

to go into the county courts as soon as the county judges were elected and qualified, instead of going to the prefects for final determination; and all the records of deeds and mortgages, etc., which had been kept by the alcaldes, were turned over to the county clerks and recorders. An Act was passed April 11th, 1850, providing for the organization of courts of sessions. These courts consisted of the county judge and two associate justices chosen by the justices of the county from their own number. This court had jurisdiction throughout the county of all cases of assault, battery, breach of the peace, riot affray, petit larceny, and all cases of misdemeanor punishable by fine not exceeding five hundred dollars, or imprisonment not exceeding three months, or both. It was given jurisdiction also of such matters as are now controlled by the board of supervisors. Much difficulty and litigation arose in most of the counties out of the exercise by the court of sessions of jurisdiction over such matters, until March 20th, 1855, when a bill was passed providing for the establishment of boards of supervisors in all counties not then having such tribunals, and conferring upon said boards jurisdiction in all cases of civil matters which had been exercised by the courts of sessions, and leaving the latter courts of criminal jurisdiction only.

THE COURTS OF SAN JOAQUIN COUNTY—COURTS OF FIRST AND SECOND INSTANCE—UNCERTAINTY OF JURISDICTION—EARLY RECORDS.

The earliest records of the Courts of San Joaquin county, which we have been able to find, date back to October 8th, 1849, on which date there was entered in a book kept by the clerk of the court of first instance a very brief *history* of the case of *Belisari Martinez vs. Dr. Jelley*, brought from the court of second alcalde on appeal. We find from this earliest record, that at that time Hon. Geo. Belt was judge of the "Court of First Instance, District of San Joaquin, Alta California;" J. G. Marshall, Sheriff; S. Haley, Clerk; and T. C. Van Buren, District Attorney. The extent of the equity jurisdiction of this court is well illustrated in the following novel proceedings had in the above entitled case, as shown by the minutes of the clerk:

"October 8th, 1849. Be it ordered and decreed that the plaintiff, Martinez, shall deliver or cause to be delivered to defendant, Dr. Jelly, the goods in question where agreed upon in the mines; and also account for all sales of mdse. there, the defendant to pay over to plaintiff