"TUOLUMNE-ALPINE BOUNDARY DISPUTE"

Annual Brunch Meeting Tuolumne County Historical Society

> Twain Harte Lodge Oct. 26, 1975

> > Tuol Co Hist Soc RH 63 T926 T92
> > TUBLUMNE-ALPINE BOUNDARY DISPUTE.
> > Photos & Maps available on request.

TUOLUMNE COUNTY HISTORICAL SOCIETY'S

ANNUAL BRUNCH MEETING

Program:

"Tuolumne-Alpine Boundary Dispute"

Twain Harte Lodge October 26, 1975 TAPE 1, Side A

Topics Introduced

Society Business, President Dick Dyer
Introduction of Carlo DeFerrari by Pres. Dyer
Introduction of panelists by Mr. DeFerrari
Judge Ross A. Carkeet

Survey of disputed area (maps used) 860 Formation of Alpine County (1854 Statute cited) The Issue: Location of the "Sonora Trail" Census Bureau's map of HWY 108 area considered incorrect by Tuolumne Co. Bill Speer donated his time to research the history of the Sonora Trail 1952 public hearings Mr. Carkeet appointed special counsel to help Bill Speer Speer's theory regarding the location of the Sonora Trail in 1860-64 State Statutes regarding "mutual recognition of boundaries" Presentation of evidence at MarkLeville and Sonora

Floyd Stirewalt and Jim Rannie

35 mm slide presentation of the Emigrant Basin and trail and the Stanislaus Basin and trail

Side B

Judge Carkeet

Tuolumne County lobbying in Sacramento Jim Rannie assigned by Supervisors to help Bill Speer Bill Speer died, 1953 Mr. Rannie's Tax Assessment map (the area identified on map by Mr. Rannie)

Historical Society's Annual Brunch (Oct. 26, 1975)

Page 2

TAPE 1, Side B (Cont'd)

Topics Introduced

Judge Carkeet

Official transactions, early 1953
Superior Court hearing, Modesto, 1954
Favorable decision for Tuolumne County,
June, 1954; appealed, August, 1955
(Mr. Carkeet was elected judge, and
withdrew from the case)

James Hardin

Mr. Hardin was appointed by Supervisors to replace Judge Carkeet March, 1957, the appeal was denied by the Supreme Court April, 1958, Alpine County successfully appealed to the state Supreme Court; trial held in Modesto, Sept. - Oct., 1960 Description of the 1864 boundary survey (read) Courtroom proceedings attempted to identify the data used by the 1864 legislature in establishing Alpine's boundary Authenticating the evidence "Wild witness" (researcher) representing Alpine County Samples from testimonies presented in court Dec. 21, 1961, ruling was in favor of Tuolumne County; final judgment, March, 1963

Carlo DeFerrari's reminiscences

TAPE 2, Side A

(Ba**tter**ies failing) Questions and answers

Concluding remarks, Pres. Dyer

Tuolumne - Alpine Boundary Dispute to be Retold

cussion at the annual brunch Alpine County's border. Tuolumne County.

moderator as well as discuss his role as a researcher in the case. He joined the research team in 1957 upon the death

of William Speer.

- Participating with DeFerrari will be Ross Carkeet who as a private attorney, represented the county in the long legal proceedings until he was elected superior court judge; James Hardin who took Carkeet's place and eventually represented the county in the Stanislaus superior court proceedings: Floyd Stirewalt, county surveyor during the dispute and Jim Rannie who, with Stirewalt, researched maps and files relating to the boundary dispute. They will have maps and photographs to display.

The dispute began on Oct 17, 1949, when the Alpine County Board of Supervisors met with the Tuolumne County Board to discuss the border, according to an account in De-Ferarri's "The Genesis of Tuolumne County," a special

society publication.

The Alpine supervisors were convinced that the legislature had erred in establishing their county's sou-

battle to retain 110,000 acres county was created in 1864. Legislature had meant a route claimed by Alpine County 26. They believed the line should farther south, the article years ago will be retold at an be further south to encom- also states. Oct. 26th brunch planned by pass a 110,000 - acre area. Considerable litigation fol-

at the Twain Harte Lodge. routes known as the Sonora Mellis ruled in favor of Al-Reservations at \$3 perper- Trail and Tuolumne County pine County, Tuolumne County son including tax and tip should "naturally accepted the nor- would have lost five percent be made in advance with Vio- thern - most route along the of its area and considerable let Ellinwood (984 - 5351). Clark's fork as did most map revenue generated by utility Carlo DeFerrari, county makers who generally dehistorian, will serve as panel picted the boundary line as following the stream itself," according to the Genesis article.

"Alpine County, however,

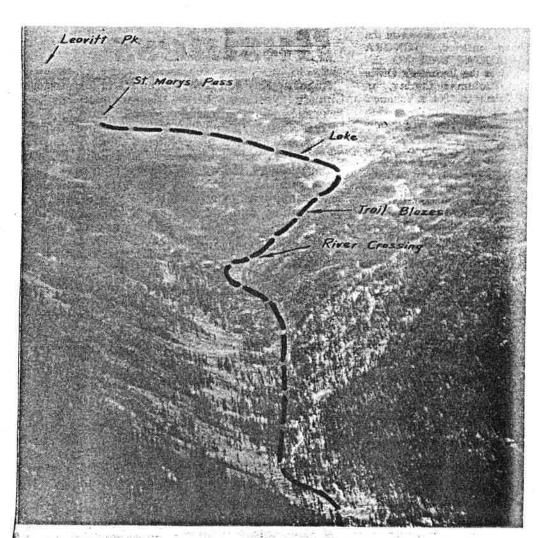
Tuolumne County's legal thern boundary when Alpine preferred to believe that the

the Tuolumne County His- belonging to Tuolumne County, lowed the Alpine supertorical Society. The basis of their claim visor's visit to Sonora. The Five local experts who was an interpretation of the outcome, a decision rendered played key roles in the location of the Sonora Trail, on May 11, 1961, after a five county's courtroom victory an old emigrant route, desi- week trial in Stanislaus supwill take part in a panel dis- gnated by the Legislature as erior court, was favorable to

which will begin at 10 a.m. There were actually three Had Superior Judge George and government holdings there.

DeFerrari has estimated the dollar loss ar \$250,000 annually.

Historians to Retrace Alpine Boundary Case



DISPUTED BOUNDARY—The dotted line in this aerial photograph shows the Sonora trail which was proved to be the correct boundary line

between Tuolumne and Alpine counties.
The view is east up the Clark fork of the Stanislaus river. Tuolumne county lies to the right of the line, Alpine to the left.
—Courtesy Floyd Stirewalt

3—Daily Union Democrat, Sonora, Tuesday, Oct. 14, 1975 battle to retain 110,000 acres claimed by Alpine county 26 years ago will be retold at a brunch planned

Tuolumne county's legal by the Tuolumne County discuss the border,

Historical society on according to an account in Sunday, Oct. 26.

Five local experts who of Tuolumne County," a played key roles in the special society county's courtroom victory will take part in a panel discussion. The Alpine supervisors panel discussion. The annual brunch will begin at 10 am at the Twain establishing their county's at 10 a.m. at the Twain establishing their county's

historian; will serve as sing to Tuolumne county.

Participating with county's border. DeFerrari will be Ross attorney, represented the Stirewalt, county surveyor Genesis article. during the dispute, and "Alpine county, They will have maps and states. photographs to display. Considerable litigation

favor of Alpine county, utility and government Tuolumne county would holdings there.

Harte lodge. southern boundary when Reservations at \$3 per Alpine county was created person may be made in in 1864. They believed the advance with Violet line should be further Ellinwood (984-5351). south to rencompass an Carlo DeFerrari, county 110,000 acre area belong-

panel moderator and also The basis of their claim discuss his role in the was an interpretation of case. He joined the the location of the Sonora research team in 1957 trail, an old emigrant upon the death of William route, designated by the Speer, a researcher. Legislature as Alpine

There were actually Carkett who, as a private three routes known as the Sonora trail and Tuolumne county in the long legal county "naturally ac-proceedings until he was cepted the northern-most elected superior court route along the Clark's judge; James Hardin who fork as did most map took Carkeet's place and makers who generally deeventually represented picted the boundary line the county in Stanislaus as following the stream superior court; Floyd itself," according to the

Jim Rannie who, with however, preferred to Stirewalt, researched believe that the Legismaps and files relating to lature had meant a route the boundary dispute. farther south," the article

The dispute began on followed withe Alpine Oct. 17, 1949, when the supervisors visit to Alpine county board of Sonora. The outcome, a supervisors met with the decision made on May 11, Tuolumne county board to 1961, after a five-week

have lost 5 percent of its DeFerrari has area and considerable estimated the loss at

trial in Stanislaus superior court, was favorable to Tuolumne county...

Had Superior Judge George Mellis ruled in revenue generated by \$250,000 annually.