

District Court Minutes, March Term, 1892.

Thursday the 31<sup>st</sup> day of Mar 1892.

Thos O Murphy

N 223 1/4

S. R. Miller Collector

of Taxes of Presidio County Texas

Mar 31<sup>st</sup> 1892

On this day the above entitled and numbered cause being regularly reached and called for trial, came both the plaintiff and defendant by their respective Attorneys and announced ready for trial, and waiving the intervention of a jury submitted all the issues of fact as well as of law to the Court, and the Court after hearing the pleadings, the evidence and the argument of counsel and having duly considered the same, it is the opinion of the Court that all the material allegations contained in plaintiffs petition are true and that he is entitled to his judgment as prayed for, and that the temporary writ of Injunction heretofore issued ought to be perpetuated.

It is therefore the Order, judgment and decree of the Court that the temporary writ of Injunction heretofore, to wit: on the 30<sup>th</sup> day of March 1891 issued out of this Court and served on said defendant S. R. Miller Tax Collector of Presidio County, be and the same is hereby made

Presidio Co. Bary Line 4

perpetual and that said Defendant  
S. P. Miller as Tax Collector aforesaid  
and his successors in Office and their Deputies,  
agents, employees, and attorneys be and are  
herby forever enjoined and restrained  
from selling or causing to be sold for  
taxes the lands set out in plaintiffs  
petition and particularly described as  
follows, to wit:

First, Survey No 761, Certificate No 345,  
abstract No 922, granted to the Texas  
Central Ry Co situated about 10  
miles south from Ft Davis and descri-  
bed more fully as follows, to wit:

Beginning at a rock mound set 790  
varas S  $5\frac{1}{2}$  west from the south west  
corner of survey No 356 made by virtue  
of certificate No 145 issued to the  
Gulf Brazos and Colorado narrow  
Gauge Rail Road Company from which  
a line oak bears S.  $40^{\circ}$  Varas at 67  
varas - another bears South 56 East 75  
varas, thence south 1900 varas to a rock  
mound, thence East 1900 varas to a  
rock mound, thence <sup>North</sup> 1900 varas  
to a rock mound,  
thence west 1900 varas to the place of  
beginning and containing 640 acres of land.

Second, Survey No 29 in Block 347,  
located by virtue of certificate No 3373  
issued to the Gulf Colorado and Santa Fe  
Railway Co by the Commissioner of the  
General Land office on the 18<sup>th</sup> day of

May A.D. 1881. and more fully described as follows, to wit:

Beginning at a rock mound the North East corner of survey No 28 in this block for the S. E. corner of this survey. Thence west 1900 varas to a rock mound the S. E. corner of survey No 10 in block N. 9. S. 5, for the S. W. corner of this survey. Thence North 1900 varas to a rock mound on the north side of a hill for the N. W. corner of this survey. Thence East at 1710 varas passing a rock mound in valley from whence a clump of cedar trees bears south 23 East about 400 varas 1900 varas to a stake and mound for the N. E. corner of this survey. Thence South 1900 varas to the place of beginning, containing 640 acres of land surveyed January 8<sup>th</sup> 1882.

And it is further the order judgment and decree of the Court that the plaintiff Thos O. Murphy do have and recover of and from said defendant S. J. Miller all costs in this behalf expended for which let execution issue.

The State of Texas  
County of Tarrant  
District in & for said county do hereby certify that the foregoing is a true & correct copy of said judgment as it appears on the minutes of said Court Book 4 page 273 & 274.

Witness my hand & seal of said Court at Marshall this 20<sup>th</sup> day of June 1893  
W. S. Lempert, Clerk

Presidio Co Bdy ~~7~~ line 4

Decree of Court  
indirectly referring to  
the true position of the  
Co bdy between Jeff Davis  
co and the Co of Presidio

Filed July 10<sup>th</sup> 1893.

Also Supreme court <sup>decision</sup>  
L. B. Caruthers vs M. F.  
Brown from Presidio Co  
Rosenberg

Fee 2.<sup>50</sup>

E. Von Rosenberg



28085 Ar. 1893