

RANCHO CANADA DE CAPAY: TO UNDERSTAND THE PIONEER SETTLEMENT OF THE AREA, IT IS IMPORTANT TO GO BACK TO THIS 1846 MEXICAN LAND GRANT

Once again, history is all about viewpoints. In the view of the settlers, this area was ripe for the plucking in the mid-1800s. To the Mexicans who still claimed this as part of Alta California, the land grants of many thousands of acres to single owners was a way to control it for Mexico. To the Wintun tribe, it was a place they called home for 8000 years and that was being invaded and taken from them.

Ada Merhoff tells it one way in her *Capay Valley, The Land & The People 1846-1900*; while Eftimeos Salonites tells a somewhat different tale in his *Berreyesa, The Rape of The Mexican Land Grant Rancho Canada de Capay*; and the Wintun tribe would have a very different tale of invaders and colonialists--raping the land in their own ways, destroying a culture in the process.

But the facts of the land grant and the US claim to California that followed shortly thereafter are pretty much the same: In 1846 Mexican governor Pio Pico of Alta California granted nine square leagues--over 40,000 square acres--to three Berryessa [today's accepted spelling] brothers, and included the whole Capay Valley, originally called Canyon of the

Rio de Jesus Maria and later Cache Creek Canyon. According to Mexican law, they presented their petition along with a "diseno," or detailed map of the entire area. "The Act of Jurisdictional Possession" was how Californians then established boundaries to their land.

According to Ada Merhoff's book, in 1847 the Berryessas sold 7.5 leagues to Jasper O'Farrell for \$3000. In 1849 the remaining 1.5 leagues of the original nine-league grant were "given" to Jacob Hoppe by separate agreement with the Berryessas. According to other sources, the Berryessa brothers were falsely jailed, at which time O'Farrell took the land, later paying to make it a "legal" transaction.

In 1846 the US Navy seized Mexican military outposts in California, declaring it American territory, leading to the July 1848 Treaty of Peace signed in Guadalupe Hidalgo, Mexico, where the US paid Mexico \$15 million for an area that contained Texas, New Mexico, and Alta California, comprised of California, Nevada, Arizona and parts of Colorado and Wyoming.

Title to all grants made prior to July 1846 were subject to US review. The Gwin Act of 1851 was an attempt to make Mexican land

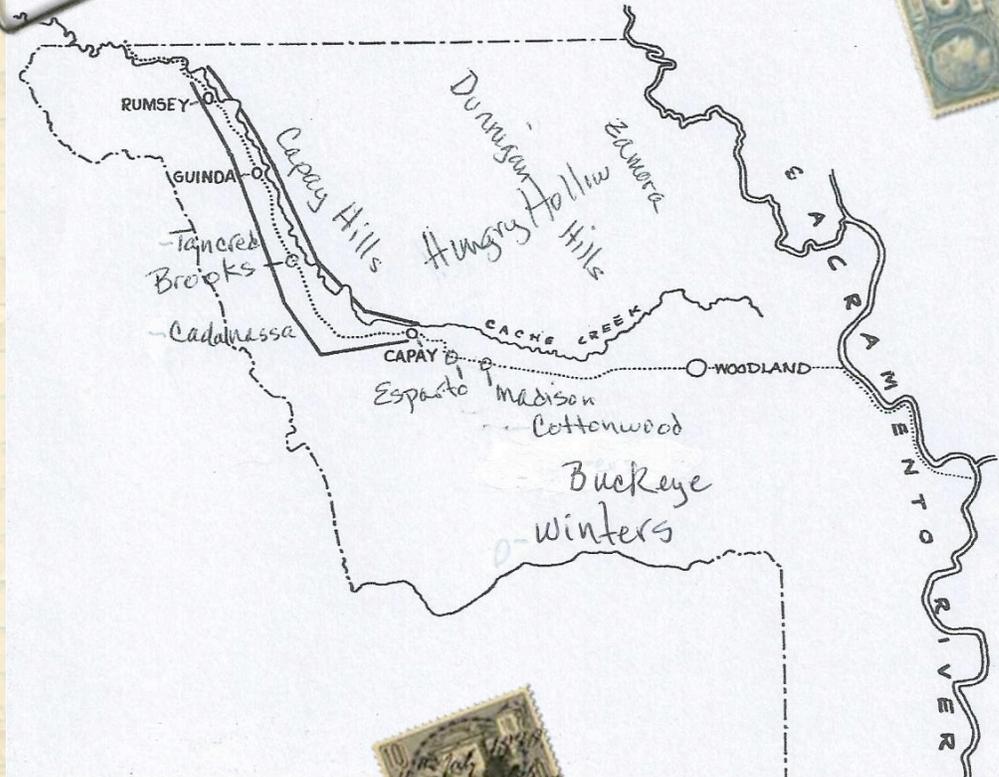
grants available to the public, ignoring a major provision of the Hidalgo Treaty. American settlers wanted access to these lands just as they had in other parts of the US--leading to many years of land and boundary disputes--which in some cases continue today as old early ranches are sold and title searches uncover controversy and even squatters' rights claims.

The subject is covered in much detail in many sources, including the two cited here, but the focus in these journal volumes will be on the early ranches and farms begun on these lands beginning in the late 1840s through today. Many of the earlier settlers' families still live and farm or ranch in the area, while others have sold to the original "settlers"--the tribal descendants--or to "newcomers" arriving in the last 50 years. The revitalization of this unique area is the work and cooperation among all these groups.

Future volumes will cover the current occupation and uses of the area and the efforts to keep it unique and special, while revitalizing it and changing with the times as needs be. While Eftimeos Salonites felt that the "true pioneers of the valley" were the "vaqueros and the Indians of the canada," his final claim on this subject would hold true for all the pioneers who have settled here since: "They all regarded and shared the valley with dignity. They might well have said, with understandable pride... 'This land is our land!'"

The Greater Capay Valley:

former Mexican land grants: *Gordon-Guesisosi* from Madison toward Woodland and the *Rancho Canada de Capay* from Madison to Rumsey; and the *Hungry Hollow* area north of Capay; *Winters*, *Madison* and *Esparto*, local towns feeding into the valley.



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CAPAY VALLEY

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Left: Not-so-typical snow dusting on the Hungry Hollow-Capay Hills, Jan. 1, 2011

Above: Typical Hungry Hollow sunset over the Capay Hills Dec. 2010

