party of the first part, for and in consideration of the sum of, Ten Dollars, Gold Coin of the United States of America, to it in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, conveyed and confirmed, and by these presents does grant, bargain and sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all that certain lot, piece or parcel of land situate, lying and being in the County of San Joaquin, State of California, and bounded and particularly described as follows, to wit: Beginning at the common corner of sections 15, 16, 21 and 22, T 1 S, R 5 E, M D B & M, thence West 8102 ft. feet to the center of Mormon Slough, thence along the center of said Mormon Slough, Southerly and Easterly direction to its junction with the same here before, "The Calaveras" thence along the center of said "The Calaveras" Southerly direction to its junction with the same here before, "The Mormon Slough" thence along the center of said "The Mormon Slough" Southerly direction to its intersection with E & W Line passing through Sec. 22 and 27 T 1 S R 5 E thence West along said W line to its intersection with the Road S line between Sec. 21 and 22 T 1 S R 5 E thence South along said line to place of beginning, containing 700 Acres more.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

To have and to hold, all and singular the said premises, together with the appurtenances unto the said parties of the second part, and to their heirs and assigns forever.

In witness whereof, the said party of the first part has hereunto set its hand and seal the day and year first above written.

Signed, Sealed and Delivered in the presence of

Hagan California Land Company (Limited) (L.S.)

By John W. Ferris (L.S.)

Attorney in fact. (L.S.)

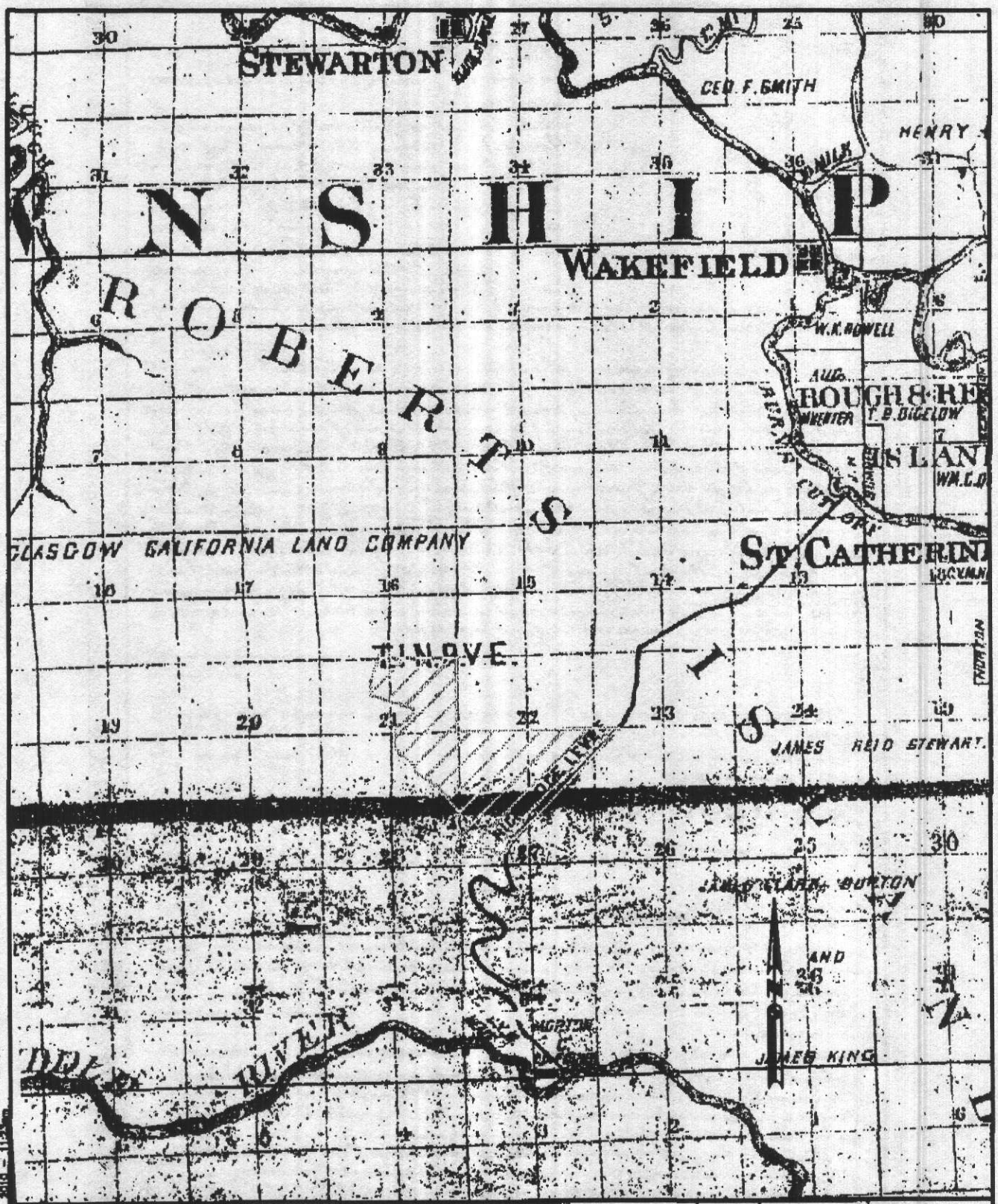
STATE OF CALIFORNIA,
and COUNTY OF SAN JOAQUIN, } ss.

On this Eleventh day of December, A.D. Nineteen Hundred and twenty, before me, James L. King, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared John W. Ferris known to me to be the attorney in fact of Hagan California Land Company (Limited) and acknowledged to me that he subscribed the name of Hagan California Land Company (Limited) thereto as principal and his own name as attorney in fact, and that he executed said instrument.

In Witness Whereof, I have hereunto set my hand and affixed my official seal at my office in said County of San Joaquin, the day and year in this certificate first above written.

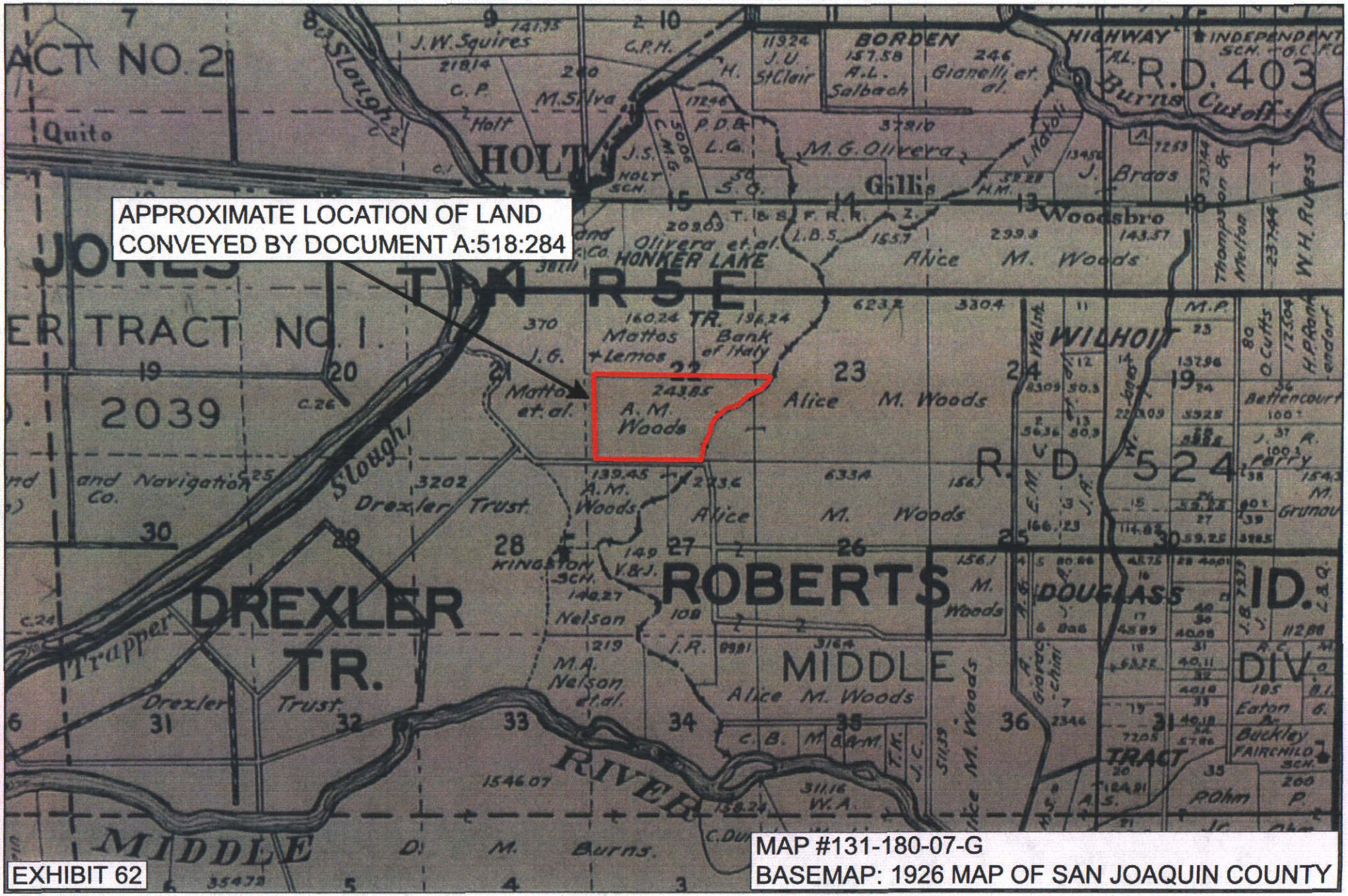
Exhibit 3E

EXHIBIT 61



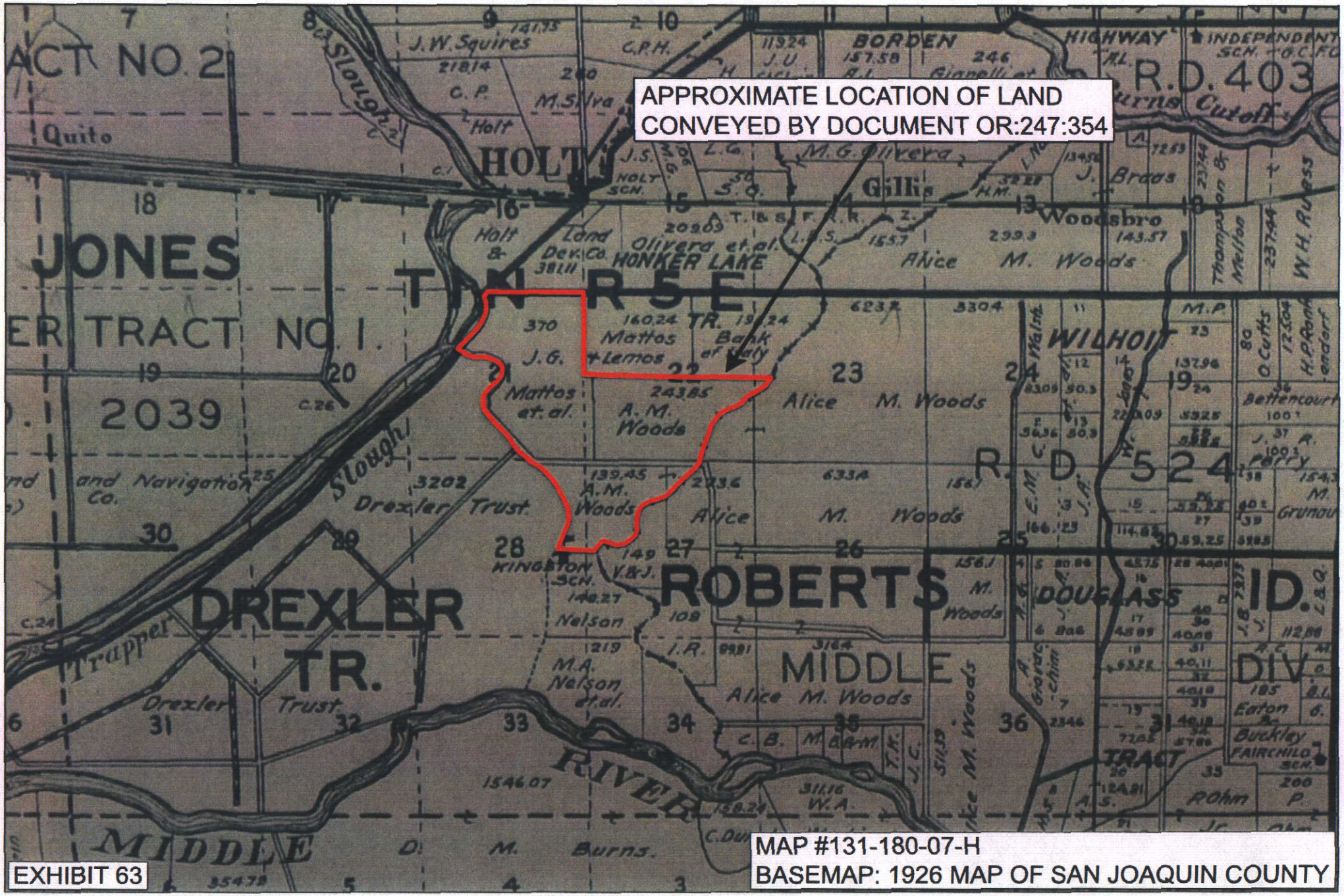
KSN INC. KJELDSEN SINNOCK NEUDECK Civil Engineers and Land Surveyors Post Office Box 844, 711 N. Pershing Avenue, Stockton, CA 95201-0844, Office: (209) 946-0268, Fax: (209) 946-0296, E-mail: KSN@ksninc.com	PAK CHAIN OF TITLE GRANTOR: GLASGOW CA LAND CO. GRANTEE: JOHN WOODS NOVEMBER 6TH, 1896	Design Drawn CSM Check SLB	Scale 1" = 5000' Original Drawing Scale 0 ¼" ½"	Date 3/30/10 Sheet Number Of Project File No. 1732-0070

FILE SPEC: P:\1732_SDWA\0070_Historical_Mapping\Survey\Pak\Exhibits\C40\E_Glasgow_Land_To_John_Woods.dwg
PLOT DATE: Mar 31, 2010 - 11:23am



MAP #131-180-07-G
BASEMAP: 1926 MAP OF SAN JOAQUIN COUNTY

EXHIBIT 62



MAP #131-180-07-H
BASEMAP: 1926 MAP OF SAN JOAQUIN COUNTY

EXHIBIT 63

88103789

RECORDING REQUESTED BY
William J. Mazzera
MAZZERA, SNYDER & DE MARTINI
115 N. Sutter Street, P.O. Box 27
Stockton, CA 95201-0027
AND WHEN RECORDED MAIL TO

Name: William J. Mazzera
Street Address: MAZZERA, SNYDER & DE MARTINI
115 N. Sutter Street
City & State: P.O. Box 27
Stockton, CA 95201-0027

SAN JOAQUIN COUNTY
RECORDER'S OFFICE
YVONNE T. UDALL

88 DEC -2 PM 3:41

RECORDED AT REQUEST OF
ATTORNEY
FEE 14.1

SPACE ABOVE THIS LINE FOR RECORDER'S USE

MAIL TAX STATEMENTS TO
Name: Jorge Paredes, Trust Officer
Street Address: Bank of Stockton
Trust Department
City & State: P.O. Box 1110
Stockton, CA 95201

DOCUMENTARY TRANSFER TAX $ NONE
—— COMPUTED ON FULL VALUE OF PROPERTY CONVEYED,
—— OR COMPUTED ON FULL VALUE LESS LIENS AND ENCUMBRANCES REMAINING AT TIME OF SALE.
William J. Mazzera — MAZZERA, SNYDER & DE MARTINI
Signature of Declarant or Agent determining tax. Firm Name

Corporation Quitclaim Deed

OD 869 GF

THIS FORM FURNISHED BY TRUSTONS SECURITY SERVICE

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged.
BANK OF STOCKTON, EXECUTOR FOR THE ESTATE OF GEORGE R. PATTERSON AND THE ESTATE OF ROSARIO E. PATTERSON

~~a corporation organized under the laws of the state of~~

hereby REMISES, RELEASES AND QUITCLAIMS to THE ESTATE OF GEORGE R. PATTERSON as to an UNDIVIDED ONE-HALF INTEREST and THE ESTATE OF ROSARIO E. PATTERSON as to an UNDIVIDED ONE-HALF INTEREST

that property in San Joaquin, county, state of California, described as:

MILTON WELSER PARCEL
(Formerly part of Parcel B and formerly known as Honker Lake Parcel Four)

(SEE ATTACHED EXHIBIT "A")

THIS DEED IS MADE AND GIVEN TO SATISFY THE CONDITIONS OF APPROVAL MADE BY THE DEPARTMENT OF PUBLIC WORKS, SAN JOAQUIN COUNTY, STATE OF CALIFORNIA IN GRANTING THE TENTATIVE MINOR SUBDIVISION APPLICATION NO. MS-80-30 and NO. MS-88-99 OF JORGE PAREDES OF BANK OF STOCKTON, WHICH IS THE EXECUTOR FOR THE ESTATES OF GEORGE R. PATTERSON AND ROSARIO E. PATTERSON, AND WAIVING THE PARCEL MAP REQUIREMENT FOR SAME, AND TO CORRECT IRRIGATION AND DRAINAGE EASEMENTS AND RIGHTS OF WAY AND TO BE ABLE TO SATISFY A TESTAMENTARY REQUEST TO MILTON WELSER FROM SAID ESTATES.

In Witness Whereof, said corporation has caused its corporate name and seal to be affixed hereto and this instrument to be executed by its Trust Officer and Assistant Secretary thereunto duly authorized.

Dated: November 30, 1988

STATE OF CALIFORNIA,
COUNTY OF SAN JOAQUIN } ss.

On November 30, 1988 before me, the undersigned, a Notary Public in and for said County and State, personally appeared JORGE PAREDES known to me to be the Trust Officer and KATHRYN D. SHEH known to me to be Assistant Secretary of the Corporation that executed the within Instrument, known to me to be the persons who executed the within Instrument on behalf of the Corporation therein named, and acknowledged to me that such Corporation executed the within Instrument pursuant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal.

(Seal) Signature Elizabeth K. Perry
Elizabeth K. Perry
Name (Typed or Printed)
Notary Public in and for said County and State

OFFICIAL SEAL
ELIZABETH K. PERRY
NOTARY PUBLIC - CALIFORNIA
SAN JOAQUIN COUNTY
My Commission Expires Mar. 12, 1989

BANK OF STOCKTON, Executor for the Estates of George R. Patterson and Rosario E. Patterson

By Jorge Paredes
TRUST OFFICER

By Kathryn D. Sheh
ASSITANT Secretary

Title Order No.

File, Escrow or Loan No.

MAIL TAX STATEMENTS AS DIRECTED ABOVE

EXHIBIT 64

EXHIBIT A
HONKER LAKE DESCRIPTION PARCEL FOUR

That certain real property situate in the County of San Joaquin, State of California, described as follows:

A parcel of land situate in Section 22 and Section 27, Township 1 North, Range 5 East, Mount Diablo Base and Meridian, and more particularly described as follows:

Commencing at a steel axle and Survey Station Number "121 A", as shown on that map filed for record in Volume 3 of Surveys at Page 46, San Joaquin County Records, said point also being at the intersection of the center Section line of Section 27 and the centerline of "High Ridge Levee", a 40 foot wide County Right-of-Way described in that certain Road Deed filed for record in Volume 159 of Official Records at page 447, San Joaquin County Records; thence northerly along the centerline of said "High Ridge Levee" North 45° 05' 13" East 263.18 feet to the POINT OF BEGINNING of the herein described parcel; thence continuing along the centerline of said "High Ridge Levee" North 44° 57' 15" East 62.42 feet; thence North 52° 19' 10" East 324.72 feet; thence North 43° 08' 35" East 287.32 feet; thence North 36° 02' 38" East 52.30 feet; thence North 33° 29' 41" East 181.09 feet; thence North 27° 27' 28" East 213.68 feet; thence North 30° 55' 25" East 82.78 feet; thence North 23° 01' 38" East 223.74 feet; thence North 17° 06' 33" East 260.04 feet; thence North 12° 47' 37" East 315.48 feet; thence North 20° 40' 30" East 218.19 feet, said point bears South 52° 38' 39" West 1,995.93 feet from Survey Station Number "130 A" as shown on said Map of Survey filed in Volume 3 at Page 46, San Joaquin County Records; thence leaving said centerline of "High Ridge Levee" North 3° 03' 06" West 129.24 feet along the east line of the herein described parcel, said east line also being 2 feet west and parallel with an existing 6 foot wide concrete irrigation ditch; thence south 89° 47' 14" West 1,272.67 feet to a point in the west line of the herein described parcel, said west line also being 2 feet east of an existing 6 foot wide concrete irrigation ditch; thence southerly and parallel with said irrigation ditch South 3° 12' 47" East 2,086.48 feet to the POINT OF BEGINNING of the herein described parcel and containing 40.00 acres, more or less.

EXCEPTING THEREFROM, that portion of said "High Ridge Levee" dedicated as a 40 foot wide public roadway filed in Volume 159 of Official Records at Page 447, San Joaquin County Records.

EXCEPTING THEREFROM, a 12 foot wide easement for the purpose of access, the west line of which is described as follows:

Commencing at a steel axle and Survey Station Number "121 A", as shown on that map filed for record in Volume 3 of Surveys at Page 46, San Joaquin County Records, said point also being at the intersection of the center Section line of Section 27, Township 1 North, Range 5 East, Mount Diablo Base and Meridian, and the centerline of "High Ridge Levee", a 40 foot wide County Right-of-way described in that certain Road Deed filed for record in Volume 159 of Official Records at Page 447, San Joaquin County Records; thence northerly along the centerline of said "High Ridge Levee" North 45° 05' 13" East 263.18 feet to the POINT OF BEGINNING of the herein described access easement; thence leaving said centerline of "High Ridge Levee" and parallel with and 2 feet easterly of an existing 6' wide concrete ditch North 3° 12' 47" West 2,087.48 feet to the northwest corner of the herein described 12 foot wide access easement.

1A

EXCEPTING THEREFROM, a 12 foot wide easement for the purpose of irrigation, the centerline of which is described as follows:

Commencing at a steel axle and Survey Station Number "121 A", as shown on that map filed for record in Volume 3 of Surveys at Page 46, San Joaquin County Records, said point also being at the intersection of the center Section line of Section 27, Township 1 North, Range 5 East, Mount Diablo Base and Meridian, and the centerline of "High Ridge Levee", a 40 foot wide County Right-of-Way described in that certain Road Deed filed for record in Volume 159 of Official Records at Page 447, San Joaquin County Records; thence northerly along the centerline of said "High Ridge Levee" North 45° 05' 13" East 263.18 feet; thence leaving said centerline of "High Ridge Levee" North 3° 12' 47" West 40.2 feet to the centerline of the herein described irrigation easement and the centerline of an existing 6 foot wide concrete ditch and the POINT OF BEGINNING; thence northerly and parallel with the centerline of said "High Ridge Levee" North 44° 57' 15" East 82.42 feet; thence North 52° 19' 10" East 324.72 feet; thence North 43° 09' 35" East 397.32 feet; thence North 38° 02' 38" East 32.30 feet; thence North 33° 29' 41" East 161.09 feet; thence North 27° 27' 29" East 213.68 feet; thence North 30° 55' 25" East 82.78 feet; thence North 23° 01' 38" East 223.74 feet; thence North 17° 06' 33" East 260.04 feet; thence North 12° 47' 37" East 315.46 feet; thence North 20° 40' 30" East 218.19 feet to a point, said point bears South 52° 38' 39" West 1,995.93 feet from Survey Station Number "130 A"

as shown on said Map of Survey filed in Volume 3 at Page 46, San Joaquin County Records; thence continuing parallel with the centerline of "High Ridge Levee" North 20° 40' 30" East 68.3 feet to the end of the herein described easement, together with the right to inspect, repair, replace and operate thereon for the purpose of transporting and conveying irrigation water.

2A

TOGETHER WITH, a 12 foot wide easement for the purpose of irrigation, the west line of which is described as follows:

BEGINNING at a point which bears South 52° 38' 39" West 1,985.93 feet from Survey Station Number "130A" as shown on that map filed for record in Volume 3 of Surveys at Page 46, San Joaquin County Records, said point also being on the centerline of "High Ridge Levee", a 40 foot wide County Right-of-way described in that certain Road Deed filed for record in Volume 159 of Official Records at Page 447, San Joaquin County Records; thence leaving said centerline of "High Ridge Levee" and parallel with and 2 feet westerly of an existing 6 foot wide concrete ditch North 3° 03' 06" West 1084.5 feet to a point in the 1/4 section line of Section 22, Township 1 North, Range 5 East, Mount Diablo Base and Meridian, together with the right to inspect, repair, replace and operate thereon for the purpose of transporting and conveying irrigation water.

3

TOGETHER WITH, an 8 foot wide easement for the purpose of drainage, the east line of which is described as follows:

Commencing at a steel axle and survey Station Number "121 A", as shown on that map filed for record in Volume 3 of Surveys at Page 46, San Joaquin County Records, said point also being at the intersection of the center Section line of section 27, Township 1 North, Range 5 East, Mount Diablo Base and Meridian, and the centerline of "High Ridge Levee", a 40 foot wide County Right-of-way described in that certain Road Deed filed for record in Volume 159 of Official records at Page 447, San Joaquin County Records; thence northerly along the centerline of said "High Ridge Levee: North 45° 05' 13" East 263.18 feet; thence leaving said centerline of "High Ridge Levee" North 3° 12' 47" West 2,087.48 feet to the POINT OF BEGINNING of the herein described

drainage easement; thence continuing northerly and parallel with an existing field drainage ditch North 3° 12' 47" West 1,088.3 feet to a point in the 1/4 Section line of Section 22, Township 1 North, Range 5 East, Mount Diablo Base and Meridian, together with the right to inspect, clean, maintain, deepen, and operate thereon for the purpose of conveying drain water.

4

TOGETHER WITH, a 12 foot wide easement for the purpose of drainage, the north line of which is described as follows:

BEGINNING at Survey Station No. "130 A" as shown on that map filed in volume 3 of surveys at Page 43, San Joaquin County Records; said point also being on the 1/4 section line of Section 22, Township 1 North, Range 5 East, Mount Diablo Base and Meridian; thence westerly along the 1/4 Section line of said Section 22, North 88° 58' West 2,827.1 feet more or less to the intersection of a field drainage ditch, together with the right to inspect, repair, replace and operate thereon for the purpose of conveying drain water.

5

TOGETHER WITH, a 30 foot wide easement for the purpose of drainage, the centerline of which is described as follows:

BEGINNING at a steel axle and survey Station No. "130 A" as shown on that map filed in Volume 3 of surveys at Page 43, San Joaquin County Records, said point also being at the intersection of the quarter section line of Section 22, Township 1 North, Range 5 East, Mount Diablo Base and Meridian and the centerline of "High Ridge Levee", a 40 foot wide county Right-of-Way described in that certain Road Deed filed for record in Volume 159 of Official Records at Page 447, San Joaquin County Records; thence southeasterly along the centerline of an existing drainage ditch to the Woods Irrigation Company district drain, together with the right to inspect, clean, maintain, deepen and operate thereon for the purpose of conveying drain water.

6

TOGETHER WITH, a 12 foot wide easement for the purpose of irrigation, the centerline of which is described as follows:

Commencing at a steel axle at Survey Station No. "77" at the intersection of the centerlines of the cross levee road between "Honker Lake Tract" and "The Pocket" and "High Ridge Levee" as shown on that map filed in Volume 3 of Surveys at Page 43, San Joaquin County Records; thence westerly along the centerline of the cross levee road South 89° 37' 30" West 30.00 feet to a point on the southerly extension of the centerline of an existing 6 foot wide concrete ditch; thence North 4° 43' West 20.0 feet to the north boundary of said cross levee road and the POINT OF BEGINNING of the herein described centerline of the irrigation easement; thence parallel with the centerline of "High Ridge Levee" the following courses and distances: North 4° 43' West 100 feet; thence North 2° 34' East 70 feet; thence North 13° 00' East 50 feet; thence North 25° 22' East 50 feet; thence North 33° 15' East 50 feet; thence North 44° 42' East 50 feet; thence North 51° 05' East 30 feet; thence North 64° 07' East 30 feet; thence North 81° 40' East 30 feet; thence South 89° 05' East 30 feet; thence south 75° 29' East 40 feet; thence South 61° 10' East 50 feet; thence South 58° 55' East 220 feet; thence South 65° 57' East 80 feet; thence South 75° 00' East 80 feet; thence South 79° 33' East 80 feet; thence South 88° 51' East 70 feet; thence North 80° 40' East 70 feet; thence North 70° 46' East 70 feet; thence North 61° 39' East 90 feet; thence North 56° 01' East 110 feet; thence North 47° 27' East 80 feet; thence North 34° 15' East 60 feet; thence North 14° 27' East 60 feet; thence North 1° 28' West 80 feet; thence North 4° 41' West 100 feet; thence North 1° 57' West 90 feet; thence North 1° 31' East 150 feet; thence North 4° 35' East 140 feet; thence North 13° 39' East 90 feet; thence North 19° 43' East 100 feet; thence North 25° 27' East 100 feet; thence North 29° 06' East 150 feet; thence North 33° 02' East 90 feet; thence North 41° 27' East 80 feet; thence North 60° 55' 42" East 128.83 feet; thence North 87° 48' East 80 feet; thence South 82° 25' East 180 feet; thence South 88° 41' East 90 feet; thence North 69° 18' East 60 feet; thence North 51° 52' East 130 feet; thence North 47° 38' East 180 feet; thence North 45° 13' 38" East 108.82 feet to a point in the quarter section line of said Section 27, said point also being Survey Station No. "121 A" as shown on said Map of Surveys filed in Volume 3 at Page 48, San Joaquin County Records; thence continuing parallel with said centerline of "High Ridge Levee" North 45° 05' 13" East 263.18 feet, together with the right to inspect, repair, replace and operate thereon for the purpose of transporting and conveying irrigation water.

7

MILTON WELSER PARCEL

(Formerly part of Parcel B and formerly known as Honker Lake Parcel Four)

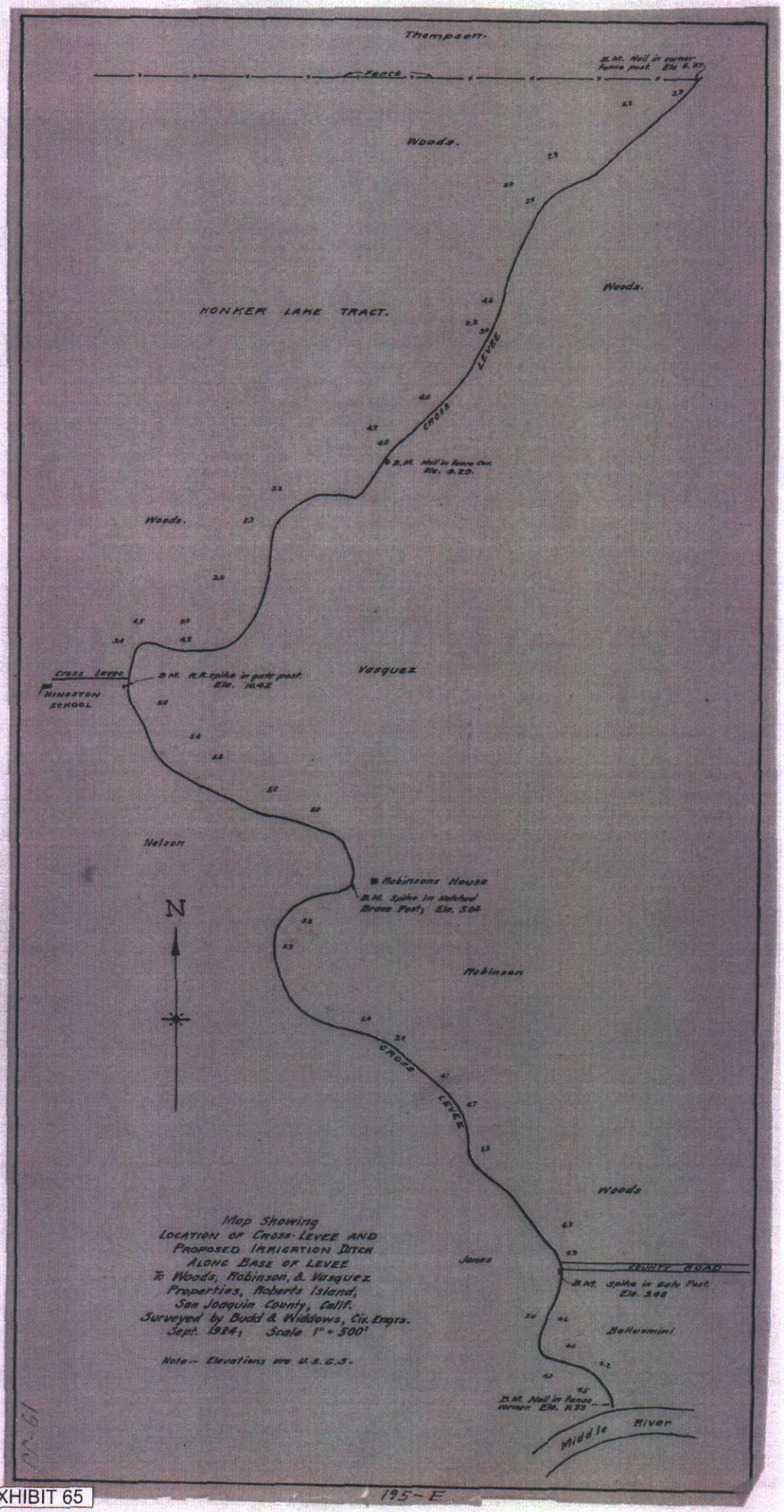

Thompson.
Fence
B.M. Nail in corner fence post. Ele. 6.37
Woods.
Woods.
HONKER LAKE TRACT.
CROSS LEVEE
B.M. Nail in fence cor. Ele. 9.20.
Woods.
Cross Levee
NINESTON SCHOOL
B.M. R.R. spike in gate post. Ele. 10.42
Vasquez
Nelson
Robinsons House
B.M. Spike in Notched Brace Post, Ele. 5.84
N
Robinson
CROSS LEVEE
Woods
Jones
COUNTY ROAD
B.M. Spike in Gate Post. Ele. 5.48
Bellvumini
B.M. Nail in fence corner Ele. 11.33
Middle River
Map Showing
LOCATION OF CROSS-LEVEE AND
PROPOSED IRRIGATION DITCH
ALONG BASE OF LEVEE
To Woods, Robinson, & Vasquez
Properties, Roberts Island,
San Joaquin County, Calif.
Surveyed by Budd & Widdows, Civ. Engrs.
Sept. 1924; Scale 1" = 500'
Note:- Elevations are U.S.G.S.

EXHIBIT 65

BELLOMONTE, CHRISTINA
BELLOMONTE, VINCENZO

TO

TOOTH, ALICE E.

[illegible] made the 20th day of January one thousand nine hundred and twenty-[illegible].

BETWEEN Christina Bellomonte and Vincenzo Bellomonte her husband, both of the County of San Joaquin, State of California, the part ies of the first part, and Alice E. Tooth of the County of San Joaquin, State of California,

the part y of the second part.

WITNESSETH: That the said part ies of the first part, for and in consideration of the sum of Ten Dollars

lawful money of the United States of America, to them in hand paid by the said part y of the second part, the receipt whereof is hereby acknowledged, do by these presents grant, bargain, sell, convey and confirm unto the

said part y of the second part and to her heirs and assigns forever, all those certain lot , piece or parcel s of land, situate, lying and being in the

County of San Joaquin, State of California, and bounded and particularly described as follows, to-wit:

A strip of land 44 feet wide situated in the County of San Joaquin, State of California, in the Southeast quarter of Section 34, Township 1 North, Range [illegible] East, M.D.B. & M. and lying east of and adjacent to the center of the Cross Levee forming the dividing line between the properties of [illegible], et al, and [illegible] and extending from the south side of the County Road along the north line of the Southeast quarter of said Section 34, southerly along said Cross Levee, 1725 feet more or less, to the inside base of levee on the north bank of Middle River. The east line of said 44 foot strip being described as follows: commencing at an iron pipe in the south line of the County Road along the said north line of the Southeast quarter of said Section 34, said pipe being 44 feet east of the center of said Cross Levee and 1179 feet west of the east line of said Section 34, and being also 25 feet south of the north line of the Southeast quarter of said Section 34; thence along the east line of said 44 foot strip as follows: S. 1° 03' [illegible] 104.7 feet; S. 19° 55' [illegible] 85 feet; S. 19° 50' [illegible] 95 feet; S. 27° 50' [illegible] [illegible] feet; S. 20° 48' [illegible] 86 feet; S. 10° 50' [illegible] 58 feet; S. 18° 48' [illegible] 38 feet; S. 47° 48' E. 38 feet; S. 70° 38' E. 56 feet; S. 79° 47' E. 149 feet; S. 74° 50' E. 92 feet; S. 61° 58' E. 100 feet; S. 52° 05' E. 1[illegible]5 feet; S. 45° 27' E. 8[illegible] feet; S. 38° [illegible] E. 79 feet; S. 58° 34' E. 156 feet to an iron pipe in the northerly base of Middle River Levee.

Also a strip of land 26 feet wide and 102 feet long, more or less, lying east of and adjacent to the center of the above described Cross Levee and south of and adjacent to the above described 44 foot strip of land, and extending from the inside base of levee on the north bank of Middle River southerly to the said north bank of Middle River. The west line of said 26 foot strip being marked on the ground by an iron pipe in the northerly base of Middle River Levee and by an iron pipe on the north bank of Middle River and the east line of above mentioned 26 foot strip being more particularly described as follows: Commencing at the iron pipe at the southeast corner of the above described 44 foot strip, thence southerly across Middle River Levee 102 feet more or less to the north bank of Middle River.

The above described parcels of land contain in the aggregate 1.81 acres.

[illegible] I.R. Stamp attached and cancelled)

[illegible]

#1855 Recorded at the Request of McNOBLE & PARKINSON FEB. 6, 1934 at 25 min. past 2 o'clock P. M., in Book of Official Records Vol. 444 page 434 San Joaquin County Records.
Fees: $1.70 John D. Finney, Recorder.

AJ

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

THIS AGREEMENT, made and entered into this 18th day of November, 1925, by and between ALICE M. WOODS, of the County of San Joaquin, State of California, the party of the first part, and I. N. ROBINSON, JOHN VASQUEZ and JOSEPHINE V. JONES, all of the County of San Joaquin, State of California, the parties of the second part,

W I T N E S S E T H:

That whereas the party of the first part did heretofore purchase from Christina Belluomini certain real property situate in the County of San Joaquin, State of California, described as follows, to-wit:

A strip of land 44 feet wide situated in the County of San Joaquin, State of California, in the Southeast Quarter of Section 34, Township 1 North, Range 5 East, M. D. B. & M. and lying east of and adjacent to the center of the Cross Levee forming the dividing line between the properties of F. Bruse, et al, and W. Jones and extending from the south side of the County Road along the north line of the Southeast Quarter of said Section 34, southerly along said Cross Levee, 1725 feet more or less, to the inside base of levee on the north bank of Middle River, the east line of said 44 foot strip being described as follows: commencing at an iron pipe in the south line of the County Road along the said north line of the Southeast Quarter of said Section 34, said pipe being 44 feet east of the center of said Cross Levee and 1179 feet west of the east line of said Section 34, and being also 25 feet south of the north line of the Southeast Quarter of said Section 34; thence along the east line of said 44 foot strip as follows: S. 1° 03' W. 104.7 feet; S. 10° 33' W. 83 feet; S. 19° 50' W. 93 feet; S. 27° 50' W. 272 feet; S. 20° 45' W. 96 feet; S. 16° 50' W. 68 feet; S. 13° 45' E. 38 feet; S. 47° 46' E. 38 feet; S. 70° 42' E. 56 feet; S. 79° 47' E. 149 feet; S. 74° 30' E. 92 feet; S. 61° 38' E. 100 feet; S. 52° 05' E. 133 feet; S. 43° 27' E. 82 feet; S. 38° 44' E. 79 feet; S. 33° 34' E. 158 feet to an iron pipe in the northerly base of Middle River Levee;

Also a strip of land 25 feet wide and 102 feet long, more or less, lying east of and adjacent to the center of the above described Cross Levee and south of and adjacent to the above described 44 foot strip of land, and extending from the inside base of levee on the north bank of Middle River southerly to the said north bank of Middle River, the west line of said 25 foot strip being marked on the ground by an iron pipe in the northerly base of Middle River Levee and by an iron pipe on the north bank of Middle River and the west line of above mentioned 25 foot strip being more particularly described as follows; commencing at the iron pipe at the southwest corner of the above described 44 foot strip, thence southerly across Middle River Levee 102 feet more or less to the north bank of Middle River.

And whereas the record title to said real property now stands in the name of the party of the first part; and

Whereas the said real property was purchased for the purpose of installing a pumping plant and an irrigation ditch for the purpose of irrigating lands belonging to all of the parties to this agreement; and

Whereas since the purchase of the said real property by the party of the first part there has been installed thereon a pumping plant and irrigation ditch for the purpose of irrigating lands belonging to the parties to this agreement; and

Whereas the cost of said land and the cost of installing the said irrigation system has been paid and borne by all the parties of this agreement in the manner hereinafter set forth;

and

EXHIBIT 67

Whereas the said Alice M. Woods acknowledges that she holds the record title to said real property but that nevertheless the parties of the second part are in fact the owners of certain interests therein hereinafter described and that as to said interests said party of the first part holds said title in trust for the parties of the second part; and

Whereas the parties hereto desire to have a fixed and permanent understanding as to the respective ownerships of said parties in and to said strip of land so acquired from Christina Belluomini and in and to said irrigation ditch and said pumping plant;

Now, therefore, it is mutually understood and agreed by and between the parties hereto as follows, to-wit:

That the said strip of land was acquired and said pump and ditch constructed for the purpose of irrigating 1000 acres of land belonging to the party of the first part, said 1000 acres being situate in Township 1 North, Range 5 East, M. D. B. & M.; and for irrigating 150 acres of land belonging to John Vasquez and Josephine V. Jones, said 150 acres being situate in Section 27, Township 1 North, Range 5 East, M. D. B. & M.; and for the purpose of irrigating 108 acres of land belonging to I. N. Robinson, said 108 acres being situate in Sections 27 and 34, Township 1 North, Range 5 East, M. D. B. & M.

That in the construction of said irrigation ditch and the installation of said pump the parties hereto have paid for the same in the following proportions, to-wit: Alice M. Woods 1000/1258ths; John Vasquez and Josephine V. Jones 150/1258ths; and I. N. Robinson 108/1258ths.

The party of the first part acknowledges that the parties to this agreement are the owners of said piece of land so acquired from Christina Belluomini, of said pump and of said ditch in the proportions above set forth, and that as to the proportions of the parties of the second part, the said party of the first part holds the title thereto in trust for the said parties of the second part in the said proportions.

It is further agreed between the parties hereto that in order to irrigate the lands of I.N. Robinson the said irrigation ditch has been constructed over a portion of the lands belonging to the party of the first part and that the said I. N. Robinson, his heirs, successors and assigns, shall forever have the right to use the said ditch so constructed over the land of the party of the first part for the purpose of irrigating his said lands.

It is further understood and agreed that in order to irrigate the lands of John Vasquez and Josephine V. Jones the said irrigation ditch has been constructed over a portion of land belonging to Alice M. Woods and also over a portion of land belonging to I. N. Robinson and it is agreed between the parties hereto that the said John Vasquez and Josephine V. Jones, their heirs, successors and assigns, shall forever have the right to use the said irrigation ditch so constructed over the lands of Alice M. Woods and I. N. Robinson for the purpose of irrigating the said lands of John Vasquez and Josephine V. Jones.

It is further understood and agreed that in order to irrigate the lands of the party of the first part the said irrigation ditch has been constructed over a portion of land belonging to I. N. Robinson and also a portion thereof on land belonging to John Vasquez and Josephine V. Jones and that the said party of the first part, her heirs, successors and assigns, shall forever have the right to use said irrigation ditch so constructed for irrigating the said 1000 acres hereinbefore referred to.

It is the intention of this agreement that the said pumping plant and irrigation system has been constructed for the purpose of irrigating the lands of the respective parties hereto in the respective acreage above set forth and each of the parties hereto agrees with all of the other parties that said irrigation system shall forever be used by the respective parties hereto for the purpose of irrigating the lands of said parties in the amount as to acres above set forth.

It is further agreed between the parties hereto that all of the parties to this agreement have contributed their respective proportions to the installation of said pumping system and to

the construction of said irrigation ditch and that the expenses of maintaining the same shall in the future be borne by the parties hereto in the proportions hereinbefore set forth; that is to say, Alice M. Woods shall pay 1000/1258th of the cost of maintenance and operation of said irrigation system; John Vasquez and Josephine V. Jones shall pay 150/1258ths of said cost of maintenance and operation of said irrigation system; and I N. Robinson shall pay 108/1258ths of said cost of maintenance and operation of said irrigation system.

It is the intention of this agreement that all of the parties hereto shall have the opportunity of irrigating their respective lands and, if the occasion requires, a flooding of said lands, and in view of the large per centage of acreage belonging to the party of the first part as compared with the acreage of the parties of the second part, it is anticipated between the parties hereto that the party of the first part will use said irrigation ditch and said pumping plant to a much greater extent than the parties of the second part, and in order that the parties of the second part shall have the opportunity of flooding their said lands it is agreed that should I. N. Robinson or John Vasquez and Josephine V. Jones desire to flood their respective parcels of land, the party so desiring to flood his said land shall give notice to the party of the first part in writing at least twenty days before the time that said party desires to flood his said land and in the event the said parties of the second part or any of them should give to the party of the first part notice in writing of their desire to flood said land, then after the expiration of said twenty days the party so giving said notice shall have the right to use the entire flow of said irrigation ditch for a period of not to exceed ten days, for the purpose of flooding said lands.

IN view of the fact that the parties hereto have not since the installation of said pump and said irrigation ditch attempted to irrigate said lands during the same season, it cannot now be forseen whether or not the flow from said pumps so installed will be sufficient to irrigate the lands of the respective parties at the same time and it is agreed between the parties hereto that in the event said flowage from said pumps and said ditch is not sufficient for all the parties to irrigate their said lands at the same time, then and in such event the parties of the second part or any of them, should they or any of them desire the exclusive use of said water for irrigating their said lands at any time, shall give to the party of the first part written notice at least ten days before the time they so desire to irrigate their said lands, and, at the expiration of said ten days, the party so giving said notice shall have the use of said water for the purpose of irrigating his said lands for a period not exceeding ten days.

It is the intention of this agreement that all of the parties hereto shall at all times co-operate with each and all of the other parties, in order that the lands of each of the parties to this agreement may be irrigated or flooded, as required, in a manner that will do no injustice and work no hardship to any of the parties hereto, and in the distribution of said water so used for irrigation or flooding, the parties hereto agree at all times to co-operate with each other, to the end that each and all of the parties hereto may receive as much benefit from said irrigation system as is possible.

It is further agreed between all of the parties hereto that said parties will establish such drainage system as may be necessary to drain said lands and that they will bear said expenses of constructing such drainage system in the following proportions: the party of the first part shall pay 600/858ths thereof; I. N. Robinson shall pay 108/858ths thereof; and John Vasquez and Josephine V. Jones shall pay 150/858ths thereof. It is further understood and agreed that as to the land owned by the party of the first part and known as Honker Lake and aggregating approximately 400 acres, it will be necessary for the party of the first part to establish some other system of draining said property and that the cost of installing drainage on said Honker Lake property shall be borne by the party of the first part solely.

The party of the first part further agrees that in the drainage of the lands of the parties hereto it may be necessary to drain a part or all of said irrigation waters through what is known as the Woods Irrigation District System and in such event the party of the first part will arrange so that the parties of the second part may so drain their lands through said Woods Irrigation District System; the parties of the second part agreeing to pay the proportionate cost that their lands may bear to the cost of drainage of the entire acreage of the Woods Irrigation System; that is to say, the cost of drainage as to the parties of the second part through the Woods Irrigation District System shall be the same amount per acre as that paid by owners of property for drainage in said Woods Irrigation District System.

It is agreed between the parties hereto that the drainage ditch and system shall be constructed so soon as is practicable in order that it may be completed not later than March 1,1926; and it is further agreed by all the parties that Charles Walsh shall act for all the parties hereto in directing the construction of said ditch.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

Alice M. Woods (SEAL)
John Vasquez (SEAL)
Josephine V. Jones (SEAL)
I. M. Robinson (SEAL)

STATE OF CALIFORNIA,)
County of San Joaquin) ss.

On this 1st day of February in the year one thousand nine hundred and thirty-four before me, Della Ilgenfritz, a Notary Public in and for the County of San Joaquin, State of California. residing therein, duly commissioned and sworn, personally appeared I. M. Robinson known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, in the County of San Joaquin the day and year in this certificate first above written.

(Notary Seal) Della Ilgenfritz Notary Public
in and for the County of San Joaquin, State of California.

1878 Recorded at Request of STOCKTON ABSTRACT & TITLE CO. FEB. 6, 1934 at 18 min. past 4 o'clock P. M., in Book of Official Records Vol. 444 page 435 San Joaquin County Records.
Fees: $3.60 John D. Finney, Recorder.
AJ

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, IN AND FOR THE COUNTY OF SAN JOAQUIN

In the matter of the estate of
JNO. B. CORY,
Deceased.

No. 11,223
Decree of final distribution.

Nellie B. Cory, the duly appointed, qualified and acting executrix of the last will and testament of Jno. B. Cory, deceased, having heretofore rendered, presented and filed herein her petition, therein praying for the final distribution of said estate; and

Said matter coming on regularly for hearing on this day, in open Superior Court, it having been first proven to the satisfaction of this court that the clerk of the court by virtue of the authority in him vested, appointed this day as the day for the hearing of said petition and gave due and legal notice of the time and place of hearing thereof, for the time, in the manner, and in all respects as required by law; and

The court having proceeded to the hearing of said petition and the proofs produced in support thereof, and it appearing to the satisfaction of the court that after the appointment and qualification of said executrix and the issuance to her of letters testamentary in the matter of said estate, she caused notice to the creditors of and all persons having claims against the

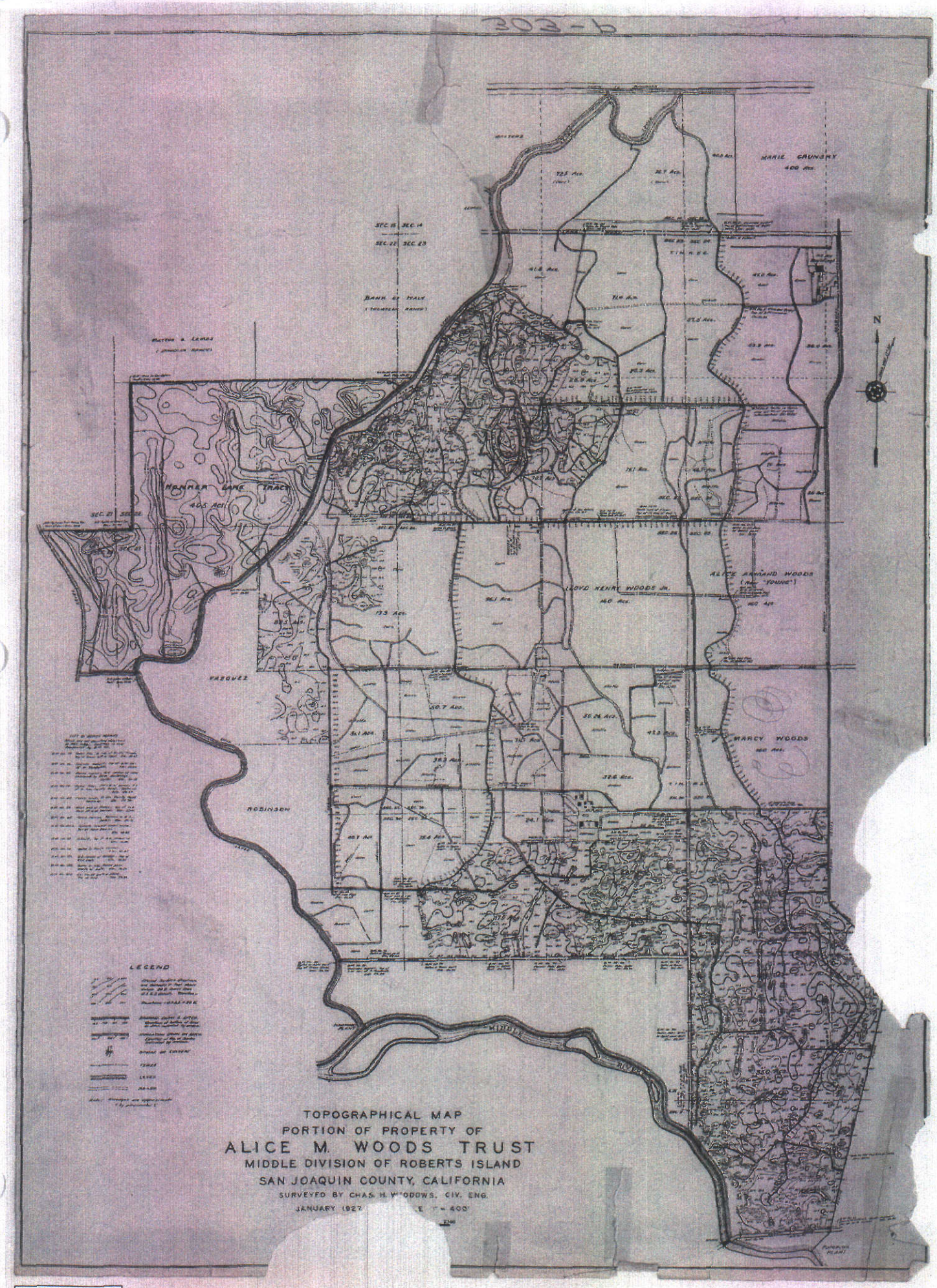

303-b
MARIE GRUNSKY
400 Acs.
BANK OF ITALY
HONKER LAKE TRACT
405 Acs.
LLOYD HENRY WOODS JR.
160 Acs.
ALICE ARMAND WOODS
(Rev. "YOUNG")
160 Acs.
VASQUEZ
ROBINSON
MARCY WOODS
160 Acs.
N
LEGEND
TOPOGRAPHICAL MAP
PORTION OF PROPERTY OF
ALICE M. WOODS TRUST
MIDDLE DIVISION OF ROBERTS ISLAND
SAN JOAQUIN COUNTY, CALIFORNIA
SURVEYED BY CHAS. H. WOODOWS, CIV. ENG.
JANUARY 1927

EXHIBIT 68

Recorded at Request of Woods Irrigation Co. Sep. 30 1911 at 20 min past 9 o'clock A.M.
in Book G.Vol 27 of Miscellaneous, page 30 San Joaquin County Records.
James H.Kroh, Recorder.
Fees $2.70. John J.Ansbro, Deputy.

WOODS IRRIGATION CO.
to
WOODS E.W.S.
Contract to furnish water.

INDEXED COMPARED

Contract to furnish water
Between the
Woods Irrigation Co.
And
E.W.S.Woods.

THIS AGREEMENT, Made the 29th day of September, 1911, between the Woods Irrigation Co. a corporation, organized and existing under the laws of the State of California, the party of the first part and hereinafter termed the Company, and E.W. S.Woods, of the County of San Joaquin, State of California, the second party, and hereinafter termed the consumer,

WITNESSETH:First:- That in consideration of the sum of $10.00 Gold Coin of the United States paid by the second party to the first party, the receipt whereof is acknowledged and in consideration of further sums of money hereinafter promised to be paid by the second party, and in consideration of the reciprocal covenants herein contained, the first party agrees under the terms, conditions, limitations, and restrictions herein stated, to furnish the second party water, not exceeding at any one time 44.80 cubic feet per second.

The quantity of water herein agreed to be furnished by the first party to the second party shall not exceed such quantity of water as may be required, when economically used for irrigating that certain land situated in the County of San Joaquin, State of California, and described as follows; and which is delineated upon a map hereunto attached. [illegible] map sets forth said land enclosed with a green border and is marked ".E.W.S.Woods" upon the tract.

All that portion of the North East quarter (N.E.¼) of the South East quarter (S.E.¼) of section Fourteen (14) Township One (1) North, Range Five (5) East, Mount Diablo Base and Meridian, lying North of the center line of the levee known as "High Ridge Levee" and South of the line drawn parallel with and 100 feet Southerly at right angles from the located center line of the San Francisco, and San Joaquin Valley Railway Company's Railroad, said piece of land containing an area of 12.74 acres, more or less, as delineated upon that certain map entitled "Map of Woods, Wilhoit & Douglass Lands on Middle Division of Robert's Island, in the County of San Joaquin, State of California," filed in the office of the County Recorder of the County of San Joaquin, State of California, on November 4th, 1909, at 3:15 o'clock P.M.

Also that certain lot, piece or parcel of land situate, lying and being in the County of San Joaquin, State of California, and bounded and particularly described as follows, to-wit:-

Beginning at the common corner of Sections Fifteen (15) Sixteen (16) Twenty-one (21) and Twenty-two (22) Township One (1) North, Range Five (5) East, Mount Diablo Base and Meridian; thence West 3102-5/10 feet to the center of Honker Lake Levee; thence along the center of said Levee in a Southerly and Southeasterly direction to its junction with the cross levee between "The Pocket" and Honker Lake Tract; thence along the center of said cross levee in an easterly direction to its junction with High Ridge Levee; thence along the center of High Ridge Levee in a general Northeasterly direction to its intersection with East and West one-quarter (¼) line passing through Sections Twenty-two (22) and Twenty-three (23) Township One (1) North Range Five (5) East; thence West along said one-quarter (¼) line to its intersection with the North and South line between Sections Twenty-one (21) and Twenty-two (22) Township One (1) North, Range Five (5) East; thence North along said line to place of beginning, containing 769-32/100 acres, as delineated upon that certain Map entitled "Map of Woods, Wilhoit, & Douglass' Lands on Middle Division of Robert's Island in County of San Joaquin, State of California," filed in the office of the County Recorder of the County of San Joaquin, State of California, November 4th, 1909, at 3:15 o'clock P.M.

Also beginning at the common corner of Sections Eighteen (18) and Nineteen (19) Township One (1) North, Range Six (6) East, Mount Diablo Base and Meridian, and Sections Thirteen (13) and Twenty-four (24) Township One (1) North, Range Five (5) East, Mount Diablo Base and Meridian,

EXHIBIT 69

and running thence West along the Section line twenty-three hundred and ninety-six feet to the center of a main irrigation canal, thence along the center line of said canal, the following courses and distances, to-wit:- South 0° 46' East 2631.8 feet; thence South 30°55' West 615 feet to the half section line North and South through Section Twenty-four (24) Township One (1) North, Range Five (5) East, Mount Diablo Base and Meridian; thence South 9014.3 feet along the half section line North and South through Sections Twenty-four (24) Twenty-five (25) and Thirty-six (36) thence South 13°41' East 78.2 feet; thence South 26°11' East 61.1 feet; thence South 48° 15' East 1232.2 feet; thence South 32°20' East 143.0 feet; thence South 6°49' East 426.3 feet thence South 13°59' West 4661.8 feet; thence South 43°59' West 600.4 feet to the right bank of Middle River; thence meandering the right bank of said Middle River, down stream, to the section line between Section Two (2) Township One (1) South, Range Five (5) East, Mount Diablo Base and Meridian, and Section Thirty-five (35) Township One (1) North, Range Five (5) East, Mount Diablo Base and Meridian; thence East to the common corner of Sections One (1) and Two (2) Township One (1) South Range Five (5) East, Mount Diablo Base and Meridian, and Sections Thirty-five (35) and Thirty-six (36) Township One (1) North Range Five (5) East, Mount Diablo Base and Meridian; thence North to the quarter section corner between Sections Thirty-five (35) and Thirty-six (36) in Township One (1) North, Range Five (5) East, Mount Diablo Base and Meridian; thence West along the half section line through Sections Thirty-five (35) and Thirty-four (34) Township One (1) North, Range Five (5) East Mount Diablo Base and Meridian, to the center of the levee known as the "High Ridge Levee" thence following the meanderings of said levee, North 17°24' West 4.10 chains; thence North 34°44' West 4.39 chains; thence North 53°16' West 7.35 chains; thence North 38° 18' West 3.54 chains; thence North 16°41' West 5.20 chains to the South line of that certain 108.02 acre tract of land as conveyed by Jas. Reid Stewart, Jas. Clark Hunton and Jas. King to I.N.Robinson by Deed dated August 30th, 1890, and recorded in Book "A" of Deeds, Vol 89, page 432 San Joaquin County Records; thence East 11.84 chains to the South East corner of said tract of land; thence North 0° 15' West 60 chains to the North West corner of the East half of the South East quarter of Section Twenty-seven (27) Township One (1) North, Range Five (5) East, Mount Diablo Base and Meridian; thence West to the center of Section Twenty-seven (27), Township One (1) North, Range Five (5) East, Mount Diablo Base and Meridian; thence North along the half section line to the center of High Ridge Levee; thence meandering the center of High Ridge Levee in a North Easterly direction through Sections Thirteen (13) Fourteen (14) Twenty-two (22) Twenty-three (23) and Twenty-seven (27) Township One (1) North, Range Five (5) East, Mount Diablo Base and Meridian, to the center line of the right of way of the Atchison, Topeka and Santa Fe Railway Company, as located by that certain deed dated May 21st, 1898 and recorded in Book "A" of Deeds Vol 96 page 340 et seq. San Joaquin County Records, made and executed by John N.Woods, and E.W.S.Woods, to San Francisco and San Joaquin Valley Railway Company; thence East along the center line of said right of way of said Atchison, Topeka and Santa Fe Railway Company to the half section line North and South through Section Eighteen (18) Township One (1) North, Range Six (6) East, Mount Diablo Base and Meridian; thence South along the half section line to the quarter section corner between Sections Eighteen (18) and Nineteen (19) Township One (1) North, Range Six (6) East, Mount Diablo Base and Meridian; thence West to the point of beginning, and being a portion of Section Eighteen (18) Township One (1) North Range Six (6) East, Mount Diablo Base and Meridian; all of Section Twenty-six (26) and portions of Sections Thirteen (13), Fourteen (14) Twenty-two (22) Twenty-three (23) Twenty-four (24) Twenty-five (25) Twenty-seven (27) Thirty-four (34) Thirty-five (35) and Thirty-six (36) Township One (1) North Range Five (5) East, Mount Diablo Base and Meridian, and portions of Sections One (1) and Two (2) Township One (1) South, Range Five (5) East, Mount Diablo Base and Meridian, as delineated upon that certain Map entitled "Map of Woods, Wilhoit & Douglass' Lands on Middle Division of Robert's Island in the County of San Joaquin, State of California," filed in the office of the County Recorder of the County of San Joaquin, State of California, November, 4th, 1909, at 3:15 P.M. and containing 4480 acres, more or less.

SAVE AND EXCEPT, that certain strip of land conveyed by Deed dated June 3rd, 1908, made by E.W.S.Woods, Mary L.Maher and Jennie Lee Wilhoit, to the Atchison Topeka and Santa Fe Railway Company, recorded in Book "A" of Deeds, Vol. 173 page 200, San Joaquin County Records.

ALSO SAVE AND EXCEPT, the right of way conveyed by Deed from John N.Woods, and E.W.S.Woods, to The San Francisco and San Joaquin Valley Railway Company, and recorded in Book "A" of Deeds, Vol 96 page 340 et seq. San Joaquin County Records.

ALSO SAVE AND EXCEPT the right of way conveyed by Deed from John N.Woods, and E.W.S.Woods, to The San Francisco and San Joaquin Valley Railway Company and recorded in Book "A" of Deeds, Vol.98 page 458 et seq. San Joaquin County Records.

The agreement of the first party to furnish water to the second party is hereby expressly limited to such water as may be used to irrigate the said lands above described, or any subdivision thereof. The said water shall be so furnished by the first party to the second party from the 29th day of September, 1911, until the 14th day of December, 1959 and thereafter in perpetuity.

It is understood and agreed between the parties hereto that this contract is not intended to and does not create or convey any lien, estate, easement, or servitude, legal or equitable, in any manner upon or in the canal or ditch of the first party, or in or to the water flowing therein or which may hereafter flow therein, nor does this contract create any equitable covenant encumbering the said canals, and disposition thereof by the first party.

The rights of the second party herein contracted for are to have the water furnished in perpetuity as provided in this contract by the first party, and in case of default of the Company to furnish water as herein agreed, where the same is caused by accident, hostile diversion, legal interference, or any act of God, the Company shall not in any way be held responsible for the damage caused by such default.

SECOND: For the water herein agreed to be furnished, the consumer in consideration of the premises, hereby promises, promises and covenants to pay in gold coin of the United States to the Company or its agents as may hereafter be provided, at its or their office as follows:-

On the first Monday in each September, after the first Monday in September, 1911, until the year 1959, and on the first monday of each September, thereafter, so long as said water shall be furnished under contract, the sum of $1.00 together with that sum of money, the amount of which shall be determined as follows:-

The total expense for the maintenance and replacement of the canal and structures, and the expense of the delivery of water, and of extension, and of the removal of seepage waters, after the same has reached the common out-let, or out-lets, as may be provided by the Company, and of the operation of the Company's affairs, all cost of litigation, and all other expense incidental to the operation of the canal system shall be pro-rated according to the acreage served with water by said Company and each and every acre herein above described shall contribute and pay that amount to the Company on the day as hereinabove set forth. The item of replacement shall be fixed by the Company, based upon the depreciation of the structures, and shall be kept by the Company and used for that purpose only. Should the fund created thereby, at any time, exceed the sum of the probable cost of the replacement, that particular part of the

sum of money to be be paid the Company shall be omitted until such time as it would become necessary to replenish the fund. The net revenue derived from the sale of water to any other lands not described in this agreement shall be applied to the maintenance of the canal system and each and every acre shall receive its proportional decrease on account of such revenue.

THIRD: Should the Consumer default in the payment of any sum or sums herein promised to be paid at the time and in the manner as above specified, a suit may be commenced to enforce collection of the same by foreclosure and sale of the premises described above, or any sub-division thereof that may become delinquent.

The Company and the Consumer do hereby agree that the delivery of water and the maintenance and operation of the canal system shall be conducted according to a certain set of rules and regulations, as adopted by the Company on the 29th day of September, 1911, and for a greater certainty a copy of them are herein inserted and made a part of this agreement and are as follows:-

There shall be an office of superintendent of canals and the holder shall serve at the pleasure of the Board of Directors and shall receive such compensation as they may fix for his services. A part of the duties of the superintendent of canals shall be as follows:-

The duties of the superintendent of canals shall be to maintain the canal system; to supervise the delivery of the water in accordance with the Company's rules and regulations; to make such replacements and extensions, which may include plans and specifications, as furnished by the Board of Directors. He shall furnish and deliver monthly to the secretary of of the Company, a full statement of all expenditures which shall include all labor and material used. He shall report monthly to the Company the delivery of water to the several Consumers, giving date and place of consumption. He shall report the necessity of drainage, repair and replacement to the Board of Directors whenever it becomes evident of the necessity.

There shall be an office of engineer, who shall serve at the pleasure of the Board of Directors and shall receive such compensation as the Board of Directors may agree upon. The duties of the engineer shall be to plan the construction of ditches, gates, etc. to report upon all engineering matters as the Board of ~~canals~~ Directors may direct, and to direct the Superintendent of canals in such work as the Board of Directors may instruct him.

GENERAL CONSTRUCTION:

The Company shall construct, maintain and replace all main canals, laterals, stream diversion gates, checks, drops and the side-gates as hereinafter provided, and all

drainage gates, siphons, and structures necessary to suffice the complete drainage of the lands, after the water has been conveyed to the banks of the canals constructed by the Company for that purpose.

The main canal and laterals, as constructed by the Company shall be such as to furnish water to all of the land at such places as may be necessary to allow the subdivision of the land in tracts of 40 acres, being of the general dimensions of 10 by 20 chains, the lesser dimension bordering along the canal.

GATES, CHECKS AND STRUCTURES:

The Company shall construct all structures necessary to convey the waters through its canals and laterals and to maintain the water at such reasonable levels as to supply the land as hereinabove described, excepting therefrom such acres as are hereafter provided for, and all other tracts so situated as not to allow the placing of water upon them.

The side-gates shall be constructed by the Company and paid for by the Consumer in the manner, and at the time and place as hereinabove provided for the payment for the delivery of water. The Company shall have full charge and control of all side-gates and shall maintain them thereafter.

DRAINAGE.

The Company shall construct and maintain drainage canals, pumps and appliances, sufficient to relieve the irrigated land of waste or surplus waters.

The cost of the construction of any drainage system which suffices the drainage of any certain tract, under contract, shall be borne by that tract. The cost shall be pro-rated according to the acreage, and the payment for such drainage systems shall become due and payable as provided above for the payment of the delivery of water, and shall be subject to all of the terms and conditions thereof.

The Company shall construct that part, or parts of the drainage system in which more than one tract participates and the cost shall be charged to the drainage account and shall be borne proportionately by all land under this contract and all other lands coming under subsequent contracts. The Company shall have full charge of such drainage system and its maintenance thereafter shall be borne by the Company.

Superintendent Canals

The Consumer shall convey the water to the drainage canal as constructed by the Company. Should it become evident that a Consumer should be neglectful of the use of the water, and create unnecessary seepage, the Company, at its election, may direct his method of irrigation and fix the amount of water he shall receive.

APPLICATION FOR WATER.

The Consumer shall make a written application for the delivery of water; said application shall be made at least five days prior to the time set forth in the application as the date of delivery.

Should it be impossible or unreasonable for the Company to deliver the water in accordance with the application, it will deliver the water as soon thereafter as it is practical for the Company so to do. The Consumer must receive the water in rotation with other Consumers, should it be deemed the most practical method by the Company.

HANDLING THE GATES:

The Consumer shall not open the side-gates which furnishes water upon his or any other land or in any manner interfere or adjust the gates in the main canal or branches thereof, unless he be given written permission by the Company's superintendent to do so. Should the Consumer violate this rule the Company shall have the right to charge him for all trouble and expense incurred, and that charge shall become a part of the charge for water and collectable at the date and in the manner as specified in the contracts for water. The Company shall be the sole judge of such trouble and expense.

USE OF WATER:

The Consumer shall use the water in a most economical manner and shall not waste the water either by neglect or excessive use. Should the Consumer allow the water to damage any other property he shall be responsible for such damages and in no case shall the Company be held for such neglect.

The Consumer shall not sell or dispose of any of the water, furnished under this contract, to any other land or person, or allow the water to flow off his land upon the lands of others.

Should the supply of water be diminished so that the quantity available would not furnish all of the lands with the amount desired, then in that event the quantity available shall be pro-rated according to the acreage of each Consumer.

INGRESS AND EGRESS.

The authorized agent of the Company and his employees shall have free access at all times to the lands irrigated from the Company's canal, to make surveys and measurements as deemed necessary. to examine the flow of water, to patrol, police, repair, maintain and replace all canals and structures appurtenant thereto, both for the supply of irrigating waters and drainage and to use necessary earth to make such repairs.

Fourth:- That the Consumer agrees that the Company may have the right to take charge of any canal which has been constructed by the Consumer for the purpose of supplying water to a part of his premises, provided that the said premises have been so subdivided as to leave a tract of land not adjacent to any canal. Then in the case of subdivision of a tract and

the sale of a part thereof, the grantor shall provide means for the supplying of irrigating waters and the drainage of the tract so subdivided. The Company may at its election take possession of said supply branch and drainage way as hereinabove provided.

Fifth:- Included in the description of the land hereinabove described are 1300 acres of land situated in the tracts colored red as delineated upon the map hereinabove included which are described as follows, to-wit:-

The Honker Lake Tract and a tract of fifty-one (51) acres in Section 23, T. 1 N.R. 5 E. and also the following described tracts; to-wit:-

A triangular piece of land in the North West corner of the South half of Section Thirteen (13) whose Northern and Western boundaries are 20 chains in extent; also all of the Western part of the Southern half of Section Fourteen (14), save a triangular piece of land in the South Eastern corner whose Southern boundary is 38 chains and its Eastern boundary is 20 chains in extent; Also a triangular piece of land situated in the North Western part of Section Twenty-three (23) whose Northern boundary is 52 chains and its Western boundary is 80 chains; also that part of Section Twenty-seven (27) lying in the Northeast quarter which is situated West of a line which commences at a point 10 chains West of the North Eastern corner, running thence South Westerly to the Southeast corner of the Southwest quarter of the Northeast quarter of said section; also all that part of Section Thirty-four (34) as described in the tract under contract; also the Southern part of the Northern half of Section Thirty-five (35) whose Western boundary is 30 chains and whose Eastern boundary is 10 chains; also the western half of the South West quarter of Section Thirty-six (36) all in T. 1 N.R. 5 E. also fractional part of the Western half of the North-west quarter of Section One (1) and the fractional part of the Northeast quarter of Section Two (2) in T. 1. S.R. 5 E. which are not now within the reasonable possibilities or irrigation of the Company's canals and which are hereinafter termed "dry lands."

It is mutually understood that the waters cannot, under the present extent of the canal system, be spread upon the surface of said 1300 acres of land, but can be from a contemplated extension of the Company's canals. This extension may include a change in the point of diversion from the river so that a ditch line may be carried along the high reaches of the "dry tracts" It is hereby understood and agreed by the consumer and the Company that the Consumer may place water upon this "dry tract" at his election, conditioned that should the Consumer avail himself of this privilege he shall give written notice to the Company of his wishes. The Company will as soon as practicable thereafter construct such extensions, or diversions, which are and shall be considered a part of the present system of canals, and upon the completion of said canals the land as applied for by the Consumer, to be irrigated, shall become a Consumer in perpetuity and shall be subject to all the conditions of this contract. Should it become evident to the Company that said "dry lands" or any part thereof, were sub-irrigated regardless of any act of the Consumer, the Company may, at its election, place this land so sub-irrigated under the full conditions of this contract, by serving written notice upon the owner of the tract.

Sixth:- This agreement is to run with the land and become a part thereof, and shall be a lien upon the tract or any sub-division thereof; which lien may be foreclosed to secure the payments as provided for in the agreement, and the sub-division and sale of any or all of the hereinabove described tract shall in no way effect this agreement, and the agreement shall run with each and every sub-division thereof as though it were the whole.

IN WITNESS WHEREOF, the said first party, termed the "Company" has caused the corporate name to be herein subscribed and its corporate seal to be hereunto affixed by its President and Secretary thereunto duly authorized, and the second party has hereunto set his hand

and seal.

(Corp.Seal.) WOODS IRRIGATION CO.

By Jessie Lee Wilhoit, Seal.
Vice President.

And Geo. E.Wilhoit, Seal.
Secretary.

E.W.S Woods, Seal.

State of California, }
} SS:
County of San Joaquin, }

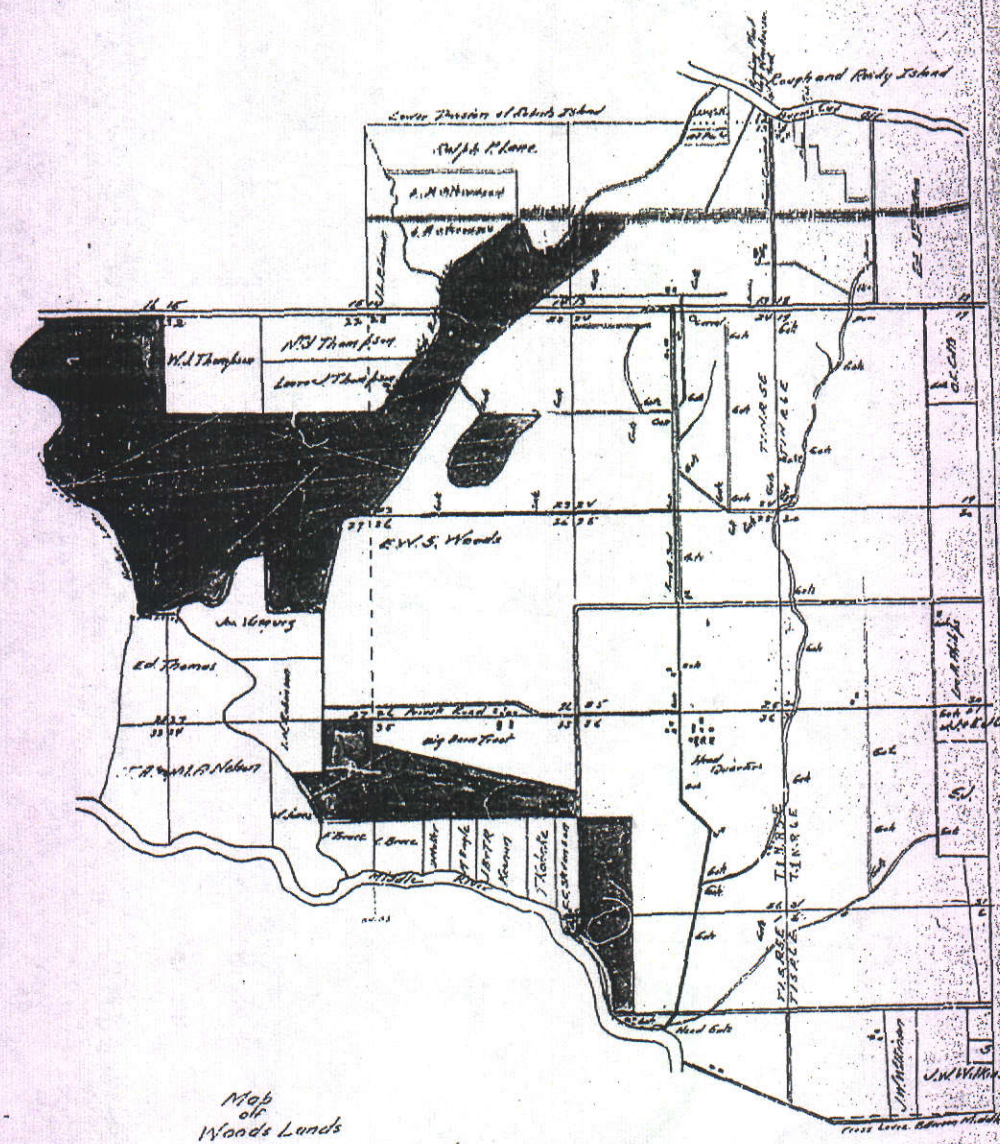
On this 29th day of September, in the year one thousand nine hundred and eleven, before me, Avis C McCloud, a Notary Public in and for said County and State, residing therein, duly commissioned and qualified, personally appeared Jessie Lee Wilhoit, known to me to be the Vice President and Geo.E.Wilhoit, known to me to be the Secretary of the Corporation that executed the within instrument, and acknowledged to me that such Corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official seal, at my office in the County of San Joaquin, State of California, the day and year in this Certificate first above written. (Seal.) Avis C McCloud,
Notary Public in and for said San Joaquin County, State of California.

State of California, }
} SS:
County of San Joaquin, }

On this 29th day of September, in the year one thousand nine hundred and eleven, before me, Avis C.McCloud, Notary Public in and for said County of San Joaquin, State of California, residing therein, duly commissioned and qualified, personally appeared, E.W.S.Woods, known to me to be the person described in, whose name is subscribed to, and who executed the annexed instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal at my office in the City of Stockton, County of San Joaquin, the day and year in this certificate first above written. (Notary Seal.) Avis C.McCloud,
Notary Public in and for the County of San Joaquin, State of California.



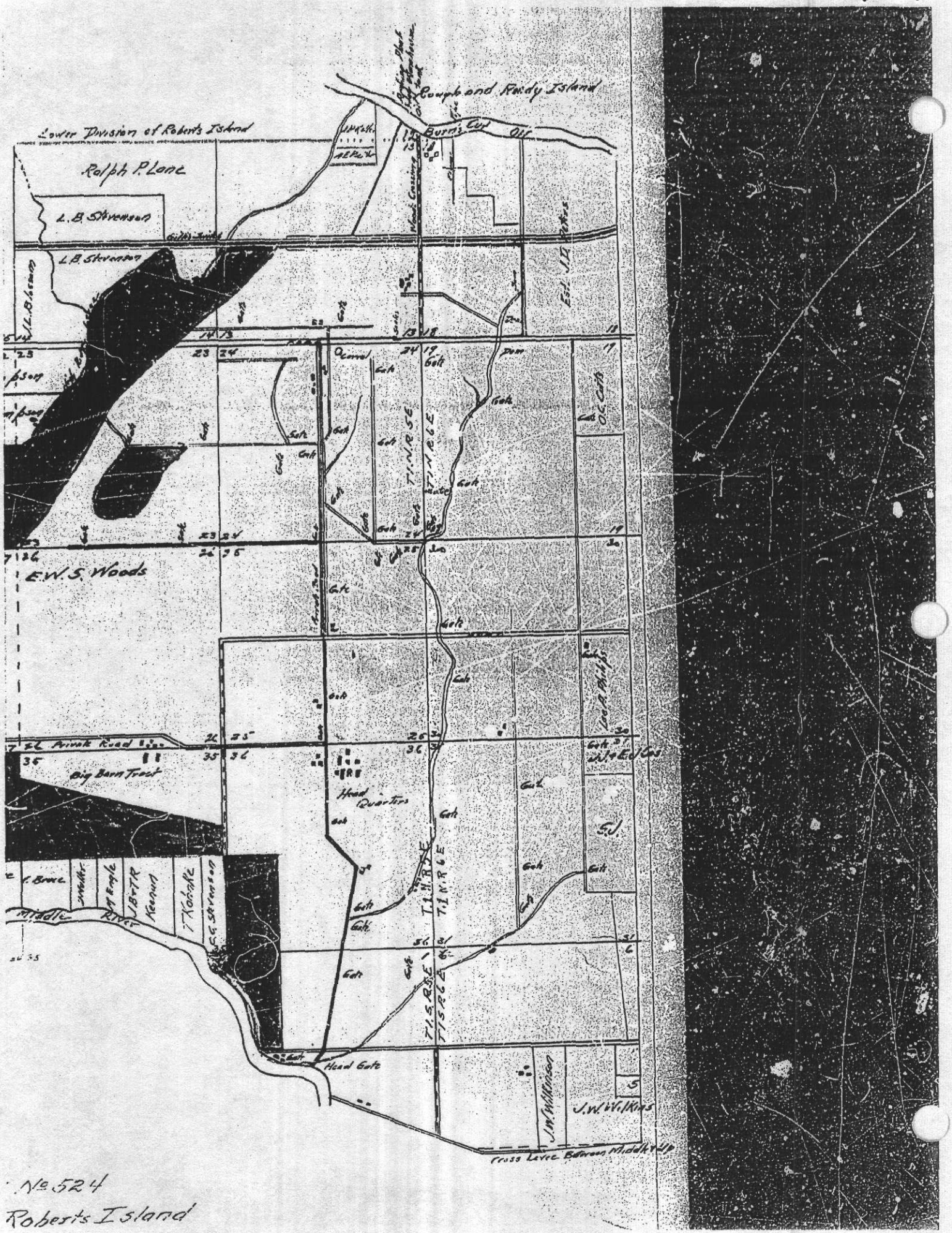
Map
of
Woods Lands
Reclamation District No 524
Middle Division of Roberts Island
Scale - 20 chs Per Inch

Recorded at Request of E W S Woods, Sep 30- 1911 at 24 min past 9 o'clock A.M., in Book "O" Vol 27 of Miscellaneous Page 41, San Joaquin County Records.

James H. Kroh, Recorder

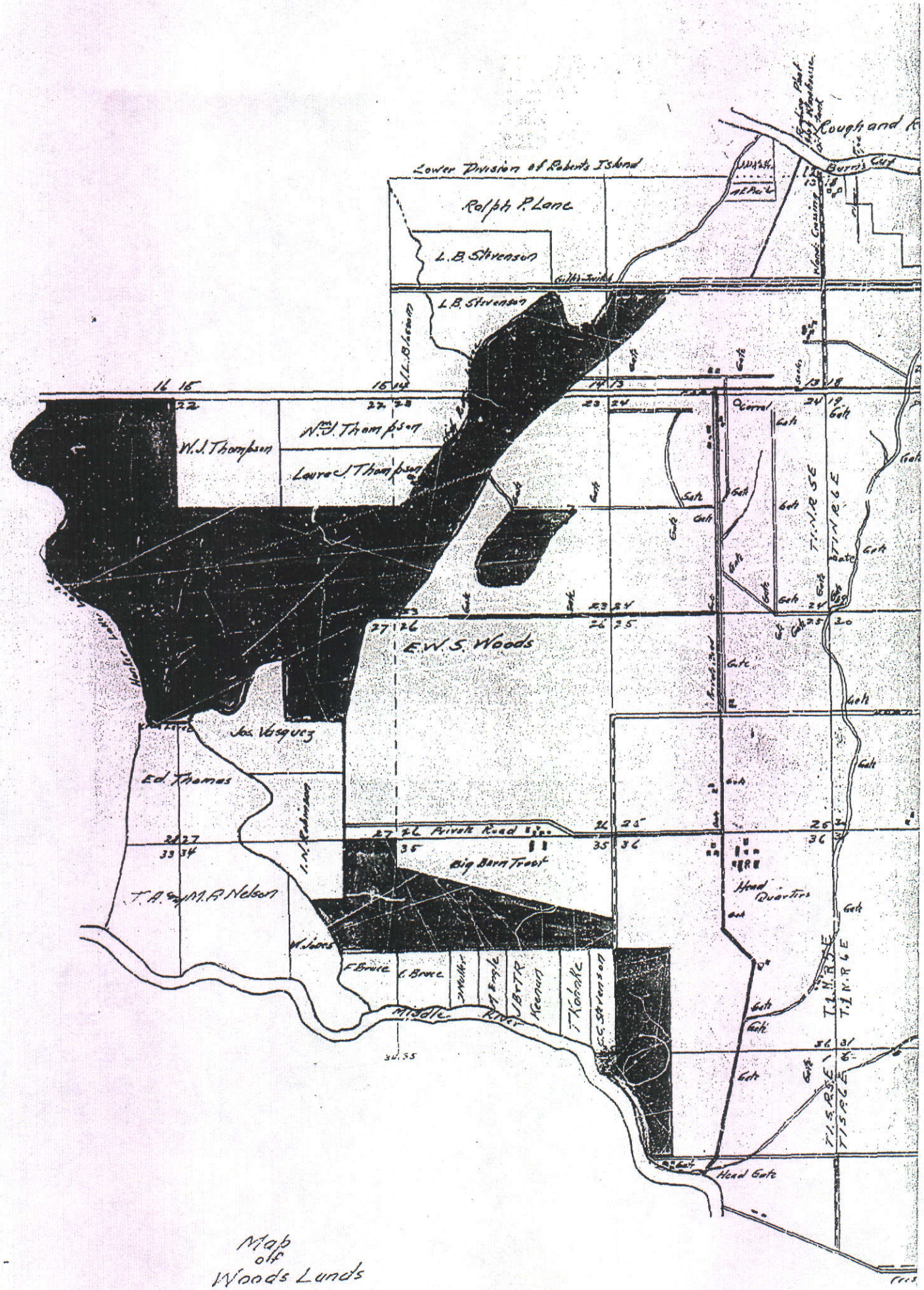
John J. Anghro, Deputy

Fees $10.60



No. 524

Roberts Island



Map of Woods Lands

the sale of a part thereof, the grantor shall provide means for the supplying of irrigating waters and the drainage of the tract so subdivided. The Company may at its election take possession of said supply branch and drainage way as hereinabove provided.

Fifth:- Included in the description of the land hereinabove described are 1300 acres of land situated in the tracts colored red as delineated upon the map hereinabove included which are described as follows, to-wit:-

The Honker Lake Tract and a tract of fifty-one (51) acres in Section 23, T. 1 N.R. 5 E. and also the following described tracts; to-wit:-

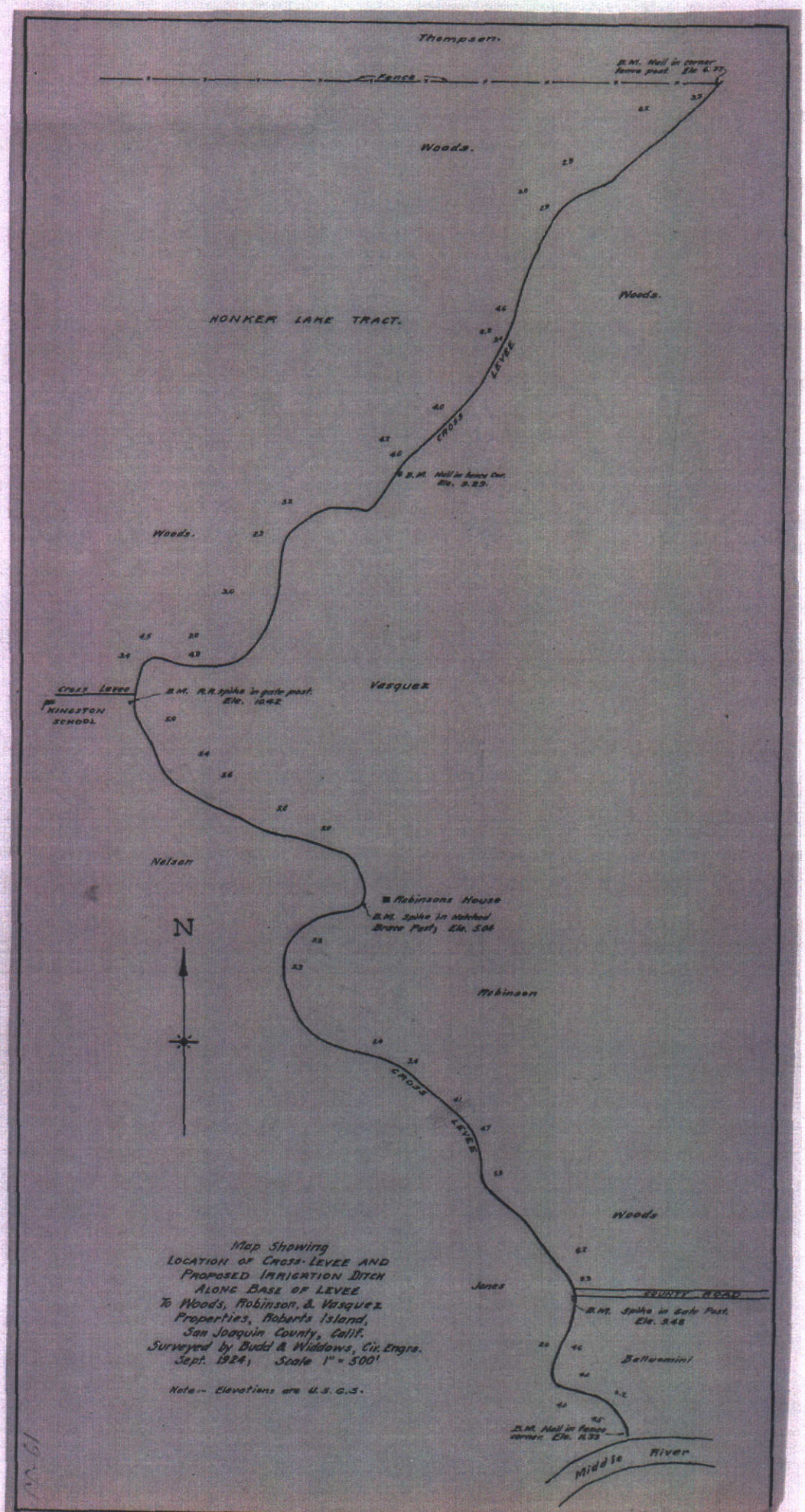
A triangular piece of land in the North West corner of the South half of Section Thirteen (13) whose Northern and Western boundaries are 20 chains in extent; also all of the Western part of the Southern half of Section Fourteen (14), save a triangular piece of land in the South Eastern corner whose Southern boundary is 28 chains and its Eastern boundary is 20 chains in extent; Also a triangular piece of land situated in the North Western part of Section Twenty-three (23) whose Northern boundary is 52 chains and its Western boundary is 80 chains; also that part of Section Twenty-seven (27) lying in the Northeast quarter which is situated West of a line which commences at a point 10 chains West of the North Eastern corner, running thence South Westerly to the Southeast corner of the Southwest quarter of the Northeast quarter of said Section; also all that part of Section Thirty-four (34) as described in the tract under contract; also the Southern part of the Northern half of Section Thirty-five (35) whose Western boundary is 30 chains and whose Eastern boundary is 10 chains; also the western half of the South West quarter of Section Thirty-six (36) all in T. 1 N.R. 5 E. also fractional part of the Western half of the North-west quarter of Section One (1) and the fractional part of the Northeast quarter of Section Two (2) in T. 1. S.R. 5 E. which are not now within the reasonable possibilities or irrigation of the Company's canals and which are hereinafter termed "dry lands."

It is mutually understood that the waters cannot, under the present extent of the canal system, be spread upon the surface of said 1300 acres of land, but can be from a contemplated extension of the Company's canals. This extension may include a change in the point of diversion from the river so that a ditch line may be carried along the high reaches of the "dry tracts" It is hereby understood and agreed by the consumer and the Company that the Consumer may place water upon this "dry tract" at his election, conditioned that should the Consumer avail himself of this privilege he shall give written notice to the Company of his wishes. The Company will as soon as practicable thereafter construct such extensions, or diversions, which are and shall be considered a part of the present system of canals, and upon the completion of said canals the land as applied for by the Consumer, to be irrigated, shall become a consumer in perpetuity and shall be subject to all the conditions of this contract. Should it become evident to the Company that said "dry lands" or any part thereof, were sub-irrigated regardless of any act of the Consumer, the Company may, at its election, place this land so sub-irrigated under the full conditions of this contract, by serving written notice upon the owner of the tract.

Sixth:- This agreement is to run with the land and become a part thereof, and shall be a lien upon the tract or any sub-division thereof; which lien may be foreclosed to secure the payments as provided for in the agreement, and the sub-division and sale of any or all of the hereinabove described tract shall in no way effect this agreement, and the agreement shall run with each and every sub-division thereof as though it were the whole.

IN WITNESS WHEREOF, the said first party, termed the "Company" has caused the corporate name to be herein subscribed and its corporate seal to be hereunto affixed by its President and Secretary thereunto duly authorized, and the second party has hereunto set his hand

EXHIBIT 70



Map Showing
LOCATION OF CROSS-LEVEE AND
PROPOSED IRRIGATION DITCH
ALONG BASE OF LEVEE
To Woods, Robinson, & Vasquez
Properties, Roberts Island,
San Joaquin County, Calif.
Surveyed by Budd & Widdows, Civ. Engrs.
Sept. 1924, Scale 1" = 500'

Note - Elevations are U.S.G.S.

EXHIBIT 71

195-E

[illegible], ORIGINAL
RECORDED, VOL. [illegible]

TO

[illegible], ALICE E.

(Grantee)

[illegible] the sum of [illegible] Dollars
the thousand nine hundred and twenty-five.
[illegible] Christina [illegible] and [illegible] [illegible]
[illegible], both of the County of San Joaquin, State
of California.

[illegible] Alice [illegible] Deed of the County of San Joaquin, State
of California,

[illegible]

WITNESSETH: That the said parties [illegible]

[illegible] lawful money [illegible] then [illegible] Dollars.
[illegible] by these presents grant, convey, [illegible] and
confirm unto the

[illegible]

County of San Joaquin, State of California, and bounded and described as follows, to wit:

A strip of land 40 feet wide situated in the County of San Joaquin, State of California, in the Southeast quarter of Section 34, Township 1 North, Range 5 East, M.D.B.&M., and lying east of, and adjacent to the center of the Cross Levee forming the dividing line between the properties of [illegible] and [illegible] and extending from the south side of the County road along the north line of the southeast quarter of said Section 34, northerly along said Cross Levee, 1725 feet more or less, to the inside base of levee on the north bank of Middle River, the east line of said 40 foot strip being described as follows: Commencing at an iron pipe in the south line of the County road along the said north line of the east half quarter of said Section 34, said pipe being 40 feet east of the center of said Cross Levee and 1173 feet west of the east line of said Section 34, and being also 25 feet south of the north line of the southeast quarter of said Section 34; thence along the east line of said 40 foot strip as follows: S. 1° 05' E. 104.7 feet; S. 19° 55' E. 85 feet; S. 31° 50' E. 95 feet; S. 27° 00' E. 97.5 feet; S. 20° 40' E. 85 feet; S. 10° 50' E. 68 feet; S. 15° 48' E. 38 feet; S. 47°45' E. 38 feet; S. 70°45' E. 55 feet; S. 77° 47' E. 149 feet; S. 74°50' E. 92 feet; S. 61° 55' E. 100 feet; S. 62° 05' E. 105 feet; S. 42° 27' E. 81 feet; S. 35° 04' E. 79 feet; S. 33° 54' E. 158 feet to an iron pipe in the northerly base of Middle River Levee.

Also a strip of land 40 feet wide and 102 feet long, more or less, lying east of and adjacent to the center of the above described Cross Levee and south of and adjacent to the above described 40 foot strip of land, extending from the inside base of levee on the north bank of Middle River southerly to the said north bank of Middle River, the east line of said 40 foot strip being marked on the ground by an iron pipe in the northerly base of Middle River Levee and by an iron pipe on the north bank of Middle River and the east line of above described 40 foot strip being more particularly described as follows: Commencing at the iron pipe at the southeast corner of the above described 40 foot strip, thence southerly approximately 102 feet more or less to the north bank of Middle River.

The above described [illegible] of land contains in the aggregate 1.61 acres.

(Excepting [illegible] of [illegible] Road [illegible])

EXHIBIT 72

[redacted]

#1855 Recorded at the Request of McNOBLE & ROBINSON FEB. 6, 1934 at 25 min. past 2 o'clock P. M., in Book of Official Records Vol. 444 page 434 San Joaquin County Records.
Fees: $1.70 John D. Finney, Recorder.
AJ

THIS AGREEMENT, made and entered into this 18th day of November, 1925, by and between ALICE M. WOODS, of the County of San Joaquin, State of California, the party of the first part, and I. N. ROBINSON, JOHN VASQUEZ and JOSEPHINE V. JONES, all of the County of San Joaquin, State of California, the parties of the second part,

W I T N E S S E T H:

That whereas the party of the first part did heretofore purchase from Christina Belluomini certain real property situate in the County of San Joaquin, State of California, described as follows, to-wit:

A strip of land 44 feet wide situated in the County of San Joaquin, State of California, in the Southeast Quarter of Section 34, Township 1 North, Range 5 East, M. D. B. & M. and lying east of and adjacent to the center of the Cross Levee forming the dividing line between the properties of F. Bruse, et al, and W. Jones and extending from the south side of the County Road along the north line of the Southeast Quarter of said Section 34, southerly along said Cross Levee, 1725 feet more or less, to the inside base of levee on the north bank of Middle River, the east line of said 44 foot strip being described as follows: commencing at an iron pipe in the south line of the County Road along the said north line of the Southeast Quarter of said Section 34, said pipe being 44 feet east of the center of said Cross Levee and 1179 feet west of the east line of said Section 34, and being also 25 feet south of the north line of the Southeast Quarter of said Section 34; thence along the east line of said 44 foot strip as follows: S. 1° 03' W. 104.7 feet; S. 10° 33' W. 83 feet; S. 19° 50' W. 93 feet; S. 27° 50' W. 272 feet; S. 20° 48' W. 96 feet; S. 10° 50' W. 68 feet; S. 13° 48' E. 38 feet; S. 47° 46' E. 38 feet; S. 70° 42' E. 56 feet; S. 79° 47' E. 149 feet; S. 74° 30' E. 92 feet; S. 61° 38' E. 100 feet; S. 52° 05' E. 133 feet; S. 43° 27' E. 62 feet; S. 38° 44' E. 79 feet; S. 33° 34' E. 158 feet to an iron pipe in the northerly base of Middle River Levee;

Also a strip of land 25 feet wide and 102 feet long, more or less, lying east of and adjacent to the center of the above described Cross Levee and south of and adjacent to the above described 44 foot strip of land, and extending from the inside base of levee on the north bank of Middle River southerly to the said north bank of Middle River, the west line of said 25 foot strip being marked on the ground by an iron pipe in the northerly base of Middle River Levee and by an iron pipe on the north bank of Middle River and the west line of above mentioned 25 foot strip being more particularly described as follows; commencing at the iron pipe at the southwest corner of the above described 44 foot strip, thence southerly across Middle River Levee 102 feet more or less to the north bank of Middle River.

And whereas the record title to said real property now stands in the name of the party of the first part; and

Whereas the said real property was purchased for the purpose of installing a pumping plant and an irrigation ditch for the purpose of irrigating lands belonging to all of the parties to this agreement; and

Whereas since the purchase of the said real property by the party of the first part there has been installed thereon a pumping plant and irrigation ditch for the purpose of irrigating lands belonging to the parties to this agreement; and

Whereas the cost of said land and the cost of installing the said irrigation system has been paid and borne by all the parties of this agreement in the manner hereinafter set forth; and

EXHIBIT 73

Whereas the said Alice M. Woods acknowledges that she holds the record title to said real property but that nevertheless the parties of the second part are in fact the owners of certain interests therein hereinafter described and that as to said interests said party of the first part holds said title in trust for the parties of the second part; and

Whereas the parties hereto desire to have a fixed and permanent understanding as to the respective ownerships of said parties in and to said strip of land so acquired from Christina Belluomini and in and to said irrigation ditch and said pumping plant;

Now, therefore, it is mutually understood and agreed by and between the parties hereto as follows, to-wit:

That the said strip of land was acquired and said pump and ditch constructed for the purpose of irrigating 1000 acres of land belonging to the party of the first part, said 1000 acres being situate in Township 1 North, Range 5 East, M. D. B. & M.; and for irrigating 150 acres of land belonging to John Vasquez and Josephine V. Jones, said 150 acres being situate in Section 27, Township 1 North, Range 5 East, M. D. B. & M.; and for the purpose of irrigating 108 acres of land belonging to I. N. Robinson, said 108 acres being situate in Sections 27 and 34, Township 1 North, Range 5 East, M. D. B. & M.

That in the construction of said irrigation ditch and the installation of said pump the parties hereto have paid for the same in the following proportions, to-wit: Alice M. Woods 1000/1258ths; John Vasquez and Josephine V. Jones 150/1258ths; and I. N. Robinson 108/1258ths.

The party of the first part acknowledges that the parties to this agreement are the owners of said piece of land so acquired from Christina Belluomini, of said pump and of said ditch in the proportions above set forth, and that as to the proportions of the parties of the second part, the said party of the first part holds the title thereto in trust for the said parties of the second part in the said proportions.

It is further agreed between the parties hereto that in order to irrigate the lands of I.N. Robinson the said irrigation ditch has been constructed over a portion of the lands belonging to the party of the first part and that the said I. N. Robinson, his heirs, successors and assigns, shall forever have the right to use the said ditch so constructed over the land of the party of the first part for the purpose of irrigating his said lands.

It is further understood and agreed that in order to irrigate the lands of John Vasquez and Josephine V. Jones the said irrigation ditch has been constructed over a portion of land belonging to Alice M. Woods and also over a portion of land belonging to I. N. Robinson and it is agreed between the parties hereto that the said John Vasquez and Josephine V. Jones, their heirs, successors and assigns, shall forever have the right to use the said irrigation ditch so constructed over the lands of Alice M. Woods and I. N. Robinson for the purpose of irrigating the said lands of John Vasquez and Josephine V. Jones.

It is further understood and agreed that in order to irrigate the lands of the party of the first part the said irrigation ditch has been constructed over a portion of land belonging to I. N. Robinson and also a portion thereof on land belonging to John Vasquez and Josephine V. Jones and that the said party of the first part, her heirs, successors and assigns, shall forever have the right to use said irrigation ditch so constructed for irrigating the said 1000 acres hereinbefore referred to.

It is the intention of this agreement that the said pumping plant and irrigation system has been constructed for the purpose of irrigating the lands of the respective parties hereto in the respective acreage above set forth and each of the parties hereto agrees with all of the other parties that said irrigation system shall forever be used by the respective parties hereto for the purpose of irrigating the lands of said parties in the amount as to acres above set forth.

It is further agreed between the parties hereto that all of the parties to this agreement have contributed their respective proportions to the installation of said pumping system and to

the construction of said irrigation ditch and that the expenses of maintaining the same shall in the future be borne by the parties hereto in the proportions hereinbefore set forth; that is to say, Alice M. Woods shall pay 1000/1258th of the cost of maintenance and operation of said irrigation system; John Vasquez and Josephine V. Jones shall pay 150/1258ths of said cost of maintenance and operation of said irrigation system; and I N. Robinson shall pay 108/1258ths of said cost of maintenance and operation of said irrigation system.

It is the intention of this agreement that all of the parties hereto shall have the opportunity of irrigating their respective lands and, if the occasion requires, a flooding of said lands, and in view of the large per centage of acreage belonging to the party of the first part as compared with the acreage of the parties of the second part, it is anticipated between the parties hereto that the party of the first part will use said irrigation ditch and said pumping plant to a much greater extent than the parties of the second part, and in order that the parties of the second part shall have the opportunity of flooding their said lands it is agreed that should I. N. Robinson or John Vasquez and Josephine V. Jones desire to flood their respective parcels of land, the party so desiring to flood his said land shall give notice to the party of the first part in writing at least twenty days before the time that said party desires to flood his said land and in the event the said parties of the second part or any of them should give to the party of the first part notice in writing of their desire to flood said land, then after the expiration of said twenty days the party so giving said notice shall have the right to use the entire flow of said irrigation ditch for a period of not to exceed ten days, for the purpose of flooding said lands.

IN view of the fact that the parties hereto have not since the installation of said pump and said irrigation ditch attempted to irrigate said lands during the same season, it cannot now be forseen whether or not the flow from said pumps so installed will be sufficient to irrigate the lands of the respective parties at the same time and it is agreed between the parties hereto that in the event said flowage from said pumps and said ditch is not sufficient for all the parties to irrigate their said lands at the same time, then and in such event the parties of the second part or any of them, should they or any of them desire the exclusive use of said water for irrigating their said lands at any time, shall give to the party of the first part written notice at least ten days before the time they so desire to irrigate their said lands, and, at the expiration of said ten days, the party so giving said notice shall have the use of said water for the purpose of irrigating his said lands for a period not exceeding ten days.

It is the intention of this agreement that all of the parties hereto shall at all times co-operate with each and all of the other parties, in order that the lands of each of the parties to this agreement may be irrigated or flooded, as required, in a manner that will do no injustice and work no hardship to any of the parties hereto, and in the distribution of said water so used for irrigation or flooding, the parties hereto agree at all times to co-operate with each other, to the end that each and all of the parties hereto may receive as much benefit from said irrigation system as is possible.

It is further agreed between all of the parties hereto that said parties will establish such drainage system as may be necessary to drain said lands and that they will bear said expenses of constructing such drainage system in the following proportions: the party of the first part shall pay 600/858ths thereof; I. N. Robinson shall pay 108/858ths thereof; and John Vasquez and Josephine V. Jones shall pay 150/858ths thereof. It is further understood and agreed that as to the land owned by the party of the first part and known as Honker Lake and aggregating approximately 400 acres, it will be necessary for the party of the first part to establish some other system of draining said property and that the cost of installing drainage on said Honker Lake property shall be borne by the party of the first part solely.

The party of the first part further agrees that in the drainage of the lands of the parties hereto it may be necessary to drain a part or all of said irrigation waters through what is known as the Woods Irrigation District System and in such event the party of the first part will arrange so that the parties of the second part may so drain their lands through said Woods Irrigation District System; the parties of the second part agreeing to pay the proportionate cost that their lands may bear to the cost of drainage of the entire acreage of the Woods Irrigation System; that is to say, the cost of drainage as to the parties of the second part through the Woods Irrigation District System shall be the same amount per acre as that paid by owners of property for drainage in said Woods Irrigation District System.

It is agreed between the parties hereto that the drainage ditch and system shall be constructed so soon as is practicable in order that it may be completed not later than March 1,1926; and it is further agreed by all the parties that Charles Walsh shall act for all the parties hereto in directing the construction of said ditch.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

Alice M. Woods (SEAL)
John Vasquez (SEAL)
Josephine V. Jones (SEAL)
I. M. Robinson (SEAL)

STATE OF CALIFORNIA,)
) ss.
County of San Joaquin)

On this 1st day of February in the year one thousand nine hundred and thirty-four before me, Della Ilgenfritz, a Notary Public in and for the County of San Joaquin, State of California, residing therein, duly commissioned and sworn, personally appeared I. M. Robinson known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, in the County of San Joaquin the day and year in this certificate first above written.

(Notary Seal) Della Ilgenfritz Notary Public
in and for the County of San Joaquin, State of California.

1878 Recorded at Request of STOCKTON ABSTRACT & TITLE CO. FEB. 6, 1934 at 16 min. past 4 o'clock P. M., in Book of Official Records Vol. 414 page 435 San Joaquin County Records.
Fees: $3.60 John D. Finney, Recorder.
AJ

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, IN AND FOR THE COUNTY OF SAN JOAQUIN

In the matter of the estate of JNO. B. CORY, Deceased.	No. 11,223 Decree of final distribution.

Nellie B. Cory, the duly appointed, qualified and acting executrix of the last will and testament of Jno. B. Cory, deceased, having heretofore rendered, presented and filed herein her petition, therein praying for the final distribution of said estate; and

Said matter coming on regularly for hearing on this day, in open Superior Court, it having been first proven to the satisfaction of this court that the clerk of the court by virtue of the authority in him vested, appointed this day as the day for the hearing of said petition and gave due and legal notice of the time and place of hearing thereof, for the time, in the manner, and in all respects as required by law; and

The court having proceeded to the hearing of said petition and the proofs produced in support thereof, and it appearing to the satisfaction of the court that after the appointment and qualification of said executrix and the issuance to her of letters testamentary in the matter of said estate, she caused notice to the creditors of and all persons having claims against the