



General Land Office

State of Texas

Austin

14

April 30, 1945

J. EARL RUDDER, COMMISSIONER
DENNIS WALLACE, CHIEF CLERK

Mr. Harry B. Moses
316 South Henderson
Fort Worth 4, Texas

Dear Mr. Moses:

I received your interesting letters of April 24 and 25 relative to the origin of the length of the vara as it is now recognized in Texas.

In the national colonization laws of 1823, and the Coahuila and Texas colonization laws of 1825, 1827 and 1832, it was set out that for the measurement of land, the vara, consisting of three geometrical feet, should be the unit of measurement. This law seems to have remained in that status until the Act of 1919, which is present Article 5730, Chapter 130 of the Regular Session of the 36th Legislature, Page 232 of the Acts of that Legislature. This Act set out, among other units of measurement, the Spanish vara, consisting of 33 1/3 inches.

There seems to have been considerable doubt in the minds of the early English-speaking surveyors who came to Texas, and who did most of the surveying in the several colonies that were formed under the colonization laws, as to the correct comparison of the geometrical foot with the English unit of measurement; so that up until about 1830, there was no uniform measure in laying out lands; and chains with different length of varas were used.

There is no Spanish or Mexican land unit the equivalent of the English acre, all Spanish or Mexican Grants being for Labors, Leagues, parts of Leagues, or numbers of Leagues, which call for the square of the sides to be, in the case of the labor, 1,000,000 Sq. Varas, and the league 25,000,000 Sq. Varas. Therefore, the length of the vara in relation to feet and inches made little difference, when the area to be computed was to be set out in square varas. However, the English-speaking colonists had little idea of the extent of their holdings when given in square varas, and required the surveyors to calculate their equivalent in acres so that they could understand how much land they had.

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It would seem that the vara as used in Mexico was taken from the Spanish, and was 838.01 millimeters or 32.99311 inches long. If the early Texas surveyors attempted to use this vara, its odd length would have presented no problem nor tedious calculations where the area surveyed was required in Sq. Varas; but where the area had to be computed to show the number of acres, ponderous figures were involved. Undoubtedly, this was why the present vara of $33 \frac{1}{3}$ inches was established or agreed upon by the Austin Colony surveyors.

In a letter to the editor of the Galveston News, dated September 3, 1859, relative to the vara, Colonel Francis W. Johnson, an old and prominent surveyor of Austin's Colony, states: "In 1830 the two-pole (33 feet) chain of 50 links was reduced to 10 varas of $33 \frac{1}{3}$ inches; and was established in Austin's Colony, making the length 27 feet $9 \frac{1}{3}$ inches, every 5 links of which equal 1 vara and every link 0.2 of a vara."

When Texas became a republic, the vara was continued as the unit of land measure by Article 1 of the Schedule of the Constitution first adopted. This was the only law until the Act of 1919, which made the vara the unit of land measure. Article 1 of the Constitution reads as follows: "That no inconvenience may arise from the adoption of this Constitution, it is declared by this convention that all laws now in force in Texas, and not inconsistent with the Constitution, shall remain in full force until declared void, repealed, altered, or expired by their own limitation."

When the General Land Office was organized, John P. Borden, an old Austin's Colony surveyor, was appointed by President Sam Houston in June, 1837 as the first Land Commissioner; and the fact that the $33 \frac{1}{3}$ inch vara was recognized and continued in use should doubtless be credited to him. In printed instructions sent to the county surveyors relative to making surveys, he states: "The measure to be used will be varas and tenths of varas, or Spanish yards; each surveyor will regulate his his chain to the length of 10 varas, or what is the same 27 feet $9 \frac{1}{3}$ inches, the vara being $33 \frac{1}{3}$ inches."

In an article by H. M. Henderson, a surveyor of Port Lavaca, dated May 2, 1910, he recites, "Texas is greatly indebted to the Austin Colony surveyors who, by agreement among themselves, converted the awkward Mexican vara into the convenient vara we now have of $33 \frac{1}{3}$ inches. It is an ideal unit of land measure, is easily calculated into English feet, yards, and acres. It is in fact a decimal inch measure, 3 varas equal 100 inches, 36 varas equal 100 feet. It should be called the Texas vara. It is not the Spanish or Mexican vara; and Texas

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is the only place on earth that uses it. By the silent acceptance and without any statutory recognition, it has been used to survey and grant hundreds of millions of acres of land. It stands alone in the standard measure of the world, and is a monument to the old Austin's Colony surveyors who originated it, and is perpetuated in the field notes of every survey of land granted by the Republic and State of Texas."

This seems to be about all the information I have on the vara. If you think a copy of this letter would be of interest to G. & C. Merriman Company, you might advise me.

Sincerely yours,

BASCOM GILES, COMMISSIONER
OF THE GENERAL LAND OFFICE

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CURRENT MISCELLANEOUS INFORMATION

COPY OF LETTER TO HARRY B. MOSES
RELATIVE TO THE TEXAS VARA
APRIL 30, 1945

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