

No 43

Travis County Sketchs.

- Copy Judgment -

"Condemnation"

Government Tract of the
City of Austin.Received in the General Land
Office - 3/21/31 - J.H. Walker, Commr.

By S.C. Clark.

Clark.

Compliments from Senator R.E.
Coker, Austin, Texas.see acts of Congress of Rep of Tex.
1-14-1839
12-27-1839
1-5-1840

1. Application to Surveyor
2. Field Notes
3. Application to Purchase
4. Sketch

CONTENTS

counter 38359

~~SCHOOL LAND~~

County

Acres

Survey No.

Block No.

Surveyed for

AGT APRIL 15, 1906

File

71
Dates of Locality
Surveys, returns

&
Condemnation
by Court

Law to pay the
locators & rates

but to the
amounts the city & the
the locators

Map of city
with purchase

No. 12 ✓

N^o. 43.

TRAVIS County Sketches

- Copy Judgment -

"Condemnation -"

Government Tract
of the City of Austin -

Received in the
General Land Office -

3/21/31 - J. H. Walker,
Comr.

W. S. Clark,
Clerk

Compliment from Senator
R. E. Coper, Austin, Texas -

counter 38361

- 3

Robert J. G. + 1/11

List of surveys in conflict with the Thomas J. Chambers Grant,
with date of return of field notes &c.

Names.	Quantity.	Date of field notes.	Filed at this Office.
Logan Vandever.	1/3 League	April 24, 1838.
Aaron Burleson.	4,166,666 sq. vrs.	Feb. 25, 1838.	<i>no record of return of field notes to Gen. Land Office</i>
G.D. Hancock.	4,166,666 ,, ,,	April 16, 1841.
Samuel Goucher.	8,333,333 ,, ,,	March 2, 1853.	<i>no record of return of field notes to Gen. Land Office</i>
Jacob M. Harrell.	1 labor.	May 7, 1838.
Josiah G. Durn.	1 labor.	April 3, 1840.	March 11, 1845.
James Rogers.	7,459,517 sq. vrs.	April 24, 1858.

As shown by certificate of Jacob Kuechler, Commissioner of the General Land Office, the original certificate being on file among the archives of Department of State.

"G."

E

General Land Office, Austin, Texas.

I, Jacob Kuechler, Commissioner of the General Land Office, do hereby certify that the Government tract of the city of Austin includes the following surveys, as shown by the records of this office:

1476 acres on George J. Neil's headright, patented 1846.

not in conflict

1476 acres on Logan Vandever's headright, patented 1846.

738 acres on Aaron Burleson's headright, 1841.

738 acres on G.D. Hancock's headright, ~~not patented~~

1476 acres on Samuel Goucher's headright, patented 1841.

177 acres on Jacob M. Harrell's headright, patented 1841.

177 acres on Josiah G. Dunn's headright, not patented.

1321 acres on James Rogers' headright, patented 1846.

1599

In testimony whereof I hereunto set my hand and have the seal of this office affixed this thirty-first day of May, A.D. 1870.

Jacob Kuechler.

Commissioner.

not in conflict

170
35
H

2579
1076
1503

Exhibit E

U³

0.5



Map of land parcels

L 5

Special term of Court held at the court house in the town of Bastrop on the third day of April, 1839.

Present, L. C. Cunningham C.J.C.B. S.R. Miller Clk. A. Mays
Coroner Exofficio Sheriff.

In conformity with the provisions of the 4th. section of an act entitled and Act for the permanent Location of the Seat of Government, the Commissioners, to wit: Albert C. Horton, William Menefee, Lewis B. Cooke, Isaac W. Barton, Isaac Campbell did on the 23rd. day of March 1839, present their petition setting forth the following, to-wit: that they have selected five thirds of leagues of land, situated, lying and being in the county of Bastrop and Republic of Texas, on the east bank of the Colorado river on a point of which stands the town of Waterloo and the remainder of which are near or adjoining the said town and known as thirds, 1 one, 2 two, 3 three, 4 four and ~~fractional~~ ^{fractional third} number..... and the said labors known as numbers five 5 and number Said Commissioners further represent, that third of a league no 1 one is the property of George Neil, residing in Washington county in said Republic. Number two 2 is the property of Logan Van Daveser, number 3 three is the property of Aaron Burleson and George D. Hancock; number 4 four is the property of Edward Burleson and Joseph Porter Brown, and the said fractional third is the property of James Rogers, all the last named persons residing in the county of Bastrop; and of the labors aforesaid number 5 five the property of Jacob Harrell, and number west of Waterloo and adjoining thereto is the property of Edward Burleson both of the county last aforesaid.

And that the above named individuals have had lands surveyed and claim the same as their property; and that likewise that James

F. Perry executor of the last will and testament of Stephen F. Austin deceased claims all of said land as the property of the succession of said Stephen F. Austin deceased, wherefore the proper writ was issued and delivered to the sheriff requiring ^{him to cite} the ~~xxx~~ said defendants to appear at the court house in the town of Bastrop by ten o'clock on the third day of April 1839, in accordance with the above recited act, and also directions to said sheriff requiring him to summons six disinterested citizens of the county of Bastrop to appear in like manner at the court house in the town of Bastrop on said first day of April 1839, April 3rd.

1839, this day the sheriff made return ^{of said} writ ^{executed} ~~executed~~, likewise returned the names of the following individuals, to-wit:

Bartlett Sims, B.M. Clopton, John Brown, James Standiferd, Jephtha Boyce, James Lynn who he had summoned as jurors. Whereupon the following defendants appeared in their own proper persons, to-wit:

George Neill, Logan Van Daeer, Aaron Burleson, George D. Hancock, and Joseph Porter Brown; and Edward Burleson Jacob Harrell & James F. Perry being solemnly called came not, but made default, whereupon the court appointed William Pinckney Hill curator for all said absent defendants. Said jurors being sworn according to law and after hearing the ~~testimony~~ ^{evidence} in the case retired for deliberation and returned the following verdict, to-wit:

Republic of Texas.)
)
 County of Bastrop.)

We Bartlett Sims, B. M. Clopton, John Brown, Jephtha Boyce, James Standiferd and James Lynn being duly summoned and sworn as jurors to fix the value of five thirds of leagues of land lying on the east bank of the Colorado river, on a part of which stands the town of Waterloo and claimed by individuals hereinafter named have agreed on the following prices viz.: One third No. one claimed by George Neill at \$3,50 three dollars and fifty cents per

acre, one third No. 2 two claimed by Logan Van Daveer at \$3,50 three dollars and fifty cents per acre, one third No. 3 three claimed by Aaron Burleson and George D. Hancock at \$3,50 three dollars and fifty cents per acre, No. 4 four claimed by Edward Burleson and J. Porter Brown at \$3,00 three dollars per acre and No. 5 five claimed by James Rogers at \$3,00 three dollars per acre, and labor No. 5 five claimed by Jacob Harrell at \$3,00 ~~three dollars per acre~~ and No. claimed by Edward Burleson at \$3,00 three dollars per acre, without including any improvements which may be on any of the aforesaid tracts of land, all of, all of which is respectfully submitted.

Given under our hands at the town of Bastrop this 3rd. day of April A. A. 1839.

Bartlett Sims.
B. M. Clopton.
John Brown.
James Standiford.
Jephtha Boyce.
James Linn.

Whereupon it was ordered and adjudged and decreed by the court that the sheriff of the county of Bastrop be required to proceed forthwith and make to the Republic of Texas a deed of said land pursuant to the provisions of the 5 fifth section of the before-recited act.

L. C. Cunningham

Chief Justice, C. B.

The State of Texas.)
))
County of Bastrop.) I, W. E. Jenkins clerk of the county court
of Bastrop county, Texas do hereby certify that the above and foregoing transcript of four pages inclusive is a true and correct copy of the proceedings in the above named cause together with the verdict of the jury and the decree of the court as the same appears in Book (not numbered) pages 51, 52 & 53 county court minutes Bastrop county, Texas.

"P" "G. H. P."

AN ACT

For the relief of certain persons therein named.

Sec. 1. Be it enacted by the Senate and House of Representatives of the Republic of Texas in Congress assembled, That the Treasurer of the Republic of Texas be authorized and required to pay to Logan Van Daveer and Lewis Goodwin, one half to each, the sum of five thousand ~~two~~ hundred and sixty-six dollars for one third of a league of land, to George Neil the sum of five thousand one hundred and sixty-six dollars for one third of a league of land, to James Rogers the sum of three thousand nine hundred and sixty-seven dollars for seven labors and four hundred and fifty-nine thousand five hundred and seventeen varas of land, to Edward Burleson the sum of four thousand nine hundred and fifty-seven dollars for one third of a league and one labor of land, the said lands being selected for public purposes, by the Commissioners appointed to locate the seat of Government.

Sec. 2. Be it further enacted, That the Treasurer, before paying to any of the said individuals, the sum of money above authorized to be paid to them respectively, shall take from the person receiving the money, a bond payable to the President of the Republic of Texas, conditioned for the repayment or refunding the said sum in the kind of funds in which the same may be paid, in the event that the claim of any other person or persons to said lands be established, or that the claim of the above named individuals, to the lands claimed by them, be pronounced invalid by any competent tribunal, provided that no individual shall be received as security on more than two of the bonds contemplated by this act.

Sec. 3. Be it further enacted, That the Secretary of the Treasury be and he is hereby required to pay to George D. Hancock and Aaron Burleson four thousand two hundred and eighty dollars, one

half to be paid to each, for one third of a league of land, and also to Jacob Harrell five hundred and thirty dollars for a labor of land, upon the same terms and conditions as above; and upon the said individuals or their agent procuring ^{the certificate} the certificate of the Commissioner of the General Land Office, that the survey for the third of a league and labor, condemned by the Commissioners to select the site for the seat of Government, has been made out and returned in his office in accordance with law.

Sec. 4. Be it further enacted, That the Secretary of the Treasury shall have power and authority to call upon the persons above named at any time he may deem expedient, or necessary, to renew their bonds or security, and should such persons fail or refuse to renew their security when so called on within ten days after such call, to the satisfaction of the Secretary of the Treasury, it is hereby made his duty to commence suit against such person or persons so refusing upon their bonds for the recovery of the amount which has been paid them, together with the costs of suit.

Approved February 1, 1840.

Special laws of 4th. Congress, Enrolled Bills, p. 1.

25

Entered 20 3/4

Given under my hand and seal of of-
fice this March 30'th. 1887.

(L. S.):

W. E. Jenkins, C. C. C. B. C.

By D. H. Bell Depty.

Payment of the Locators

By reference to the Special Law providing for the payment of locators it will be seen that the sums directed to be paid to them amounts in the aggregate to \$24,066.

By reference to the Certificate of Dennis Corwin surveyor it will be seen that parts of the locators surveys paid for were not in conflict with the Chambers survey of eight leagues. He gives the number of acres of each one of the locators surveys that were in conflict with the Chambers survey, which amount to 5004 acres of land. And as the law to locate the seat of government passed Jan^y. 14th 189 vol 3 p 36 limited the price of land to three dollars per acre (see section 3) the sum of money paid to them was something over fifteen thousand dollars.

Exhibit "D"

Office of Comptroller of Public
Accounts, State of Texas.

Austin, June 2, 1870.

I certify that the records of this office show the following
amounts received on account of sales of Austin City and outlots,
viz.:

In treasury notes	\$240,306,89
In par funds	66,945,15
<hr/>	
Total	\$307,252,04.

A. Bledsoe .
Comptroller.

①

18
Special Law to
pay locators.

Amount paid

Amount recd by
State for the land