

Levey

To the Honorable

The District Court of the United States for the western
District of Texas. —

In pursuance of an order made at the January Term (A.D. 1860) of said Court directing the Surveyor of Falls County John H. Pierson and the undersigned Surveyor of Mc Lannan County to survey and define the anterior boundary of the Geo. W. Morgan League of land situated in Falls County on the East side of the Brazos River.

The following is Respectfully submitted by the undersigned as a Report of the result of surveys & examinations carefully made in obedience to said Order to wit, Upon due notice given to the parties interested in said surveys they met and by an agreement indorsed upon the said Order waived a special survey of the said Morgan League, agreeing, that the order of survey might be executed by ascertaining if there be any conflict & if any how much between the Gregoria Bosques Eleven League Grant & the Geo. W. Morgan League grant - admitting that the George W. Morgan League is as set forth in the field notes & represented on the maps now in use in the Genl. Land Office. After a survey of the Marcelino Martinez League and establishing the same beyond any reasonable doubt - by running the lines above or the upper and the lower boundary of the said League, the former falling short of calls 2 v^s and the latter 145 v^s - the lines were found to be well defined and marked, except that portion lying between S.W. cor & where said line crosses the river, or not found to have cut enough, with what appeared to be a heavy back knife or some other wide bitted instrument. It was ascertained by boxing out one of the hacks on the south boundary line that the age corresponded with the date of the Survey as reported in W. Moores work to wit, 27 years - The back line of this League was not found to be marked which being run N. 28 W at 2222 v^s intersected the upper or North line 562 v^s S 62 W of cor as shown by W^m Pierson - the stumps of bearing trees an Elm & Mesquite answering in size course & distance

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for S.E. corner. - at the N.W. corner a cottonwood some 24 in dia brs S 83 E
 5.6 v. from Stake a Willow 11 in dia is found N. 45 W. 3.6 v. - the Willow
 is down & partially decayed a depression in the ground remains very
 distinct where it stood - The S.E. corner has both bearing trees stand-
 ing to wit 2 post oak trees 12 + 15 in - now 15 + 20 in - the former bears
 N. 8 1/2 E 578 v. & the latter brs N. 15 E 66 v. from a stake at corner The
 lower line crosses a creek at 10,310 v. running out N. 62 E from S.W.
 cor on the River in Bear Bend agreeably to the calls in the upper line
 of the Bosques 7 League Survey. said Creek is crossed at 10,400 v.
 & having a discrepancy of 90 v. The River has washed in the East bank
 at S.W. cor from 50 to 100 v. which will account for the discrepancy - this
 survey appearing to the undersigned as well established. the investigation
 of the Bosques 7 League Survey was continued upon its North boundary
 line from the S.E. cor of the Martinez which was made upon the
 said north line - at 15,108 v. from N.W. cor. or S.W. cor of Martinez crosses
 another creek - which as per calls in Bosques upper line was
 crossed at 15,190 v. showing a discrepancy between calls and our mea-
 sure to be only 82 v. - which will in part be accounted for by the washing
 in of the East Bank of the River. This line is found to be plainly marked
 2600 v. N. 62 E from S.E. cor of Martinez or 15,073 v. from the River at which
 distance enter a prairie of several thousand v. before striking timber on
 the course - from a point 18,018 v. N. 62 E from River on said line another
 line was run S 28 E & at 13,509 v. intersected the upper line of the S.
 S. Chambers 8 League Survey as made by W. Moore - the width as per
 calls in Moores notes embracing the Manchaca 4 & the Bosques 7
 Leagues survey should be 13,750 v. showing a deficit by our measure
 of 241 v. The Chambers said upper line was run into the river
 at S 62 W & found to be well marked & corresponding in character & age
 of marks with the lines hitherto tested - the upper line of the Chambers
 being the lower line of the Manchaca 4 League Survey. and assuming that
 the lower line of the Martinez is the upper line of the Bosques 7 League
 survey it will be seen that the relative position of said lines will
 agree with their leaving of & closing on the River as laid down from

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Moore's Meanders showing a discrepancy of less than 100 v^s - and allowing a line to run down from a point on the River 5000 v^s on a right line above the Chambers upper or Manchaca lower line - It will be found that the legs of the Manchaca will fit on the River within less than 200 v^s and that those of the Bosques will be found to agree with calls within 400 v^s and by inspection upon the accompanying Maps carefully made out - from work done upon the Ground and from the Field notes of Surveys & Meanders of the River - it will be seen from the dotted lines dividing the River on its Meanders - which line in each survey represented on said map or diagram is 20,000 v^s from the back lines of each survey respectively - being the lengths required in all 11 League Surveys when there is no departure from right lines at the end Leagues require only 10,000 v^s under like circumstances - that the land taken in & thrown out very nearly balances in every survey as made by Moore showing that the proper Area in each survey can be had only upon like Meanders or general bearing of the River on their respective fronts - from the almost perfect - balancing of the Meanders as above shown & the particularity Manifest in the surveys as made by Moore - The undersigned is led fully to believe that the surveyor made an exact estimate of land comprised within the Meanders & a right line measuring the width of the survey by latitude & departure and computed the lengths of lines necessary to make the surveys to contain the exact area by computation - upon no other hypothesis can the Significance of fractions of varas as reported on several of the lines be allowed

It will, necessary here to state that no bearing trees have been discovered as mentioned in the notes for N. W. cor of Chambers & League & S. W. of Manchaca & League nor of the Bosques & League Surveys - nor has there been a marked line discovered as dividing the Manchaca & Bosques Surveys - but from the remarkable agreement & harmony found exist between the several Surveys - and their almost perfect agreement with the River as laid down from Moore's notes, the undersigned is of opinion that the Surveys as represented on the accompanying plot including all above the Chambers have their relative and respective positions correctly as -

signed them.—

But upon the representation of Mr. Pierson that discoveries had been made that the Manchaca 4th & the Bosques 7 Leagues Survey had a different location to that as recognized upon the Maps in use in the Land Office.— The undersigned accompanied by Mr. Pierson— proceeded to examine said reputed discoveries— From a point on the East bank of the Brazos 1260 v^s in a right line above the lower or South boundary line of the said Chambers 8 League Survey— a line was found running out from the River bearing N. 62 E. plainly & well marked of age & character of marks similar to those of the 11 League Survey. crossed what is known as old River Slough or break at 550 v^s— at 9290 v^s crossed a creek called Sandy-bro- S 27 E— at 9550 v^s a corner. an Elm & Hackberry the former about 18 in dia & bro S 38 E. 7 v^s— the latter 10 in dia bro S 75 W. 1 3/4 v^s from this point a line sets off S 28 E. an Elm marked— a Hackberry & another Elm marked on line some 30 v^s distant continued the course S 28 E. some 200 v^s & entered a wood prairie— found no additional marks— He continued the line N. 62 E from said cor— and in running some 700 v^s thro' timber— no further marks being discovered it was deemed unnecessary to pursue the course any further. Mr. Pierson stating that he had continued the course as far as timber extended without finding any additional marks— a line was run S 28 E. ~~4606~~ 4606 v^s from said line to a point near the River where a Hackberry tree some 20 in dia hacked as a line tree & of age & character of hacks corresponding apparently with the lines above tested this was claimed by Mr. Pierson to be the lower line of the Manchaca 4 League Survey Run thence N. 62 E. & at 7400 v^s finding no further or additional marks— suspended work but upon information that a line was known to be in the vicinity which might be found to be a continuation of said line— an examination of said reported line was made— which resulted in finding two trees 177 v^s south or below the point at which we suspended work— the one tree a box Elder some 20 in dia prood

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to be marked only some 8 or 9 years - ago - the other an ash was marked with hatchd + of age corresponding with the surveys made by Moore - 27 years - Moved down to line tree + continued the course N 62 E. + at 7550 vs. crossed Isaac or Big Creek - at 9760 vs passing thro' timber to edge of the prairie 175 vs. below the Reputed upper Reserve line which is well marked + with hachs similar to those already described - but frequently with 4 instead of 3 hachs with blazes on fore + aft trees the line brs N. 71 E. from the point of beginning on the River - there found no additional Marks on the line claimed by Pierson as the lower boundary of the Manchaca - the upper line of which as claimed by him is that above described as terminating at 9550 vs. at a corner - the upper line of the Basquez as claimed by Pierson is the upper line of the Chambers & League Survey - or the upper line of the la Sorda - giving a breadth of Territory for the Basques + Manchaca together of 12,700 vs. being 1050 vs short of the breadth as per calls - while the Territory comprised between the upper line of the Chambers & lower line of the Martinez falls short but 241 vs. allowing the Manchaca 4 + the Basques 7 Leagues their respective widths 5000 + 8750 vs. respectively 7 Leagues ~~their respective widths~~

Thus closes the investigation of the survey. a Diagram of which marked A. is herewith presented. the dotted lines across the tracts, at 20,000 vs from the back lines as per calls will show on the Manchaca as claimed by Pierson to fall short of the area of 4 Leagues by at least 600 acres + that the lower or closing line of the same will cross over the River over 1300 vs and its width being only 4,606 vs. the actual deficit cannot be less than 1000 acres - and as regards the 7 League Survey as claimed by Pierson as the Basques it will be seen from inspection on said Map or Diagram marked A. that the south or closing line will pass over on the west side of the River 2700 vs. - More than One & half Miles

It is proper to remark that the River as laid down upon the

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accompanying plot or Diagram was made from notes said to have the work of W Moore at the time or about the time the Surveys were made by him - The position of Old River & Cottonwood Slough is believed to be correctly represented from Meanders of the same taken by Mr. Pierson From the surveys actually made and comparing the same with the surveys as recognized upon the Maps now in use in the Genl Land Office or more correctly, as laid down on the accompanying Diagram with its Meanders of the River - The undersigned feels well convinced and assured that the Basques' League Survey is properly represented on said Diagram or Map and upon the Maps now in use in the Genl Land Office and therefore - a Conflict with the Basques' League & George W Morgan League must necessarily exist to the extent of said Morgan League.

All of which is respectfully submitted

(Sig.) S. M. Jenkins
 Surveyor for McLennan County

June 3rd 1860

File # ~~H~~ #10

Falls County.

Copy of Decree of Court
filed in the Office by Judge
Perry. June 3^d 68

C. W. Puffer.

Geo W. Morgan Leagan