

under their own proper hands a certificate for three hundred
and twenty acres of land, by virtue of which, the said
McCoun became entitled to select, claim, locate and hold
the same upon any of the unlocated lands of the Republic
aforesaid not previously selected, and located by persons ^{having} a just
and legal claim to select and locate. And the said
McCoun by reason thereof, afterwards to wit on the
20th day of February in the year one thousand eight
hundred and forty did select a certain piece or parcel
of land lying & being in the County aforesaid containing
three hundred and twenty acres commencing and
running as follows; that is to say—Commencing at McDowell
S. W. Corner, thence South 55¹/₂ W with William Robison
line one thousand three hundred & 94¹/₂ East & at right angles
and having so selected the same afterwards to wit on
the 24th day of February in the year last mentioned ap-
plied to one J. S. Colhard a lawful deputy
surveyor for the district of 74

in the County aforesaid ~~the~~
because of his instructions from the County Surveyor
of said County. Not to survey lands previously surveyed
and because the said County Surveyor had authority
by City this to instruct his deputy, because of the instru-
tions of the Surveyor General of the Republic aforesaid
to the said County Surveyor or which instructions of
said Surveyor General to the County Surveyor, was
that he the said County Surveyor should instruct

his said depositions not to survey lands that has been surveyed, and the said selection of the said McCoen appears to have been and is a part of the ^{League of} Land Claimed by the aforesaid James Jordan and which the aforesaid Jordan was called, cunningly, deceitfully, & fraudulently, obtained from the ~~said~~ ^{Said} Inspector Commissioner for Colony of ~~Victoria~~ ^{Victoria} ~~and~~ ^{and} ~~the~~ ^{the} ~~9th of June 1835.~~ ^{9th of June 1835.} because the said McCoen says that the said Jordan falsely, deceitfully, cunningly, and fraudulently represented himself to be a Married man and the head of a family by means of which said false, deceitful, cunning, and fraudulent representations of the said Jordan to the ~~said~~ ^{Said} Inspector Commissioner, the said Jordan received an order of survey and such thereafter had the same surveyed to him a League of land in the County and Republic aforesaid it being the League of Land adjoining the survey of William Robertson and they and on which the said McCoen made his selection as aforesaid and the said McCoen says that the said Jordan ~~has not been~~ is not now, nor never was Married Man or head of a family nor ~~was~~ ^{was} entitled to the said land, but the same obtained by means of his false, deceitful, cunning, and fraudulent representations to the ~~Inspector~~ ^{Said} ~~Commissioner~~ ^{Inspector Commissioner} ~~and~~ ^{and} ~~the~~ ^{the} ~~9th of June 1835.~~ ^{9th of June 1835.} And the said McCoen says that because of the premiums and the refusal of the said Jordan to allow him to have the said selection of

and requested and demanded that the said described land
to the quantity of three hundred and one twenty acres be
surveyed according to the act in such cases made &
provided, and that he then & there did present to the
said Collar the Certificate aforesaid. That nevertheless
the said Collar did then and there refuse to survey
the said land, because of the Claim which one John
Jordan of said County had to said land and because
that the said ^{Jordan} Survey of said land.

Now the said McClean would respectfully complain
of the said Jordan for this: That the said Jordan
heretofore to wit, about the third day of June of the
year one thousand eight hundred and thirty eight at the
County and republic aforesaid, did artfully and
deceitfully and fraudulently represent himself as a married
man and the head of a family to one George Nixon Commins
for the Colony of Puerto Babilon & Zoralla, and from
& by his said John & fraudulently representing did
obtain from the said Commins an order of survey
for one acre of land, which land has since been
surveyed by said Jordan in the County aforesaid, a part
of which is the land which your petition demands
his survey of his thousand one & twenty ^{or aforesaid} acres, and is the
land adjoining William Robinsons and others and
upon which the said Jordan now lies. Your petition
says, that the said Jordan was not a married man
or head of a family at the time he represented himself
to the said Commins ^{not at the time he} and obtained his order of
survey aforesaid, neither has he become so since.
But that the representation of the said Jordan
was false and fraudulent and contrary to the laws

of the land. Your petition says that since this
the said Lorden has obtained a deed or grant
from the Government of said land and
the said deed or grant was obtained by
said Lorden. *faute de entente* and unlay
representing to me that he was a married man
and the head of a family in the Republic of Texas.

Now your petitioners would humbly pray that
said deed or grant of the said Lorden to be
made for the land aforesaid as aforementioned
doth as a part of this petition. and that your
honor would consider the same & decree that
the said deed or grant from said Lorden
and that your petitioners have ask of you. To this
end we would ask that the said Lorden be
cited to appear at the district court to be held
for the County of Montgomery on the 4th Monday after
the 4th in October to answer this ^{amended} petition and that
all other relief be allowed your petition in the
premises that may be required - an &c &c

Wm. H. Conner

James Jackson

Steph. McCown

John D. Jones
James S. Jones

Hand copy attached

State Court 1840

(Missed alien copy of petition
given 16th March 1841)

Chambers

1825-41
219
214

