

Currey found himself between squabblers

By Sabine Goerke-Shrode

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One of the prominent names among early Solano settlers is that of Judge John Currey. Currey brought his young family to Benicia in 1852, working as a lawyer on the disputes surrounding the Mexican land grants. After the Spanish missions had been dissolved in 1835, Mexican citizens received large land grants. The boundaries of these grants were loosely defined.

The gold rush brought thousands of Anglo-American settlers to the area, who established small holdings on the various land grants, quickly leading to bitter disputes over ownership rights.

Congress passed the California Land Act in 1851. A three-member Land Commission was appointed to decide on the validity of these land grants. Cases were lengthy and could drag through the courts for decades.

In 1907, Judge Currey, then 92 years old, wrote a recollection of parts of his life which was republished in the Dixon Tribune Centennial Edition of Oct. 10, 1968. "It was my good fortune to be employed by holders of Mexican land grants," he recollected, "in defense of whose right and title, I had a very successful career. I had many of these cases before Judge McKinstry (of Napa) ... "

The squatter situation escalated quickly, at times becoming dangerous.

"My experiences for the first five or six years of my residence in Solano County, engaged as I was in Squatter litigations, was stormy and in some degree dangerous," Currey remembered. "I was stoutly aggressive, but in all cases avoiding personal abuse of my adversaries, whether squatters themselves or their lawyers. In all this class of litigation, I was eminently successful in the District Court and also in the Supreme Court."

Squatters could be found on every land grant in Solano County.

"In Solano they ousted Captain A. A. Ritchie from the entire Suisun Ranch, a fertile valley of four Mexican leagues of land. They squatted extensively on the Ranch of Vaca and Pena. They squatted on the ranch of Wolfskill in the northern part of Solano, and on the Suscol Ranch claimed by General Vallejo, and portions of it claimed by his grantees. In all these cases I was concerned in the maintenance of Mexican titles, and

was successful.”

The squatters were particularly bitter against Capt. Ritchie, who was prosecuting his petition before the Land Commission for the confirmation of his title to the Suisun Rancho, which was among the first of the Mexican land cases, confirmed and patented.

Capt. Ritchie had purchased the Suisun Rancho, originally granted to Chief Solano, from Gen. Vallejo on Aug. 26, 1850, and sold one third of it to Captain Robert Waterman. One of the squatters on Ritchie's Suisun Rancho was William H. James, who told his story to William F. Fitch, a Civil Engineer and Surveyor appointed by the U.S. Surveyor General. Fitch came out to the Suisun Rancho in February 1856. His recollection gives an impression of the organized efforts undertaken by the squatters to secure a piece of land by any means, whether legal or not.

“I have been a squatter on Suisun Rancho since the year 1851,” said William James. “About four months ago I gave it up and purchased my present farm from Capt. A. A. Ritchie. I know J. H. McKune, the law agent of the United States, and recollect of his being here two or three years ago, - when he made a proposition to the settlers that on being paid \$8 by each to bear expenses and a note of hand from each occupant of one hundred and sixty acres of land, of two hundred dollars more ... he would engage to defeat Mr. Ritchie's claim ... (and) I thought he might be able to delay it for four or five years.”

A circular that Capt. Ritchie sent to squatters on his land in November 1852 provides another glimpse into this difficult and unlawful situation:

“The lands which you have taken possession of and have settled upon belong to me. I hereby warn you ... and (you) hereafter make yourself liable by continuing to occupy ... cultivate and improve said lands without my written sanction.”

The threats by the squatters escalated over time, as evidenced by a letter written by Ritchie on Jan. 12, 1852: “You are aware that these Suysun (sic) lands are very valuable from their ... situation on Suisun Bay & their extreme fertility, crops having been raised last season which gave equal to two hundred Dollars per acre the first year. You are also aware that the whole of this property of mine had been taken possession by ‘Squatters,’ to the number of more than 150 preemption claimants, that they have expelled me from it, by threats and a demonstration of loaded rifles! & have formed themselves into an association, professing (or at least some of them have done so to myself) a determination never to give up the lands in question, even if my Title is confirmed ... “

As Ritchie mentioned in his letter, the squatters on the Suisun Rancho became

aggressively organized, recalled Judge Currey in 1907:

“They had a ‘Settlers’ League’ headed by James Dorland, a retired preacher, who seemed to hate Ritchie intensely, and refused to purchase the quarter section on which he squatted, after Ritchie’s title had been confirmed and patented (on Jan. 17, 1857). He squatted Suisun...”

Squatters in turn could become victims of squatters themselves, as James Dorland’s story demonstrates. After Ritchie’s title was confirmed in 1857, Dorland and his son-in-law, Richard Cochrane moved on, purchasing 2,000 acres of unconfirmed ranch land farther north in Butte or Tehama County, where they in turn were constantly harassed by squatters.

“Finally the title to the ranch was rejected, and thereupon these prowling squatters entered within his enclosures and as pre-emption settlers occupied all the two thousand acres, except two quarter sections, which they left to Dorland and Cochrane,” continued Judge Currey’s story.

“This account of his misfortunes he told me in person at a casual meeting on a passage by steamer running between Sacramento and San Francisco. He was extremely bitter in his denunciation of the squatters, seeming to have forgotten the Suisun squatter war against Captain Ritchie whose right and title was good and valid. After this Dorland kept up his fight of resistance to the settlers who had invaded his domain as he esteemed it to be, and finally in a struggle with one of them, received a shot which blew his head off, as I was informed, for which his slayer was sent to State prison.”

Judge Currey did not have any kind words for these newly arrived Anglo-American squatters, who tried to shape the new State of California according to their own wishes, while disregarding any claims of the California settlers.

“The squatters of the State constituted a formidable portion of the citizens of the State,” he wrote, “whose power as electors won over to their side of the controversy with the owners of Mexican land grants, many ambitious politicians of low civic morality. They elected their candidates to the Legislature, and thus secured passage of laws supposed to be for their benefit and advantage, but which in the end proved to be of no advantage or benefit to them. Our Supreme Court during this period of Squatter domination, by their decisions, maintained the law, and thus secured to owners of Spanish land titles, their lands.”

I will continue the story of Judge John Currey in my next column.

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