

8. B. De La Barra, (1-12) deed to J. K. Irving, J. M. Goggin and William Claude Jones; William Claude Jones to Eugene Casserly; J. M. Goggin and Eugene Casserly to J. K. Irving, Hayes, Caperton, and heirs of Cost, deceased.

9. J. K. Irving, party of the first; John C. Hayes and John Caperton, parties of the second part; Anna R. Poole, Catherine S. Lyons and her husband, Joseph Lyons; Serena S. Young, and her husband, Alexander H. Young (heirs of Cost, deceased), "by William Poole, their attorney," execute a partition deed, duly proven, certified to, and recorded in Alameda County.

10. Power of attorney from Anna R. Poole *et al.*, heirs of Cost, to Wm. J. Poole, June 14, 1853.

11. Power of attorney to Montgomery Blair, from same parties (except Serena S. Young, who was deceased, and left minor heirs, for whom Alexander H. Young signed as guardian), February 2, 1854.

12. Proceedings in Probate Court in the same year, by which interest the minor heirs of Serena S. Young became vested in Alex. H. Young.

13. Another partition deed to correct errors in description of lands not blocked off in former deed, reciting and approving the former; the same in all other respects, between the same parties (except in place of Serena S. Young, deceased, was Alexander H. Young, "by M. Blair, their attorney in fact"). Dated May 1, 1854.

14. Deed from Anna R. Poole to John C. Hayes, ratifying and confirming the former deed of partition, and confirming the acts of Blair and Black as agents, September 1, 1858.

15. Similar deed to Hayes *et al.*, from Jos. Lyons and wife, November 10, 1858.

16. Similar deed to Hayes *et al.*, from Alex. H. Young, March 27, 1860.

Subsequent to the chain of conveyances traced, the title is vested in numerous owners, there being no other general claims. All the technicalities and defects which ingenuity can discover have been brought to notice. The numerous adverse titles had for years hung over property-holders like an incubus, and in the early part of the year 1869 the people began an organized movement to defeat them. The position of affairs was somewhat critical. The city was rapidly growing, and to allow the idea to go abroad that titles were insecure would check the progress of the city and cause incalculable mischief. Sound business policy overcame the desire to make a bitter fight, however, and the holders of the claims were induced to dispose of them at rates that were trivial. The specific claims were the Pretermitted Heirs' Title, the Sisters' Title, the Irving Title, and the Cost Title, and these comprised all general titles asserted by anybody to land within the City of Oakland. These titles were, by their several owners, conveyed to Henry Hillebrand, the City Clerk, who acted as a Trustee, and by him conveyance was made to the several property holders. Nearly all the land in the city is now held by a perfect title, the Hillebrand deed removing all the clouds. These titles, except the Cost Title, still cloud property outside of the old charter line. The principal ones, the Sisters and the Pretermitted Heirs', are virtually defeated, and the property-holders, to save trouble and annoyance, have quite generally purchased the other claims.

The Kate Hayes Title covers that portion of Oakland township outside of the Encinal Line, as laid down on our map. The Supreme Court of the State has sustained a decision rendered by E. W. McKinstry, Judge of the Twelfth District Court, granting a new trial on the motion made by the defendants (the property holders). That decision was fatal to the claim, which, in itself, was but for a trifling interest. A new trial has not yet been had, and the result is regarded as a foregone conclusion, the law of the case having been decided beyond appeal.

TUBBS' HOTEL, East Oakland. Apartments single or en suite.