General Land Office • Original Field Notes

Book Number

155

The images in this file are photographs of the notes of the original surveys of the State of Nebraska on file in the Office of the Nebraska State Surveyor located in Lincoln, Nebraska.

The original surveys in Nebraska began in the mid 1850's and were completed in the mid 1880's. The Nebraska office of the Surveyor General was closed June 30, 1886.

155

CONTENTS

Report of commission and field notes of survey or of Boundary between Union County, S. Dakota, and Dakota County, Nebraska, 1904.

Decree of Supreme Court of United States and Report of Commission appointed to survey with field notes of survey of Boundary between Nemaha County, Nebraska, and Atchison County, Missouri, 1905.

"Exhibit "A"."
Miler Filed 29 N 76. Miler's
Range 49
Range "49"
Range "48"
Range 48
Range A.48
Range "48"
R "49"
R "48"
Goodenough Lake
(Reniger's Cut off)
Sand Bar
Sand Bar
Sand Bar
Sand Bar
Sioux River
Mc Cook Lake
(Pocket)
C. M. & St. P. Ry.
McCook
Dakota Meander Line
Nebraska Meander Line
High Dakota Bank
High Nebraska
Twp "90"
Twp "89"
Twp "89"
Twp "89"
Twp "89"
Twp "89"
Twp "89"

Twp. 89
Twp. 89
Twp. 89
Twp. 88
Range 48
Sand Bar
Sand Bar
Sand Bar
Sand Bar
Sand Bar
Nebraska Meander Line
Dakota Meander Line
Nebraska Meander Line
(Pock
Missouri River
Nebraska Bank
High
("Hall's Survey"
of the Sioux Point Cutoff)
Explanation
e Nebraska Meander line
e Dakota Meander line
at part of Union Co. S. Dakota thrown on
Nebraska side of the Missouri River by
cutoff of 1876 is shown by a yellow
gin and marked as "Halls Survey of the
point cutoff.
That part of Dakota Co. Nebraska,
thrown on the north side of the Missouri
River by the cutoff of 1876 and marked "Pocket"
and that part of the same County thrown on
the north side of the Missouri River by the
cutoff of 1901 and marked "Renigers Cutoff"
is marked by a red or pink line.
DAKOTA Co, NEBRASKA.
T 29 N
R 7 E
T 29 N
R 8 E

a

Change of Boundary Line
By Sudden Change of
Missouri River
Between

Dakota County, Nebraska

and

Union County, South Dakota

By Joint Act of the Legislatures
of Nebraska and South Dakota and
Ratified by Act of Congress.

Surveyed _____1904
by
William M. Vinson
Deputy State Surveyor
of South Dakota.

G E N E R A L I N D E X .

BETWEEN UNION COUNTY, S. DAK., & DAKOTA COUNTY,NEB.

Report of Commissioner.....1

Exhibit "B" Field Notes of Survey.....5

Meanders of Missouri River.....10

Exhibit "C" Certificate of Surveyor.....16

Map.....

Exhibit "D" letter of Wm.M. Vinson,Surveyor.....17

BETWEEN NEMAHA COUNTY,Nebr.,& Atchison County,Mo.

Letter of Transmittal of Attorney General.....

" " " " Clerk U.S.Supreme Court..17½

Decree of U.S.Supreme Court with plat.....18

Defendant's Exhibits "D" and "E" and "B"(a map)...

and Plaintiff's exhibit "B"

and certificate of Clerk of Supreme Court...20 to 38

Report of Commissioner appointed to survey the boundary line according to the Decree of the Supreme Court.....39

Exhibit "3" expense of survey.....41

Field notes of survey.....43

Certificate of surveyors.....49

Map.....

Certificate of Attorney General.....50

R E P O R T

--of--

C O M M I S S I O N E R S

APPOINTED TO FIX THE BOUNDARY LINE BETWEEN

THE STATE OF SOUTH DAKOTA

---:and:---

THE STATE OF NEBRASKA.

WHEREAS, Edward C. Ericson, S. H. Dixson, and John L. Jolley, were appointed Commissioners by the Governor of the State of South Dakota, to ascertain, adjust and fix the boundary line between the State of South Dakota, and the State of Nebraska, in conformity with the provisions of Chapter 16, of the laws passed by the Legislative Assembly of the State of South Dakota of 1903, entitled, "An Act authorizing the Governor of the State of South Dakota to appoint three commissioners of said State of South Dakota to act with a like commission of the State of Nebraska, in agreeing upon a boundary line, on the south side of Union County, between said State of South Dakota, and the State of Nebraska, and making an appropriation for the expenses of such Commission, and prescribing their powers and duties", approved March 9, 1903.

And Whereas, C. J. Swanson, F. O. Robinson, and E. A. Lundburg, were appointed Commissioners by the Governor of the State of Nebraska, for the same purpose, in conformity with the provisions of House Resolution #358 of the Legislature of the State of Nebraska, entitled "An Act authorizing

the Governor of the State of Nebraska to appoint three commissioners on behalf of said State of Nebraska, to act with a like Commission from the State of South Dakota, in agreeing upon a boundary line between the State of Nebraska and the said State of South Dakota, and making an appropriation for the expenditures of such Commission, and prescribing their powers and duties, in effect July 9, 1903.

And the said Commissioners, of the two states, for so ascertaining, fixing, and adjusting the said boundary line, between the States of Nebraska and South Dakota, so appointed by the Governor of the State of South Dakota, and the Governor of the State of Nebraska respectively, having met at the time and place previously appointed for that purpose, and having made a full and personal examination of the premises affected, and after having the same duly surveyed and platted by William M. Vinson, a surveyor duly employed by the joint commission, do unanimously agree and recommend that the portion of the boundary line between the State of South Dakota, and the State of Nebraska, lying and being south of Union County, South Dakota, shall be in the middle of the main channel of the Missouri River, as now existing.

And we do further unanimously agree and recommend that all that portion of the State of Nebraska now lying south of Union County, South Dakota, and north of the middle of the main channel of the Missouri River as now existing, and including the tracts marked upon said surveyor's plat, of his said survey, hereto attached, as "Reniger's Cut-off" and the "Pocket",

be and become a part of the State of South Dakota.

And we do further unanimously agree and recommend that all that portion of Union County, in the State of South Dakota, now lying and being south of the middle of the main channel of the Missouri River, as now existing, and including the tract marked upon such surveyor's plat, of his said survey, hereto attached, as "Hall's Survey of the Sioux Point Cut-off" be, and become a part of the State of Nebraska.

A plat and field notes, of the survey so made, under our direction, by the said surveyor, of the tracts above mentioned, and of the Missouri River, as now existing, at the points covered by such plat, together with the Certificate of said Surveyor, and the letter of transmittal of said Surveyor to this Commission, are hereto attached, marked Exhibits "A", "B", "C", and "D", respectively; and said exhibits, and each of them, are hereby made a part of our report.

The middle of the main channel, of the Missouri River, as now existing, within the territory covered by said plat, and as determined and located by said Surveyor, is shown upon said plat by a red line.

This agreement shall be of no effect until ratified by the Legislatures of the State of Nebraska, and the State of South Dakota, and approved by the Congress of the United States.

Given under our hands and seals this 2nd day of March, in the Year of our Lord One Thousand Nine Hundred and Four.

J. H. Swanson (Seal.)

F. O. Robinson (Seal.)

E. A. Lundberg (Seal.)

Commissioners on the Part of the State of Nebraska.

Edward C. Ericson (Seal.)

S. H. Dixson (Seal.)

John L. Solley (Seal.)

Commissioners on the Part of the State of South Dakota.

Exhibit "B".

To Survey, fractional Township's 88 and 89 N. Range 48 West, of the 5th Principal Meridan.

I commenced on the original quarter section corner between section's 26 and 27 of Township 89 N. Range 48 W. running thence south on a true line between section's 26 and 27 Variation 10° 30'E.

Chains	
38.50	Intersect high bank of Missouri River.
	The river being frozen I continued my line south
51.00	leave channel of river and enter sand bar
78.40	enter ice on river
94.50	leave same and enter high bank and drive a 2 inch gaspipe, for Meander Corner, to fractional section's 34 & 35. I then continue my line.
120.00	set 2 inch gaspipe, for corner to section's 2-3-34 & 35. from this point, I run East on a true line, between section's 2 and 35, Variation 10° 30' E.
53.39	to small channel of river, running along Nebraska high bank, and set a 2 inch gaspipe, for Meander corner, to fractional section's 2 and 35.
	From the corner to section's 2-3-34 & 35, I run west, on a true line between section's 3 & 35 Variation 10° 30' E,
40.00	set 2 inch gaspipe, for quarter section corner.
80.00	set 2 inch gaspipe, for corner to sections 3-4-33 & 34.
	Land high willow bar.
	West on a true line between section's 4 & 33 Variation 10° 30' E.
18.00	small stream runs S E,
40.00	set 2 inch gaspipe for quarter section corner
80.00	set 2 inch gaspipe for corner to section's 4-5-32 & 33.
	West on a true line between section's 4 & 32 Variation 10° 30'E.
40.00	set 2 inch gaspipe for quarter section corner.
80.00	set 2 inch gaspipe for corner to section's 5-6-31 & 32.

Chains	
	West on true line between section's 6 & 31 Variation 10°.30' E
21.00	enter bayou,
22.50	leave bayou and set 2 inch gaspipe for Meander Corner to fractional section's 6 & 31.
	North on a true line between sections 33 & 34 Variation 10°.15' E,
40.00	set a 2 inch gaspipe for quarter section corner,
80.00	set a 2 inch gaspipe for corner to section's 27-28-33 & 34.
	Land high willow bar.
	East on a true line betweensection's 27 & 34, Variation 10°.10' E,
10.75	bank of Missouri River and set a 2 inch gaspipe for Meander corner to fractional section's 27 & 34.
	North on a true line between section's 27 & 28 Variation 10° 15' E
12.50	Intersect left bank of Missouri River and set a 2 inch gaspipe for Meander Corner to fractional section's 27 & 28.
	North on a true line between section's 32 & 33 Variation 10°.20' E,
37.00	small stream runs east.
40.00	set a 2 inch gaspipe for quarter section corner.
80.00	set a 2 inch gaspipe for corner to section's 28-29-32 & 33.
	East on a random line between section's 28 & 33 Variation 10°.20'E
40.00	set a stake for temporary quarter section corner.
79.90	Intersect corner to section's 27-28-33 & 34.
	West on a true line between section's 28 & 33 Variation 10°.20'E,
39.95	set a 2 inch gaspipe or permanent quarter section corner.
79.90	corner to section's 28-29-32 & 33.
	North on a true line between section's 28 & 29 Variation 10° 15'E
37.10	Intersect bank of Missouri River and set a 2 inch gaspipe for Meander Corner to fractional section's 28 & 29.

West on a true line between section's 29 & 32 Variation 10°20'E.

40.00 Set a 2 inch gaspipe for quarter section corner.

66.50 small stream and Nebraska high bank, I set a 2 inch gaspipe for Meander Corner to fractional section's 29 & 32.

To get the line between section's 29 & 30, I run on an offset line north 9.50 chaings, thence west 13.50 chains to the line between section's 29 & 30, and the high Nebraska bank where I caused a 2 inch gaspipe to be driven for Meander Corner to fractional section's 29 & 30 from which I run North on a true line.

38.50 Intersect bank of Missouri River and set a 2 inch gaspipe for Meander Corner to fractional section's 29 & 30.

North on a true line between section's 31 & 32 Variation 10°15'.

13.00 enter marsh.

16.00 leave same.

40.00 set a 2 ibch gaspipe for quarter section corner.

44.50 Intersect Nebraska high bank and set a 2 inch gaspipe for Meander Corner to fractional section's 31 & 32.

To subdivide Fractional Township 88 N. Range 48 W.

I commenced on the north boundary at the corner to section's 5 & 6 running thence south on a true line Variation 10°20'E.

40.00 set a 2 inch gaspipe for quarter section corner.

77.00 enter marsh.

80.00 drove a 2 inch gaspipe for corner to section's 5-6-7 & 8.

West on a true line between section's 6 & 7 Variation 10°30'E.

4.50 leave marsh and set a 2 inch gaspipe for Meander Corner to fractional section's 6 & 7.

From the corner to section's 5-6-7 & 8, I run south on a true line Variation 10°20'E.

3.65 leave marsh and set a 2 inch gaspipe for Meander Corner to fractional section's 7 & 8.

Chains - From the corner to section's 4 & 5 on the north boundary I run south on a true line, Variation 10° 15' E.

40.00 set a 2 inch gaspipe for quarter section corner.

80.00 set a 2 inch gaspipe for corner to section's 4-5-8 & 9.

West on a random line, between sections 5 & 8, Variation 10° 15'E.

40.00 set stake for temporar quarter section corner,

42.50 enter marsh.

46.00 leave marsh,

57.00 enter marsh,

60.00 leave same,

79.80 intersect corner to section's 5-6-7 & 8.

East on a true line between sections 5 & 8 Variation 10° 15E.

39.90 set 2 inch gaspipe for quarter section corner

79.80 corner to section's 4-5-8 & 9.

From the corner to section's 4-5-8 & 9 I run South on a true line between section's 8 & 9 Variation 10° 15' E.

38.00 enter marsh.

38.40 leave same and set a 2 inch gaspipe for Meander corner to fractional section's 8 & 9.

From the corner to section's 3 & 4 on the north boundary I run south on a true line between section's 3 & 4 Variation 10° 20' E.

40.00 set a 2 inch gaspipe for quarter section corner.

52.00 small stream runs S.E.

80.00 set a 2 inch gaspipe for corner to section's 3-4-9 & 10.

West on a random line between section's 4 & 9 Variation 10° 15' E

40.00 set stake for temporary quarter section corner.

78.00 enter marsh.

80.12 corner to section's 4-5-8 & 9.

East on a true line between section's 4 & 9 Variation 10° 15' E.

40.08 set a 2 inch gaspipe for quarter section corner.

80.12 corner to section's 3-4-9 & 10.

Chains South on a true line between section's 9 & 10 Variation 10° 20'E

40.00 set a 2 inch gaspipe on north edge of marsh, for quarter section corner.

50.00 set a 2 inch gaspipe for Meander Corner to fractional section's 9 & 10.

East on a true line between section's 3 & 10 Variation 10° 15' E.

32.00 intersect marsh and set a 2 inch gaspipe for Meander Corner to fractional section's 3 & 10.

From the corner to section's 2 & 3 on the north boundry I run south on a true line between section's 2 & 3 Variation 10° 15 E.

40.00 set a 2 inch gaspipe for quarter section corner.

48.30 intersect small stream and set a 2 inch gaspipe for Meander Corner to fractional section's 2 & 3.

Meander Notes for fractional Township 88 N. Range 48 W. 5th. P.M.

I commenced on the north boundary at the Meander Corner between section's 2 & 35, Variation 10°00'E.

Courses.	Chains.	
S.47° 00'W.	17.28	
S.57° 00'W.	15.00	
S.59° 30'W.	14.00	
S.37° 00'W.	27.00	to Meander Corner between section's 2 & 3.
		Thence in section 3, Variation 10° 00'E.
S.44° 00'W.	10.00	
S.59° 00'W.	24.50	
S.77° 30'W.	25.00	
S.13° 00'E.	5.40	to meander corner between section's 3 &.10.
		Thence in section 10, Variation 10° 00'E.
S.39° 30'E.	10.00	
S.31° 00'E.	3.50	
S.77° 00'E.	8.00	
South	10.00	
S.26° 00'W.	20.00	
S.53° 00'W.	13.00	
S.76° 00'W.	16.00	
N.88° 00'W.	11.69	to Meander Corner between section's 9 & 10.
		Thence in section 9, Variation 10°00'E.
N.88° 00'W.	19.31	
N.88° 00'W.	25.00	
N.71° 00'W.	16.00	
S.71° 00'W.	16.00	
N.85° 00'W.	6.80	to Meander Corner between section's 8 & 9.
		Thence in section 8, Variation 10° 00'E.
N.85° 00'W.	5.20	
N.65° 00'W.	27.00	
N.64° 00'W.	16.00	
N.65° 00'W.	11.50	
N.70° 00'W.	18.00	
N.62° 00'W.	9.26	to Meander Corner between section's 7 & 8.
		Thence in section 7, Variation 10° 00'E.
N.53° 00'W.	5.00	to Meander Corner between section's 6 & 7.

Thence in section 6, Variation 10° 00'E.

Courses.	Chains.	
N.45° 00'W.	4.00	
N.43° 00'W.	12.00	
N.31° 00'W.	20.00	
N.21° 00'W.	11.00	
N.10° 00'W.	9.00	
N. 2° 00'W.	13.00	
N.15° 00'E.	17.00	
N.18°00'E.	2.57	to Meander corner between section's 6 & 31.
		Thence in Township 89, from the corner to section's 6 & 31 on the south boundary .
		In section 31, Variation 10° 00'E.
N.18° 00'E.	17.43	
N.28° 30'E.	13.00	
N.22° 00'E.	15.10	
N.53° 00'E.	5.56	to Meander corner between section's 31 & 32.
		Thence in section 32, Variation10° 00'E.
N.53° 00'E.	10.94	
N.42° 00'E.	13.50	
N.38° 30'E.	2.00	
N.38° 00'E.	5.00	
N.41° 00'E.	4.00	
N.31° 30'E.	4.00	
N.35° 00'E	1.00	
N.28° 00W.	5.00	
N.44° 00'W.	11.00	To Meander corner between section's 29 & 30.
		Thence in section 30, Variation10°00'E.
N44° 00'W.	2.00	
N.56°30'W.	22.00	
N.40° 30'W.	31.00	
N.28° 30'W.	16.70	
S.68° 00'E.	28.00	
S.70° 00'E.	9.00	To Meander corner between section's 29 & 30.
		Thence in section 29, Variation10° 00'E.
S.89° 00'E.	80.00	To Meander corner between section's 28 & 29.
		Thence in section 28, Variation 10°00'E.
S.75° 15'E.	41.60	
S.72° 45'E.	42.00	to Meander corner between section's 27 & 28.

Thence in section 27, Variation 10°00'E.

Courses.	Chains.	
S.49° 45'E.	19.33	to Meander corner between section's 27 & 34.
		Thence in section 34, Variation 10° 00'E.
S.50° 00'E.	39.28	
S.58° 45'E.	47.00	to Meander corner between section's 34 & 35.
		Thence in section 35, Variation 10°00'E.
N.81° 00'E.	60.75	
South	29.00	
S.47° 00'W.	9.15	to Meander corner between section's 2 & 35.

Meanders for the right or Dakota bank of the Missouri River commencing at the line between section's 22 & 23 in Township 89 N. Range 49 W. of the 5th, P.M. thence down stream.

Courses.	Chains.	
S.80° 00'E.	41.00	
S.86° 00'E.	40.00	
N.82° 00'E.	36.00	
N.30° 00'E.	15.00	
North	50.00	
N.10° 00'E.	25.00	
N.22° 00'E.	20.00	
N.30° 30'E.	10.00	
N.38° 00'E.	15.00	
N.48° 00'E.	40.00	
N.60° 00'E.	20.00	
S.53° 00'E.	31.00	this point is opposite the mouth of Goodenough Lake.
S.25° 00'E.	15.00	
S.10° 00'E.	30.00	
South	80.00	
S.10° 00'W.	35.00	
S.46° 00'E.	5.00	
S.52° 00'E.	8.00	
S.70° 00'E.	20.00	
S.78° 00'E.	20.00	this point is opposite the mouth of Mc Cook Lake.
S.61° 00'E.	35.00	
S.56° 00'E.	40.00	
S.47° 00'E.	32.00	
S.43° 00'E.	38.00	
S.85° 00'E.	10.00	
N.75° 00'E.	41.00	to mouth of Big Sioux River.

Meanders for the Reniger cut-off commencing at the corner to section's 14 & 23 in Township 89 Range 49 thence down stream.

Courses.	Chains.	
N.17° 00'E.	15.00	
N. 2° 00'W.	35.60	
N. 6° 00'E.	30.10	
N.15° 30'E.	33.70	
N.16° 00'E.	21.00	
N.37° 00'E.	34.00	
N.26° 00'E.	66.60	
N.33° 00'E.	23.75	
N.34° 45'E.	21.10	
N.30° 45'E.	25.00	
N.55° 45'E.	14.38	
N.76° 00'E.	20.00	
S.77° 15'E.	14.00	
S.51° 00'E.	7.00	
S.41° 00'E.	13.00	
S 24° 15'E.	23.76	
S.13° 00'E.	18.30	
S.17° 00'E.	17.00	
South	20.00	
S.14° 00'W.	15.00	
S.12° 00'E.	27.00	
S. 7° 00'E.	25.00	
S. 6° 00'W.	20.00	
S.12° 00'W.	18.00	
S.20° 00'W.	19.00	to the mouth Of Goodenough Lake and Missouri River.

Meander notes for the Mc Cook Lake or the cut-off called "The Pocket" commencing at the corner to section's 17 & 18, in Township 89N.Range, 48W. 5th. P.M.

Courses.	Chains.	
N.71° 00'E.	15.00	
N.65° 00'E.	63.00	
N. 7° 00'E.	30.40	
N. 5° 15'E.	54.23	
N.14° 00'E.	10.00	
N.22° 45'E.	17.75	
N.22° 00'E.	1.00	
N.43° 00'E.	12.50	
N.65° 00'E.	25.00	
S.85° 00'E.	21.00	
S.40° 00'E.	15.00	
S.35° 00'E.	7.40	
S.26° 00'E.	20.60	
S.21° 00'E.	10.00	
S.5° 00'E.	27.15	
S.10° 00'E.	10.00	
South	8.00	
S. 5° 00'W.	14.00	
S.20° 00'W.	28.20	
S.28° 00'W.	30.00	
S.37° 00'W.	15.00	
S.39° 00'W.	13.50	
S.27° 00'W.	32.00	
S.24° 00'W.	17.00	
S.20° 00W.	27.00	to the mouth of Mc Cook Lake and the Missouri River.

"Exhibit "C"" x

The undresigned, William M. Vinson, a Civil Engineer and Deputy State Surveyor of the State of South Dakota, having been duly appointed to run, fix, survey and locate the boundary line between the states of Nebraska and South Dakota, by the Commissioners heretofore commissioned and authorized to ascertain, adjust and fix the boundary line between the said states has agreeably to the order of said commissioners run, surveyed and located the Missouri River and adjacent territory as shown upon the plat and field notes hereto attached, marked Exhibit A and Exhibit B and made a part of this certificate and report and in doing so I have surveyed, located and marked the exact location of the Missouri River at the present time at the points shown upon said plat and also the present location of the main channel of said Missouri River and have indicated the center of said main channel by a red line as drawn upon said plat and in said plat I have also shown the exact location of the land on both sides of the Missouri River as it now runs and also have shown and indicated the several tracts which have been cut off and separated from the state to which it belongs by the various cut-offs caused by the Missouri River as shown on said plat, the same being the cut-off of territory belonging to Nebraska made in 1876 and marked on said plat as "The Pocket" and the cut-off of territory belonging to Dakota now the state of South Dakota, made in 1876 and marked on said plat as "Halls Survey" and also the cut-off of territory belonging to Nebraska made in 1901, and marked on said plat as "Reniger's Cut-off". And I futher certify that said plat and field notes thereof and hereto attached are a true, correct and accurate survey of all the land described in the said plat and of the Missouri River as now existing and that the distances and locations marked on the attached plat are the true, correct and exact distances and locations of each tract of land shown on said plat.

Given under my hand and seal at Elk Point, in the County of Union and the State of South Dakota, this 29th day of February, 1904.

William M. Vinson

Civil Engineer and Deputy State Surveyor.

W. M. VINSON

DEPUTY STATE AND COUNTY SURVEYOR.

"Exhibit "D"."

Elk Point, S. D. Feby 29th 1904

To the Honorable Commissioners of the States of Nebraska and South Dakota, appointed to locate and establish the boundry between said States.

Gentlemen:-

The undersigned who was duly appointed by you to survey and locate the cut-off of a portion of Union County, South Dakota, south of the present channel of the Missouri River, known as "Hall's Survey" and the portions of Dakota County, Nebraska, lying North of the present channel of the Missouri River, known as "The Pocket" and "Reniger's Cut-off" and to survey and fix the present channel of the Missouri River adjacent and contiguous to such cut-offs herewith respectfully reports that pursuant to such appointment I made a survey of the territory covered by your appointment and herewith presents a map or plat showing such cut-offs and the present channel of the Missouri River and the Country adjacent thereto, and also true and correct field notes showing the boundries by courses anddistances of each of the tracts above referred to, and I have also attached thereto my official certificate duly aunthenticating and certifying such survey and field notes.

Respectfully submitted,

Wm M Vinson

18

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BOUNDARY LINE

between

NEMAHA COUNTY, NEBRASKA,

and

ATCHISON COUNTY, MISSOURI,

According to a Decree

of the

U. S. SUPREME COURT

at

October Term,1904,

and

REPORT of COMMISSIONERS

Appointed to survey

said Line.

----------0----------

NORRIS BROWN, ATTORNEY GENERAL.
W. T. THOMPSON, DEPUTY
W. B. ROSE, ASSISTANT.

State of Nebraska.
OFFICE OF
Attorney General.

LINCOLN, October 1, 1906.

Hon. Henry M. Eaton,

Commissioner of Public Lands & Buildings,

Lincoln.

Dear Sir:

I hand you herewith, for the information of your department, printed copy of the decree of the supreme court of the United States in Missouri v. Nebraska.

Very respectfully,

Norris Brown

Attorney General.

I have, as requested, added my signature and seal to the certificate at the end of the decree and return it to you herewith. No charge is made for the above service.

Yours truly,

Jas. H. McKenney

Clerk, Supreme Court, U.S.

per M. C. M.

P. S. I return you herewith the letter to you from Attorney General Brown, above acknowledged.

---

deemed necessary, and with the approval of your

OFFICE OF THE CLERK,
Supreme Court of the United States,
Washington, D.C.

January 4, 1907.

H. M. Eaton, Esq.,
Commissioner of Public Lands, etc.,
Lincoln, Neb.

Dear Sir::

Yours of the 31st ult., enclosing a letter to you from Norris Brown, Esq., Attorney General of Nebraska, dated October 1, 1906, also printed copy of decree in case of Missouri v. Nebraska, No. 5, Original, Oct. Term, 1904, duly received.

I have, as requested, added my signature and seal to the certificate at the end of the decree and return it to you herewith. No charge is made for the above service.

Yours truly,
Jas. H. McKenney
Clerk, Supreme Court U.S.
per M. C. M.

P. S. I return you herewith the letter to you from Attorney General Brown, above acknowledged.

deemed necessary, and with the approval of your

Supreme Court of the United States.

No. 5, Original.—October Term, 1904.

The State of Missouri, Complainant, *vs.* The State of Nebraska.	In Equity. On Bill and Cross Bill.

This cause coming on for final decree, in pursuance of the opinion of this court filed herein on December 19, 1904, and the stipulation of the respective parties by their counsel filed herein on January 30, 1905, which said stipulation is in words and figures as follows, to wit:

"In the opinion of the court in the above-entitled cause, the order and finding of the court having been made as follows:

"It appears from the record that about the year 1895 the county surveyors of Nemaha County, Nebraska, and Atchison County, Missouri, made surveys of the abandoned bed of the Missouri River, ascertained the location of the original banks on either side, and to some extent marked the middle of the old channel. If the two States will agree upon these surveys and locations as correctly marking the original banks of the river and the middle of the old channel, the court will, by decree, give effect to that agreement; or, if either State desires a new survey, the court will order one to be made and will cause monuments to be placed so as to permanently mark the boundary lines between the two States. The disposition of the case by final decree is postponed for forty days, in order that the court may be advised as to the wishes of the parties in respect to these details."

"In pursuance whereof now come the parties hereto by their respective counsel and agree that the said surveys made by the county surveyors of Nemaha County, Nebraska, and Atchison County, Missouri, as reported by the Commissioners and set forth in the opinion of the court, constitute and be correct boundary lines between the said States, the same constituting the middle of the old channel of Missouri River as found by said court in its opinion.

"It is further agreed between the parties hereto that the monuments marking said boundary line established by the said county surveyors of said counties are not of a permanent character, and many of them have become destroyed or removed, and that in order to mark a permanent boundary line it is necessary and is deemed best that permanent monuments be erected at regular intervals on said line in such manner as will quiet all dispute in reference to said boundary.

"It is further agreed that said permanent monuments can be best established under the supervision of the Commissioners heretofore appointed by the court, to wit, Alfred Hazlett and John W. Halliburton, and it is therefore requested by the parties to this cause that the court, by a proper order, direct and require said Commissioners to establish or cause to be established under their direction such permanent monuments as may by

deemed necessary, and with the approval of your

them be deemed necessary in the premises and in accordance with the order of the court heretofore made, and make a report to the court of their acts and doings therein. In the execution of their powers herein said Commissioners shall have authority to employ such surveyors and other assistants and procure such material as may be necessary in the establishment of the permanent monuments, marking said boundary line in accordance with the opinion of the court heretofore rendered and this agreement.

"It is further agreed that said Commissioners for their services herein shall receive such compensation as may be ageed upon by the respective parties, and if the parties are unable to agree, then such as may be fixed by the court after the services have been performed and due report thereon made.

"On account of the unfavorable condition of the weather during the winter months and of the character of the ground during the spring months, the parties hereto respectfully request the court that said Commissioners be granted until the first day of May, 1905, in which to make their report.

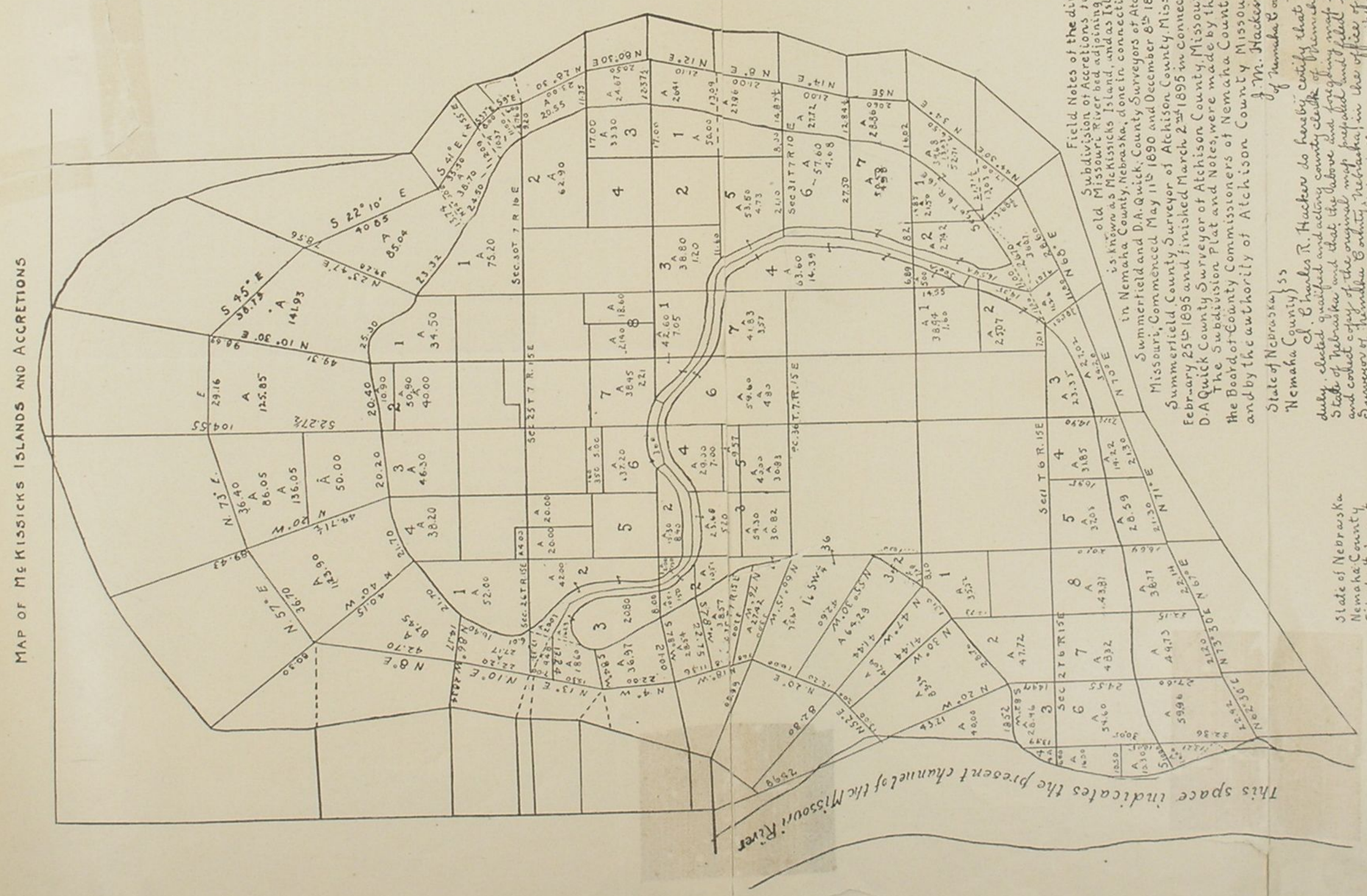
STATE OF MISSOURI, Complainant,
By EDWARD C. CROW,
Attorney General.
SAM B. JEFFRIES,
Assistant Attorney General.
STATE OF NEBRASKA, Defendant,
By F. N. PROUT, *Attorney General.*"

And on motion of Herbert S. Hadley, Attorney General of the State of Missouri, counsel for said complainant, that a decree be entered in this cause in accordance with said opinion and stipulation:

It is now here ordered, adjudged and decreed by this court that the middle of the channel of the Missouri River, according to its course as it was prior to the avulsion of July 5, 1867, is and shall be the true boundary line between Missouri and Nebraska, and that said boundary line is indicated upon and shown by the following plat:

deemed necessary, and with the approval of your

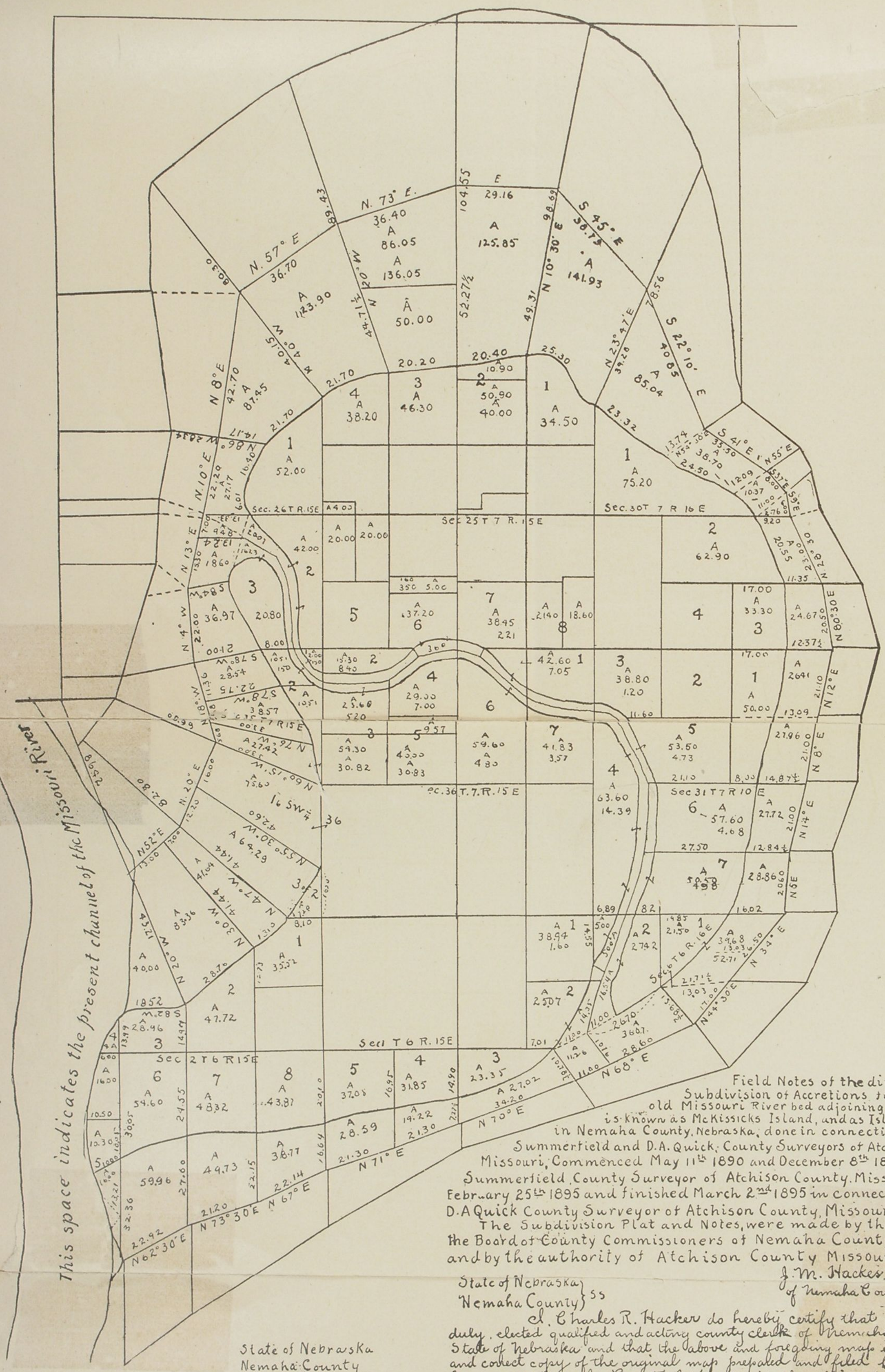
DEFENDANTS EXHIBIT D.



deemed necessary, and with the approval of your

DEFENDANTS EXHIBIT D.

MAP OF McKISSICKS ISLANDS AND ACCRETIONS



Field Notes of the division and Subdivision of Accretions formed in the old Missouri River bed adjoining to land what is known as McKissicks Island, and as Island Precinct in Nemaha County, Nebraska, done in connection with B.F. Summerfield and D.A. Quick, County Surveyors of Atchison County Missouri, Commenced May 11th 1890 and December 8th 1891 with B.F. Summerfield, County Surveyor of Atchison County, Missouri; and on February 25th 1895 and finished March 2nd 1895 in connection with D.A Quick County Surveyor of Atchison County, Missouri.

The Subdivision Plat and Notes, were made by the authority of the Board of County Commissioners of Nemaha County, Nebraska and by the authority of Atchison County Missouri.

J. M. Hackes, County Surveyor of Nemaha County Nebraska

State of Nebraska
Nemaha County } ss

I, Charles R. Hacker do hereby certify that I am the duly elected qualified and acting county clerk of Nemaha County State of Nebraska and that the above and foregoing map is a full, true and correct copy of the original map prepared and filed by the County Surveyor of Nemaha County, Nebraska, in the office of the County Clerk of said County and State, as the same now appears among the files and records of my office and that I am as such County Clerk under the laws of the State of Nebraska the proper Custodian of said map.

Given under my hand and the seal said county this 7th day of October A.D. 1902 at Auburn Nebraska

Charles R. Hacker, County Clerk
Nemaha County, Nebraska.

State of Nebraska
Nemaha County
Filed 10th day of
April 1895
J. M. Barness
County Clerk

And that said boundary line is more particularly shown and described by the following eleven sectional survey maps, with the field notes descriptive of each of said sectional maps and surveys:

Defendant's Exhibit "E."

FIELD NOTES.

No. of Survey ..... Date February 25th to March 29th 1895
Survey for Nemaha county Nebraska
At request of the Board of County Commissioners
Chainmen sworn W. T. Hacker and H. D. Hacker
Point established divis. of Accretions to Sec. 35, Twp. 7 N, Rng. 15 E, 6th P. M.

Commencing at the meander corner, on the Nebraska bank of the Old Missouri River bed where the Township line between Townships 6 and 7 North of Range 15 East of the 6th Principal Meridian in Nebraska intersects with the Old Missouri River bed and at a point 9.10 chaines West of the South East corner of Section 35 and South West corner of Section 36 in Township 7 North, of Range 15 East of the 6th Principal Meridian in Nebraska, and run thence N 47° W at 40.00 chaines set a random stake for half way and at 82.88 chaines came to a meander corner on the Missouri bank of the Old Missouri river bed. This line run in connection with D. A. Quick Surveyor of Atchison county Missouri. Correcting back we corrected the random stake set at 40.00 chaines to 41.44 chaines for the half way or dividing line between Missouri and Nebraska and set a Limestone 7x12x25 inches square. Marked M. and N. Whole distence across 82.88 chaines. Half the distence across 41.44 chaines.

And Commencing at the quarter section corner on the West line of Section 36 and East line of Section 35 in Township 7 North, of Range 15 East of the 6th Principal Meridian in Nebraska, it being on the Nebraska bank of the Old Missouri River bed and run thence N 67° W and at 32.52 chaines set a random stake for half way and at 66.00 chaines came out 88 links South of the corner on the Missouri bank of the Old Missouri River bed. This line was run in connection with D. A. Quick County Surveyor of Atchison county Missouri. Adjusting our bearing to N 66° 15′ W we corrected back and corrected the random stake set at 32.52 chaines to 33.00 chaines 48 links west and 44 links North of the random stake and on a direct line, and we set a Limestone 8x11x44 inches square for the dividing line between Missouri and Nebraska marked M and N

Whole distence across 66.00 chaines.

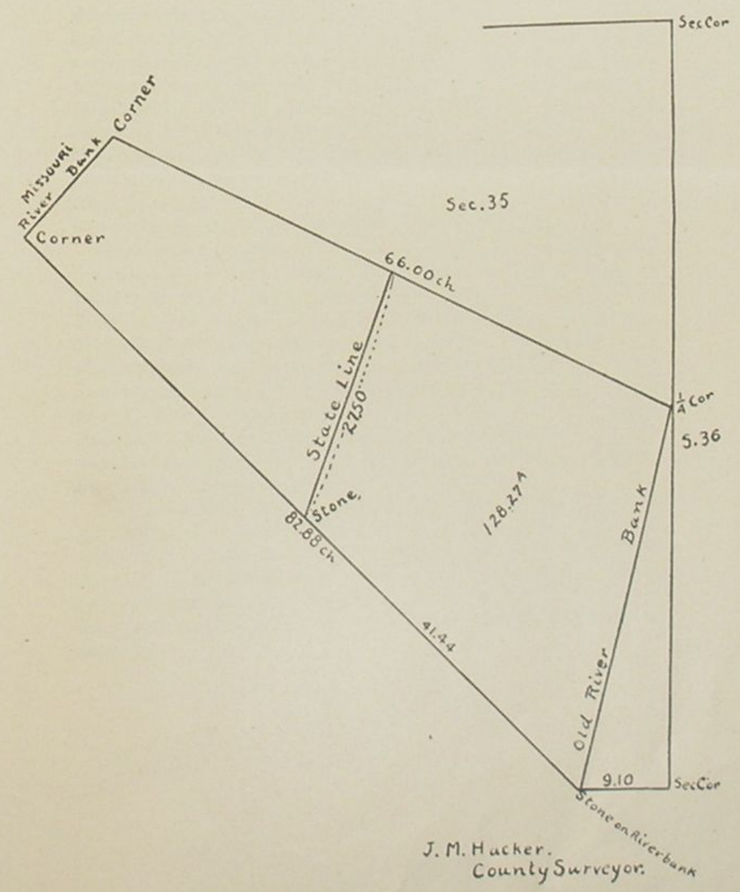
Half the distence across 33.00 chaines.

deemed necessary, and with the approval of your

SURVEYOR'S RECORD

Nº 1 PLAT.

Section 35 in. Township 7 North, Range 15 East, 6th. P.M. Nebr.



J. M. Hucker.
County Surveyor.

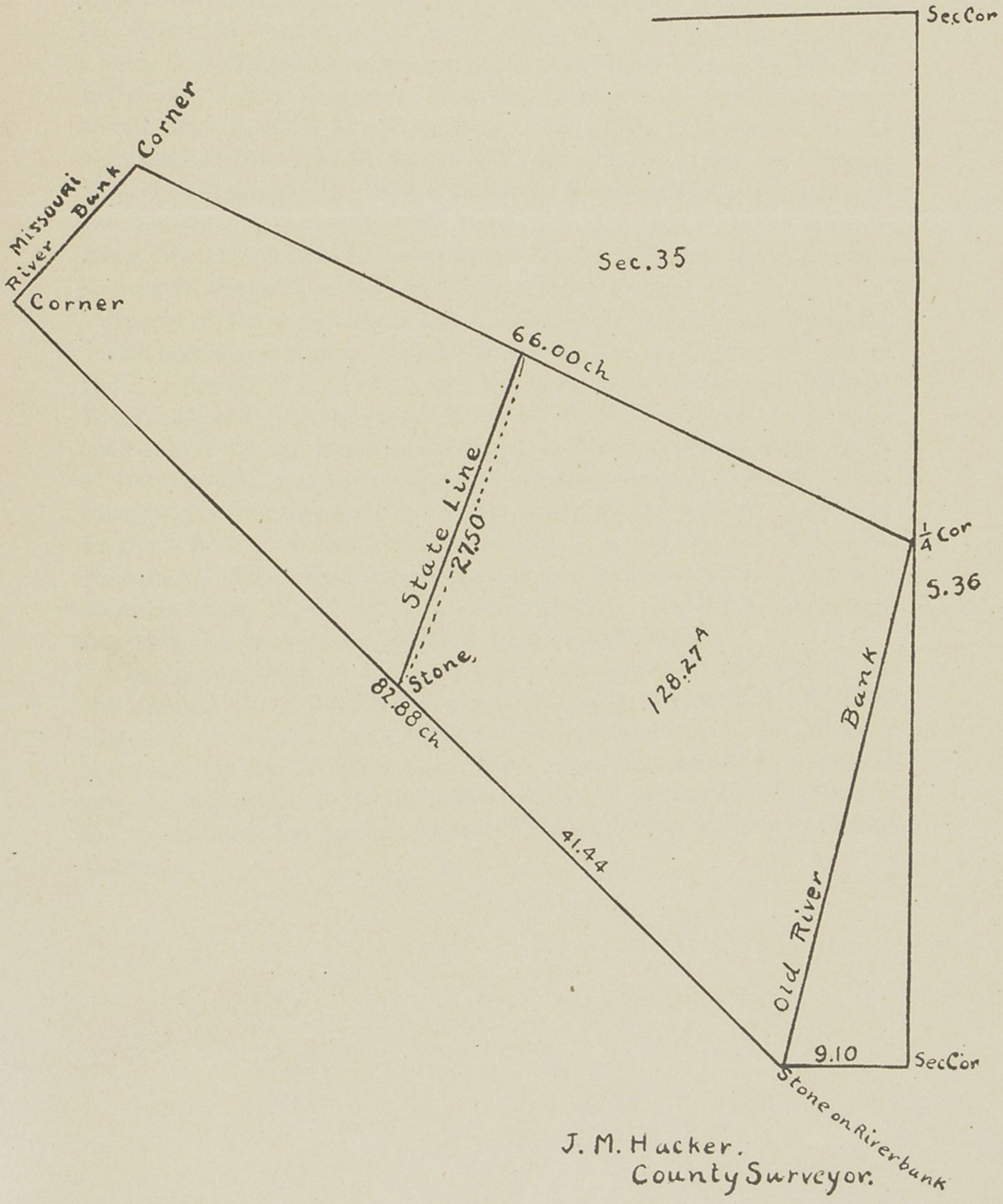
deemed necessary, and with the approval of your

SURVEYOR'S RECORD

No 1

PLAT.

Section 35 in. Township 7 North, Range 15 East. 6 th. P. M. Nebr.



J. M. Hacker.
County Surveyor.

SURVEYOR'S RECORD.

FIELD NOTES.

No. of Survey ..... Date May 15th to 20th 1890
Survey for J. B. Shields
At request of J. B. Shields
Chainmen sworn Marton Lamb and W. Barrenger
Point established corners to Lots 1 & 2 &c Sec. 35, Twp. 7, Rng. 15 E, 6th P. M.

Commenced at the North East corner of section 35 T 7 N of R 15 E and run thence South and at 6.58 chaines came to North Bank of old River Shute the SE. cor. of Lot 1 in Sec. 35, and at 4.20 chaines on South bank of Old River Shoot at the NE cor. of Lot 2 in Sec. 35 and at 40.00 chaines set a stone 6x6x12 inches square for the quarter Sec. corner on the East line of Sec. 35, the SE. cor. of Lot 2 in Sec. 35. And at 80.00 chaines set a stone 6x10x16 inches square for South East corner of Sec. 35, T 7 R 15 E Nemaha County Nebraska. Then commencing at the North East corner of Sec 35, T 7, R 15 E. and running thence West 6.12 chaines to the East bank of old River Shute, the NW. cor. of Lot 1, in Sec. 35. Thence West 3.10 chaines to the West bank of old River Shute the NE. corner of Lot 2 in Sec. 35, thence West 8.00 chaines to the old bank of the Missouri River Set a Stone 6x8x10 inches square for the NW. cor. of Lot 2 in Sec. 35, and for the bank of the Old Missouri River in Nebraska.

Survey of the Accretion to Lot 2 in Sec. 35, T 7, R 15 E in Nebraska.

Commencing at a stone 6x8x10 inches square, set for the NW. cor. of Lot 2 in Sec 35, T 7, R 15 E. the Nebraska bank of the old Missouri River bed, and running thence S 78° 30′ W 42.00 chaines to the opposite bank of the old Missouri River bed in Missouri as designated by B. F. Rummerfield County Surveyor of Atchison County, Missouri. Then correcting and setting a stake 3 inches square at the half way point and for the NW. cor. of the Accretion to Lot 2 in Sec. 35, T 7, R 15 E in Nemaha Co. Neb. Said stake witnessed by a Cottonwood tree 9 inches in diameter beares N 49° 30′ W 24 links distant. And by a Cottonwood tree 11 inches in diameter beares N 19 E 32 links distant.

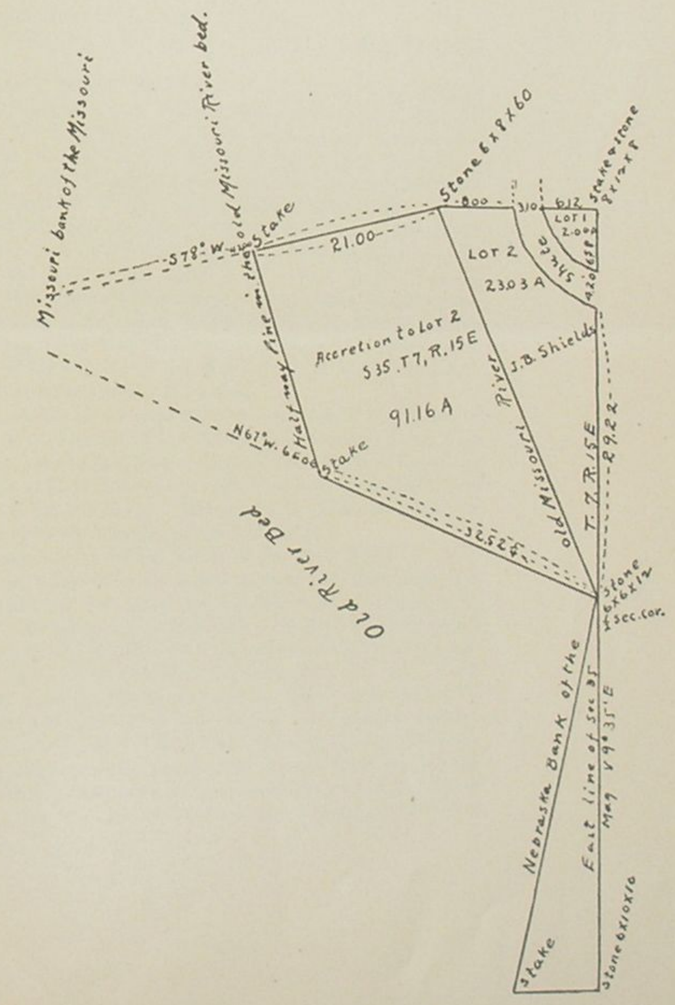
Then commencing at quarter section corner stone on the bank of the old Missouri River bead in Nebraska. Running thence N 67° W 65.05 chaines to the opposite bank of the old Missouri River bed on the Missouri State side of the old River bed. Then correcting and setting a stake & stone at 32.52½ chaines for the half way line and the South West corner of the Accretions to Lot 2 in Sec. 35 town. 7 Range 15 East in Nemaha County Nebraska.

deemed necessary, and with the approval of your

SURVEYOR'S RECORD 128

No 2. PLAT.

Sec. 35, Township 7, Range 15 East 6th P.M.



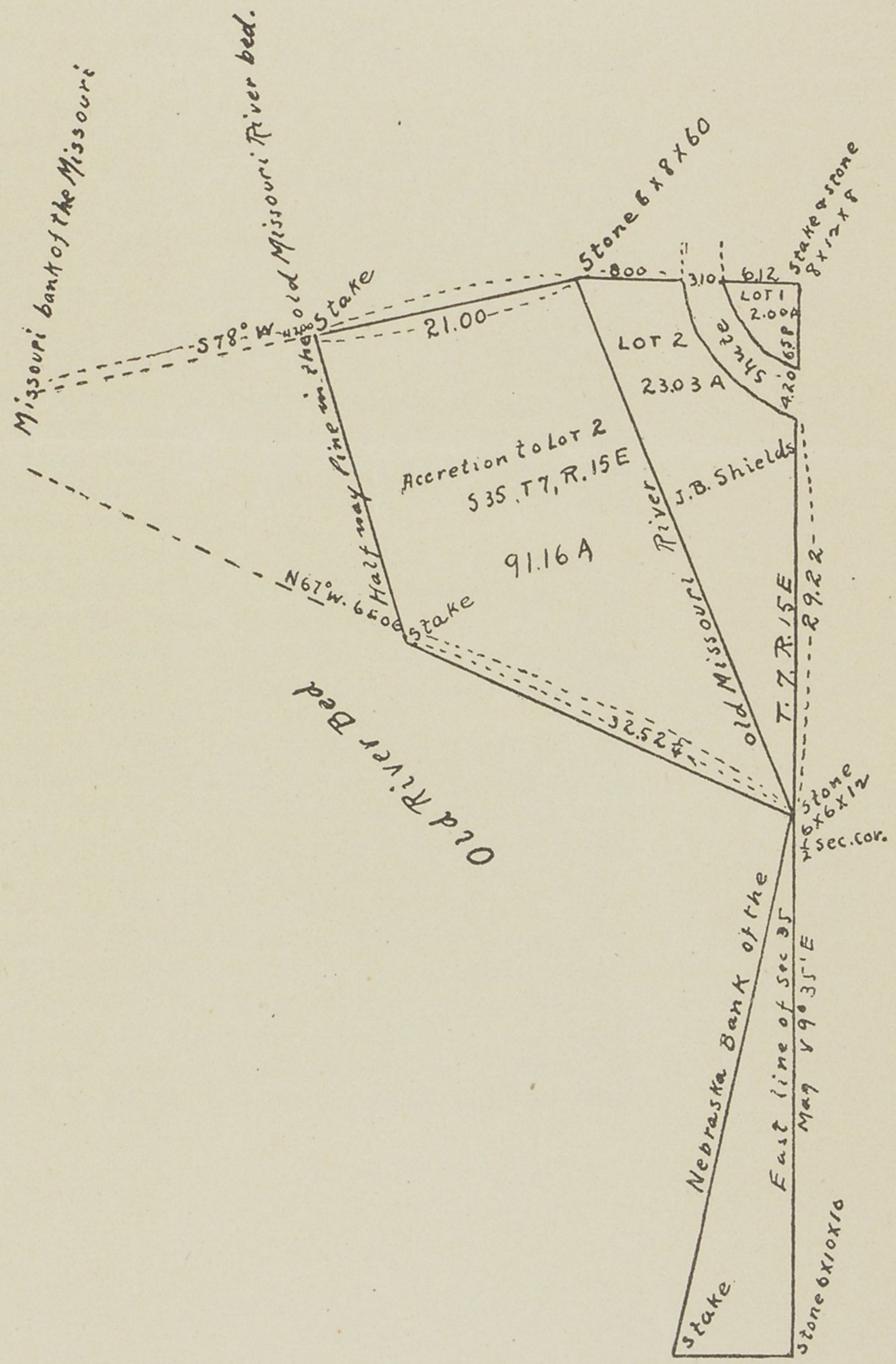
J. M. Hacker,
County Surveyor.

deemed necessary, and with the approval of your

No 2.

PLAT.

Sec. 35, Township 7, Range 15 East 6th P.M.



J. M. Hacker,
County Surveyor.

3

SURVEYOR'S RECORD.

FIELD NOTES.

No. of Survey..... Date May 13th to 20th 1890
Survey for D. P. Holley and J. C. Roberts.
At request of D. P. Holley and J. C. Roberts.
Chainmen sworn Marton Lamb and W. Barrenger
Point established Lots 1, 2 & 3 &c. in Sec. 26, Twp. 7, Rng. 15 E, 6th P. M.

Commencing at the SE. cor. of Sec. 26 T 7 R 15 E in Nemaha Co. Neb. and running thence North, at 20.00 chaines set a stake for East line of Lot 2 in Sec. 26, at 40.00 chaines found quartersection corner post at SE. cor. Lot 1 & NE cor of Lot 2 set by the Government, at 60.00 chaines set stake for East line of Lot 1 and at 73.90 chaines set stake for NE. cor. of Lot 1 and at bank of Missouri River in Nebraska. And from this line as a base we run lines West to find the old Missouri River bank on the Nebraska side, By First Commencing at the stake set at the 60.00 chaines North of SE. cor. of Sec 26, Running thence West 16.50 chaines for bank of river setting a stake 3 inches square. Then commencing at the quarter section corner on the East line of Sec 26. and running thence West 21.45 chaines setting stake 3 inches square for SW. cor. of Lot 1 in Sec 26 and NW cor to Lot 2 in Sec 26, which contains by Government Survey 52.70 Acres.

Then commencing at the stake 20.00 chaines North of the SE. cor. of Sec. 26. and on the East line of Lot 2 in Sec 26, and running thence West at 7.24 chaines, came to East bank of the River Shute the West line of Lot 2, Sec. 26, then at 11.34 chaines came to the West bank of the River Shute the East line of Lot 3 in Sec 26. Thence at 26.84 chaines set a stake for River bank and for the West line of Lot 3 in Sec 26.

Then commencing at the SE. corner of Sec 26 T 7 R 15 E in Nebraska, Running thence West and at 6.12 ch. came to the East bank of the River Shute and the SW. cor. of Lot 2 in Sec. 26, Lot 2 contains 42.00 Acres and at 9.22 chaines came to West bank of the River Shute and the SE corner of Lot 3 in Sec. 26, and at 17.22 chaines set a stone 6x8x10 in. sqr. for SW. cor. of Lot 3 on Old River line in Sec. 26, T 7 R 15 E. Lot 3 contains 30.80 Acres per Government survey. Survey of Accretions in Sec. 26 T 4 R 15 E in old River bed dividing the Accretions between Lots 1, 2 and 3 in Sec 26, T 7 R 15 E and Dividing between Nebraska and Missouri, and between the parties above named. Then commencing at a stone 6x8x10 inches square set for meander line and at SE cor. of Accretions to Lot 3 in Sec 26 And running thence S 78° 30′ West

deemed necessary, and with the approval of your

42.00 chaines to the opposite Meander bank of Missouri River in Missouri as designated by B. F. Rummerfield County Surveyor of Atchison County Missouri. Then correcting back at 21.00 ch. set stake 3 inches sqr. for Division line and at the SW. cor. of Accretions to Lot 3 in Sec 26. The Stake Witnessed by a Cottonwood tree 9 inches in diameter beares N 49° 30′ W 24 lks distant and by a Cottonwood 11 inches in in diameter beares N 19° E. 32 lks. distant.

Then commencing at the stake for the West line of Lot 3 in Sec 26, for the old River bank Running thence S 84° W 24.49 chaines to the opposite bank of the old Missouri River in Missouri as designated by B. F Rummerfield County Surveyor of Atchison Co. Mo. Then at 12.24½ chaines set stake for division line on the West line of Lot 3 Sec 26, T 7 R 15 E between Mo. & Neb.

Then commencing at stake 3 inches square set for NW. cor. of Lot 2 and SW cor. of Lot 1 in Sec 26, and running thence N 87° W. 27.70 chaines to opposite Meander line of the Missouri River, in Missouri Then at 13.85 chaines half way set a stone 6x6x12 inches square for SW. cor. Accretions to Lot 1 and NW. cor. of Accretions to Lot 2 in Sec 26, T. 7, R 15 E in Nebraska

Then commencing at a stake 3 inches square set for the meander line of the old Missouri River on the West line of lot 1 in Sec 26. T 7. R 15 E. in Nebraska. Running thence N 81° W 28.34 chaines to the meander line on the Missouri side of the old Missouri River bead. Then setting a stake at 14.17 chaines for half way dividing line between Nebraska and Missouri.

Then commencing at a stake at the NE. corner of Lot 1 in Sec 26 T 7 R 15 E and at the intersection of the East line of Sec. 26 with the Missouri River in Nemaha County Nebraska. And running thence N 40° W 80.30 chaines to the meander line on the Atchison county Missouri side of the old Missouri River.

Then correcting and setting at 40.15 chaines the half way dividing point between Missouri and Nebraska a Limestone 3x12x18 inches square, for the NW. cor. of the Accretions in Missouri River belong g to Lot 1 in Sec 26 Nemaha Co. Neb. Witnessed by a cottonwood tree 5 inches in diameter beares East 6½ lks. distant. And by a White Willow tree 5 inches in diameter beares West 5° S 9½ links distant

This survey made in connection with B. F. Rummerfield County Surveyor of Atchison county Missouri

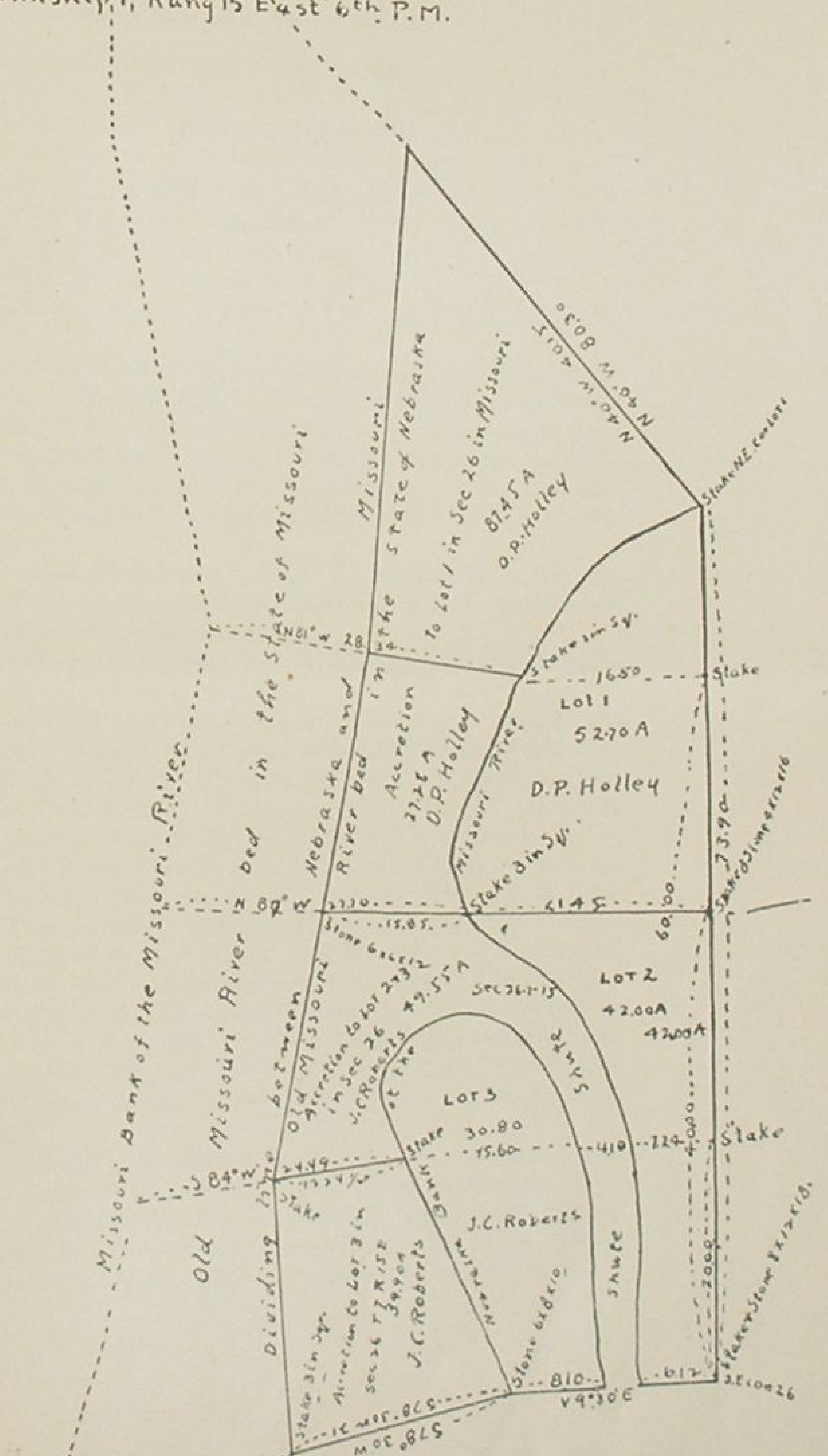
Magnetic V 9° 30′ east.

deemed necessary, and with the approval of your

SURVEYORS RECORD

No 3 PLAT.

Section 26 Township 7, Rang 15 East 6th P.M.



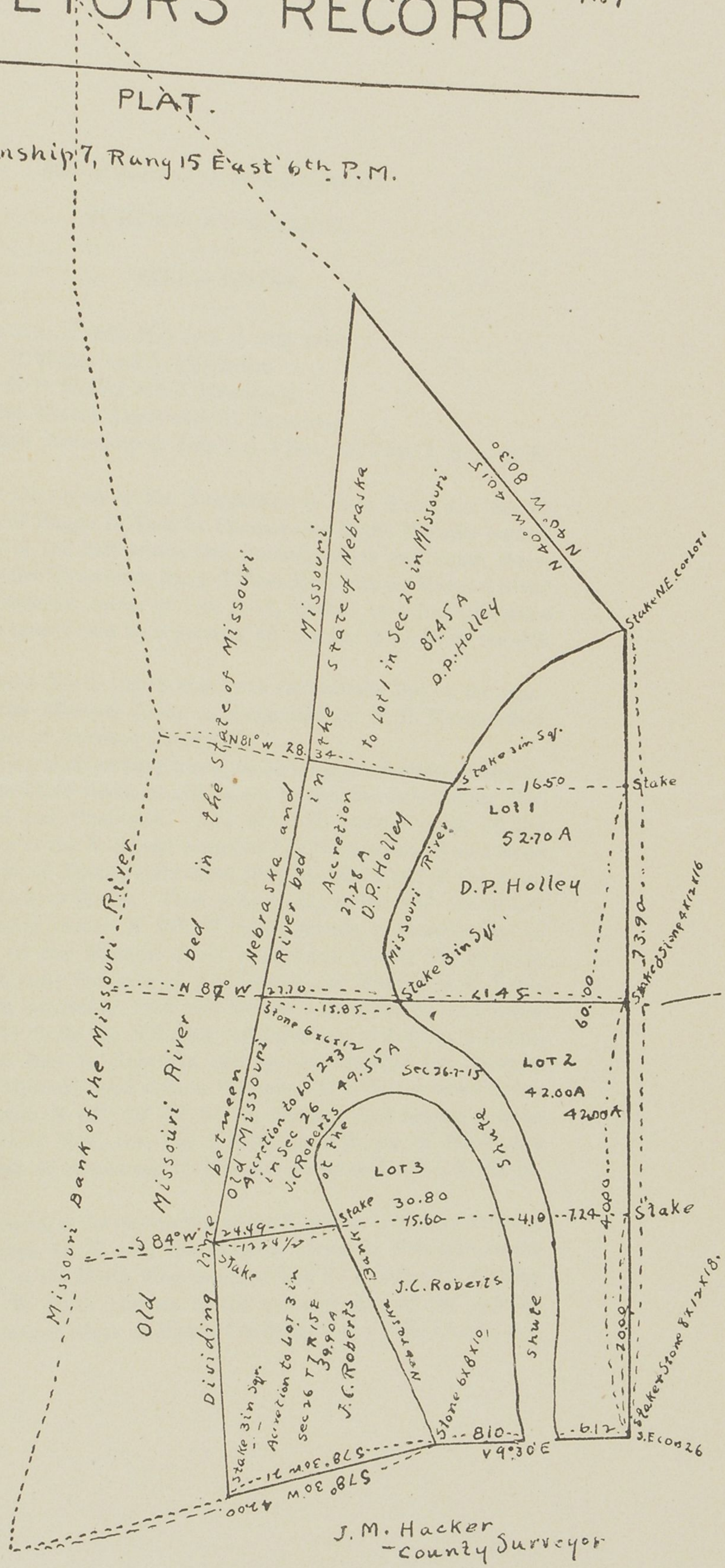
J. M. Hacker
County Surveyor

deemed necessary, and with the approval of your

No 3

PLAT.

Section 26 Township 7, Rang 15 East 6th P.M.



J. M. Hacker
County Surveyor

4

SURVEYOR'S RECORD.

FIELD NOTES.

No. of Survey ..... Date May 16th to 20th 1890
Survey for D. P. Holley and J. Henderson
At request of D. P. Holley and J. Henderson
Chainmen sworn Marton Lamb and W. Barrenger
Point established Accretions to Lots 3 & 4 Sec. 25, Twp. 7, Rng. 15 E, 6th P. M.

Commenced the survey of the Accreations to Lots 3 and 4 of Sec 25 Town 7 North of Range 15 East, by Commencing at the Meander corner, at intersection of the half section line, running North and South threw section Twenty-five Town seven Range Fifteen East, with the Missouri River and at the Northeast corner of Lot No 3, marked by a Bur Oak stake 4x4x36 inches square and by a peace of an iron bar drove in by the side of the stake.

Running thence North 102.88 chaines to the meander line on the opposite bank of the Missouri River as designated by B. F. Rummerfield County Surveyor of Atchison County Mo.

Then correcting back making corner on dividing line between Nebraska and Missouri at 51.44 chains at a stone set by the Atchison County Missouri Surveyor and Chainmen. And at 12.70 chaines north of the meander corner at the Northeast corner of Lot No 3 in Sec 25 set a stone for the NE. cor. of Twenty-eight acres off of the South end of the Acretians to Lot No 3, of Sec 25. Then commencing at the NW. cor. of Lot 3, Sec. 25, running thence N 20° W 89.43 chaines to meander line on opposite bank of the Missouri River in Atchison County Mo. as designated by the County Surveyor of Atchison County Missouri B. F. Rummerfield. Then correcting back and setting a limestone 8x9x14 inches square at 44.71½ ch for the NW. cor. of Acreations to Lot No. 3 in Sec. 25. T 7. R 15 East in Nebraska and on the dividing line between Nebraska and Missouri Said stone is Witnessed by a Willow tree 9 inches in diameter bears N 63° 30′ W 54 lks distant And setting a stone 12.70 ch. North of NW. cor. Lot 3, S 25, for NW. cor. of 28.00 acres off of South end of Acreations in Missouri River to Lot No. 3, Sec 25, T 7 R 15 E.

Then commencing at the intersection of the West line of Section 25 Town 7 North of Range 15 E, with the Missouri River. in Nebraska, at the meander corner at the North West corner of Lot No 4 in Sec 25, running thence N 40° W 80.30 chaines to the meander line of the opposite bank of the Missouri River in Missouri as designated by the County Sur-

deemed necessary, and with the approval of your

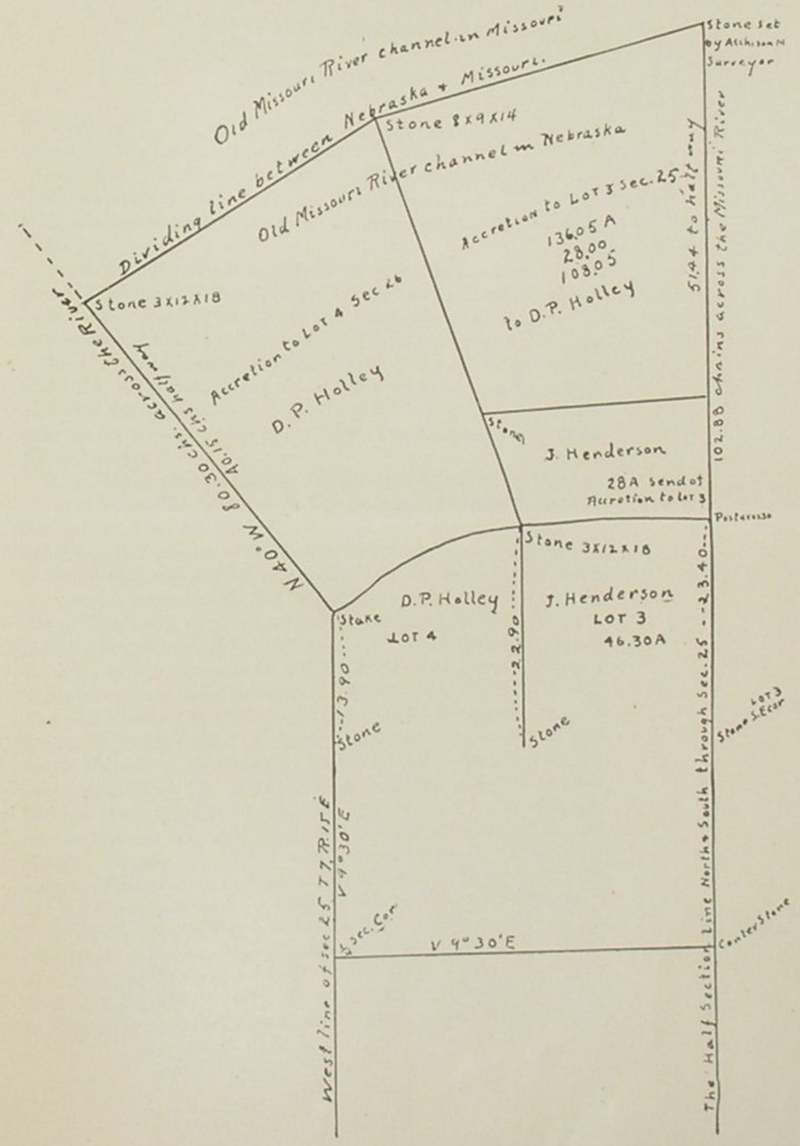
veyor of Atchison County Missouri B. F. Rummerfield. Then correcting back and at 40.15 chaines, the half way point, set a Limestone 3x12x18 inches square. Witnesses by a Cottonwood tree 5 inches in diameter, Beares East 6½ links distent. And also by a White Willow tree 5 inches in diameter Beares W 5° South 9½ links distent. This stone marks the North West corner of the Acretion in the Missouri River to Lot Number Four 4 in Section 25 Town 7 North of Range 15 East, in Nebraska, Nemaha County.

deemed necessary, and with the approval of your

No 4

PLAT.

Section 25, Township 7. Range 15 East 6th P.M.



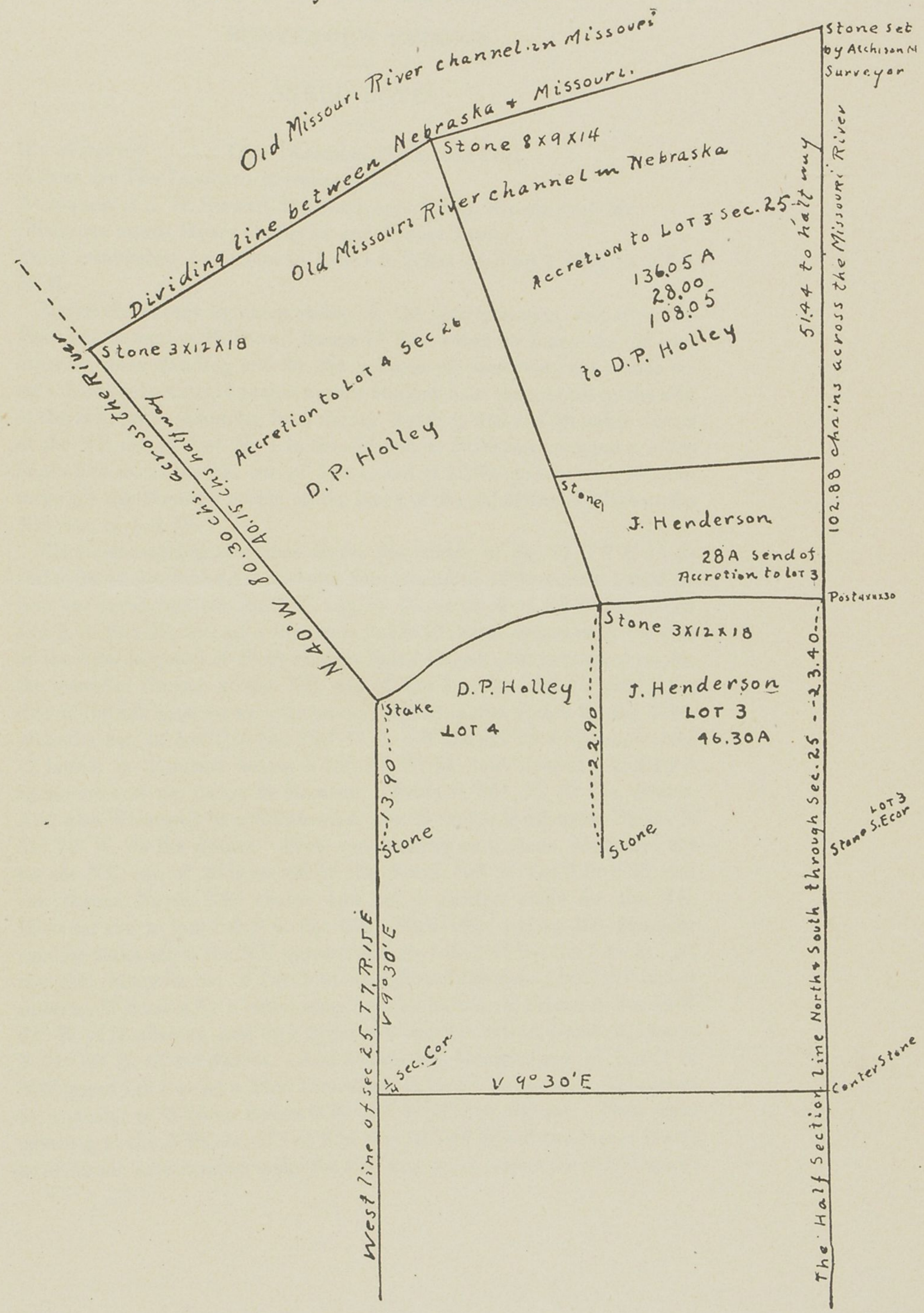
J.M. Hacker.
County Surveyor.

deemed necessary, and with the approval of your

No 4

PLAT.

Section 25, Township 7, Range 15 East 6th P.M.



J.M. Hacker.
County Surveyor.

SURVEYOR'S RECORD.

FIELD NOTES.

5

No. of Survey ..... Date December 8th to 23d 1891
Survey for The Lombard Investment Co.
At request of J. H. Stewart 512 Exchange B'ld'g. Kansas City Mo.
Chainmen sworn Henry C. Taylor and Robert Taylor
Point established Accretions to Lots 1 & 2 Sec. 25, Twp. 7, Rng. 15 E 6th P. M.

Began the survey by commencing at the quartersection corner on the East line of section 25 Town 7 Range 15 East where we found the old government stake standing and for the purpose of preserving the corner we set a Limestone 4x9x16 inches square marked ‡, in the ground by the side of the old stake—Running from thence North to find the Meander corner at the NE. cor of Lot No 1 in Sec. 25 and at 20.00 chains found a stone heretofore set at the SE. cor. of Lot 1, and at 32.00 chaines set a random stake for the Meander corner on the Bank of the old Missouri River at the NE. cor. of Lot No 1

Then commencing at a stone set for the center of Sec 25, T 7 R 15 E, and at 20.00 cha. found a stake heretofore set and at 40.00 chaines found an iron bar heretofore set the NW. cor. of 40. acres off of the South end of Lot 2, in Sec. 25, and set a limestone 6x12x15 inches square in by the side of the Iron bar, and at 43.40 chaines found an oak post heretofore set for the meander Corner at the NE. cor. of Lot 3 in Sec 25-7-15 and by the side of the oak post we set a limestone 3x9x18 inches square for the NW. Meander cor. of Lot 2 in Sec. 25-7-15 E.—Witnessed by a Sycamore tree 12 inches in diameter beares S 75° 30′ W. 44 links distant And by a Sycamore tree ten inches in diameter. Bears S 35° E. 53 lks. distant. And also Witnessed by a Cottonwood tree 20 inches in diameter Beares N 31° 30′ W. 69 lks distant Then commencing at a stone heretofore set for the NE. cor. of 40 acres off of the South end of Lot 2 in S 25, and run thence North 7.50 chains and set a random stake for the NE. Meander cor. to lots 1 & 2 in Sec 25. Then after testing the Meander random stake set at the NE. corners of Lots 1 & 2 of Sec. 25.-7-15 E. At the NE. Meander cor of Lot 1 we set a Blue Limestone 1½x12x12 inches square—Witnesses by a cottonwood tree 13 inches in diameter Beares N 63° W 16 lks distant, And by a Sycamore tree 9 inches in diameter, Beares N 61° 30′ E. 53 lks distent. And at the NE. Meander cor. of Lot 2 & NW. cor of Lot 1 we set a Blue Limestone 3x15x18 inches sqr. Witnessed by a cluster of Willows Beares S 57° 30′ W. 33 lks. distant. Then commencing at the NW. cor. of Lot 2 in Sec. 25.7-15 E and run thence North at 52.00 ch. set a random stake for half way point across the old Missouri

deemed necessary, and with the approval of your

river bead, at 104.55 chains came to the North bank of the old Missouri river bed 2.57 ch. West of a Meander stake at the intersection of a Sec. line with the river, set by Rummerfield, making a jog of 2.57 ch. between ½ Sec & Sec lines in the diferent states, Then correcting back and at 27½ lks. North of the random stake set at 52.00 chains. Setting a Limestone 5x11x20 inches square for the NW. cor. of the accretions in the old Missouri river bed to Lot 2 in Sec 25 T 7 R 15 E.

Then commencing at the NE. cor of Lot 2 & the NW. cor. of Lot 1 in Sec 25, running thence N 10° 30′ E at 50.00 chaines set a random stake for ½ way and at 98.62 chains came to a stone at Meander corner on the North bank of the Mo. River set by Rummerfield for North bank of river Then correcting back at 49.31 chains the half way point from NE. cor. of Lot 2 in Sec. 25-7-15 E. on the South bank of old Missouri river, to the meander corner on the opposite bank of the old Missouri river to a stone by Rummerfield for Meander corner on old Mo. river bank in the state of Mo. Setting a limestone 7x10x12 inches sqr at the NE. corner of accretion to Lot 2 in Sec 25.-7-15 in Nebraska. And NW. cor. of Lot 1 in Sec 25.

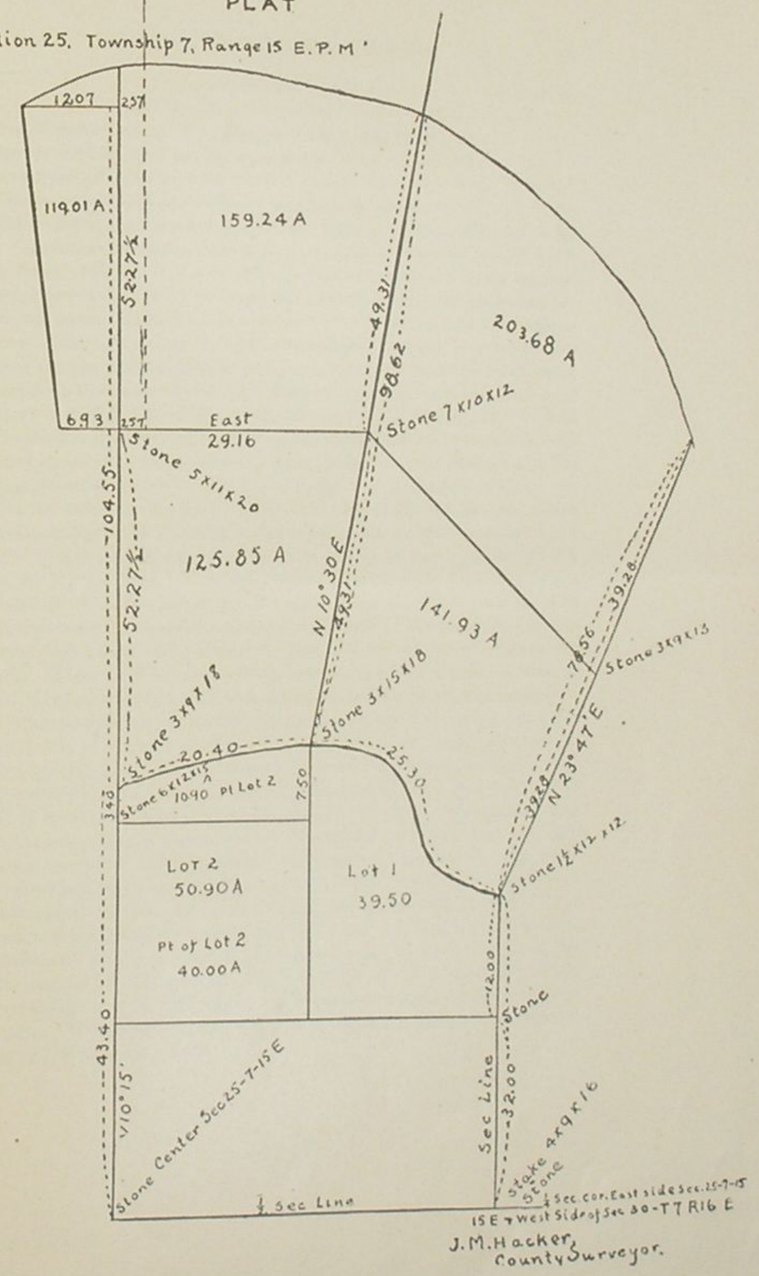
Then commencing at the NE. cor. of Lot 1 in Sec 25-7-15 E Neb running thence N 23° 47′ E at 40.00 chaines set a random stake and at 78.56 chaines came to meander corner set by Rummerfield for north bank of old Missouri river. Then correcting back and correcting random stake set at 40.00 chaines by setting a limestone 3x9x13 inches square at 39.28 chaines the half way point. Being the NE. cor. of the accretion to Lot 1 in Sec 25 T 7 R 15 E. on the State line. The stone Witnessed by a cottonwood tree 6 inches in diameter. Beares N. 37° E 70 links distant

This survey made in connection with B. F. Rummerfield County Surveyor of Atchison county Missouri

deemed necessary, and with the approval of your

N°5 PLAT

Section 25, Township 7, Range 15 E. P. M.



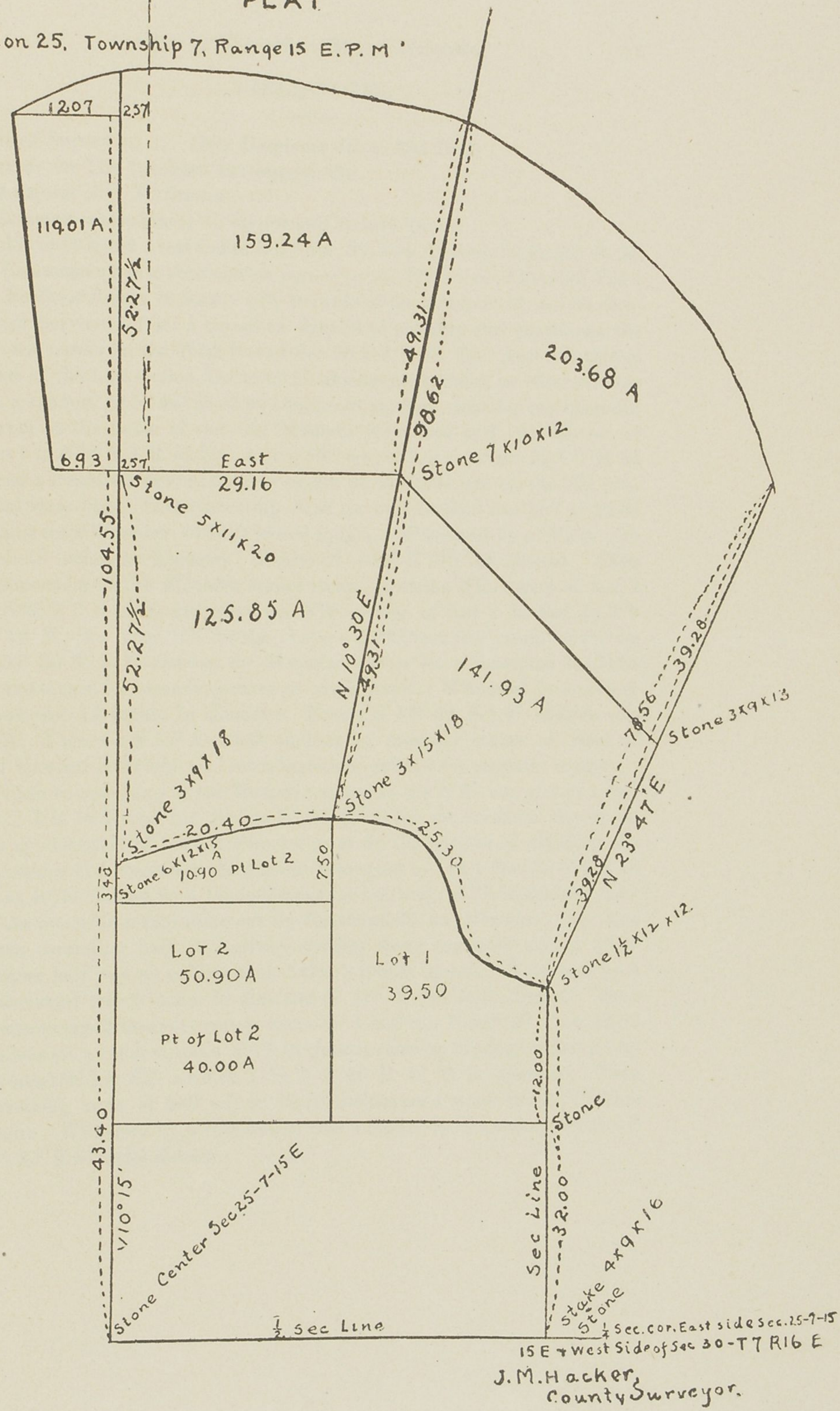
J. M. Hacker,
County Surveyor.

deemed necessary, and with the approval of your

N°5

PLAT

Section 25, Township 7, Range 15 E. P. M.



J. M. Hacker,
County Surveyor.

6

FIELD NOTES.

No. of Survey ..... Date December 8th to 23d 1891
Survey for The Lombard Investment Co.
At request of J. H. Stewart
Chainmen sworn Henry C. Taylor and Robert Taylor
Point established Accretion to Lot 1 Sec. 30, Twp. 7, Rng. 16 E, 6th P. M.

Commencing at quartersection corner on the West line of Sec. 30, Town 7, North of Range 16 East. (By the side of the stake set by the Government Surveyors I set a limestone 4x9x16 to preserve and perpetuate the qr. sec. corner on the West line of Sec 30 T 7 R 16 E.) And run thence East on the half section line at 20.00 chaines set a stake, at 40.00 chaines set a random stake and at 47.60 chaines set random stake for the meander corner on the bank of the Old Missouri river bed and the SE. cor. of Lot 1 in S 30 T 7 R 16 E. At the SE. cor. of Lot 1 in Sec. 30 T 7 R 16 E set a limestone 2x11x17 inches square for Meander cor. on the Old Missouri river bed- Then correcting back on half section line and at 20.00 chains set a limestone 4x8x16 inches square, Witnessed by a White elm tree 21 inches in diameter. Beares N 49½° E 17½ lks. distent. Then commencing at the Meander corner stone set at the NE. corner of Lot 1 in S 25 T 7 R 15 E. and also the NW. corner of Lot 1 in Sec 30 T 7 R 16 E. (see page 156 for sise of stone & Witness tree) running thence S 59° 30′ E 23.10 chaines for Meander corner set a limestone 2x12x14 inches square for meander corner on river bank. Witnessed by a cottonwood tree 14 inches in diameter Beares S 54° 30′ E-1.47 chaines distant. Then run S 55° E- 24.33 chaines for meander corner on bank of old Missouri river bed, and set a limestone 4x9x19 for meander corner.

Then commencing at the Meander corner at the NW. cor. of Lot 1 Sec. 30 T 7 R 16 E and run thence N 23° 47′ E for the meander corner on the opposite side of the old Missouri river for the purpose of dividing the accretions and obtaining the amount belonging to Lot 1 Sec. 30 T 7 R 16 E. at 40.00 chaines set a random stake for half way, at 78.56 chaines came to the meander corner stone set by Rummerfield on Meander river line Then correcting back at halfway random stake corrected and at 39.29 chaines half way set a Limestone 3x9x13 inches square. Witnessed by a cottonwood tree 6 inches in diameter N 37° E 70 links distant. Then commencing at meander corner stone No 4 and run N 54° 30′ E at 12.00 chaines set a random stake at 27.49 chaines came to random corner set by Rummerfield at SE. cor Lot 1 Se 9 T 66 R 42 W in Missouri, Then correcting back at half way at 13.75 chaines set a stone 3x10x13 inches square Witnessed by a cottonwood tree 6 inches in diameter. Beares S 14° 30′ E 67 links distent.

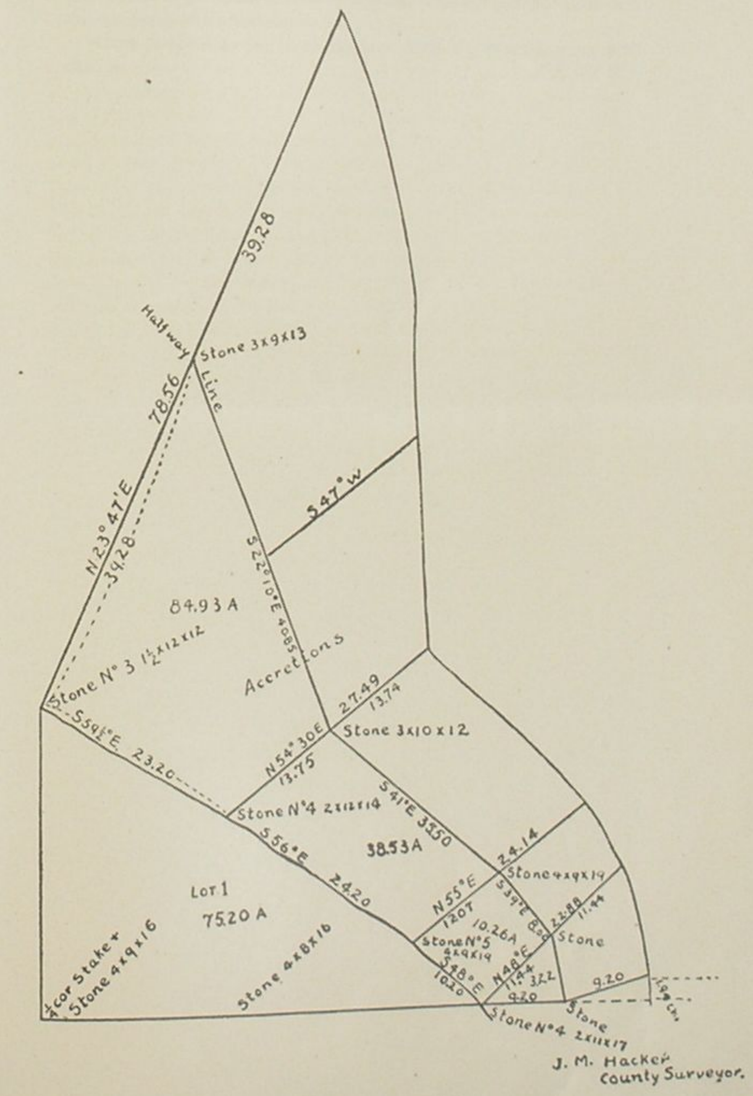
deemed necessary, and with the approval of your

Then commencing at meander corner stone No. 5 and run N 55° E at 10.00 chaines set a random stake for half way at 24.14 chaines came to random corner set by Rummerfield. Then correcting back at 12.07 chaines set a stone for the NE. corner of a part of accretions to Lot 1 in Sec 30-7-16 E 12.07 chaines N 55° E from a limestone 4x9x19 inches square on meander bank of the old Missouri river on North line of lot 1 S 30-7-16 E Then commencing at a stone 2x11x17 inches square set at SE meander corner of Lot No 1 Sec 30-7-16 E and run N 48° E at 10.00 chaines set a random stake for half way across the old river bed and at 22.88 chaines found it to be the distance across the river. Then correcting back moved random stake set at 10.00 ch by setting a stone at 11.44 chaines for the NE. cor of accretions to Lot 1, Sec 30-7-16 E. Then from the 2x11x17 inches square set for the SE. cor. of Lot 1 S 30-7-16 E. run east at 9.20 chaines set a stone for half way across the old bed of the Missouri river, and at 14.28 chaines set a random stake on the East bank of the Nishneyboteny river which river is in the old Missouri river bed, 4.12 chaines West of the East bank of the old Missouri River bed. At which point the half section line running East & West threw Sec 30 T 7 R 16 E in Nebraska Jogs South 1.94 chaines of an 80 rod line running E & W threw the Section opposite and in Missouri state and 80 rods North of the South line of said sec. in Mo.

deemed necessary, and with the approval of your

No 6 PLAT.

Section 30 Township 7 Range 16 East of 6th P.M. Neb



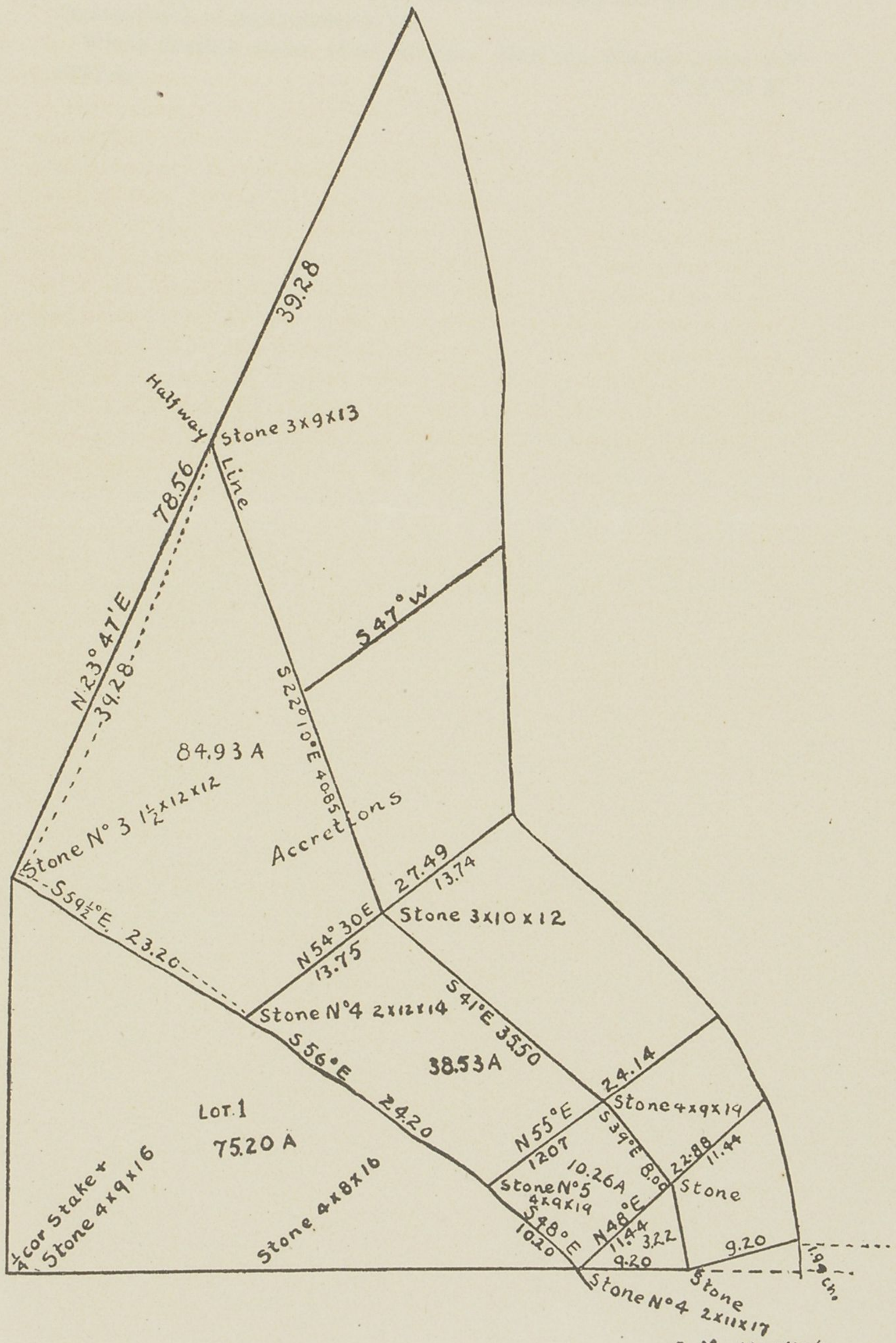
J. M. Hacker
County Surveyor.

deemed necessary, and with the approval of your

No 6

PLAT.

Section 30 Township 7 Range 16 East of 6th P.M. Neb



J. M. Hacker
County Surveyor.

The division of the accretions from the North East corner of lot 2 and the SE. corner of Lot 1 in Section 30 Town 7 North, of Range 16 East of the 6th P. M. in Nebraska. Was made in connection with B. F. Rummerfield, Surveyor of Atchison county Missouri in December 1891. Run East and at 9.20 chaines set a stone for the dividing line and was 1.94 chaines South of Rummerfield's line

Whole distence across 18.40 chaines. Half the distince across 9.20 chaines.

V 9° 30′ E

deemed necessary, and with the approval of your

FIELD NOTES.

No. of Survey ..... Date From February 25th to March 29th 1895
Survey for Nemaha County Nebraska
At request of the Board of County Commissioners
Chainmen sworn W. T. Hacker and H. D. Hacker
Point established Divis. Accretions in Old River Sec. 30, Twp. 7 N, Rng. 16 E, 6th P. M. Neb

Commencing at the meander corner on the Nebraska bank of the Old Mo. River bed at the intersection of the South line of S 30, T 7, N. R 16 E. 6th P. M. in Nebr. with the Old Mo. River bed, it it being the S E. cor. of Lot 3 in S 30, and the N E. cor. of Lot 1 in S 31. And run East to meet D. A. Quick Surveyor of Atchison county Mo. Running from the Mo. side of the Old Mo. River bed on a division of Accretions therein and at 13.32½ ch. set a stake and came out 1.53 ch. apart he N and me S. and at half the difference between us 76½ lks. we set a Limestone 5x14x25 in. sqr. for the dividing line between Mo. and Neb. Whole distence across 26.65 chains. Half the distence across 13.32½ chaines. And Commencing at the meander corner on the Nebr. bank of the Old Mo. River bed, at the S E. cor. of Lot 2 and the N East cor. of Lot 3 in S 30 T 7 N R 16 E 6th P. M. in Nebr. And run East to meet D. A. Quick Surveyor of Atchison county Mo. running from the Mo. side of the Old Mo. River bed on a division of Accretions therein and at 11.35 chaines set a stake and came out 2.00 chaines apart he North and me South, and at half the difference between us, 1.00 chain, we set a Limestone 6x11x20 inches square for the dividing line between Mo. and Nebr. Marked M. and N.

Whole distence across 22.70 chaines. Half the distence across 11.35 chaines.

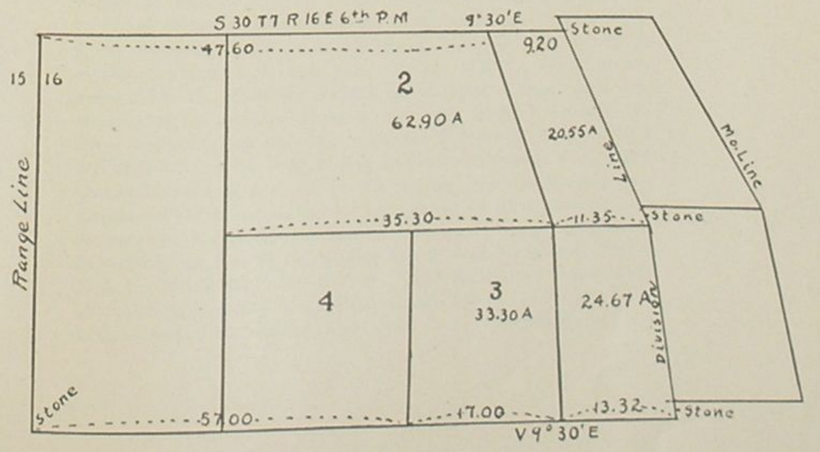
deemed necessary, and with the approval of your

SURVEYOR'S RECORD 220

No 7

PLAT.

Section 30. Township 7 N Range 16 E 6th P.M. Nebr.



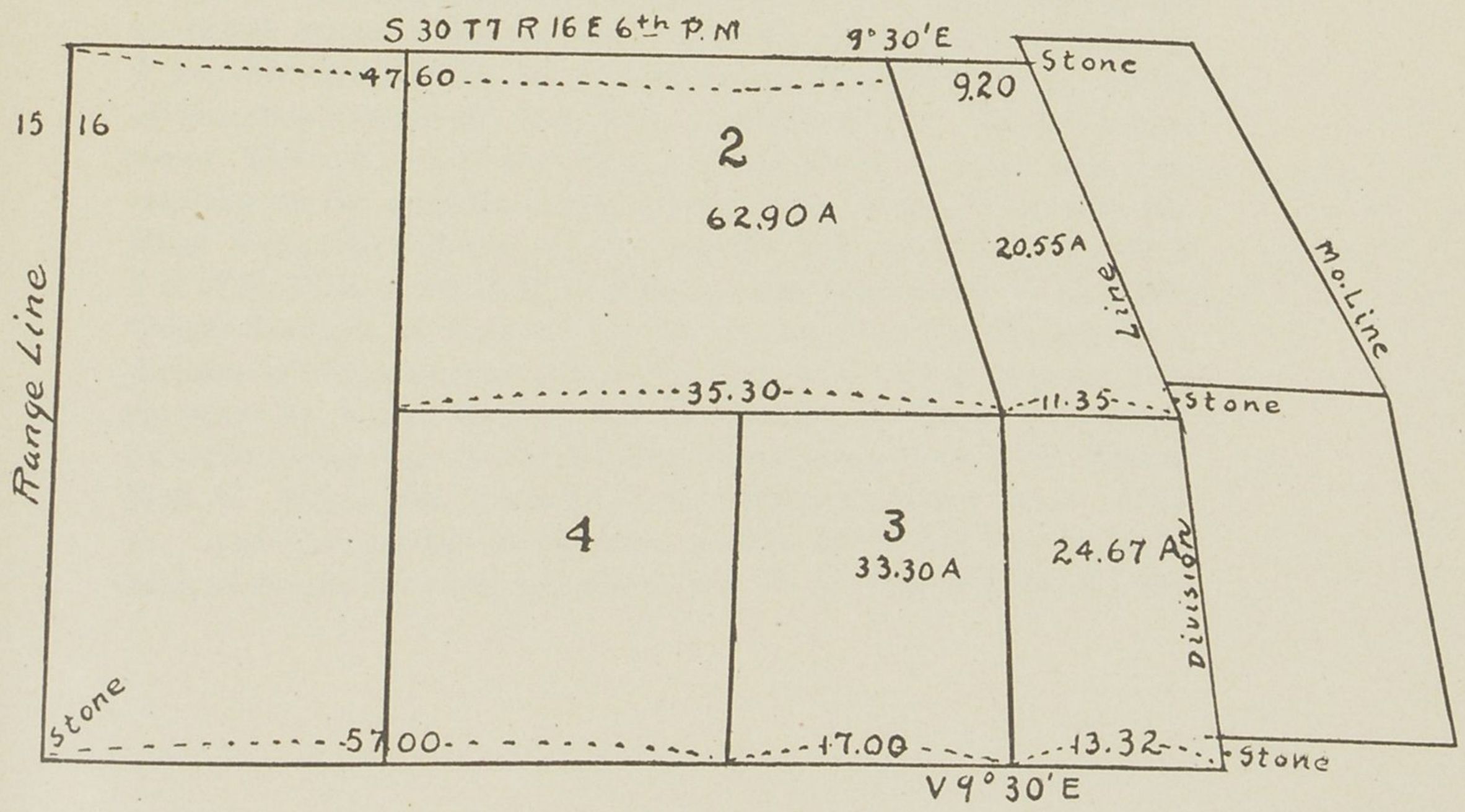
J. M. Hacker
County Surveyor.

deemed necessary, and with the approval of your

No 7

PLAT.

Section 30. Township 7 N Range 16 E 6th P.M. Nebr.



J. M. Hacker
County Surveyor,

8

FIELD NOTES.

No. of Survey ..... Date From February 25th to March 29th 1895
Survey for Nemaha County Nebraska
At request of the Board of County Commissioners of Nemaha County Nebr.
Chainman sworn W. T. Hacker and H. D. Hacker
Point established division of Accretions Sec 31, Twp 7 N, Rng. 16 E, 6th P. M.

Commencing at the meander corner on the Nebraska bank of the Old Missouri River bed at the intersection of the Township line between Townships 6 and 7 North of Range 16 East of the 6th P. M. in Nebr. with the Old Missouri River bed. Said meander corner being the S E. corner of Lot No 7 in Sec 31 Town 7 N of R 16 E of the 6th P. M in Nebraska.

And run thence East for the purpose of meeting D. A. Quick County Surveyor of Atchison county Missouri coming from the Missouri side of the Old Missouri River bed on a division of the Accretions formed in the Old Missouri River bed, and at 16.02 chaines set a stake for half way and came out 89 links apart he North and me South and at half the difference between us, 44½ links, we set a Limestone 6x15x35 inches square for the dividing line between Missouri and Nebr. marked M & N.

Whole distence across the Old River bed 32.04 chaines. Half the distence across 16.02 ch.

Commencing at the meander corner on the Nebr. bank of the Old Mo. River bed at the S E. meander cor. of Lot 6 and the N E corner of Lot No 7 in S 31, T 7 N of R 16 E of 6th P. M in Nebr.

And run East to meete D. A. Quick County Surveyor of Atchison county Mo. running from the Mo. side on a division of the Accretions and at 12.84½ ch. set a stake & came out 89 lks. apart, he N & me S and at ½ the diference 44½ lks we set a Limestone 6x15x36 inches Sqr for the dividing line between Mo. and Nebr. Marked M & N. Whole distence across 25.69 ch. Half the distence across 12.84½ chaines. And commencing at the meander corner on the Nebr. bank of the Old Mo. River bed at the S E. cor. of Lot 1, and the N E cor. of Lot 6 in S 31 T 7 N of R 16 E. of 6th P. M in Nebr. and run East to meet D. A. Quick County Surveyor of Atchison Co. Mo. running from the Mo. side on a divission of the Accretions and at 14.87½ ch. set a stake & came out 1.00 ch. apart, he N and Me S at half the difference 50 lks. set a Limestone 6x15x30 inches Sqr. for the dividing line between Mo & Nebr. Marked M & N Whole dist. across 29.75 ch. Half the distence across 14.87½ ch. And Commencing at the East meander line of Lot 1 on the Nebr. bank of the Old Mo. river bed about 20.00 ch. N. of the SE. cor. of Lot 1

deemed necessary, and with the approval of your

in S 31 T 7 N. R. 16 E of 6th P. M. in Nebr. and run East to meet D. A. Quick Co. Surveyor Atchison Co. Mo. running from the Mo. side on a division of the Accretions & at 13.09 ch. set a stake & came out 1.15 ch. apart he N & me S. at half the difference 57½ lks we set a Limestone 5x14x27 in. Sqr. for the dividing line between Mo. & Nebr. Marked M & N. Whole distence across 26.18 chaines.

Half the " " 13.09 chaines.

And Commencing at the meander corner on the Nebr. bank of the Old Mo. river bed at the intersection of the section line between S 30 & 31 in T 7, N. R 16 E of 6th P. M in Nebr. with the Old Mo River bed. It being the NE. cor. of Lot 1 in S 31 and the SE. cor. of Lot 3 in S 30, T 7, N. R 16 E and run East to meet D. A. Quick Surveyor of Atchison Co. Mo. Running from the Mo. side of the Old River bed on a division of the Accretions and at 13.32½ ch. set a stake and came out 1.53 chaines apart he N and me S at half the difference between us 76½ links set a Limestone 5x14x25 inc. sqr. for the dividing line between Mo. and Nebr. Marked M and N.

Whole distence across 26.65 chaines.

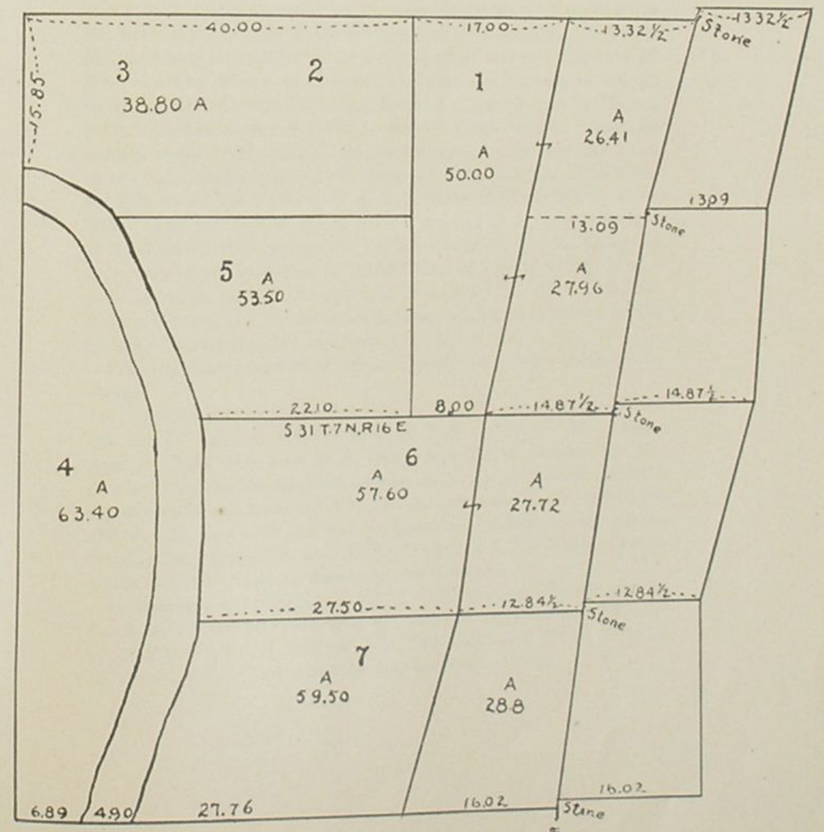
Half the distence across 13.32½ chaines.

V 9° 30′ E

deemed necessary, and with the approval of your

N° 8 PLAT.

Section 31, Township 7 N. Range 16 E of 6th P.M. Nebr.



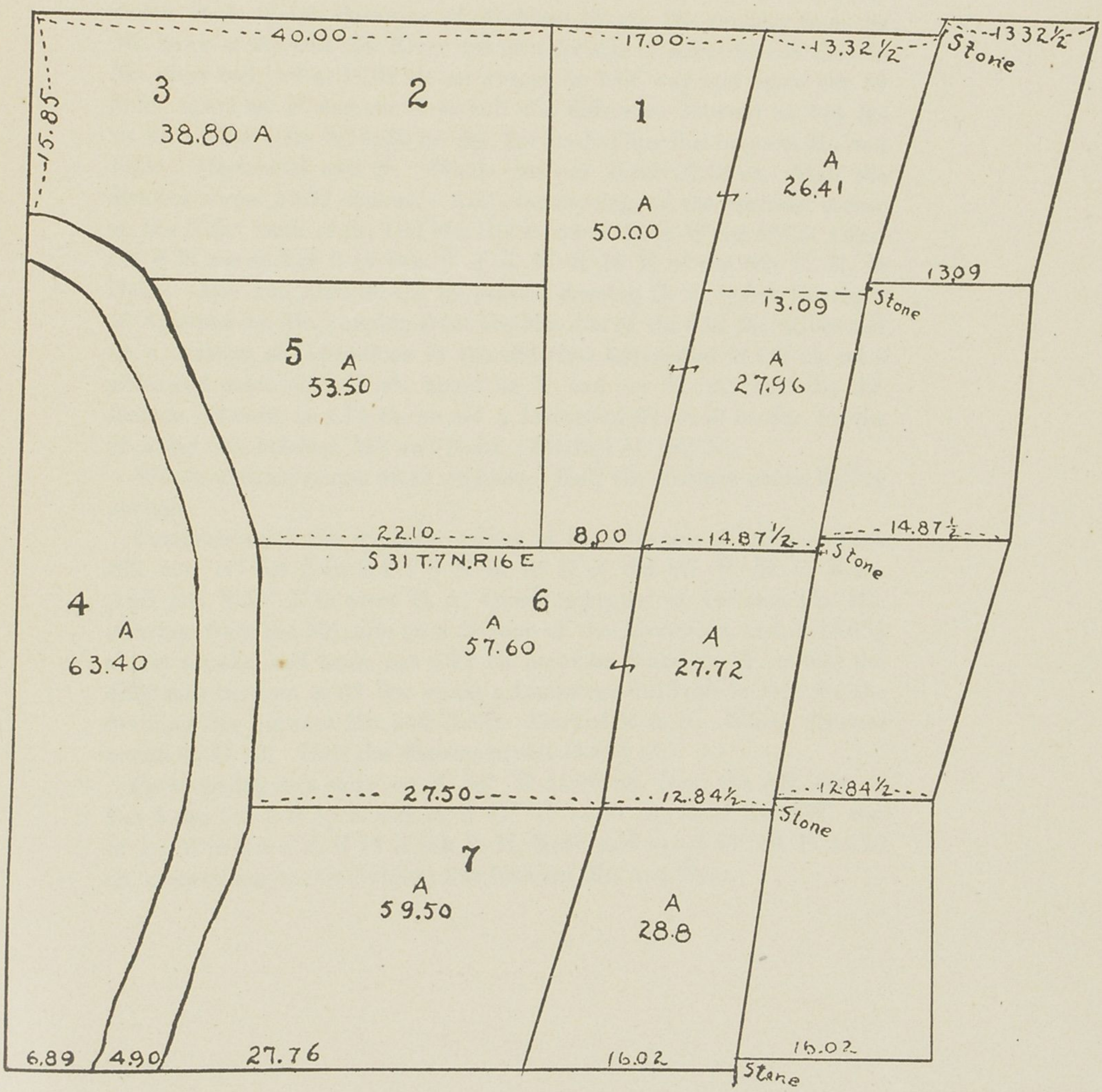
J. M. Hacker
County Surveyor.

deemed necessary, and with the approval of your

N° 8

PLAT.

Section 31, Township 7 N. Range 16 E of 6th P.M. Nebr.



J. M. Hacker
County Surveyor.

FIELD NOTES.

No. of Survey..... Date February 25th to March 29th 1895
Survey for Nemaha County Nebraska
At request of the Board of County Commissioners
Chainmen sworn W. T. Hacker and H. D. Hacker.
Point established Div. of Accretions to Sec. 6, Twp. 6 N, Rng. 16 E, 6th P. M.

Commencing at the meander corner of the Nebr. bank of the Old Mo. River bed at the intersection of the Township line between Towns. 6 and 7 N. of R. 16 E of the 6th P. M. in Nebr. with said river bed. Said corner being the N E. cor. of Lot 1 in S 6, T 6 N, R 16 E, and the S E. cor. of Lot 7 in S 31 T 7 N. R 16 E. of 6th P. M in Nebr. And run East to meete D. A. Quick Surveyor of Atchison county Mo. running from the Mo. bank of the Old Mo. River bed on a division of Accretions in the Old Mo. river bed and at 16.02 ch. set a stake for half way and came out 89 links. apart he N and me S. at half the difference between us 44½ lks we set a Limestone 6x15x35 in. Sqr. for the dividing line between Mo. and Nebr. Marked M and N. Whole distence across 32.04 ch. Half the distence across 16.02 chaines. And commencing at the meander corner on the Nebr. bank of the Old Mo. River bed at the S. W cor. of Lot 1 and the S E cor of Lot 2 in Sec. 6, T 6, N. R 16 E of the 6th P. M. in Nebr. And run East for the purpose of meeting D. A. Quick Surveyor of Atchison co. Mo. running from the Mo. side of the Old Mo. River bed on a division of Accretions in the Old river bed and at 21.71½ ch. set a stake and came out 3.48 ch. apart he N and me S. At half the difference between us 1.74 ch. we set a Limestone 6x15x40 in. Sqr. for the dividing line between Mo. and Nebr. Marked M. and N.

Whole distence across 43.43 chaines. Half the distince across 21.71½ chaines.

Commencing at the meander corner at the SW. cor. of Lot 1 and the SE. cor. of Lot 2 in S 6 T 6 N R 16 E of the 6th P. M. in Nebr. And run S 40° E to meet D. A. Quick Surveyor of Atchison Co. Mo. running from the Mo. side on a division of the Accretions, and at 15.68½ ch. set a stake and came out 1.98 ch. apart he E and me W. at half the difference between us 99 lks. we set a Limestone 6x13x39 in. Sqr. for the dividing line between Mo. and Nebr. Marked M & N. Whole distence across 31.37 ch. Half the distence across 15.68½ ch.

Commencing at a stone set N 54° E 11.00 ch. from the SE. cor. of Lot 2 Sec 1 T 6 R 15 E and at S 47° W 11.00 ch. from the SW. cor. of lot 2 in S 6 T 6. R 16 E 6th P. M. Nebr. and run S 33° 30′ E 11.70 ch. more or less to the dividing line between Mo. and Nebr.

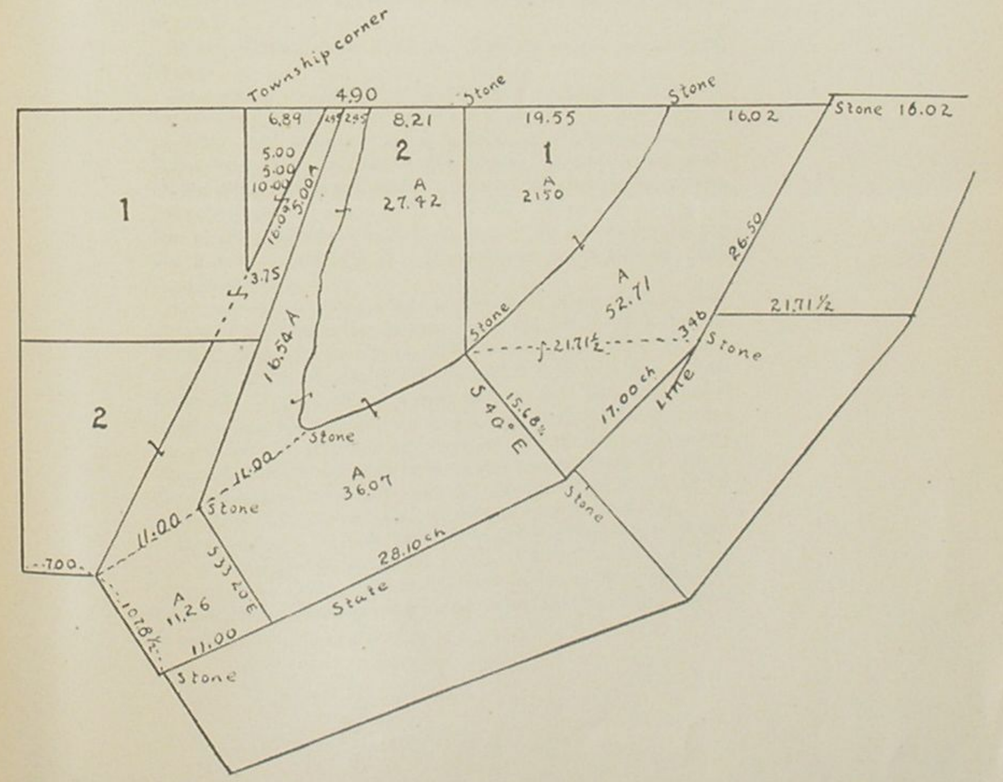
deemed necessary, and with the approval of your

SURVEYOR'S RECORD

No 9

PLAT.

Section 6 Township 6 N. Range 16 E 6th P.M. Nebr.



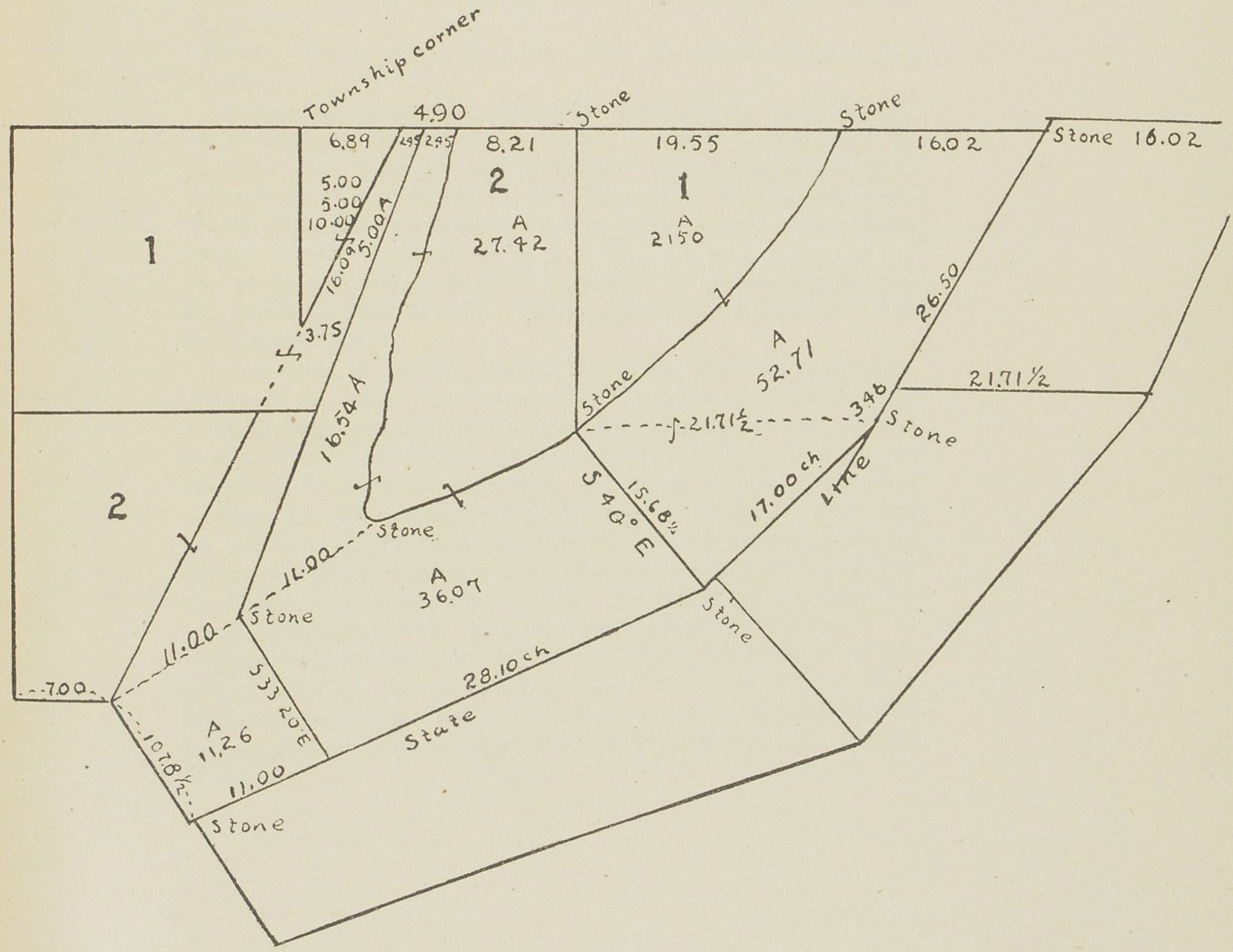
J. M. Hacker.
County Surveyor.

deemed necessary, and with the approval of your

No 9

PLAT.

Section 6 Township 6 N. Range 16 E 6th P.M. Nebr.



J. M. Hacker.
County Surveyor.

10

FIELD NOTES.

No. of Survey..... Date February 25th to March 29th 1895
Survey for Nemaha County Nebraska
At request of the Board of County Commissioners
Chainmen sworn W. T. Hacker and H. D. Hacker
Point established div. of Accretions to Sec. 1, Twp. 6 N, Rng. 15 E, 6th P. M.

Commencing at the meander corner on the Nebr. of the Old Mo. River bed at the SE. cor. of Lot 2 and the NE. cor. of Lot 3 in S 1 T 6 N. R 15 E of the 6th P. M. in Nebr. and run S 33° 30′ E and at 10.87½ ch. met D. A. Quick Surveyor of Atchison Co. Mo. on a division of Acretions with a difference of 26 lk between us, we set a Limestone 6x15x41 in. Sqr. for the dividing line between Mo. and Nebr., Marked M and N.

Whole distence across 21.57 ch. Half the distence across 10.78½ chaines.

Commencing on the Nebr. bank of the Old Mo. River bed at the SW. cor. of Lot 3, the SE. cor. of Lot 4 in S 1, T. 6, N. R 15 E of 6th P. M. in Nebr. And run South and at 7.27½ ch. & set a stake & met D. A. Quick Surveyor of Atchison Co. Mo. running from the Mo. bank of the old Mo. River bed, on a division of Accretions and came out with a difference of 55 links he E and me W. at half the diference between us 27½ lks. we set a Limestone 8x10x23 in. Sqr. for the dividing line between Mo. & Nebr. marked M & N. Whole distence across 14.55 ch. Half the distence 7.27½ ch.

Commencing on the Nebr. bank of the old Mo. River bed at the intersection of the section line between Sec 1 and 2 in T 6 N. R 15 E 6th P. M. in Nebr. with the Old Mo. River bed being the SW. cor. of Lot 5 in S 1 and the SE. cor. of Lot 8 in S 2 T 6 R 15 E in Neb. and run South and at 16.64 ch. set a stake and met D. A. Quick Surveyor of Atchison Co. Mo. running from the Mo. bank of the old Mo. River bed on a division of Accretions and came out 30 links apart he E and me West and at half the difference 15 lks. we set a Limestone 6x6x30 in. sqr. for the dividing line between Mo. and Nebr. Marked M and N. Whole distence across 33.28 chaines Half the distence across 16.64 chaines.

Commencing on the Nebr. bank of the Old Mo. River bed at the SW. cor. of Lot 4 the SE. cor. of Lot 5 in S 1 T 6 N. R 15 E 6th P. M. in Nebr. and run South 11.95 chaines more or less to the dividing line between Mo. and Nebr. and set a Limestone 10x12x16 inches sqr. Marked M and N.

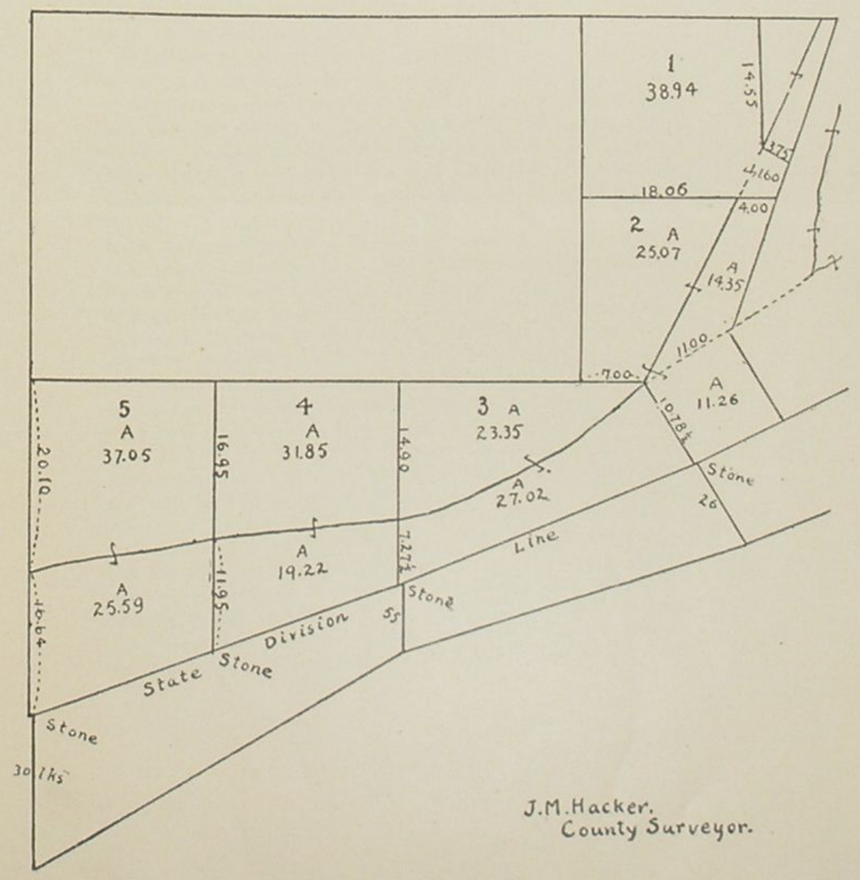
deemed necessary, and with the approval of your

SURVEYOR'S RECORD

222.

No 10 PLAT.

Section 1. Township 6 N., Range 15 E. 6th P.M. Nebr.



J.M. Hacker,
County Surveyor.

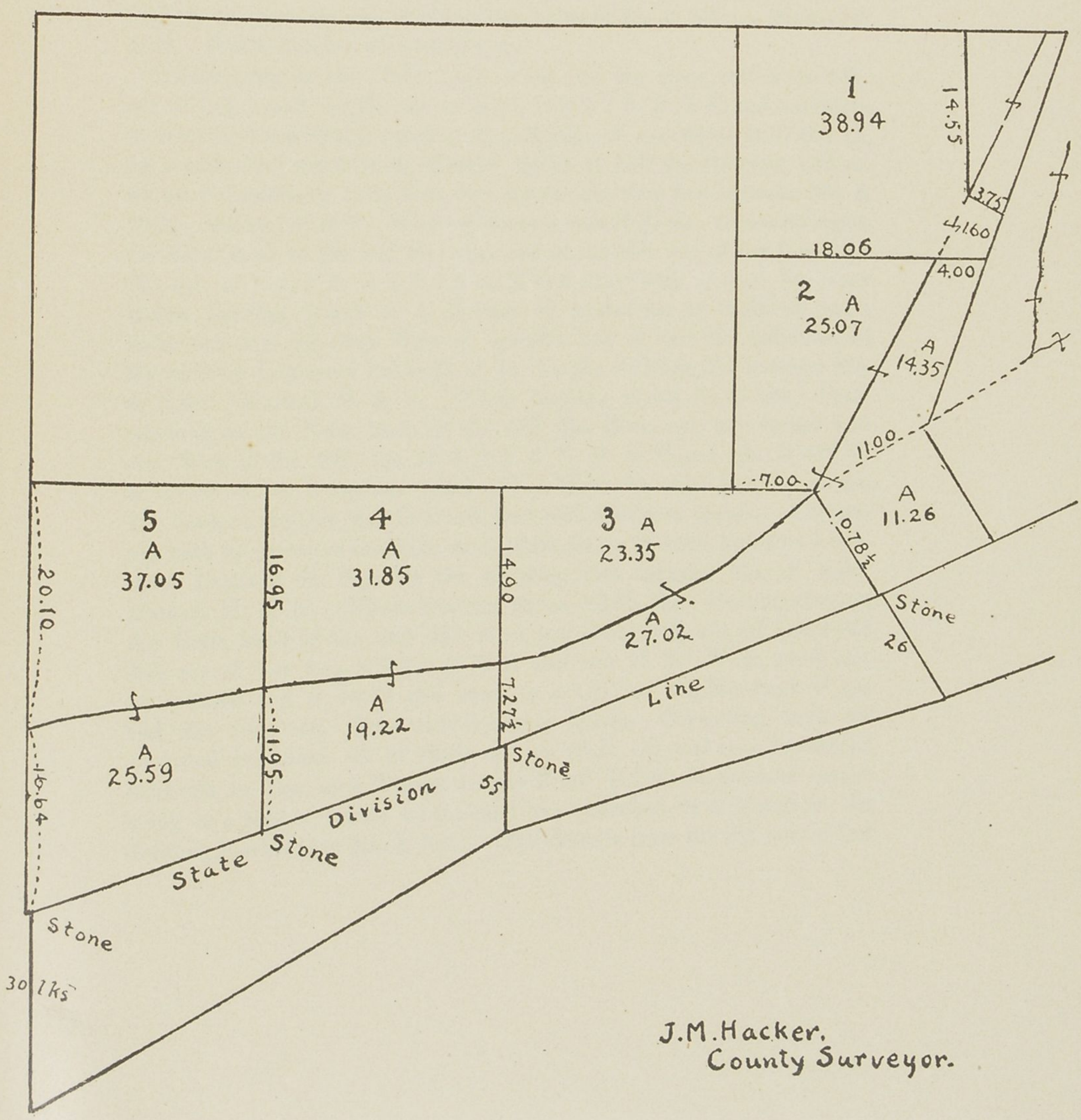
deemed necessary, and with the approval of your

SURVEYOR'S RECORD

No 10

PLAT.

Section 1. Township 6 N., Range 15 E. 6th P.M. Nebr.



J.M. Hacker,
County Surveyor.

11

FIELD NOTES.

No. of Survey ..... Date February 25th to March 29th 1895
Survey for Nemaha county Nebraska
At request of the Board of County Commissioners
Chainmen sworn W. T. Hacker and H. D. Hacker

Point established Div. of Accretions to Sec. 2, Twp. 6 N, Rng. 15 E, 6th P. M.

Commencing on the Nebr. bank of the Old Mo. river bed at the SW. cor of Lot 5 in S 1 and SE. cor. of Lot 8 in S 2 T 6 N. R 15 E and run South to meet Surveyor Quick running from the Mo. bank of said River bed on a division of Accretions, at 16.64 ch. set a stake and came out thirty lks W. of Quick's line at half the difference 15 lks. we set a Limestone 6x6x30 in. Sqr. for the dividing line between Mo & Nebr. Marked M & N. Whole distence across 33.28 chs

Commencing on the Nebr. bank of the Old Mo. river bed at the SW. cor. of Lot 7, and the SE. cor. of Lot 6 in S 2 T 6. R 15 E. and run South to meet Surveyor Quick running on a division of Accretions at 27.60½ ch. set a stake and was 3.84 ch. West of Quick at half the diference 1.92 ch. we set a Limestone 7x8x20 in. Sqr. for the dividing line between Mo. & Nebr. Marked M & N. Whole distence across 55.21 ch. Commencing on the Nebr. bank of the Old Mo. river bed at the SW. cor. of Lot 6 and the SE. cor. of Lot 5 in S 2 T 6 R 15 E and run South to meet Surveyor Quick running North on a division of Accretions at 32.36 ch. set a stake and was 80 links West of Quick's line at half the diffirence 40 lks we set a Limestone 7x14x23 in. Sqr for the dividing line between Mo. & Nebr. Marked M & N. Whole distence across 64.72 chs. Commencing on the Nebr. bank of the Old Mo. River bed at a corner 9.10 chs. West of the NE. cor. of S 2, T 6 N. R 15 E and run N 47° W at 40.00 ch set a random stake and at 82.88 chs. came to a cor. on the Mo. bank of the Old Mo. river bed, Run with Surveyor Quick,– Correcting back we corrected the stake set at 40.00 chs., to 41.44 ch. and set a Limestone 7x12x25 in. Sqr. for the dividing line between Mo. & Nebr. Marked M. & N. Whole distence across 82.88 chs. Commencing on the Nebr. bank of the Old Mo. river bed at the NW. cor. of Lot 2 and NE. cor. of Lot 3 in S 2 T 6 R 15 E and run N 20° W at 40.00 chs. set a stake and at 86.42 chs. came to a Cor. on the Mo. bank of the Old Mo. river bed. Run with Surveyor Quick. Correcting back we corrected the stake set at 40.00 chs. to 43.21 chs. and set a Limestone 6x15x25 in. Sqr. as a Witness Corner N 50° E 3.00 ch. the true corner being in a hole of watter on the sand bar. Marked M & N and on the dividing line between Mo. & Nebr. The distence from the SE. cor. of Lot

deemed necessary, and with the approval of your

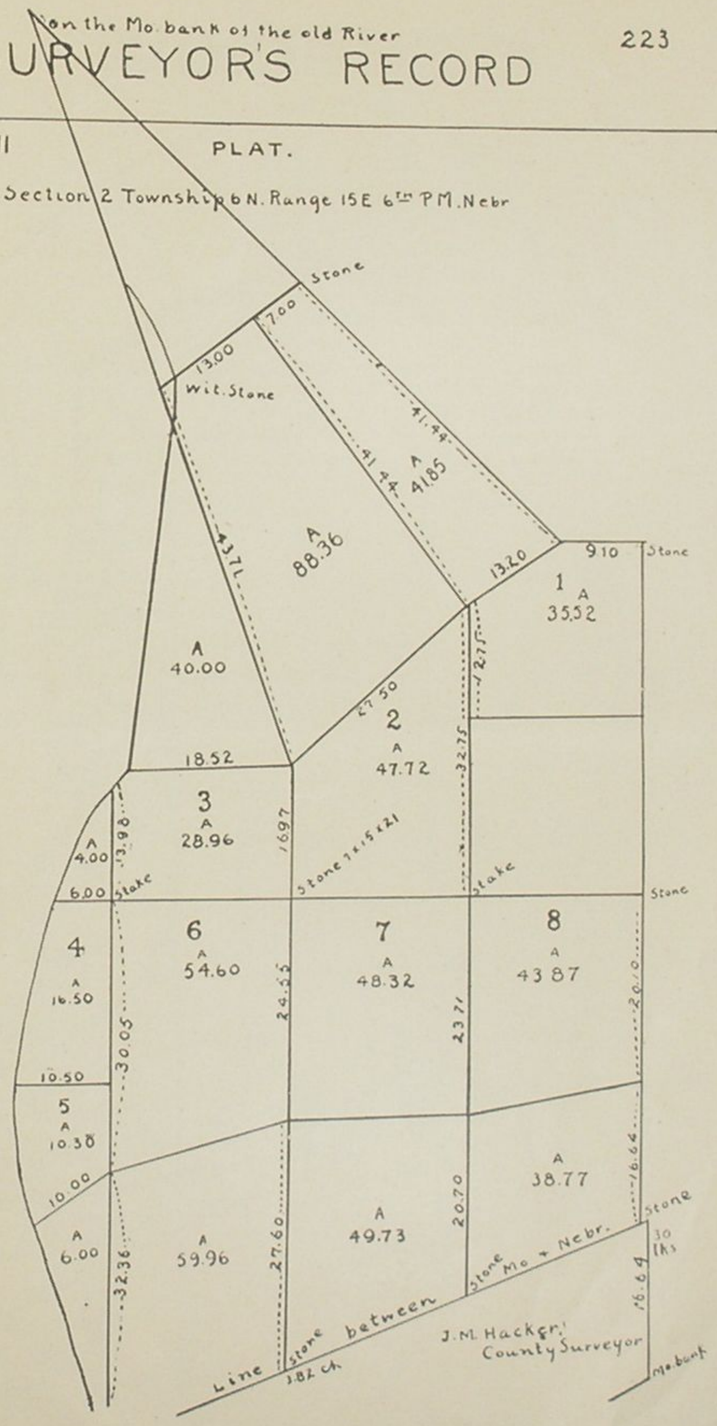
4 S 2 T 6 R 15 E, North to the Mo. river is 13.99 ch. And from the SE. cor. of said Lot 4. West is 6.00 chs. to the Mo. River. And the distence from the NE. cor. of Lot 5 in said S 2 to the Mo. River is 10.50 chs. And South from the NE. cor. of said Lot 5 is 10.05 ch. to the old Mo. River bed. Then Commencing on the Nebr. bank of the Old Mo. river bed at the SE cor. of Lot 7, the SW. cor. of Lot 8 in S 2, T 6 R 15 E and run S. 20.70 chs. to the dividing line between Mo & Nebr. and set a Limestone 7x13x27 in. Sqr. Marked M. & N. Dividing Accretions between Lots 7 & 8 S 2. Commencing at the NW cor. of Lot 1, the NE cor. of Lot 2, in said S 2, and run N 30° W 41.44 chs. and set a stake at the dividing line between Mo and Nebr. Run to find the amount of Accretions to Lots 1 and 2 in S 2 T 6 N R 15 E of 6th P. M. in Nebraska.

deemed necessary, and with the approval of your

SURVEYOR'S RECORD

No 11 PLAT.

Section 2 Township 6 N. Range 15 E 6th PM. Nebr



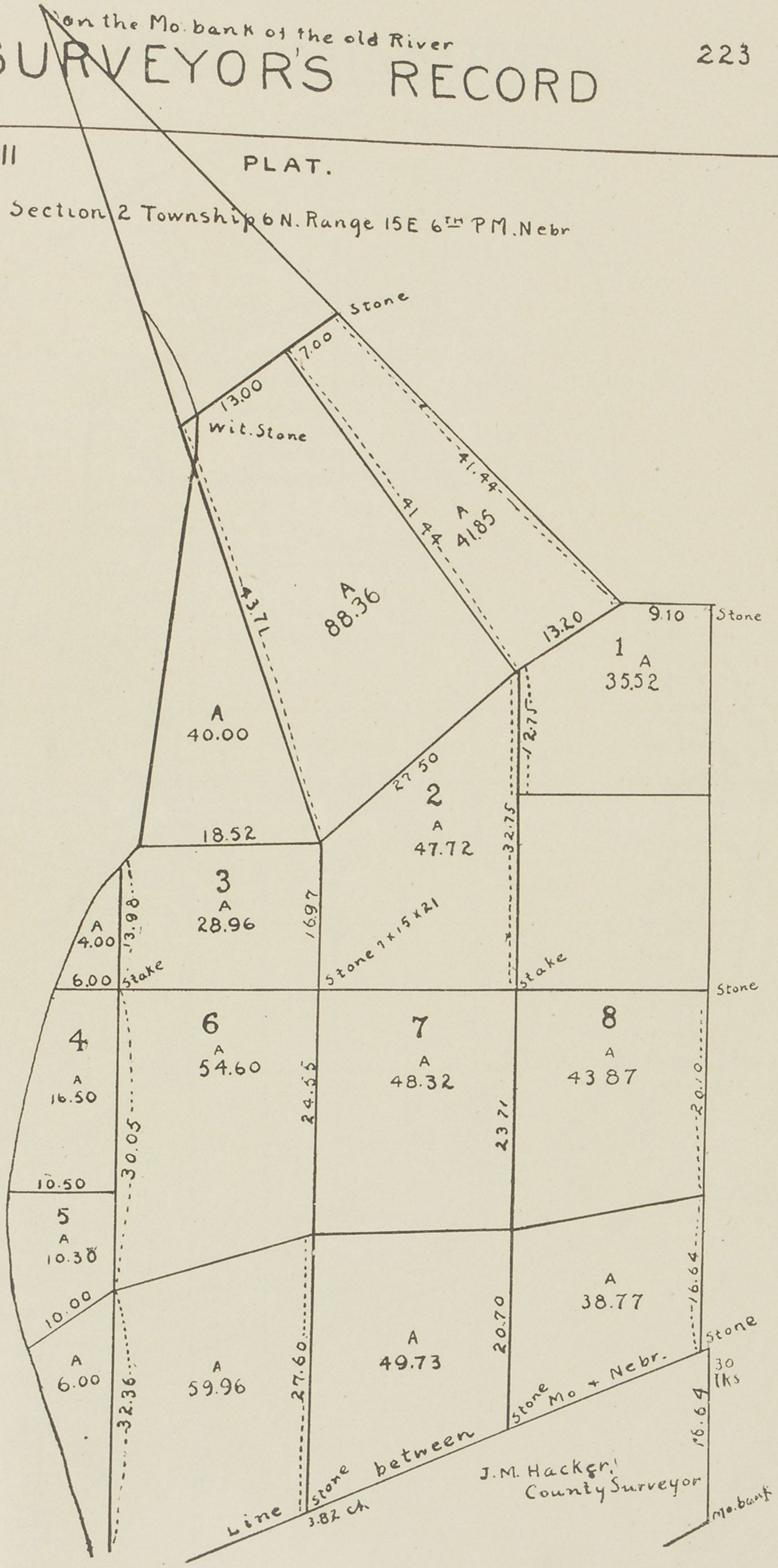
deemed necessary, and with the approval of your

SURVEYOR'S RECORD

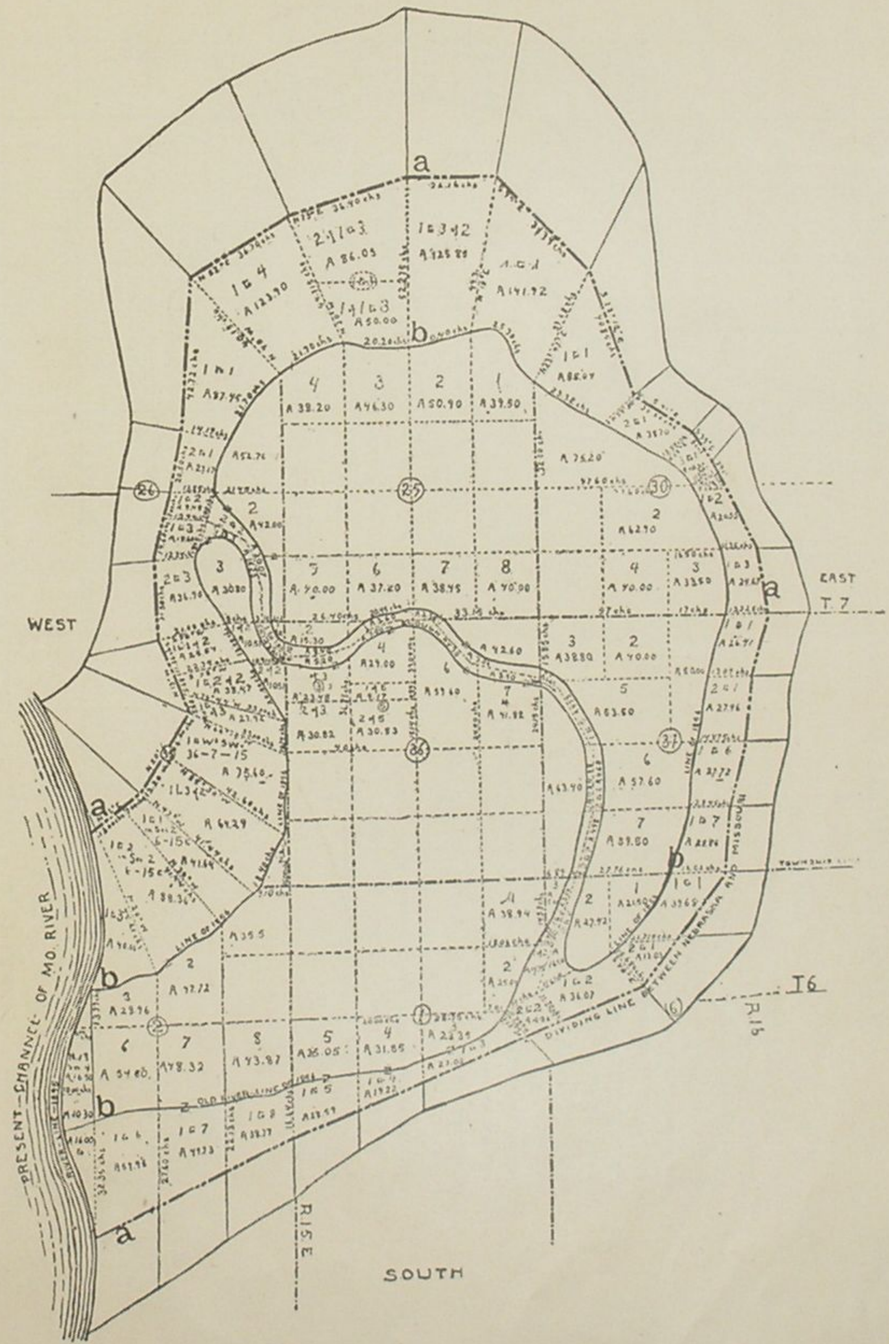
No 11

PLAT.

Section 2 Township 6 N. Range 15 E 6TH PM. Nebr

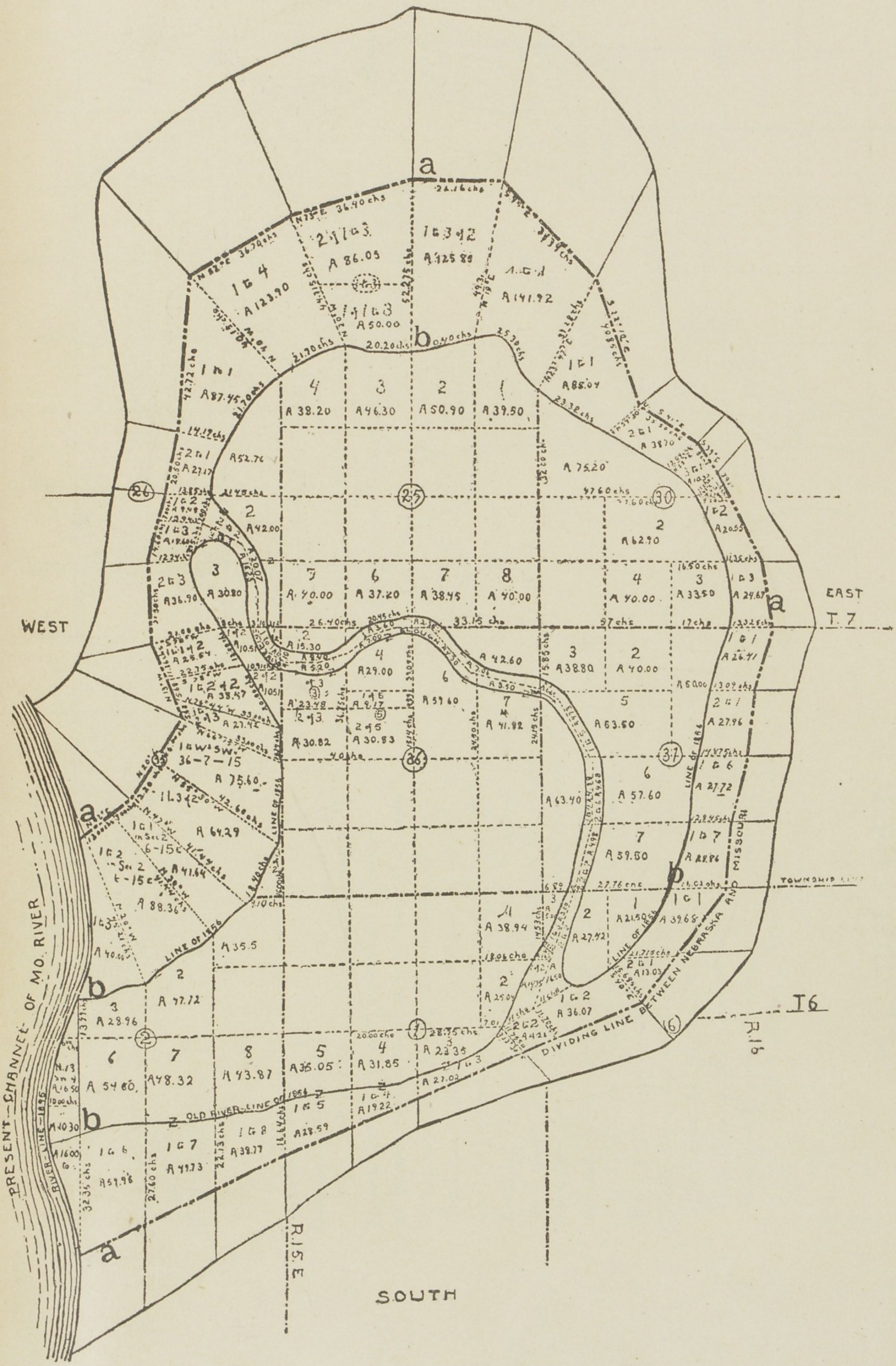


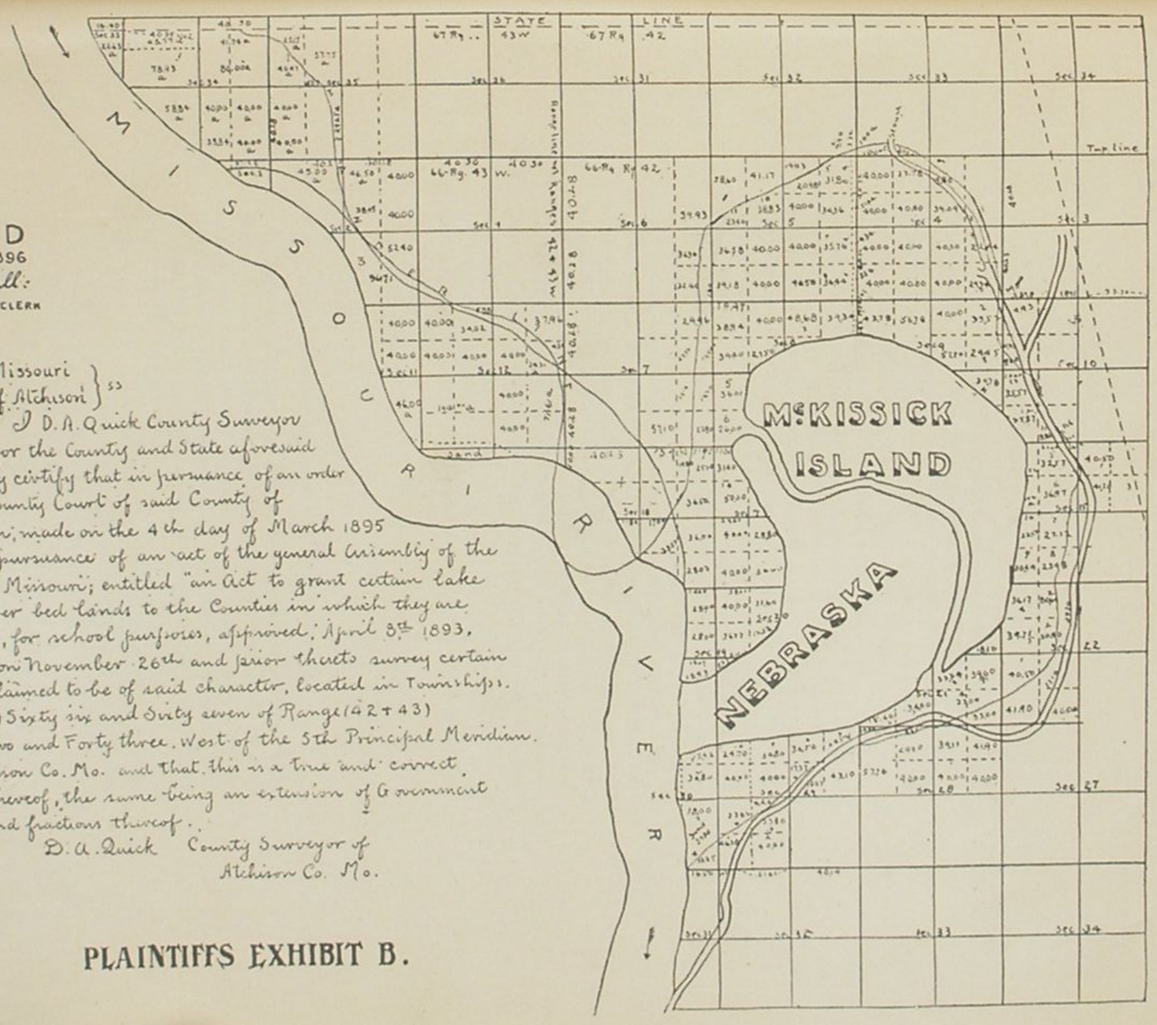
DEFENDENTS EXIBIT B.



deemed necessary, and with the approval of your

DEFENDENTS EXIBIT B.





Fractional Townships 66 and 67 North of Ranges 42 and 43 West of the 5th Principal Meridian covering land of Old Missouri River Bed
Thin line shows Meander of Mo. River when the Government Surveyed this land

FILED
FEB. 4, 1896
J. S. Ball:
CLERK

State of Missouri }
County of Atchison } ss

I D. A. Quick County Surveyor of and for the County and State aforesaid do hereby certify that in pursuance of an order of the County Court of said County of Atchison, made on the 4th day of March 1895 and in pursuance of an act of the general Assembly of the State of Missouri; entitled "an Act to grant certain lake and river bed lands to the Counties in which they are located, for school purposes, approved, April 8th 1893, I did on November 26th and prior thereto survey certain lands claimed to be of said character, located in Townships. (66 & 67) Sixty six and Sixty seven of Range (42 & 43) Forty two and Forty three. West of the 5th Principal Meridian. of Atchison Co. Mo. and that this is a true and correct Plat thereof, the same being an extension of Government lines and fractions thereof.

D. A. Quick County Surveyor of Atchison Co. Mo.

PLAINTIFFS EXHIBIT B.

deemed necessary, and with the approval of your

FILED
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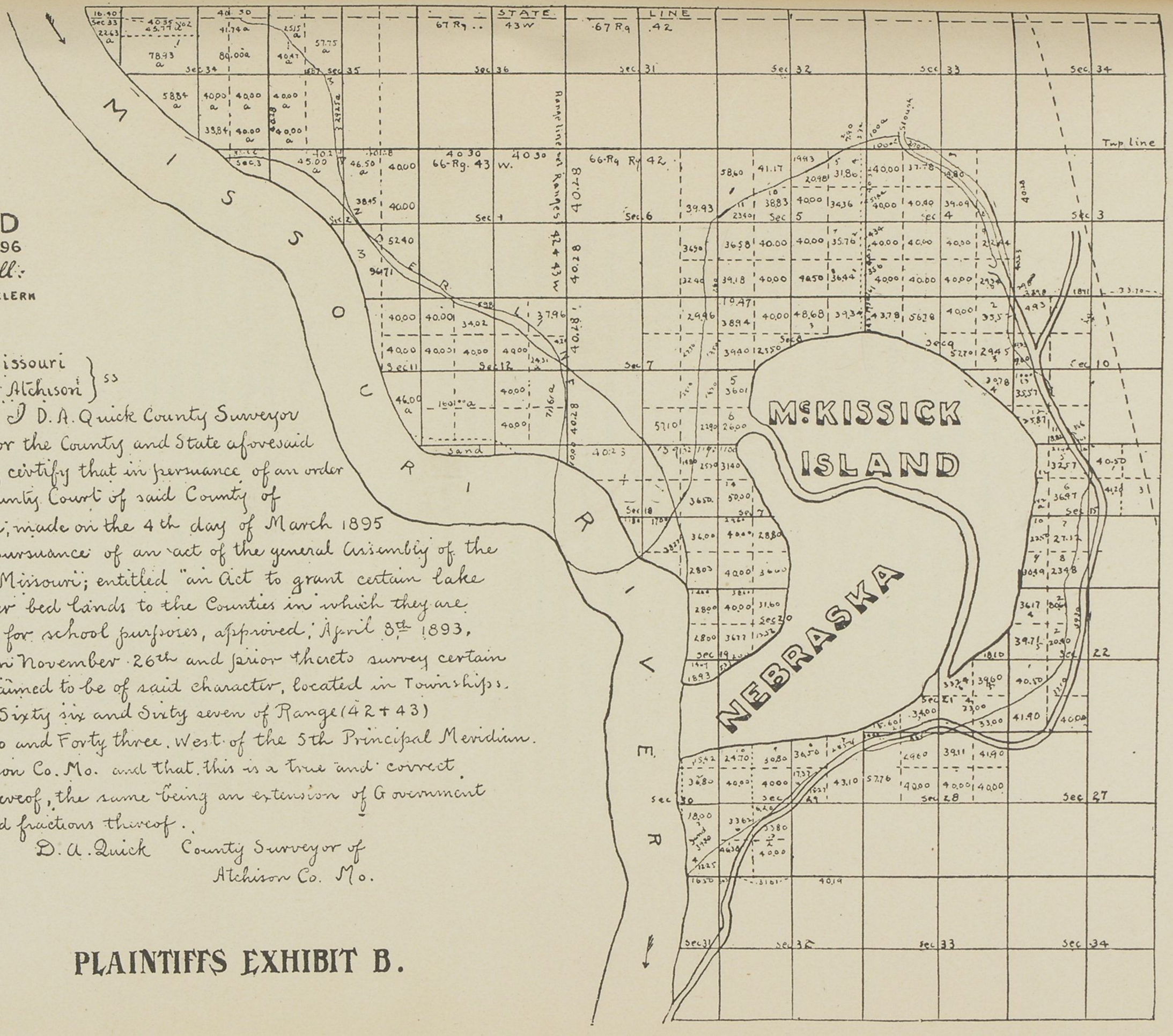
D. A. Quick County Surveyor of
Atchison Co. Mo.



Fractional Townships 66 and 67 North of Ranges 42 and 43 West of the 5th Principal Meridian covering land of Old Missouri River Bed
Thin line shows Meander of Mo. River when the Government Surveyed this land

PLAINTIFFS EXHIBIT B.

And it is further ordered, adjudged and decreed by the court that the Commissioners heretofore appointed, namely, Alfred Hazlett, Esq., and John W. Halliburton, Esq., be, and they are hereby, directed to establish, or cause to be established, under their direction, permanent monuments marking said boundary line between the State of Missouri and the State of Nebraska, as shown by said aforesaid surveys, and that said Commissioners establish such permanent monuments upon said boundary line as may in their opinion be necessary for permanently marking and establishing the same, and that they make a report to this court of their acts and doings therein, and that said report contain a full and complete description of said boundary line and the monuments thereon established. And that in the execution of this decree said Commissioners are hereby authorized to employ such surveyors and other assistants, and procure such material as may be necessary in the establishment of said permanent monuments marking said boundary line, in accordance with the decree of this court.

And it is further ordered that said Commissioners be paid for their services herein such compensation as may be agreed upon by the respective parties to this suit and said Commissioners, and if the parties to this suit and said Commissioners are unable to agree upon said compensation, such compensation shall be awarded to said Commissioners as in the opinion of this court, upon the filing of the final report by said Commissioners, may seem proper.

It is further ordered that said Commissioners make said final report of their acts and doings in the premises to this court on or before the 15th day of May, 1905.

March 6, 1905.

Supreme Court of the United States.

I, James H. McKenney, Clerk of the Supreme Court of the United States, do hereby certify that the foregoing is a true copy of the decree of said Supreme Court entered on the 6th day of March, 1905, in the case of *The State of Missouri, Complainant,* v. *The State of Nebraska,* No. 5, Original, October Term, 1904, as the same remains upon the files and records of said Supreme Court.

In testimony whereof I hereunto subscribe my name and affix the seal of said Supreme Court, at the city of Washington, this 14th day of January A. D. 1905.

James H. McKenney

Clerk of the Supreme Court of the United States.

deemed necessary, and with the approval of your

SUPREME COURT OF THE UNITED STATES.

The State of Missouri,--Complainant.	) No. 5 Original.
vs.	)
The State of Nebraska.	) In Equity.

TO THE HONORABLE, THE CHIEF JUSTICE AND THE ASSOCIATE JUSTICES OF THE SUPREME COURT OF THE UNITED STATES:

The undersigned, your commissioners, heretofore appointed by this Honorable Court, and who were directed, by an entry of record, of date March 6th, 1905, to establish, or cause to be established, under our direction, permanent monuments marking the boundary line between the State of Missouri and the State of Nebraska, as per the decree of this Court in this cause; and

Whereas, it was further ordered that in the execution of said decree said commissioners were authorized to employ surveyors and assistants, and procure such material as might be necessary in the establishment of said permanent monuments marking said boundary line in accordance with the decree of this Court, we beg leave to report that on an examination of said boundary line, it was discovered that very few of the original monuments placed on said line by the surveyors of Atchison County, Missouri, and Nemaha County, Nebraska, when their survey was made in the year 1895, were left in position, and we further discovered that it was necessary to have said line re-surveyed, and points established for the planting of permanent monuments thereon.

The State of Missouri, by its Attorney General, selected Daniel W. Pike, C.E., as surveyor in behalf of the State of Missouri, and the State of Nebraska, by its Attorney General, selected J. C. Stevens, C.E., as surveyor in behalf of the State of Nebraska, in conjunction with said commissioners. That said surveyors, taking to their aid, such assistants as was deemed necessary, and with the approval of your

commissioners, re-surveyed said line, and established the points for the setting of permanent monuments thereon. Your commissioners, in their instructions to said surveyors, required that a permanent monument be established at every angle on said survey, and on the straight lines, as near as practical not more than a quarter of a mile apart; that said survey has been completed by said surveyors, and the permanent monuments have been set at the points designated in the survey.

A report of said surveyors, marked Exhibit I, is hereto attached and made a part of this report, giving a full description of the line so established in such manner that any competent surveyor can find said line, or any monument thereon, also fully describing said monuments and the points where located.

We also attach to this report a map, marked Exhibit 2, covering what is known as Island Precinct in the State of Nebraska, and the old Missouri River bed, and portions of Missouri contiguous thereto, said map being a part of the report of said surveyors, and said map also showing the old river banks of the Missouri River, and the center line between said banks, with witnesses to each monument located on said line.

A statement of the expenses attending said survey and the erection of said permanent monuments is hereto attached, marked Exhibit 3.

All of which is respectfully submitted this May 10, 1905.

Alfred Hazlett,
Commissioner for the State of Nebraska.

John W. Halliburton
Commissioner for the State of Missouri.

EXHIBIT NO. 3.

Expense Account of the survey of the line between Atchison County, Missouri, and Nemaha County, Nebraska, said survey being made April 6th to April 19th, 1905, inclusive, and the monuments being set thereon May 2nd to May 8th, 1905, inclusive.

A.P.Headley, 10-1/2 days as axman,	$23.60
Henry Taylor, 11-1/2 days as flagman,	25.80
Frank Shandy, 2-1/2 days as axman,	5.60
10 days as axman with team and wagon,	35.00
hauling monuments from Hamburg, Iowa, to line and setting monuments,	80.00
W. E. Shandy, County Surveyor, Atchison County, Missouri, 7 days,	35.00
W. T. Hacker, Nemaha County, Nebraska, assisting with original field notes of survey, 13-1/2 days and expenses	54.65
Clark Cotterell, chain man, 13-1/2 days,	40.50
expenses, railroad fare and board bills,	15.25
Supervising setting of monuments, 5 days,	15.00
Expenses for sais time	5.50
George Pike, 12-1/2 days as chainman	37.50
expenses, railroad fare and board bills,	17.40
J. W. Schwartz, manufacturing and delivering monuments at Hamburg, Iowa,	94.00
Alfred Hazlett, Commissioner for Nebraska, time and services,	500.00
Traveling and other expenses in and about said work,	100.00
John W. Halliburton, Commissioner for Missouri, time and services	500.00
Traveling and other expenses in and about said work,	100.00

$1664.75

As to the expenses of the two surveyors, their bills were not ready at this date, and we are informed that each one of them had made an arrangement with the Attorney General of his State as to his compensation, and the same would be settled with them. We are also informed that the above expenses will be paid as follows,-that is to say, each commissioner will be paid by his respective State, and the other expenses above noted will be paid respectively one-half by each of said States,

and there will be in all probability be no occasion for this Court to make any order in regard to the payment of the expenses of the survey herein reported.

Report of a Survey of that Portion of the Boundary Line between Atchison County, Missouri, and Nemaha County, Nebraska, not Constituted by the Missouri River.

This survey was made from April 6th to April 19th, 1905, inclusive, under the direction of Hon. A. Hazlett and Hon. J. W. Halliburton, Commissioners, by Daniel W. Pike, Engineer, on behalf of the State of Missouri, and J. C. Stevens, Engineer, on behalf of the State of Nebraska, and consisted in recovering a line marking the center of the old bed of the Missouri River as it flowed prior to July 5, 1867, as surveyed and marked jointly by the County Surveyors of Atchison County, Missouri, and Nemaha County, Nebraska, in 1895 and prior thereto.

Accompanying this report is a map showing this line as found and recovered according to field notes and plats furnished said Engineers by said Commissioners.

The points marked ▫ show the stones set by said County Surveyors and found by said Engineers; the points marked ⊙ show the points recovered in accordance with said plats and field notes, where no stones could be found. That portion of the range line between the Southeast corner of Section 25, Township 7 North, Range 15 East, of the 6th Principal Meridian, marked by a stone, and the East 1/4 corner of same Section marked by the original Govn't survey stake was used as a Meridian to which the bearings of the lines joining the points designated above are referred and marked thereon, together with the distances in feet.

For convenience in designating the points on said boundry line they have been numbered from 0 to 38, inclusive, beginning at Station 0, the point on the bank of the Missouri River in the accretions to lot 7, Section 2, Township 6 North, Range 15 East, of the 6th principal Meridian, and numbering thence in a direction counter clock-wise to Station 38, the point on the bank of the Missouri River in the accretion to lots 1 and 2,

Section 2, Township 6 North, Range 15 East, of the 6th principal Meridian, as shown on accompanying map.

At each of the points so numbered has been placed a monument set 4 feet in the ground composed of concrete, 8 by 8 inches in crosssection by 5 feet in length reinforced by a projecting 2-1/4 by 2-1/4 by 1/4 inch angle. At Stations 4, 17, 26, and 33, the angle does not project beyond the stone as these points are in the public highway. In addition each monument so set has been referenced to trees or buildings as shown by the table of witnesses on the accompanying map giving the description and diameter of the tree in inches, where used, together with the bearings and distances of the witness from the monument.

It was learned that the bearings and distances of the old boundry line, as shown in the plate designated as "Defendants Exhibit D", had been scaled from the map and not taken or measured on the ground. It was therefore necessary to locate points where the stones set by said County Surveyors could not be found from lot corners or section corners and land lines in the same manner as originally located by them. Therefore, in order to designate more clearly the method employed in locating the points on the boundry line, each Station or point is taken up in order, below, giving the method of relocation or what existing evidence there was of its authenticity.

Station 0 Ran a line from Station I at an angle of 6°30' from the line joining Stations 1 and 2, to the bank of the Missouri River. As there was evidence of the river cutting its banks this monument was placed 210 feet back from the waters edge.

Stations 1,2 & 3. Found stones undisturbed marked M on one side and N on the other.

Station 4. Found meander corner stone at Southeast corner lot 4, Section I, Township 6,

Range 15 East of the 6th principal Meridian, in Nebraska, and located meander corner on Missouri side by running North 1815 feet (27.5 chains) from a stone at West 1/4 corner Section 28, Township 66 North, Range 42 West of the 5th Principal Meridian, and set a monument on line joining the two meander corners at a distance 480 feet from above meander corner in Nebraska, which was found to be half way between the said meander corners.

Station 5. Set on line half way between Stations 4 and 6 as the distance between them was nearly 1/2 mile.

Station 6. Found bottom of original stone marked M on one side and N on the other. The top had been broken off but was lying nearby.

Station 7. Set on line approximately half way between Stations 6 and 8 as the distance between them was nearly 1/2 mile.

Station 8. Found original stone undisturbed marked M on one side and N on the other.

Station 9. Consider the method employed by the two County Surveyors in locating the boundry stones viz,-that of extending independent land lines to center of old river bed and setting stone at point half way between their respective lines on a perpendicular joining them. It appears that at this point the Nebraska lines are 58.7 feet (89 links) South of corresponding Missouri lines. Assuming this true at Station 9 the additional distance, the two surveyors were apart (3.84 chains) when they met was due to the increased length of the line between lots 1 and 2, Section 2, Township 6 North, Range 16 East of the 6th Principal Meridian, over 1/4 mile, thus making its length 1490.9 feet.

With this as a basis the coordinates of Station 9 were computed with reference to stones found at Stations 8 and 11 that is, Station 9 is 900.2 feet North and 680.8 feet East of Station 8 ~~feet East of Station~~ and 1465.5 feet, South and 1914.4 feet West of Station 11.

Station 10. Set on line half way between Stations 9 and 11 as the distance between them was considerably over 1/4 mile.

Stations 11 & 12. Found the original stone undisturbed and marked M on one side and N on the other.

Station 13. Found the Southeast and Southwest corners of lot 1, Section 31, Township 7 North, Range 16 East of the 6th Principal Meridian; thence measured on that line East from the Southeast corner of lot 1, 981.7 feet (14.875 chains); thence North 33 feet (1/2 chain).

Station 14. Assumed the medium width of lot 1, Section 31, Township 7 North, Range 16 East of the 6th Principal Meridian, to be 12-1/2 chains (mean of 17.0 and 8.0) and set the monument on said mid line 66 feet West of the line joining Stations 12 and 14, the coordinance of Station 14 having been previously computed from Stations 13 and 15 as a basis.

Station 15. Found original stone marked M on one side and N on the other apparently undisturbed.

Station 16. Found a stone which had been set 4.70 chains East of the Northeast corner of lot 3, Section 30, Township 7 North, Range 16 East of the 6th Principal Meridian, to make said lot a forty acre tract. Measuring thence East 438.9 feet and North 66 feet (1 chain).

Station 17. Found the Northwest corner stone of lot 2, Section 30, Township 7 North, Range 16 East

of the 6th Principal Meridian and measured thence 2428.8 feet (36.8 chains) East.

Station 18. The length of the bearing and course between Stations 17 and 18 were computed. Station 18 was found to be 507.2 feet Northwest making an angle of 84° 47' with the center line of Section 30.

Station 19. Commencing at the Northwest corner of lot 1, Section 30, Township 7 North, Range 16 East of the 6th Principal Meridian, and running thence South 59° 30' East, 1524.6 feet (23.1 chains) to a point in the North line of said lot 1; thence ran South 55° East 1605.8 feet (24.33 chains) to second point in the North line of lot 1; thence North 55° East 796.6 feet (12.07 chains) as shown on Surveyor's Record No. 6.

Station 20. Commencing at the first point in the North line of lot 1 as designated in description of Station 19, and ran thence North 54°30' East 907.5 feet (13.75 chains).

Station 21. Set on line approximately half way between Station 20 and 22 as the distance between them was over 1/2 mile.

Station 22. Found original stone apparently undisturbed.

Station 23. Set on line between Stations 22 and 24 approximately half way.

Station 24. Located the Northwest corner of lot 1 in Section 25, Township 7 North, Range 15 East of the 6th Principal Meridian, and ran thence North 10° 30' East 3254.5 feet (40.31 chains).

Station 25. Set on line approximately half way between Stations 24 and 26.

Station 26. Found original stone apparently undisturbed.

Station 27. Set on line half way between Stations 26 and 28.

Station 28. Commencing at the Northwest corner of lot 3, Section 25, Township 7 North, Range 15 East

of the 6th Principal Meridian, ran thence North 20° West 2951.2 feet (44.715 chains).

Station 29. Set on line approximately half way between Stations 28 and 30.

Station 30. Located the Northwest corner of lot 4, Section 25, Township 7 North, Range 15 East of the 6th Principal Meridian, ran thence North 40° West 2649.9 feet (40.15 chains).

Station 31. Set the line approximately half way between Stations 30 and 32.

Station 32. Located a point 1089 feet (16.5 chains) West of the Southwest corner of lot 4, Section 25, Township 7 North, Range 15 East of the 6th Principal Meridian, and ran thence North 81° West 935.2 feet (14.17 chains).

Station 33. Commencing at the West 1/4 corner of Section 25, Township 7 North, Range 15 East of the 6th Principal Meridian, ran thence West 1415.7 feet (21.45 chains) to a stake at the Southwest corner of lot 1 in Section 26 thence North 87° West 914.1 feet (13.85 chains).

Station 34. Measured West from the West 1/4 corner of Section 25, Township 7 North, Range 15 East of the 6th Principal Meridian, 1771.4 feet; thence South 1320 feet to meander corner in the West line of lot 3, Section 26, Township 7 North, Range 15 East of the 6th Principal Meridian; thence South 84° West 808.2 feet (2.245 chains).

Station 35. Found bank stone at Southwest corner of lot 3, Section 26, Township 7 North, Range 15 East of the 6th Principal Meridian, ran thence South 78° 30' West 1386 feet (21 chains).

Station 36-37. Found the original stone marked M on one side and N on the other.

Station 38. Commencing at Station 37 ran thence South 52° West to the bank of the Missouri River.

It might be added that in many instances discrepancies were found between the field notes and the plats accompanying them, and in many places between the field notes where diferent notes described the same lines; in such instances preference was given the field notes over the plats and where the notes described the data used was that which appeared to be most consistant.

In the above notes on the method of locating Stations, where bearings are given they were run with reference to the Range line between Ranges 15 and 16 East of the 6th Principal Meridian as above described as a Meridian and in no case was the needle used except as a matter of check.

Respectfully submitted,

Daniel W. Pike

Engineer in behalf of the State of Missouri.

J. C. Stevens

Engineer in behalf of the State of Nebraska.

$\frac{35.10}{3.46}$

Lincoln , Nebraska,

December 1, 1908.

I, W. T. Thompson, Attorney General of the state of Nebraska, do hereby certify that the annexed is a true and literal exemplification of the report of the Commissioners appointed by the Supreme Court of the United States, on behalf of the State of Missouri and the State of Nebraska, to establish the boundary line between said states, and the field notes and maps of the surveyors selected to survey said line, according to the record of said report and field notes and maps shown in exhibits 1 and 2, of the Attorney General, in the case of The State of Missouri vs. The State of Nebraska, docket 6, page 85.

In testimony whereof I have hereunto set my hand ~~and affixed the seal of this office,~~ at the city of Lincoln, on the day and year above written.

W. T. Thompson
Attorney General.

General Land Office • Original Field Notes

Book Number

155

The images in this file are photographs of the notes of the original surveys of the State of Nebraska on file in the Office of the Nebraska State Surveyor located in Lincoln, Nebraska.

The original surveys in Nebraska began in the mid 1850's and were completed in the mid 1880's. The Nebraska office of the Surveyor General was closed June 30, 1886.