

11
Dewees, Anderson, (Heirs of)

2290 A

Confirmed by Commissioners.

Am. State Papers, Vol. 4, p. 280

Report 1, No. 116.

1825

S. side St. Johns' River

E. side Table Cr.

Orig. Title,
White, ctt.

Descriptive List No. 76.

G. n.º 1.

Florida

Andrew Dawces, Not

Año de 1804.

2300

Da Catalina Chiken

viuda de D. Andrey Dawces

nuevos Pobladores solicitando

se le copia título del Plantaje

nombrado el Xaransil

Señor Gobernador

D. Catalina Chiken Pobladora de esta Provincia
Residente en la Rivera de San Juan de ella, y Viuda
de D. Andres Dawees, a V.S. respetuosamente dice
Que por lo que se justifica de la Certificación que de
viduamente acompaña, le fueron medidas deslindadas
y entregadas a su ~~ah~~ difunto Marido por este
Gobierno en virtud de lo prevenido en R. Orden
para el reparto de tierras a los nuevos Pobladores,
sesenta y nueve Cavallerias de tierra, de que se com-
pone el Plantage titulado Narañal en el qual
antes y después del fallecimiento de su ~~ah~~ difunto
Marido, ha vivido y permanecido con su familia
y continua, cultivando las tierras de que se com-
pone ~~ah~~ Plantage, y en las q^e tiene erigido fabri-
cas de importancia para la comodidad de todos,
tiene tambien Animales, y ha desmontado las con-
respondientes y Otiles al Cultivo, de forma que es
una Plantacion arreglada sin falta del mas ne-
cesario Requisito, y en atencion a que la posesion
Constante de mas de diez años a un en tiempo
de las Mayores aflicciones en que se ha visto
Provincia por la invacion de los Rebeldes, y por
las hostilidades de los Indios la hacen acrehedor
a todas las gracias franquicias y privilegios q^{ue}
quiere el soberano para los Pobladores

útil y de buena fe, siendo una de ellas el
documento directo y absoluto al mencionado Plan-
taje, como lo ha ofrecido este Gobierno en Vir-
tud del título competente que se le arripa, co-
mo se ha verificada con otros, y se verifica
en el día.

A. N. Suplica se sirva, en atención a
lo expuesto y precisa la debida justificación de
los Egos que presentare sobre dicha posesion,
Cultivo mejoras, y cumplimiento de todas las
demás condiciones impuestas por el Gobierno
expedirle título formal del indicado Planta-
je, cuya gracia vivira reconocida. San Ag.^{ta}
de la Florida 39. de Abril de 1804

Catharin Chikew

Por presentado el Documento q.
acompaña esta instancia, a cu

continuacion certificada el presente es-
cribano las condiciones bajo las q. el
Gobierno, desde la publicacion de la tan
soberana para el destino, y apoco de-
tinas, quanto a los muchos pollados,
las comedias a los q. se presentavan,
y Respecto a q. esta intercedida ofrez-
ce justificacion de haberlas cumplido,
Reivandole con las formalidades de Dño,
acerca de los mismos particulares, y
evacuada de su cuenta para providen-
cia en su vista. Historia de San-

White

Lic. Ortega

Proveyo el Señor Don Enrique White
Coronel de la R. Armada, Gobernador po-
lítico y militar, y Jefe de Real Hacienda de
esta Ciudad de San Agustín de la Flori-
da y su Provincia por S. M. que lo firmó
con Dictamen del S. su Teniente, Auditor
de Guerra, y Abogado en causa y con-

mil ochocientos y quatro: D^a Catalina Chi.
Kan para la justificacion que ha ofrecio
yle esta mandada dar presente por testi-
go ante el Sr. Ten. de Gov. Auditor de
Gua, y Armer. G^{al}. a D. Pedro Gaspario
vecino y del Concaio de esta Ciudad, y Ca-
pitán de Milicia y caballeria con funciones
de Ronda; al qual se oia por ante
nos el Sr. Alvarado Juan. b. q. hizo por
Dios y la S^{ta}. Cruz segun Dios. b. al q.
el ofrecio decir verdad en lo q. sepa de
lo q. fuere preguntado; y siendo al te-
nor del escrito q. da principio dize: Que
le cuenta que D. Andres Dávila Mando
q. fue dela q. lo presenta, desde su veni-
da a esta Provincia mas ha de doce
años al p^{re}sente del D^ol^o. de esta
Vici^a desde luego en el P^{ar}te de donde
actualm^{te}. vive su viuda. Que como
trajo muchos Negros desde luego p^{re}sente

cipio a trabar en el, y progeriam te
hozo cecaj, bñem casa de vivienda, co-
na, y dñaj otaj fabricaj, muchaj des-
moltoj, y ha continuado cultivando sin
intermision el dñe terreno en el que
tiene algunas Bañaj, Cerdaj, Aves, y de-
may animales p. el uso, y responde q.
p. q. cosa dicha es la verdad en campo
de su juram. Sue no le tocan las gñales
de la ley, y fierno con su sea de q.
don fe.

Lic. Ortega
Pedro Corrales

Atm. Dñe de Lubizanceta

En la Ciudad de San Agustín de la Florida
a veinte y cinco de Abril de mil ochocientos
y quatro. D. Catalina Chiken para la jus-
tificacion q. esta dando presente por q.

a D. Juan Cavedo; natural de la Ysla de
Menorca, de estado Casado, su ejercicio labran-
dor, al qual su Sica por antequis al E. no
Reivis juram. f. hizo por Dios y la S. ta Cruz
segun Dios sabe el qual oficio decia verdad
en lo q. supia de lo q. se le preguntase; y
diciendo al Tenor del escrito q. da prin-
cipio. Que conocio a D. Andres Da-
wees Marido q. fue de la q. lo presenta
para esta informacion donde q. vino a
esta Provincia; que por la cuenta del
D. clar. le habia mas de doce años, y donde
luego vio q. se establecio en el Planta-
je donde en el dia vive su viuda;
y esta lieute q. in Darwees, ni ella
han mudado de situacion, y q. desde
el principio con la porcion considerable
de Negros q. trasp; q. le parece al De-
clar. fueron como quaranta, se dedico
con curra y actividad al form. yent-
tivo del dho Terrano q. le concedio el

6
Escribo, en el qual sin perdida de
tiempo hizo cercas, desmontes, y fabricas
muy buenas para vivienda, y cocina,
otras para guardarla unahiza, y las cose-
chas de algodons, ademas de varias cas-
canas para los Negros. Que tambien le
consta q^e ha tenido siempre algun ga-
nado vacuno, de cerdos, y aves de va-
rias especies, y q^e es un Planteo pro-
visto de todas las utiles necesarias para
adelantarlo como lo esta en el dia
q^e es uno de los presbiteros de la Provincia
y responde q^e lo q^e dice dho es la verdad
en cargo de su fianza. Que es de edad de
quarenta y dos años: no leoran las graves
de la ley de q^e se le sustituye, y niendo de esta
Queda en la firma con su sra, de q^e doi fe-

L.º Gregorio Juan Cabedo

Antoni: José de Cubizamaeta

Ciudad de San Agustín de la No.

vida en el mismo dia, mes, y año **D^a**
Catalina Chiken para la justificación
q^e ha ofendido, y está dando presente por
testigo a Juan Montede oca, natural
de la Ciudad de la Habana, de estado ca-
sado, y su ejercicio el del Campo, de
quien sufra por antecedi el ex^{mo}
Reyio jurando q^e hizo por Dios y la
sta Cruz, segun Dios. baxo el qual ofe-
cio decia verdad en lo q^e repr de lo q^e
sele preguntare; y siendo al tenor
del Breve q^e da principio viso: Que
conocio a D. Arcey Dávalos Mani-
ro q^e fue de la q^e lo presento, y se
 acuerda bien que estaba el Dodan te
en Sta Maria habia mas de trece
años quando lo conocio la primera
vez a un singular, en esta Prov^a
con sus propiedades q^e trahia en
tres Bancos: Que vide entoncez le
conta fue a establecerse en el fe

ueno donde murio, y en el dia siguiente
te mandada: Que como Darroes tra-
ba muchos Arbores donde hiegos primer-
mente se fomentaban con ellos, y los ani-
males y igualmente trap; hizo cascal,
dormitorio, y muchos y bueray far-
bricay tanto para vivienda y comodi-
dad, como para guardar frutos, en tea-
minay y es uno de los muchos Plan-
tase de la Provincia, y de los mas
bien provistos de animales Baring
y de Corderos, Aves de varias especies,
utiles, y quanto es necesario para
mejor abastecimiento, todo lo qual es cons-
tante, al estagios para q. ha ido mu-
chay veces al citado Plantase de
intento para sus ocurrencias, y mu-
chay otras ha estado de paso para
otras fines, y en estas ocasiones

ha observado q. siendo menor de
veinte años, ha, en virtud
ha continuado sin interrupción h^{ta}
el día con igual actividad el cultivo
y cultivo del mismo Plantale, y
Responde q. lo q. desea es la ven-
dad en cargo de su hermano. Que es de
edad de treinta y un años en la lo-
can las gales de la ley de q. se le ins-
tañe, y siendo de esta Dada en co-
pion estaba fidu^{te} erenta, no firmam-
da por q. dice no sabe, hizo su
fina, de q. di fe —

Lic. Ortega

Antemi:

Foto de

Lubizancota

no de los

Disto y q. del Documento y sus
aficacion q. ha producido D. Catalina

Chikow, se convence la posesion
de may de diez años continuos, que
en difunto Manio D. Andrey Dal
Wees, y ella han tenido del Fene-
no y Plantase nombrado el Nasan-
fal, i igualmente q. han cumplido
con exactitud las condiciones constan-
tes dela certificacion del Sr. ^{no} bap. la
q. se le mande, dize Lucia. Que
a consecuencia de todo deya mandan
y mandava expedir a la D. Catalina
el titulo en forma q. se le soli-
cita, y se le dara arreglado a lo q.
dela misma dare se practica en
conformidad del acuerdo y determinacion
del Excmo de q. instruye la citada
certificacion: Farense las costas de este
exped. q. pagara la intercedida con doce ^{reales} ~~reales~~.

White Lic. Ortega
Proveydo el Sr. D. Enrique White Coronel de

los R.^{os} C.^{os} E.^{os} político y militar de esta Cua-
drá de San Agustín de la Florida, y su Prov.
por su Magstad q lo firmó con Dictamen del
por su Ten.^{te} Auditor de G.^{ra}, y Arcoz G.^{ral} en
veinte y cinco de Abril de mil ochocientos y
cuatro.

Yo de Pubizanaeta
no de 206

60
En S. Agustín en el mismo día, mes, y año
notifique el Auto q antecede a D. Catalina
Chikow, por su

Yo de Pubizanaeta
no

Exposición de Cortes de los sig.^{os} antecedentes en conformidad de lo
mandado, y con arreglo al Arancel R.^o en la manera sig.^{te}

Yo de Pubizanaeta político y militar por su fir-
ma, cuatro de

4.

Al Sr. su Ten.^{te} Auditor de G.^{ra}, y Ar-
coz G.^{ral} por dos arcosas veintita y
ocho de

68.

A fin el librando por mi d.^o en
lo actuado, y esta certificación qua

venta y ocho 22

72

48.

R^o 120

p^o 15.

S. Agustín 25. de Abril de 1804.

Jose de Loizaga
no. 10. Sob. no.

[Handwritten signature]

note it that they will sell, cede, transfer
& alienate it as may best suit them. To all
which I give the sanction of my authority
as I can do right ought to do in virtue
of the sovereigns Will. Given under my
hand & countersigned by the undersigned
H. M. of
Notary of Government & the Royal Domain
in this said City of St. Augustine Florida
the 4th of May 1804. By command of his
Excell^y: José de Subizaeta Notary of
Government.

I Certify the foregoing to be a true and
correct translation from a Document in the
Spanish Language on file in the Office of
the Public Archives — J. P. L. C.
J. P. L. C.

Simulation of 2nd

Hecho a favor de Don Catatua Blikin
Viuda de Don Andres Dewees, y de los demas sus
Herederos del Plantage nombrado el Marañal

Don Enrique White Coronel de los Reales
Ejercitos Gobernador Politico y Militar de esta
Ciudad de San Agustín de la Florida, y su
Provincia por su Magestad; Por cuanto en R.
orden comunicada a este Gobierno en veinte y
nueve de Octubre de mil setecientos noventa
por la Capitanía General de la Isla de Cuba, y
de las Floridas, esta previene entre otras cosas que a los
extrangeros, que de su propio movimiento se presentan
a jurar vasallaje a nuestros Soberanos, se les concedan
y apreen tierras gratis a proporcion de los trabajadores
que a cada familia tubiere: Que habiendose presentado
como uno de ellos Don Andres Dewees solicitó del Go-
bierno, y se le concedieron, midieron, y entregaron sesenta
y nueve Caballerías de tierra en la Plantación titulada
el Marañal correspondientes al numero de familia que
declará bajo de juramento: cuyo terreno se conoce y
distingue bajo las dimensiones y linderos siguientes:
La primera linea corre sur: empieza a la orilla de un
Zacatal del Rio de San Juan, y se termina con una
cistaca marcada con una señal de Cruz a la orilla
de la Playa de la mar, constando su medida de veinte
nueve y cinco Cadenas. La segunda corre Oeste, con
cuna por dicha cistaca, y se termina con un pino, ma-
cado con la misma señal de Cruz a la Orilla

de un Tacatal del cano de San Pablo confinando
con las tierras de Don Juan M.^c Lucas; su medida
ciento treinta cadenas: La tercera y cuarta linea q.
forman su frente corren la una a la orilla de un
Tacatal del Rio de San Juan, segun resulta de la
certificacion dada por el Capitan Don Pedro Marroto
su comisionado para dho. reparto, y medicion de tierras
su fecha ocho de Febrero de mil setecientos noventa
y dos, y su correspondiente plano autorizado por D.
Samuel Eastlake Agrimensor que fue en dicha me-
dicion. Y mediante a que no se le habia expedido
titulo alguno para seguridad y constancia de su
dominio al expresado terreno en la forma que se
exento con otros que han pasado ya mas de los
diez años de posesion no interrumpida para obtener
el dominio util, y directo a las expresadas tierras;
hecho fabricas en ellas, cultivadas; y finalmente
cumplido con todas las demas condiciones que el
Gobierno establecio para las mercedes y concesiones
de esta naturaleza, vigentes en los titulos librados
a otros Pobladores como lo instruye el expediente
que Dona Catalina Chikens viuda del expresado
Don Andres Deves promocio solicitando se le
expida el correspondiente del terreno que tiene ya

medios, y deslinde y de que está en posesión.
Por tanto, y en consideración a todo, previa el Dic-
tamen del Señor mi Virreyte Auditor de gr^{as}
y Armería general, he venido en conceder, como en
nombre de su Magestad, y de su Real Justicia
que administró concedo a la referida Doña Catalina
Chiker, como tal viuda de Don Andres Dueses,
y a los demás sus hijos, herederos y sucesores,
las expresadas sesenta y nueve Caballerías de tierra
de que consta el mencionado Plazazgo, en abso-
luta propiedad, y en expedirles, como por el presente
lo hago, el correspondiente título, por el cual, sepa
a la Real Hacienda del derecho y dominio que
a dichos terrenos tenía, y lo cede y transfiere en la
referida Viuda de Don Andres Dueses, sus hijos,
herederos y sucesores para que en su consecuencia
lo posean como propios, usen y disfruten sin
pensión alguna, con todas sus entradas, salidas,
usos, costumbres, derechos y servidumbres que a
tenido, tiene y de hecho y por derecho le perte-
necien, y puedan tocar, y siendo su voluntad
lo vendan, cedan, transfieran y enagenen como
mejor les acomode, a todo lo cual interpongo mi

Copy of Title

autoridad cuanto puedo, y de derecho debo en
virtud de la voluntad soberana. Dado bajo mi
firma y refrendado del infrascripto Escribano
de su Magestad, y de Gobierno y Real Hacienda
en esta dicha Ciudad de San Agustín de la
Florida a cuatro de Mayo de mil ochocientos veintitrés.

— Enrique White. —

Por mandado de su Señoría
José de Zubizarrita }
Escribano de Gobierno. }

Whereby certify the foregoing to be a true and correct
copy of the original in my Office. Witness my Hand
and private Seal there being no Seal of Office.
Sancti Agustine this sixth day of October 1823—

Wm. H. H. H.
"Keeper of the
Public Archives"



Decree,

Heirs of Andrew Dewees

vs

The United States.

} For 2290 Acres of Land

The Board having ascertained
the above to be a valid Spanish Grant, and
that the Heirs of Andrew Dewees are now, and
have been previous to the cession of this Province
in the actual occupancy & cultivation of the
same, do confirm it accordingly

September 26th, 1825.

December 1892
Friend

1/10/92

sixty of one hundred thirty five chains. The
second run west begins with the said stake &
ends with a Pine marked with the same mark
of a cross on the border of a Marsh of Pablo Creek
bounding the lands of Don John M^oQuerra, Es.
measures one hundred thirty chains. The third
fourth line which form its front run, the one
on the Edge of a Marsh of the River S^o John as
results from a certificate given by the Captain
Don Pedro Marrat Judge commissioned for
said distribution & survey of lands, dated the
eighth of February are thousand seven hundred
thirty two. This corresponding Plat authenticated
by Don San^o Esteban who was surveyor of said
survey. And as there has been no title issued to him
for the security & confirmation of his dominion to the
said lands in the form in which it has been granted to
others, that they have already possessed more than
ten years of uninterrupted possession to obtain an
useful & direct dominion to the said lands made
buildings on them cultivated them & finally com-
plied with the other conditions established by the
Government for grants & concessions of this nature.
seen in the titles delivered to other settlers, as ap-
pears from the proceedings moved for by the

Tithe in favor of Peter Calderwood, Widow
of Rev. Andrew Calderwood, of his other heirs of this
plantation named the Large Grave.

Don Enrique White Colonel of the Royal Armies,
Political & Military Governor of this City of St. Augu-
-tin Florida, and its Province, for His Majesty, to becom-
by a Royal order communicated to this Government,
on the twenty ninth of October last, thousand seven
hundred & ninety by the Captain General of the
Island of Cuba & both Floridas, it is provided among
other things that to those Foreigners who of their own
free will offer themselves to swear allegiance to
our Sovereign, lands shall be granted & houses &
grates in proportion to the workmen which each
family may have. That Don Andrew Brees
having presented himself as one of them, he
solicited from the Government & there were granted
to him measured & delivered seventy nine caballerias
of land at the plantation named the Orange Grove
corresponding to the number of his family which
he declared upon oath, which land is known, & is
distinguished under the following boundaries
& dimensions. The first line runs South begins at
the edge of a Marsh of the River, St. John & ends
with a stake marked with the sign of a cross on
the edge of the Sea Beach, its measurement con-

Dona Catherine Chiques widow of the said Don
Andrew Deves moved for soliciting that there
should be issued to him the corresponding for the
land which he has already surveyed & laid off
of which he is in possession. Wherefore His
consideration of every thing. Acquainted with
the opinion of my Lieutenant, and son of War, and
of a general. I have granted as in the name of
his Majesty this Royal Justice which I administer
I do grant to the said Dona Catherine Chiques as
widow of the said Don Andrew Deves. & his other
heirs, children. & successors the said seventy nine
caballerias of land, of which the said plantation
consists, in absolute property I do expedite to them
as by these presents I do the corresponding title
by which I separate the Royal Domain from the
right & dominion it had to said land. & I do
transfer it to the said Widow of Don Andrew Deves
her children heirs & successors that is to say
they may possess it as their own use & enjoy it with-
out any incumbrance whatever with all its co-
incidences & rights, now customs & services,
which it has had & has. & in fact & law belong and
appertain to it. & at their will sell, lease, transfer
alienate it as may best suit them in all what

Understand my authority as I can do ought
in virtue of the sovereign Will Given under my
hand & countersigned by the undersigned Notary
of Government & the Royal Domain in this said City
of St. Augustine Florida the fourth of May one
thousand eight hundred & four. Ensigne White

By command of His Excellency

José de Subyarneta Notary
of Government

I Certify the foregoing to be a true and correct translation
from a Document in the Spanish Language on file in the
Office of the Public Archives of St. Augustine

Attest J. B. L. C.

Translation
with the original
written in Spanish
by the Notary
J. B. L. C.
Done at St. Augustine

TO THE
HONOURABLE THE COMMISSIONERS,

APPOINTED TO ASCERTAIN CLAIMS AND TITLES TO LANDS IN EAST FLORIDA.

The Petition of *The Heirs of Andrew Devereux by Geo Gibbs their atty*

RESPECTFULLY SHEWETH:

That your Memorialists claim title to a tract of land consisting of *Two thousand*
Two hundred & ninety of 1/2 by Catalina acres, situated on the south side of St. Johns
River, and on the East side of St. Pablo Creek and

bounded by
the same as follows - the first line runs south on the edge of a
marsh of the River St. Johns to a stake on the beach marked with a
crops 195 Chains - the 2^d line runs west from the said stake to a
pine marked with a crop at the edge of a marsh on Pablo Creek
adjoining the land of John M. Lown 130 Chains, and third
line runs to the marsh of Pablo Creek, and the 4th line runs
to the marsh on St. Johns River, according to a Certificate
given by Don Pedro Almaraz dated the 8th February 1792 reference to
which in the office of the Archives, are

which title your Memorialists derive from a Royal Grant made to
Andrew Devereux the father of y^e memorialists by Governor White in virtue of
the Royal Order of the 29th October 1790 *who sold the same to*
to the said Royal Letter here with exhibited dated the 14th day
of May 1804 marked D with more fully appear.

And your Memorialists further sheweth, that *they*
and in actual possession of said lands,

That, *They* are citizens of the United States - *part of them*
the the said Plantation in the Territory of Florida - *and residents of*
Mary Devereux by
Geo. Gibbs &

D
Miss Mary. Davis
2633 1/2 Mary

69
33 1/2
207
207 25
2298
2500

In the matter of the Petitioners of
Cornelius Taylor Louise Dewees, Winslow
Foster, and the heirs of Elizabeth Floyd
for a partition of a tract of Land situated
at San Pablo and containing more or less
dred acres or thereabouts

We the undersigned Commissioners
appointed the ^{said} Superior Court to make
partition between the said parties do certify
by that we have made partition between
the said parties and return the following
as our report to wit;

At a meeting of the Commissioners appointed
for the partition of the Lands situated on
San Pablo Creek belonging to the estate of the
late Andrew Dewees and containing by a late
survey herewith accompanying & made a
part of this report 1245 acres, present T.
C. Gibbs, John Houston, Samuel Kingsley
Pedro Master and Emanuel Mott Commissioners.

There was awarded to Winslow Foster Attorney
in fact for Ann Maria Dewees one of the
heirs of said Estate, the extreme of said
Land beginning at the south end of said
tract and running North containing $230\frac{1}{2}$
acres of Hammock Land and $4\frac{1}{2}$ acres
of Pine Land next adjoining to Mrs Luisa
C. Mattaire late Miss Luisa C. Dewees

another of the Heiresses aforesaid and
bounded on the South by the aforesaid
moiety, awarded to Winslow Foster, and
running North, containing $230\frac{1}{6}$ acres of
Hammock Land and $47\frac{1}{8}$ acres of Pine
Land next adjoining, to the heirs of
Elizabeth Floyd, another of the heiresses
aforesaid, and bounded on the South
by the moiety awarded to Mrs. Louisa
C. Mattaire, and running North, contain-
ing $110\frac{1}{3}$ acres of Hammock Land and $22\frac{1}{6}$
acres of Pine Land next adjoining, And
to Cornelius Taylor the remainder of said
tract containing $46\frac{1}{3}$ acres of Ham-
mock Land and $94\frac{1}{6}$ acres of Pine
Land next adjoining, under a con-
veyance from Josiah Gates
In Witness Whereof the aforesaid Com-
missioners have hereunto set their
hands and seals, Dated at San
Pablo this 17th day of May 1828

(signed) The Gibbs

John Houston
Samuel Kingsley
Pedro Maester
Emanuel ^{his} Mark Motte

Commissioners

On reading and filing the reports of

the said Commissioners appointed
to make partition between the said
parties. It is ordered that the
said report stand confirmed
and that the partition thereby certified
be holden firm and effectual for ever.

I Philip Walters Clerk of the U.
S. Courts for the fifth Circuit and
Northern District of Florida do hereby
certify that the foregoing is a true
correct and complete copy of its
Original as appears of record in
Order Book "B" now on file in my
Office

In Witness Whereof I
have hereunto set my
hand and seal at Jack-
sonville Florida this 10th
day of January A.D. 1882
and of our Independence
the 106th year,
Philip Walters
Clerk



Dever's Grand-
at

San Pablo



Report of Commissioner,
Appointed to make
partition

2
Department of the Interior
Washington, May 29, 1886.
3485-1885

The Deuces Grant } Re-survey
Florida. }

The Commissioner of the
General Land Office.
Sir:—

On May 4, 1804, Enrique White, Military Governor of the Spanish province of Florida, in pursuance of an application ^{and} survey previously made, granted to the heirs of Andrew Deuces a certain tract of land in said province lying on the St. John's river ^{and} San Pablo creek, containing 2300 acres. The survey, made by the Spanish authorities, which is known as the Eastlake survey, described said tract as follows:

"The first line runs south 195 chains, beginning on the bank of a marsh of the river St. John's, ^{and} ends at a stake marked with a cross on the edge of the sea beach. The second line runs west 130 chains, begins at said stake ^{and} ends at a pine tree with the same mark on the bank of a marsh of San Pablo creek, bounding the lands

of Don Juan McQueen. The third and fourth lines, which form the front, run, the one along the edge of a marsh of San Pablo creek, ^{and} the other along the edge of a marsh of the St. John's river".

After the acquisition of Florida by the United States, the heirs of Andrew Dewees filed their petition to the Board of commissioners, under the act of Congress of May 8, 1822, praying for confirmation of a grant of 2633 acres, which was subsequently amended, asking for confirmation of a tract containing 2290 acres, described ^{and} bounded according to the certificate of survey heretofore mentioned, known as the Eastlake survey. Upon the amended application was rendered this decree —

"The board having ascertained the above to be a valid Spanish grant (i.e., of a tract of land lying on the St. John's river, and bounded by said river, as stated in said petition), ^{and} that the heirs of Andrew Dewees are now ^{and} have been previous to the concession of the province in actual occupancy ^{and} cultivation of the same, do confirm it accordingly".

This decree of confirmation was rendered September 26, 1825, ^{and} was

confirmed by Congress February 8, 1827.

Townships 1st and 2nd south, Range 29 east, in which this claim is situated, were surveyed by Henry Washington, U.S. Deputy Surveyor, under a contract entered into November 20, 1830, which survey was approved by the Surveyor General of Florida. In the survey of said township the boundaries of the private claim of Andrew Dewees were also established, this being the first United States survey of that grant. By this survey the southern bank of the St. John's river was made the northern boundary of the grant, which includes the present site of the town of Mayport. The San Pablo creek was made the western boundary; the sea beach was made the eastern boundary, and the southern boundary running west by north embraced a small strip of section 9, and excluded small strips of sections 5th and 6 on the southern boundary of said sections.

In 1850, A. M. Randolph, United States Deputy Surveyor, made a resurvey of township 2, and his survey conformed substantially to that of Washington.

K.

On June 20, 1857 (as appears of record in Vol. 2, Public Land Records, page 143) John Westcott, Surveyor General of Florida, referring to these surveys, makes the following certificate: "The foregoing record of the plat and description of survey, its connection with the public lands and history of the private claim of the heirs of Andrew Deuces, is this day approved."

The lands south of said grant were surveyed by Washington in 1834, and 1835 as public lands and disposed of by the government. The lands embraced within the grant, including all south of the St. John's river and north of the southern boundary as established by the Washington survey, have from time to time been conveyed by the grant claimants and those holding under them, including the site of the town of Mayport and the light house site purchased by the government. For more than fifty years the boundary lines enclosing said grant, as established by the survey of Washington, have been notorious, and accepted by the original grantees as correct, and until within the past few years it seems not to

5.
have been questioned.

In July, 1882, Eli Haworth, in behalf of Alphonso and Ann Haworth, owners of part of the Dewees grant, deriving title through others from the original grantee, made application to your office for a resurvey of the Dewees grant. The application was granted, and pursuant to instructions issued from your office of September 8, 1882, a resurvey of said claim was made by Deputy Surveyor Duval, which was approved by the Surveyor General of Florida, and transmitted to your office. By this survey the northern boundary of the grant is fixed along the edge of the marsh on the St. Johns river, which excludes the town of Mayport and the land sold to the government for a light-house. The eastern and western boundaries are about the same as defined in the Washington survey, but the southern boundary is removed further south so as to include sections and fractional sections 5, 6, 7, 8, 9, 16, 17 and 18, as shown by the plat of survey, nearly all of which have been disposed of as public lands.

On the return of this survey Eli

Haworth filed objections to the approval of the same, alleging that the surveyor failed to comply with the instructions of your office in not confining his boundaries to the original boundaries of the grant.

Subsequently, Fleming ^{and} Daniel attorneys for the heirs of David Palmer ^{and} for Joseph H. Durkee, who derive title through others from the original grantees, also filed objections to the approval of said survey.

Your office, by letter of November 7, 1884, approved said survey, from which objectors appealed.

It is now admitted that all parties, holding interest in ^{and} claiming title to the lands embraced in both the Washington ^{and} Duval surveys, are parties to this appeal ^{and} object to the approval of said resurvey.

As all parties in interest, who have any right to complain, are now seeking to have the survey made by Duval set aside, ^{and} the interest of the government being better protected by disapproval than approval of said survey, inasmuch as it covers lands that have been disposed

of by the government, this alone would seem to be a sufficient reason for setting aside said survey.

But independent of this, a careful review of a large mass of testimony, giving a full ^{and} complete history of this case, fails to show any good reason why the application for this resurvey should have been granted.

A prior application by Charles D. Taylor had been made for a resurvey of this grant, which was refused by Commissioner Williamson, by letter of December 5, 1877, in which he says:

Said claim was originally surveyed in 1792 by the Spanish surveyor, ^{and} was surveyed by U. S. Deputy Henry Washington in 1834 ^{and} 1835 ^{and} the land now claimed by the heirs of Dewees on the south of the grant was surveyed as public land, ^{and} has been nearly all disposed of by the government, ^{and} no objection to the survey of 1834 ^{and} 1835 appears to have been made for over forty years.

Although Washington's survey of the grant does not appear to conform exactly with the description contained

in the grant, or with the survey of Don Estlake in 1792, it may be impossible to determine at this time exactly what was granted, owing to the lapse of time ^{and} consequent changes in the soil ^{and} the marsh on St. John's river, which bounds the claim on the north."

The boundaries defined by the survey of Washington should therefore be definitely settled as the boundaries of said grant. Such boundaries must have been well known to the grant claimants at the time of such survey, ^{and} the survey of the land south of the grant limits, as defined by Washington as public land, ^{and} settlement thereon by others, would estop the claimants ^{and} those holding under them from now asserting title thereto.

The land lying on the St. John's river, which forms the northern boundary of this grant ^{and} includes the site of the town of Mayport, was by the survey of Washington conceded by the government to form a part of the Dewees grant, ^{and} from that day until the recent survey of Duval the title of the grantees ^{and} those holding

under them to all the land lying on the St. John's river, within the boundaries as surveyed by Washington, seems never to have been questioned.

The decision of your office is therefore reversed, and the resurvey of Deputy Surveyor Duval is disapproved and will be set aside.

As there appears no reason why the boundaries of this grant, as fixed by the Washington survey should be disturbed, especially at this late day, you will direct that no further resurvey of the grant be made under the application of Eli Haworth.

The papers transmitted with your office letter of May 7, 1885, are herewith returned

Very respectfully
L. J. C. Lamar
Secretary.

Servaty Saman-di-
-apmoro of Suwalo Sur-
-uy of the Suwalo Land
Claim of the Heirs
of Andrew Deaver.
Filed June 13th 1886



Pursuant to an order from the Surveyor General of Florida, and in conformity with report No. 1 Claim No. 116 by the Commissioners of East Florida, Confirmed by an act of Congress passed the 8th February 1827. I have Surveyed, measured, measured and marked the boundaries of a tract of land claimed by the heirs of Andrew Dewees, situate at the junction of the St. Johns river with the Atlantic Ocean and comprised within Section No. 38 - Township N. 1 Range N. 29 E. & East - and is bounded as follows: Beginning at the point A, being at the mouth of the St. Johns and the margin of the Sea beach. Thence along the margin of the Sea beach as follows S 27 E 18 Chs. S 41 W 43 Chs. S 5 W 40 Chs. S 9 W 10 Chs. S 11 W 71 Chs. S 10 W 14 Chs. to B at which set a post whence bears Cabbage-palmetto N 70 W 6 Chs. Thence N 84.30 W between the claim of the heirs of Andrew Dewees and public domain 153.69 to C on the East margin of the Salt marsh of Pablo Creek at which established a post whence bears Cabbage-palmetto N 84 E 19 marked A.D. Cabbage-palmetto S 53 E 25 marked B. Thence along the margin of the Salt marsh of Pablo Creek, the Salt marsh of the St. Johns and the margin of St. Johns as follows N 13 W 10 Chs. N 11 E 17 Chs. N 6 W 23 Chs. N 15 E 17 Chs. N 70 W 13 Chs. N 80 W 4 Chs. N 30 E 7 Chs. S 42 E 14 Chs. N 46 E 5 Chs. S 70 E 9 Chs. N 70 E 11 Chs. S 41 E 5 Chs. South 21 Chs. S 5 E 8 Chs. East 3 Chs. North 14 Chs. East 8 Chs. N 2 E 12 Chs. N 7 E 2 Chs. N 50 E 17 Chs. S 5 E 15 Chs. N 50 E 10 Chs. N 64 E 12 Chs. N 50 E 7 Chs. N 6 E 10 Chs. N 12 W 19 Chs. N 13 E 12 Chs. N 16 W 53 Chs. N 49 W 15 Chs. N 78 W 5 Chs. N 12 W 8 Chs. S 9 W 5 Chs. N 53 W 25 Chs. S 38 W 8 Chs. S 7 W 20 Chs. S 4 W 5 Chs. S 2 W 8 Chs. S 6 W 3 Chs. S 7 W 3 Chs. S 6 W 4 Chs. N 50 W 1 Chs. N 23 E 19 Chs. N 45 E 41 Chs. N 85 E 17 Chs. S 75 E 30 Chs. S 5 E 48 Chs. S 75 E 19 Chs. S 45 E 8 Chs. to A the beginning of the survey. Containing Twenty three hundred and forty acres - and having such form and marks natural and artificial as are represented in the above plat.

Isaac Varnes

John W. Townsend

Robt. P. Green

John Watts

Chain Carriers

Examined and compared with the field notes and approved June 20 1826

Henry Washington

Deputy Surveyor

Witness
Amfrenal

Translation.

Title in favor of Doña Catalina Chiques
widow of Don Catalina Chiques Widow
Don Andres Gueves, & of the other heirs of
the Plantation called the Orange Grove.

Don Enrique White Colonel of the Royal
Armies, political & military Governor
of this city of St. Augustine Florida, and
its Province for H. M. Whereas in a Royal
order communicated to this Government
on the 29th October 1790. by the Captain
General of the Island of Cuba & the
two Floridas, it is provided amongst
other things that lands should be granted
to those foreigners who of their own free will
survey'd grants in proportion to the
present themselves to swear ally & to H. M.
number of workers which each family
may have. That Don Andres Gueves having
presented himself as one of them he soli-
cited from the Government that granted
measured & delivered to him Sixty
Nine Cavallerias of Land at the Plantation
called the Orange Grove, corresponding

to the number of family which he declared
under said, which land is known and
distinguished under the following dimen-
-sions & boundaries. The first line runs
South, begins on the edge of a marsh of the
River S^{ta} Soha, & ends with a stake marked
with the mark of a cross on the edge of the
sea beach it measures 195 chains. The second
runs West begins by said Stake & ends by
a Pine tree with the same mark of a cross.
on the back of the ^{a marsh} creek of S^{ta} Pablo, bounding
the lands of D^o Juan M^o Duran, it measures
130 chains. The third & fourth line which
form its front runs the one on the edge of
a marsh of the creek of S^{ta} Pablo, & the other
on the edge of a marsh of the River S^{ta} Soha
as results from the certificate given by
Captain Don Pedro Harrot. Judge comm^o for
for said distribution & survey of lands
dated the 8th of Feby 1792. With corresponding
Plan authenticated by D^o Samuel Castake,

who was
title has
of proof of
in the same
occurred
passed on
-ted poss^o
& direct
buildings
finally c
condition
established
this matter
to other s
proceed
widow of
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little shou
which she
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and in c

it be declared
 known and
 flowing down:
 st line runs
 marsh of the
 stake marked
 the edge of the
 river. The second
 the heads by
 of a brook
 the brook, bounding
 it measures
 the line which
 on the edge of
 the other
 the River. The
 is given by
 Judge committ:
 of lands
 the corresponding
 must Eastlake,

who was surveyor at said survey, has as
 title has been dispatched for the security
 of his dominions to the said land
 in the same form in which it has been
 issued to others who have already
 paid more than ten years of uninterup-
 ted possession in order to obtain the useful
 & direct dominion to the said lands made
 buildings upon them, cultivated them and
 finally complied with all the other
 conditions which the Government has
 established for grants & concessions of
 this nature existing in the titles delivered
 to other settlers as is set forth in the
 proceedings which I^a Catalina Chieka
 widow of the said Don Andres Benitez, has
 moved, soliciting that the corresponding
 title should be issued to ^{her} ~~him~~ for the land
 which she has already surveyed & paid off
 of which she is in possession. Wherefore
 and in consideration of every thing

having first taken the opinion of my Licen^t
the auditor of war & of the general, I
have granted, as in the name of H. H. and
of His Royal Justice which I administer
I do grant unto the said D^a Catalina
Chickes as widow of Don Andres Duenes,
who has children heirs & successors, the
said 69 Caballerias of land of which the
said Plantation consists in absolute property
I am expediting to them, as by these presents
~~is the corresponding title, by which I~~
separate the Royal Domain from the right
& dominion it had to said lands, & decree
to transfer it unto the said widow of Don
Andres Duenes his children, heirs and
successors, that in consequence they may
possess it as their own, use & enjoy it
without any incumbrance whatsoever
with all its entrances, outlets, uses, customs
rights & services which he has had, has
& of custom & by law belong or may appertain