

FREESTONE CO. ROLLED SK. 3.

(FLAT FOLDER)

Certified Copy of Title to M. RIONDO Survey

counter 49784

The 2nd. call N45°E 36,606²/₃ vs does not correspond exactly with the call in Cause #216 in U.S. Ct House in Austin which reads N45°E 36,666²/₃ vs. Also the 3rd. call is omitted in this description.

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CERTIFIED COPY OF TITLE TO M. RIONDO SURVEY.

Petition to the Supreme Government of the State.
Most excellent Sir Governor:-

I, citizen Manuel Riondo before your excellency with due respect make known that needing land for agriculture and cattle raising I supplicate your Excellency, be pleased in use of your powers to grant me in sale eleven leagues of land on the Margins of the Brazos River in the Department of Texas or in the place which may appear to me most suitable to my interests either all united or at separate points offering to populate and cultivate said lands within the term designated by the law of colonization of the State of the Twenty Fourth of March One Thousand Eight hundred and twentyfive, and to pay their cost in the terms prescribed by article twenty four of the cited law and to comply with all the rest of the obligations that correspond to me, and I hope that your Excellency will deign to concede me the instalments for the payment in the terms which are designated by the cited law of colonization in its twenty second article. In which terms I pray your excellency, be pleased to defer to me my request in which I will receive favor Mexico, May the fourteenth one thousand eight hundred and thirty, Most excellent Sir: Manuel Riondo, Leona Vicario second of July, One Thousand Eight hundred and thirty, conforming to article twenty four of the law of colonization of the twenty fourth of March One thousand eight hundred and twenty five, I grant in sale to the petitioner.

in the place which he points out or in that which may best accomodate him, after there has been mar ed out by the Commissioner of the Supreme General Government the lands sufficient to pay that which the State owes to the Federation, The constitutional Alcalde of the municipality to which the aforesaid lands belong will put him in possession of said leagues and issue the corresponding title previously designating their class and quality for the indication of that which he must pay to the State, for which payment I concede him the instalments designated by article twenty two of the aforesaid law. Let the Secretary's office give to the interested party a copy of his petition and this decree in order that by appearing with it before the commissioner he may obtain the consequent effect. Viesca Santiago del Valle, Secretary. This is a copy of its original which exists in the Archives of the Secretary's office in my charge from which it was commanded to be copied by direction of the most Excellent Sir Governor, Leona Vicario, Twenty fifth of May One thousand Eight hundred and thirty two Santiago del Valle, Secretary.

Petition for possession.

Mr Commissioner. I, Citizen Samuel M. Williams, Post Master of Austin. Attorney in fact of Citizen Manuel Riondo, as in the best form of law and under the useful and necessary declarations present myself saying, That my principal obtained a right according to article Twenty four of the Colonization law of the State of the 24 th of March, One thousand Eight hundred and twenty five to eleven leagues of land which the supreme Government of the State granted him in sale under the date of the Second of July One thousand Eight hundred and thirty as is proved by the document issued by the Secretary of the same supreme Government which I enclose, and it suiting my principal that his lands should be on the banks of the Trinity nearest to the coast, in his name I pray you justice by means of your being pleased to direct that personal title of possession be given me, upon the margins of the Trinity River near the coast of the aforesaid eleven leagues, or if there should be some that are vacant, ,--- other side of the same river above, and put into practice all of the preliminaries which may be conductive to the interest of my principal, in the understanding that I offer to cultivate them as the law prescribes, and to comply with rest of the obligations of the same. Therefore, I request and pray you be pleased to attend to this petition in which I will receive favor and justice. Town of Austin, Eighteenth of September one thousand eight hundred and thirty three. Samuel M. Williams.

Order of survey. Nacogdoches, Seventeenth of October One thousand Eight hundred and thirty three, Being presented and admitted as much as the law allows with the accompanying document

copy 11785

The surveyor General of Texas, Citizen Jose Maria Carbajal will make the surveys of the eleven leagues which the party solicits, and in the tracts which he indicates if there should be vacancies, previously citing the adjoining owners, and the notes and maps which he will form of them he will remit to me in order that in view of them such further proceedings may be had as may be most appropriate. Thus by this act I command and sign it with those of assistance according to law. Vicente Aldrete. of assistance Vicente Cardova. Of assistance J. Justo de Liendo.

Notes of survey.

Mr Commissioner. The tract which I have surveyed for Don Manuel Riondo, according to the foregoing order is situated upon the right and left banks of the Trinity River, adjoining below to the eleven leagues surveyed for Don Jose Ignacio Aguilera and above with the Six leagues of Don Mariano Riva Palacios, and Beginning from the North West corner of Mr Aguilera which is the first corner of this survey a line was run to the North forty five degrees West seven thousand five hundred varas to a stake which is the second corner and joins an vacant lands. From there to the North Forty five degrees East at One thousand six hundred and sixty six and two thirds varas the first corner was arrived at of this six league of Mr Palacios at four teen thousand eight hundred and thirty three and one third varas the River where a Black Jack tree four inches in diameter was marked which is North twenty three degrees West three varas from a line six inches in diameter the River was crossed and the line continued at twenty four thousand eight hundred and thirty three and one third varas a creek was met with, at Thirty five thousand varas the South corner was met with of the said Six league of Mr Palacios and at Thirty six thousand six hundred and six and two thirds varas a stake was planted which serves for the land mark of the third corner of this survey, and is to the South West three thousand three hundred and thirty three and a third varas from the North East corner of the eleven leagues of the said Mr Aguilera and from there to the South forty five degrees West at fifteen thousand eight hundred and thirty three and one third varas the River was met with, which was crossed, and the course was continued always with the line of Mr Aguilera and at Thirty six thousand six hundred and sixty six and two thirds varas returned to the first corner of this survey, containing an area of two hundred and seventy five millions of square varas or which is the same eleven leagues of land of which three leagues belong to the class of arable land and the remaining eight leagues to that of pasture, and its configuration is that which the map represents which in duplicate I enclose to you, Jose M. J. Carbajal.

Decree of the title. Sacagdoches, Thirteenth of November, One thousand Eight hundred and thirty three, the survey of the eleven leagues of land of the citizen Manuel Riondo being concluded, issue him the corresponding title, and of the maps of said leagues, which in duplicate the surveyor has presented, attach one to this title, and the other to the testimonio (First certified copy) both being signed with rubrics by me, thus by this act I directed, commanded and signed it with those of my assistance according to law. Vicente Aldrete. of assistance Jose Maria Chirino. of assistance Juan Santos.

Title of possession.

Vicente Aldrete, Commissioner of the Supreme Government of the State of Coahuila and Texas to give possession to various Mexicans who by way of sale have had lands granted to them by the same supreme Government in this department of Texas, in as much as Citizen Manuel Riondo has conceded to him by the Most Excellent Sir Governor eleven leagues of land in class of purchaser according to the superior decree dated the second of July One thousand eight hundred and thirty, which by an authenticated copy has been presented by his attorney in fact citizen Samuel Williams resident of the town of San Felipe de Austin, which copy forms the head in this title, in the name of the State I confer upon, concede to and put him in effective and personal possession of eleven leagues of land upon the right and left banks of the Trinity River bounded below by lands of the Citizen Priest Ignacio Aguilera, and above by others of citizen Mariano Riva Palacios ceded to Citizen Enrique Guillermo Mejia. the boundary marks of the eleven leagues of the above indicated Mr Riondo. they are designated in the map and notes of survey returned by the surveyor Citizen Jose Maria Carbajal which originals are attached to this said title as part of it, of the aforesaid tract three leagues belong to the class of arable land, and the remaining eight leagues to that of pasture, according to which he must pay the State the sum of One thousand two hundred and fifty dollars in conformity with the provisions of article twenty four of the colonization law dated the twenty fourth of March one thousand eight hundred and twenty five in the instalments which are conceded in its article twenty two under the penalties there established, he being notified that within one year counted from the date of this document, he must construct monuments of masonry at all the angles of the tract, that he must populate it and cultivate it in conformity with the provisions of the aforesaid law, that he must scrupulously comply with every thing that is ordained in it and that he must never convey it in mortmain. Therefore, using the powers which are conferred upon me in virtue of my Commission, by the law and subsequent instructions I issue the present title and command that "Testimonio" (First certified copy) of all this title be taken and be delivered to the interested party in order that he may possess and take the benefit as his own, of the eleven leagues of land which have been sold to him, he his children heirs and successors or whoever of him or of them may have cause, or may represent action or right this being the will of the State. Given in the town of Sacagdoches on the twenty sixth day of the month of November of the year One thousand Eight hundred and thirty three, Signed by me with two witnesses of assistance according to law, Vicente Aldrete. of assistance Jose Maria Chirino. of assistance Juan Lazaran.

This testimonio (First certified copy) agrees with its original to which I refered, and which remains in the archives of the Corporation which are in my charge, from which is was copied by my direction, it occupies five leaves of paper of the corresponding seals, It goes faithfully and legally copied, corrected and compared, and I sign it with two witnesses of assistance. Sacagdoches Fifteenth of January One thousand eight hundred and thirty four. I give faith.

Vicente Aldrete.

Of assistance. Securdiano Rodriques. of assistance Manuel Perez.

STATE OF TEXAS *

COUNTY OF TRAVIS *

I, Martin M. Kenney, do solemnly affirm that the foregoing six pages and twelve lines contain a correct translated copy of a certified copy from the records of Anderson County, Texas, in Book F pages 224-227 of the title to Manuel Riondo Eleven leagues of land and that said land is situated in the present Counties of Anderson and Freestone in the State of Texas.

Martin M. Kenney.

Subscribed and sworn to before me this the 26th day of May 1835.

(SEAL) C. M. Calloway, Notary Public, Travis County, Texas.

United States of America
Western District of Texas }

District Court of the United States for the Western District
of Texas at Austin holding sessions

The President of the United States of America
To the Marshal of the Western District of Texas
Greeting

Whereas on the ninth day of January A.D. 1860
J. W. Macchaine recovered a judgment in the
District Court of the United States for the Western
District of Texas sitting at Austin for the January Term
A.D. 1860 against Lewis Balf, Tom Balf, Henderson
Walker, M. R. Balf, Elizabeth Waldrum, and William
Waldrum Administrator of Tom Waldrum Decedent,
Elizabeth Edwards, James Edwards, W. L. Edwards, Joseph
Booley, James Cole, for the possession of all that Certain Tract
of parcel of Land in the Plaintiffs Petition described as follows
- To wit being Eleven Leagues of Land lying and being situated
in the Counties of Freestone and Anderson in the State of Texas,
being the same Land granted by the State of Louisiana & Texas
to Manuel Peruda noted bounded as follows To wit:
Situated on the right and left Banks of the River Trinity
joining on the lower side the Eleven leagues survey of
Ygnacio Aguilera, and above with the six leagues of
Mariano Riva Palacio and commencing from the north
west corner of Aguilera, which is the first land mark
of this survey, a line was run North 45° West 7.500 Varas
to a stake which is the second land mark, and it joins
with vacant lands; Thence N 45° E 11 1/4 7/8 Varas to the

first land mark of the six leagues of the Senor Palacio,
with 14,833 $\frac{1}{3}$ varas to the river, where a black Jack 4 in dia
was marked and bears North 23° West at 3 varas from a Pine
6 in dia; crossed the river and the line was continued with
24,833 $\frac{1}{3}$ varas to a creek with 35000 varas to the North East
Corner of the said six leagues of the Senor Palacio and with
36,666 $\frac{2}{3}$ varas a stake was planted which serves for the third
land mark of this survey. Thence South 45° East 7500 varas
to a stake which is the fourth ~~last~~ landmark of this survey
and stands to the southwest 3,333 $\frac{1}{3}$ varas from the North
East Corner of the Eleven leagues of the aforesaid ~~aguilera~~
and thence South 45° West with 15,833 $\frac{1}{3}$ varas to the River
which was crossed and continued the same course with the
line of said ~~aguilera~~, and with 36,666 $\frac{2}{3}$ varas returned
to the first land mark of this survey comprising an area
of Two Hundred and seventy five millions of square ~~man~~
or Eleven leagues of land — Excepting therefore the following
described tracts or parcels of land especially excepted from
the same by the Ordinance of the King — To wit the lands set
forth in the following patents as follows —
1st No 349 issued to Barwell & Winn for (213) Two hundred
and thirteen acres and in the Patent for the same described
as being meted and bounded as follows — In Robertson District
Freestone County on Walnut Creek about two miles south from
Troy by virtue of Certificate No 147 issued by the Board of
Land Commissioners of Montgomery County to Benjamin Edwards
assignee of Barwell & Winn — Beginning at the North East
Corner of M D Taylor's survey, a stake from which a Hickory
bears North 60° East 47 varas — Another bears South 87° 0' 12 varas

Thence North $30^{\circ}W$ 130 varas to a stake on the line of said survey
 from which a Port oak bears $S 47^{\circ}W$ $1\frac{1}{2}$ varas, another bears $S 33^{\circ}$
 $E 6$ varas - Thence South $60^{\circ}W$ 1105 varas to the SW corner of said
 survey, a stake from which a Hickory bears $S 88^{\circ}W$ $8\frac{2}{10}$ varas
 thence $N 30^{\circ}W$ 396 varas to the SE corner of another survey a
 stake from which a Port oak bears $S 65^{\circ}W$ 9 varas, and a Black
 Jack - bears $S 4\frac{1}{2}^{\circ}N$ $8\frac{3}{4}$ varas - Thence South $60^{\circ}W$ west thence
 and forty four varas passed the North west corner of said survey
 1534 varas to a stake from which a black jack bears $N 53^{\circ}E$
 7 varas, another bears $N 19^{\circ}E$ $3\frac{1}{2}$ varas - Thence $S 30^{\circ}E$ 563 varas
 to a stake on T. F. Jones' boundary from which a Jack oak bears
 North $31^{\circ}W$ 11 varas and a Hickory bears $S 60^{\circ}W$ 8 varas - Thence N
 $64^{\circ}E$ 738 varas to Jones' NE corner a stake from which a Port oak
 bears $S 21^{\circ}E$ 10 varas, and a black jack bears $S 25^{\circ}W$ 53 varas
 Thence $S 30^{\circ}E$ 200 varas to the NW corner of Taylors most westerly
 survey a Hickory - Thence $N 59^{\circ}E$ 950 varas to the NE corner
 of the last named survey a stake - Thence $N 31^{\circ}W$ 204 varas to
 the NW corner of ^{Taylor's most westerly} ~~the last named~~ survey a stake - Thence N
 $59^{\circ}E$ 740 varas to said creek 957 varas to the beginning -

2nd Excepted by the jury the following described Patent and
 survey - No 524 for 160 acres, third class issued to Martin D Taylor
 and described in the Patent as follows as a Grant to Benjamin
 Edwards assignee of Martin D Taylor described as follows -

In Robertson District Linnetown County about 2 miles from the
 Pine Bluff on the Granite River - Beginning $S 30^{\circ}E$ 201 varas from
 the SW corner of survey No 117 made for S^d and Taylor a stake
 from which a l. j. bears $S 68^{\circ}W$ 4 varas, another bears $N 63^{\circ}E$
 3 varas - Thence $S 60^{\circ}$ West at 980 varas a stake from which
 a l. j. bears $N 37^{\circ}E$ 3 varas, another bears $N 4$ varas - Thence $N 80^{\circ}$

West at 300 varas prairie at 750 varas enters Timber at Walnut
Creek at nine hundred and fifty varas a hickory from which
a b. y bears S. 25° E 2 varas. Thence N 60° E at nine hundred fifty
varas a stake on the line of said survey N 117 from which a hickory
bears S 36° W 1 vara - Thence South 30° E with said survey - at 600 or
walnut creek, and prairie at 850 or P.O woods at 950 or the beginning

3rd Excepted by the jury the following Deed & Tract - No 523
for 160 acres third class issued to Martin D Taylor and
described in the patent on file as follows as a grant to Benjamin
Edwards assignee of Martin D Taylor - 160 acres situated in
Robinson District Limestone County about 2 miles from Pine
Bluffs on Sandy River - Beginning at a stake from which a b. y
bears S 44° E 7 varas another b. y N 97° W 4 or Thence South 60° W
at 500 or prairie at 950 or a stake in prairie from which a
hickory b. y S 30° E 116 or - Thence N 30° W at 150 or Timber &
walnut creek at 950 or a stake from which a P.O b. y N 6.
W 4 or a b. y bears S 63° W 2 or - Thence N. 60° E at 400 or enters
bottom at 740 or walnut creek at 820 or P.O woods at 950
or a stake from which a hickory b. y N 60° E 17 varas another
bears S 81° E - varas - Thence South 30° E at 950 or the beginning.

4th Excepted by the jury in their verdict the following descent
Tract - or parcel of Land - described as No 185 for 320 acres
third class issued to Hiram Lott and described in the Patent
on file as a grant to Benjamin D Edwards assignee of Hiram
Lott - 320 acres in Robinson District Limestone County
about 2 1/2 miles from the Pine Bluffs on Sandy River adjoining
2 surveys of 160 acres each made for Martin D Taylor
Beginning at a post on the south boundary of said Taylor

4th upper tract from which a hickory bears N 79° E 2 varas a

Black ~~oak~~ bear S $70^{\circ}30'E$ - Thence South 30° East at 1200 vt
a post from which a hickory bear N $78^{\circ}E$ $\frac{3}{4}$ varas, another bear
N $16^{\circ}E$ $2\frac{3}{10}$ varas - Thence N $60^{\circ}E$ at 1317 varas, a post from
which a P. oak bear S $75^{\circ}W$ $47\frac{5}{10}$ vt - Thence N $30^{\circ}W$ at 1400
vt a post from which a hickory bear N $30^{\circ}W$ $23\frac{5}{10}$ varas
a B. Jack bear S $78^{\circ}W$ 9 varas. Thence S $60^{\circ}W$ at 177 vt passed
the S.E. corner of sd Taylor's lower ~~also~~ a ce survey and with
the S. line of the same at 1127 varas to the S.W. corner on the E
line of the said Taylor's upper survey - Thence South 30° East
at 200 vt the S.E. corner thereof - Thence South 60° West at 190
varas to the place of beginning.

5th Excepted by the Jury in their Verdict the following described
tract or parcel of land - described as No 380 for 74 acres
Donation issued to Joseph P. Lynch and described in the
Patent on file as grant to John Waldman assignee of Joseph P.
Lynch for 74 acres in Robertson District, Trecestone County about
 $5\frac{1}{2}$ miles S $39^{\circ}W$ from Pine Bluff - Beginning at a stake, the
S.E. corner of a 566 acre survey from which a Hickory bear S 66°
E 16 vt, a Red O. bear N $18^{\circ}E$ $7\frac{1}{2}$ vt - Thence S 200 vt to a stake, from
which a P. oak bear N $22\frac{1}{2}E$ $4\frac{1}{2}$ varas, another bear S $69^{\circ}W$, 2 vt,
Thence E 700 varas to a stake on the bank of creek from which a
Pine oak bear S $78\frac{1}{2}^{\circ}$ W $2\frac{1}{4}$ vt an Elm bear N $54^{\circ}E$ 3 varas - Thence
N. 597 vt to a stake from which a hickory bear N $27^{\circ}E$ 27 vt -
Thence W. 700 vt to a stake from which a b. y bear S $58\frac{1}{2}E$ 2 vt a
Red oak bear S $42^{\circ}W$ $1\frac{1}{2}$ vt. Thence S. 21 vt back, 397 vt to the
place of beginning

6th Excepted by the Jury in their Verdict - The following described
tract. No 164 for 566 acres Donation issued to Joseph P. Lynch
and described in the Patent on file as Grant to Joseph

Tracts of Five hundred and sixty six acres in Robertson District
Freestones County about 6 miles S. W from Pine Bluff -

Beginning at E Haidens S. Corner a stake from which a P. O. is
N 29° W 700 another by S $79\frac{1}{2}$ W 500 - Thence N 20° W at 200
to a stake from which a b. f. by S $48\frac{1}{2}$ E 100 another by W $\frac{1}{4}$
m. - Thence W at 1100 to a by from which a P. O. by S 30° E $7\frac{3}{4}$
to - Thence S. 1900 to a stake from which a P. O. by N 70° W $8\frac{1}{2}$
to another by S. 22° W. 600 - Thence E at 2100 to a stake from
which a hickory by S 66° E $16\frac{1}{2}$ to a Red oak by N 18° E $7\frac{1}{2}$ to
Thence N at 188 to creek at 800 to a stake from which a P. O.
by S 17° E 700 a Jack oak by N 77° W $8\frac{1}{2}$ to - Thence West 900 to
a stake from which a P. O. by E $6\frac{1}{4}$ to another by N 72° E $6\frac{1}{4}$ to
Thence N at 926 to the beginning falling to left 1000

and with the Recovery of the aforesaid and Described 11
Leagues of land - Excepting the aforesaid Six Tracts, described
heretofore - together with all their due Plaintiffs costs in
this behalf expended judgment therefore having been rendered
Taxed at the sum of Ten Hundred and twenty eight
Dollars and thirty four Cents due in said cause which
of Record is manifest - Therefore you are hereby
commanded that you deliver the aforesaid James W
Zacharie or his agents the possession of the said premises
hereinbefore described and that of the goods chattels, lands
and tenement of the defendant the aforesaid Drury S. Bap
John Bap, Henderson Waller, W. B. Bap, Elizabeth Waldrum
William Waldrum administrator of John Waldrum Deceased
Elizabeth Edwards, James Edwards, W. Edwards, Joseph
Cordly and James Cole you cause to be made the said
sum of Ten Hundred and twenty eight Dollars and

Thirty four Cents Costs as aforesaid together with all the Costs
Expenses & Commission's accrued since the rendition of Judgment
and the further Cost of Executing this writ
and Hæc in fine nōr and have you the said Money
together with this writ of Possession and Execution
before said Court at the Court Room in the City of Austin
on the first Monday in June next with your Return
thereon shewing how you have executed the same

Witness the Honourable Thomas H. Durac
Judge of said Court and Seal of Court at
the City of Austin this the 20th day of March
A.D. 1860 and of the Independence of the
United States of America the 84th year

Matthew Hopkins
Clerk }

BILL OF COSTS.

James to Zabraine

U. S. DISTRICT COURT, WESTERN DISTRICT OF TEXAS,

No. 216 vs.

Clerk's Office, Austin, March 20th 1860

Erany S. Bapetal

CLERK'S COSTS.

May 28 1857	to filing Petition certifying to file & duty docket	15	40
" 29	Bond for Court		1 00
" 29	10 Copies and Act of of witness	15	18 50
" 29	10 Copies of Petition Certif and seal	15	13 50
Apr 24	filing amended Petition & Act of duty		40
" 27	2 Copies of Petition Certif & seal	13	2 60
" "	2 Citations & Act of of witness	15	2 30
" "	12 Copies of amended Petition Certif seal 20¢		8 40
" "	10 Copies for service & Act of of witness	50¢	5 00
May -	pay & Act of duty of 10 Returns service then 40		2 00
June 5	order of Contemner - 15¢ 2 orders, 15¢ + 10¢		45
Aug 20			
" 28	filing & Act of Deposition		25
Sept. 14	5 alias citations & Act of	15	5 75
" 14	5 Copies for service	50	2 50
" 14	4 Copies of Petition & Act of duty 12¢		5 20
Jan 1 1858	filing Act of duty & 5 Returns	40	2 00
July 6 1858	motion & order & endorsement opening depositions		30
July 8 1858	filing & Act of duty answers		40
July 9 "	motion & order continuing by consent		30
Feb. 15 "	filing & Act of duty depositions		25
Apr 58 -	- 3 plain citations & Act of duty & Act of 200 cw		6 00
June 8 1858	- motion & order & endorsement opening depositions		30
June 10 "	- motion & order continuing by Pff -		30
June 14 "	- motion & order & endorsement opening depositions		30
Jan 5 th 59	- filing Act of duty answers (Waldman King)		40
" "	filing & Act of duty & endorsement depositions & answer		50
" 6	answer of Edwards, filing & Act of duty		25
" 6	motion & order continue on affidavit and order to produce papers		30
June 9 th	filing & Act of duty 4 sets depositions	2/	1 00
" "	4 affidavits	2/	1 00
" "	Endorsement & 4 orders opening depositions		1 00
" "	Subpoena duces tecum - Act of duty & filing Return		65
" 10	Return to W. H. & A. M. - Act of duty & Return		65
" 11	filing & Act of duty agreement of parties		25
" "	2 motions & orders & map by default Bapetal		30
Dec 30	- 2 subpoenas in testimony Cordova sub 65 with file & Act of duty		1 30
Jan 3, 1860	sub duces tecum & Edwards answer file, Act of duty		65
" 3 + 5	2 motions & orders		60
May 6 th	filing & Act of duty amended answer		25
" "	filing 16 Title papers map etc - & endorsement 10		2 60
" "	filing & Act of duty to file 7 Title papers 2/ -		1 75
" "	motion & order opening depositions		30
July 9	filing & Act of duty 4 sets Pffs instructions added 2/		1 00
" "	filing & Act of duty Defendants witnesses asked		25
" "	admission oaths - 7 -		70
" "	filing change of the Court & Act of duty		25
" "	filing & Act of duty & Act of duty verdict		40
" "	entering Judgment		3 50
" "	filing & Act of duty Bill of Exceptions		25
May 12	filing & Act of duty motion for new trial		75
" "	order annulling same		15

Clerk's
44775

June 9 th	Filing & certifying 4 sets depositions —	2/	1 00
"	" 4 affidavits	2/	1 00
"	Evidence & 4 orders opening depositions		1 00
"	Subpoena duces tecum — certifying & filing depositions		65
10	Response to Writ of Habeas Corpus — certifying & filing		65
11	filing & certifying agreement of Parties		25
"	2 motions & orders filed by default of Plaintiff		30
Dec 30	— 2 subpoenas re testimony of Edward Cole	65	1 30
	with fees & certifying		65
Jan 3, 1860	Sub duces tecum & depositions filed	60	
" 3 + 5	2 motions & orders	25	
May 6 th	filing & certifying amended answer		2 60
"	filing 16 title papers made — & Evidence	10	
"	filing & certifying on fee 7 Title papers	2/	1 75
"	motion & order opening depositions		30
July 9	filing & certifying 4 sets of Pffs. Exhibits attached	2/	1 00
"	filing & certifying Defendants Exhibits attached		25
"	admission oaths — 7 —		70
"	filing charge of the Court & certifying		25
"	filing & certifying Verdict		40
"	entering judgment		3 50
Aug 12	filing & certifying Bill of Exceptions		25
"	filing & certifying motion for new trial		70
16	by order of the Court		15
"	Docket fee taxes costs & venue		3 00
"	Trial Record —		88 00
"	Court copy file, &c		50
"	Writ of Possession & Execution & certifying		3 15
"	with copies of 7 filed notes —		189 85
	Clerk's Costs. \$		
	Marshal's Costs. for Bill particulars		186 84
	See Reverse page —		
	Attorney's Costs. Fees for depositions —	20.00	
	Tax & fee —	20.00	40 00
	Commissioner's Costs. — for Bill of Exceptions —	2.00	
	Self's Deposition —	5.00	
	Subpoena on Plaintiff —	5.00	12 50
	Witnesses' Fees. failed to move attendance		429 39
	Total Costs. \$		

Counter 447 9/4

Wm C Young, U.S. Marshal, W.D.T.
 Bill of Particulars Costs

Apr May 57 - Mileage on 9 writs
 on 4 not served 145 m ca = 672 m \$40.32

Service 5 writs - Waldham }
 Walker }
 Cole } 2 10.00
 Coody }
 de Braf }

Mileage out on writs
 133 x 33 }
 150 x 25 }
 165 x 35 } 818 x 168 6⁰⁰
 164 x 34 } = 986 59616
 168 x 35 }

Apr 27-57 mile 2 writs 168 x 35 = 346.60 + 20.76 = 367.36
 Service 1 writ 140 5 2.00

Grand total \$109.48

Marshals mileage on 5 writs - 246 m

112 m ca x 810 = 6

White, Bayle, Tom Braf }
 de Braf & Jim de Braf }

Service 2 writs } 2 4.00 52.60

Service 4 subpoenas 50 2.00

Total Marshals cost \$186.84

In the U.S. Dist. Court for the
Western District of Texas at
Austin. holding sessions

James W Zacharia
vs
Drury S. Bago et al

Writ of Possession
& Execution for Costs

Issued March 20th 1860

Matthew Hopkins
Clerk

Execution for Costs -

Indy \$ 428.34

Clerk's Costs \$189.00

Marshals 186.84

Atty 40.00

Off. Commissioners 12.50

\$ 428.34

Order for Costs vs 14th June 1860
Matthew Hopkins

W. P. De Koninck
Atty of Record for Off -

United States of America } November Term
District Court for the District } A.D. 1837.
of Texas - sitting at Austin }

To the Honorable John C. Wat-
rous, Judge of said Court:

Your petitioner, James M. Zachario, a
resident citizen of New Orleans City in the State
of Louisiana, complains of Drury S. Bass,
M. R. Bass, John Bass, Henderson Waller, John
Waldrum, Elizabeth Fayette, James Edwards, Jo-
sephus S. White, James Cole, and Joseph Coody
(whose Christian name is unknown to peti-
tioner) all of whom are resident citizens of
the County of Freestone in the State of Texas.
For that, whereas, heretofore, to-wit: on the 1st day
of January A.D. 1836 your petitioner was the
lawful owner and in the quiet and peace-
able possession of a certain tract or parcel
of land being eleven leagues of land lying
and being situate in the counties of Free-
stone and Anderson, ^{in the State of Texas} being the same land
granted by the State of Coahuila and Texas
to Manuel Rionda, meted and bounded as fol-
lows, to-wit: Situated on the right and left banks
of the River Trinity, joining on the lower side
the eleven leagues surveyed for Ygnacio Aqu-
lera, and above with the six leagues of Mariano
Riva Palacio, and commencing from the north

west corner of Aguilera, which is the first land-
mark of this survey, a line was run North 45°
West 7,500 varas to a stake which is the second
land mark, and it joins with vacant lands;
thence N. 45° E. $16,666\frac{2}{3}$ varas to the first landmark
of the six leagues of the Senor Palacios, with 14,
 $833\frac{1}{3}$ varas to the river, where a Black Jack 4
in. dia. was marked, and bears North 23° West at
3 varas from a Pine 6 in. dia.; crossed the river
and the line was continued with $24,833\frac{1}{3}$ varas
to a creek, with 35,000 varas to the Southeast corner
of the said six leagues of the Senor Palacios,
and with $36,666\frac{2}{3}$ varas a stake was planted
which serves for the third landmark of this sur-
vey; thence South 45° East 7,500 varas to a stake
which is the fourth and last landmark of this
survey, and stands to the Southwest $3,833\frac{1}{3}$
varas from the North East corner of the eleven leagues
of the aforesaid Aguilera, and thence South 45°
West with $15,833\frac{1}{3}$ varas to the River which was cross-
ed, and continued the same course with the
line of the said Aguilera, and with the $36,666\frac{2}{3}$
varas returned to the first landmark of this sur-
vey, comprising an area of two hundred
and seventy five millions of square varas or
eleven leagues of land, of which three leagues
pertain to the temporal class, and the eight
remaining leagues to that of pasture -

And being on said first day of January A.D. 1836, in the quiet, peaceable and uninterrupted possession of said tract of eleven leagues of land, said defendants wrongfully and with force and arms on said day and year broke and entered your petitioner's said close and with force and arms expelled and ejected your petitioner from the same, and have from that time hitherto and still continue with a strong hand in a forcible manner to withhold the possession of said land from your petitioner, and convert the rents and profits which are of the yearly value of Twenty thousand dollars to their own use, and to cut down and destroy the timber growing thereon of the value of ten thousand dollars, by means of which said wrongs and injuries petitioner or has been damaged one hundred thousand dollars, for which he brings this suit and prays that said defendants be cited to appear at the next Term of this Court to answer this petition and that petitioner have judgment against them for the title and possession of said land, and for all damage that he has sustained by reason of said several wrongs and injuries as aforesaid and all costs in this behalf expended.

B. F. Carter
Atty for Plff.

J. W. Zachario

vs.

Duy S. Basschal.

Petition

Filed Jan 28th 1857
M. de Mandaibeth

B. H. Carter

This suit is brought as well to try title as
for damages
B. H. Carter
att'y for M. B.

J. W. Zachary.

v.
Dmy S. Boshals.

Dist. Court N. S.

Western Dist. N.

Texas. at Austin.

And now before issuance of citation in the above entitled cause, the plaintiff amends his original petition therein, by inspleading the following named persons and inserting their names as parties defendant in said petition, with like effect as if they had been originally so named therein, viz: W. L. Edwards and B. P. Hammet, both of the County of Freestone and citizens of the State of Texas.

And pray as by his original petition has prayed your petitioner.

B. F. Carter

Att. for Plff

L 216

J. W. Zackario

v.

Donny S. Popsals

Amended Petition.

Filed April 24th 1887

Matthew Kopsant
Clerk

We the jury find for the plaintiff all
the land described in ~~the~~ his petition
with the exception of the land set forth in
the Patents ^{as follows} No 349 for 213 acres issued to Brunell
G. Wynn No 524 for 160 acres third class issued
to Martin D. Taylor No 523 for 160 ^{acres} third class
issued to Martin D. Taylor No 1455 for 320 acres
third class issued to Hiram Lott No 380 for
74 ^{acres} Donation issued to Joseph P. Lynch
and No 164 for 566 acres Donation ^{issued} to
Joseph P. Lynch -

Said Jury of 1860

W. O. Hutchison
Foreman

W. O. Hutchison

Foreman

216

J. W. Gardner

vs

Dunbar & Papetua

Verdict

Decd. July 9th 1860

W. Hopkins

Att'y

A Prim^a mojónera - encima de la de
 30 p^{as} de di. occidental del río y 7 p^{as}
 al N 70° 40' 40" E 3/8 r^{as} de un fuero de
 S 0 11 1/2 r^{as}

2^a moj^a una estaca en una placata no
 hay palo alguno de S E 2500 r^{as}
 4166 2/3

3^a una estaca al S 48° 30' E 1900
 de un encino chino 12 p^{as} de
 diámetro y al S 31° E 11 1/2 r^{as}
 de un palo blanco 12 p^{as} de
 diámetro allí S. O.



Note 15 miles below this is the Saline on the Trinity and the crossing of the Com.
 arche road to Nacogdoches is about 3 miles lower. The crossing of the San
 Antonio road is about 40 miles from this lower survey of Aquilera. One of
 the 3 forks of Trinity is below this a few miles.

Genl. Land Office Texas.
 January 2nd 1860

I, F. M. White, Commissioner of the Genl. Land Office, hereby certify the above
 Sketches of Surveys to be correctly copied from a sketch found in Atlas
 G. page No 13. - on file in this Office

In Testimony of which I hereto sign my name and cause the Seal of
 this Office to be affixed - date above written

F. M. White

SEE ATLAS G
 PAGE 7 NO 1