Texas Historical Commission Staff (DKU), 4/13/82

27" x 42" Official Texas Historical Marker with post
Comal County (Order #6714)
Location: Entrance to Wurstfest Assn. Grounds off SH 46, New Braunfels

Incise in base: SPONSOR - TEXAS BARBED WIRE COLLECTORS ASSOCIATION, 1982

FIRST PATENTED WIRE FENCE*

VIRGINIA NATIVE WILLIAM H.MERIWETHER(b.1800),AN EARLY COMAL COUNTY PLANTATION OWNER,RAN A SAWMILL,COTTON GIN AND GRISTMILL AT THIS SITE.AS AN AGRICULTURALIST, HE WAS AWARE OF THE NEED FOR AN ECONOMICAL AND PRACTICAL SOURCE OF FENCING MATERIAL.HIS INTEREST LED TO THE DEVELOPMENT OF A SMOOTH WIRE AND BOARD FENCE THAT EFFECTIVELY RESISTED THE TEMPERATURE CHANGES THAT HAD BEEN SO DAMAGING TO EARLIER WIRE FENCES.HIS INVENTION,KNOWN AS SNAKE WIRE FENCING, WAS AWARDED PATENT NO.10211 ON NOVEMBER 8,1853. IT WAS THE FIRST PATENT FOR A WIRE FENCE ISSUED IN THE UNITED STATES.

ALTHOUGH NOT WIDELY ACCEPTED,MERIWETHER'S FENCE WAS AN IMPORTANT STEP IN THE DEVELOPMENT OF AN ECONOMICAL FENCING MATERIAL.IT ALSO PLAYED A ROLE IN LATER WIRE FENCE PATENT DISPUTES.MERIWETHER SOLD HIS MILL SITE TO GERMAN NATIVE JOSEPH LANDA IN 1859 AND MOVED TO TENNESSEE,WHERE HE DIED IN 1861.**

*3/4 inch lettering
**1/2 inch lettering
***1/4 inch lettering

(1982)***

APPROVED

Claire Williams
5-11-82

UNITED STATES PATENT OFFICE.

WILLIAM H. MERIWETHER, OF NEW BRAUNFELS, TEXAS.

WIRE FENCE.

Specification of Letters Patent No. 10,211, dated November 8, 1853.

To all whom it may concern:

Be it known that I, WILLIAM H. MERIWETHER, of New Braunfels, in the county of Comal and State of Texas, have invented a new and useful Improvement in the Construction of Wire Fences; and I do hereby declare that the following is a full, clear, and exact description of the construction and operation of the same, reference being had to the annexed drawings, forming part of this specification, in which—

Figure 1 is an elevation of the fence with wooden posts. Fig. 2 an elevation with cast iron posts. Fig. 3 is a side view of the spike by which the wire is attached. Fig. 4 is a view shewing the manner of fastening the wire. Fig. 5 is a side view of wrought iron spike for fastening wire.

Similar letters in the several figures refer to the same part.

The nature of my invention consists in making the fence stiffer and more readily seen by cattle by having one rail of wood about three or four feet from the ground, next below the top wire, so that small cattle will not readily attempt to run under, nor large cattle to jump over it: also in fastening the wire to the posts by nails or spikes with eyes in their large ends, and preventing the slipping of the wire by driving a small nail or iron wedge in the eye of the spike, between the wire and the post: and further, in giving the wire an undulating or zigzag form, for the purpose of rendering it elastic and capable of receiving external pressure without injury, and of bearing the action of cold and heat without damage to the fence.

In the drawings A A are the wooden posts, B the cast iron ones, C the wire, and D the wooden rails. The wire C is secured in the eyes *a* of the spikes *b* by the wedges *c* as seen in Fig. 4. In the case of cast iron posts the spikes are inserted in the mold previous to casting, and the lower extremities of the posts, cast sharp for driving in the ground, as seen in Fig. 2. The wire to which I give an undulating or zigzag form by means of suitable machinery, is secured to each of the posts by means of the wedges *c*; which when wooden posts are used are inserted between the post and the wire, so that the moisture of the post is prevented from rusting the wire. About three or four feet from the ground and next below the top wire are the wooden rails D, which in the case of wooden posts are fastened by nails as seen in Fig. 1. With the iron posts the rails D are slipped over their heads, holes being made in the upper portion of the posts for the insertion of the top wire which is keyed in the posts as in the spikes of the lower wires.

The undulating or zigzag form of the wire renders it a spring, similar to a spiral spring, and when tightly stretched makes the panels of the fence sufficiently elastic to yield to accidental pressure, and on the removal of pressure to regain its original position. This pressure may arise from wind, heat, cold, animals and various circumstances of continual occurrence, which when the wires are stretched in the ordinary way are liable to cause serious damage to the fence. The wooden rail renders the fence stiff and serves to define its position to cattle, when from distance the wire is invisible.

What I claim as my invention and desire to secure by Letters Patent, is—

The employment of the undulating or zigzag wire for fencing substantially as herein described, which by its elasticity increases the durability and effectiveness of the fence as herein specified.

In testimony whereof, I have hereunto signed my name before two subscribing witnesses.

W. H. MERIWETHER.

Witnesses:
GEO. PATTEN.
WM. L. P. ELLERT.

W. H. Meriwether,

Wire Fence,

No. 10,211. Patented Nov. 8, 1853.

Fig. 1.

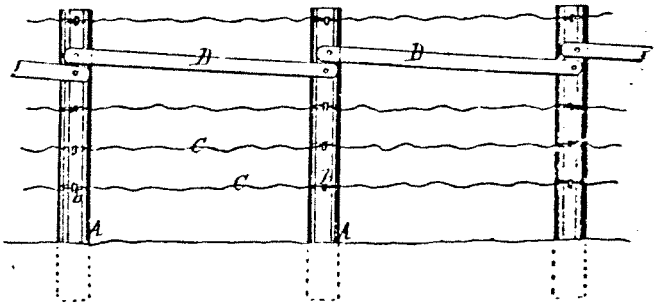

Fig. 2.

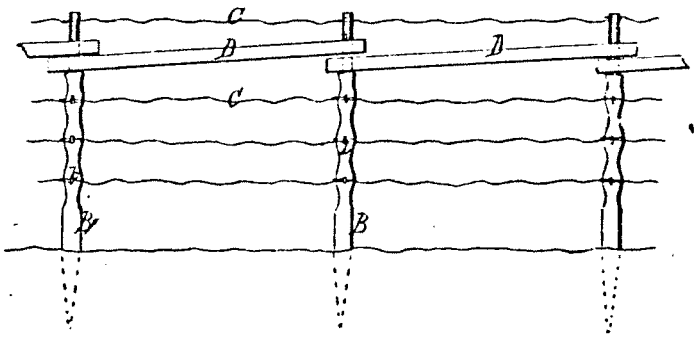

Fig. 4.

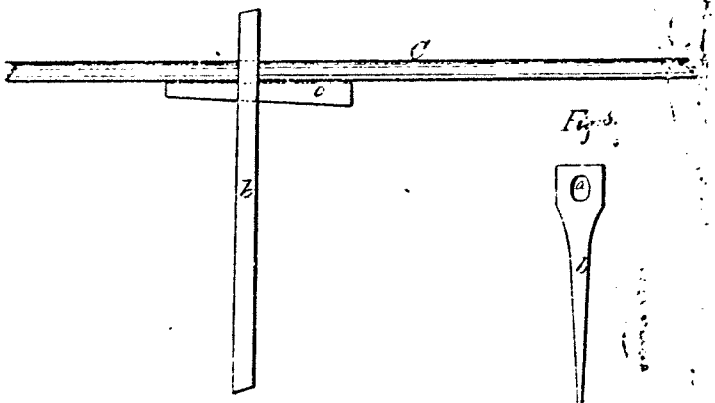

Fig. 3

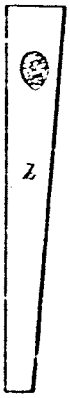

Fig. 5.

R. PETERS, PHOTO-LITHOGRAPHER, WASHINGTON, D. C.

UNITED STATES PATENT OFFICE.

WILLIAM H. MERIWETHER, OF NEW BRAUNFELS, TEXAS.

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In the drawings A A are the wooden posts, B the cast iron ones, C the wire, and D the wooden rails. The wire C is secured in the eyes *a* of the spikes *b* by the wedges *c* as seen in Fig. 4. In the case of cast iron posts the spikes are inserted in the mold previous to casting, and the lower extremities of the posts, cast sharp for driving in the ground, as seen in Fig. 2. The wire to which I give an undulating or zigzag form by means of suitable machinery, is secured to each of the posts by means of the wedges *c*; which when wooden posts are used are inserted between the post and the wire, so that the moisture of the post is prevented from rusting the wire. About three or four feet from the ground and next below the top wire are the wooden rails D, which in the case of wooden posts are fastened by nails as seen in Fig. 1. With the iron posts the rails D are slipped over their heads, holes being made in the upper portion of the posts for the insertion of the top wire which is keyed in the posts as in the spikes of the lower wires.

The undulating or zigzag form of the wire renders it a spring, similar to a spiral spring, and when tightly stretched makes the panels of the fence sufficiently elastic to yield to accidental pressure, and on the removal of pressure to regain its original position. This pressure may arise from wind, heat, cold, animals and various circumstances of continual occurrence, which when the wires are stretched in the ordinary way are liable to cause serious damage to the fence. The wooden rail renders the fence stiff and serves to define its position to cattle, when from distance the wire is invisible.

What I claim as my invention and desire to secure by Letters Patent, is—

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In testimony whereof, I have hereunto signed my name before two subscribing witnesses.

W. H. MERIWETHER.

Witnesses:
GEO. PATTEN,
WM. L. P. ELLERT.

WIRE FENCES

This application for an historical marker falls in the catagory of inventions. It deals with the person who received a patent for the first wire fence patent issued in the United States. The need for fences developed when our forefathers first landed along the East Coast of what later became the United States of America. They needed a method of keeping animals out of their small fields and gardens and for keeping their domestic animals in.

Early fences along the East Coast were made of wooden rails from the clearing of the land. As the land was cleared of timber, the fields were also cleared of rocks so that the land could be tilled. This rock was also used to build fences.

As the settlers moved west and came to the plains states, both wooden rails and stones became scarce. Some other method of fencing was sorely needed. In the 1830's the development of better methods of making wire were invented, and rolling mills began to make a wire that could be used for fencing. The use of a single strand of wire for fencing had its shortcomings. During cold weather the wire contracted and snapped. During hot weather the wire stretched and held no fear for either man or beast. Some other way of making a practical fence was still sorely needed.

Remembering the hedge fences used in their old home land of Europe, the agriculturist began to experiment with hedges. As long as there was plenty of moisture, hedges did fine. But as the pioneers moved further west, water, too, became scarce, and hedges could not be grown.

William H. Meriwether was born in Virginia in 1800.[1] By 1849 he was in New Braunfels, Texas, where he was a plantation owner with slaves to do his bidding. Being an agriculturist, he knew the value of a good fence, so he began to think of methods of building a fence that would serve its purpose and at the same time be economical and practical.

Meriwether immediately began to improve and develop his property in new Comal County, Texas. His slaves dug a diversion ditch from the Comal River to the site of a new mill that he was in the process of building. He also had a plantation about eight miles southwest of New Braunfels. Meriwether developed a grist mill, a cotton gin and a saw mill, all of which were operated by water power that came from the Comal River through the newly dug diversion channel.[2]

Since Meriwether had all of this mechanical equipment in operation, it is safe to assume that he had a shop at the mill site. Also, since he was a agriculturist, he was interested in developing a better fencing material. He began working on an idea for a single strand fencing material that would overcome the problems of temperature changes.

On November 8, 1853, Patent Number 10,211 was issued to William H. Meriwether of New Braunfels, Texas.[3] This was the first patent for a wire fence issued in the United States.[3a] The important thing about Meriwether's patent is that it took into consideration temperature changes. Henry D. and Frances T. McCallum in their book "The Wire That Fenced the West" more clearly points this out, and we quote: "This early smooth-wire-and-board type of fencing incorporated several important points which should be noted. Cast-iron posts were pictured, in the patent papers, alongside the regularly accepted wooden posts for fences. Also the patent specifications provided for four strands of wire with 'one rail of wood about three or four feet from the ground next below the top wire'. The board was expected to perform several services, such as keeping small cattle from going under and large cattle from going over the fence, keeping the wire stretched and 'elastic', helping to lighten the effects of both external pressure and internal reactions to heat and cold, and defining the 'position (of the fence) to cattle, when from a distance the wire was invisible'. In other words, the Meriwether design, though made of smooth wire and a wood rail, fore-

shadowed at an early date a number of features which were incorporated in 'obvious' wire of a quarter-century later".[4]

"It is not known if this particular pattern was used beyond the sphere of Mr. Meriwether's personal influence, but presumably it was not. Where the invention was prescient in some ways, it was impractical in others, and probably was not accepted commercially".[4]

Law suits over patent infringements later ~~was~~ were in the courts for many years. Again we quote from "The Wire That Fenced the West": "The lawsuit filed against Ayers and Decker was tried before the United States Circuit Court for the Southern District of Illinois, with the defendants claiming that barbed wire was not new even at the time of the Kelly patent in 1868, and citing patents such as Meriwether's (smooth wire), Gale's and Clinger's inventions, along with the usual undocumented experiments of Hair, Hibbard, Cook, and Beers. In the end the complainants won the suit, but not without bringing in many of the important personalities of the barbed wire world, and not until these special witnesses had given lengthly evidence".[5]

The Grinninger Fence in Austin, Texas, also entered into the law suits on patent infringements. Attorneys were sent to Austin to talk to people who had been familiar with John Grinninger, the Swiss iron worker who probably made the first barbed wire fence used in the United States. This fence was in use in the late 1850's, but was never patented. (1857).[6]

In 1859 William H. Meriwether and wife sold their property in New Braunfels to Joseph Landa and moved to Shelby County, Tennessee, where they were plantation owners. Meriwether died in Shelby County, Tennessee, in May of 1861, as reported in the German Language newspaper at New Braunfels. His widow married W. T. Pryor in 1870. Mrs. Pryor sold the remaining property in Comal, Guadalupe and Bexar Counties in 1871 for $8,000.00 in gold. That property consisted of 10,843 acres.[7]

Joseph Landa, the purchaser of the Meriwether mill and adjoining property was born in the little town of Kempen, near the City of Breslau in northern Germany.... in 1844, Joseph Landa arrived in San Antonio ... rented a small store.... In 1847 he moved to New Braunfels and again rented a store building. By 1862 he was a prosperous merchant as well as a mill owner.[8] He had bought the Meriwether gin, grist mill, and saw mill in 1860 (1859).[9]

The Meriwether Mill property changed hands a number of times to the present day: Mexico to Baron de Bastrop; Mexico to J. M. Veramendi; J. M. Verimendi to William H. Meriwether; William H. Meriwether to Joseph Landa; Harry Landa to an Investment Company; City of New Barunfels; City of New Braunfels to the present owner - the Wurstfest Association.

The invention of William H. Meriwether was just one of the steps, but an important one, in the development of a economical fencing material. The brush fence, rail fence, stake and rider fence, rock fence, plain wire fence were all only steps leading to the development of barbed wire. Barbed wire is probably the most widely used fencing material, and its wide-spread use is only some 100 years, ever devised. Its use clearly marked the line between one man and his neighbor; it allowed one to rotate his crops for better and more abundant food production; it permitted a rancher to contain his animals and by selective breeding to produce a better meat animal. The use of barbed wire and the windmill did more to tame and develop the west, the mid-west and the south west than all of the six-guns and saddle guns ever did.

CHAIN OF TITLE

1807 - Don Felipe Neri de Bastrop from Spanish officials - four leagues of land including the Comal Springs.

1832 - Juan Martin de Veramendi, under the Spanish Colonization Laws of 1825, eleven leagues of land including the Comal Springs tract. This conflict of interest between the Bastrop heirs and the Veramendi heirs led to many years of legal process. The case was finally settled in favor of the Veramendi heirs as it related to the Comal Springs tract.

1847 - Maria Antonia Veramendi Garza and Gustavus Dresel Graza to William H. Meriwether, Volume A, Page 20, Comal County Deed Records.

1860 - William H. Meriwether et ux to Joseph Landa - the Comal Springs tract. Comal County Deed Records, Volume G, Page 133-134.

1927 - Harry Landa to an investment company. The investment com-Company suffered reverses, and Landa Park, which had opened to the public in 1898, was closed by a high wire fence.

1936 - Landa Park purchased by the City of New Braunfels. Comal County Deed Records, Volume , Page

In 1972 the Meriwether Mill site - the Landa Rock Mill - was owned by the H. Dittlinger Roller Mill Company. Comal County Deed Records, Volume , Page

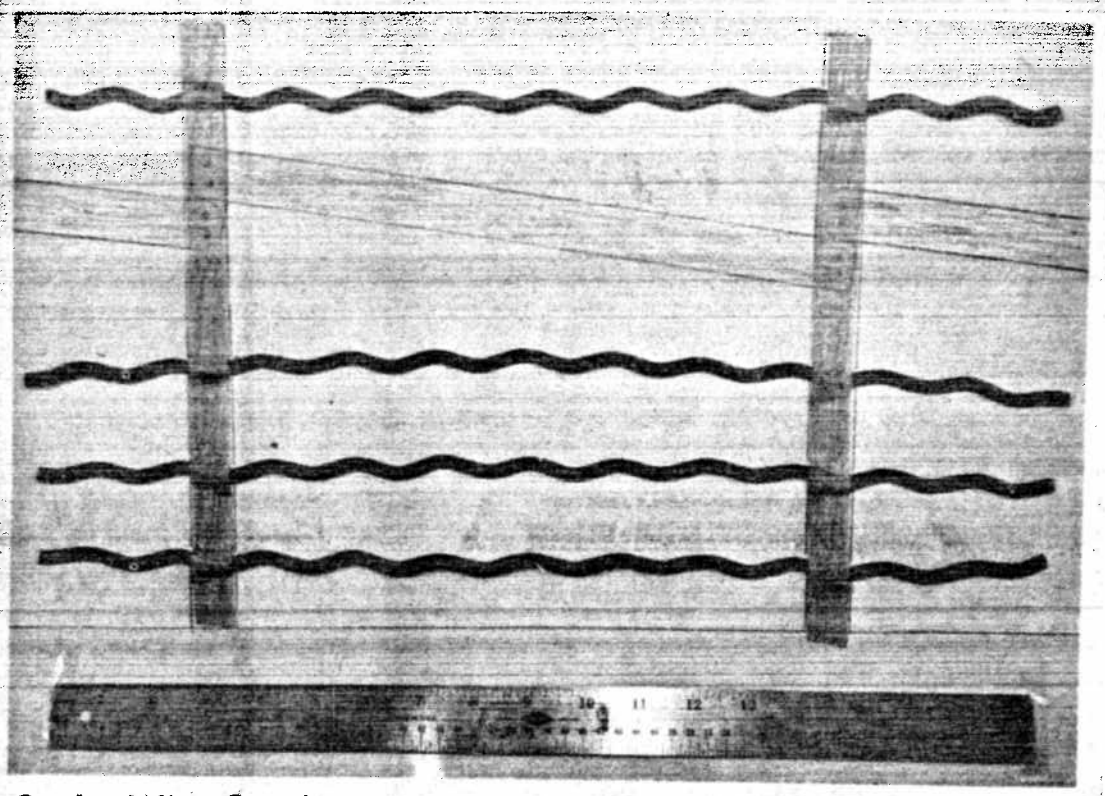
1978 - to the Wurstfest Association. Comal County Deed Records, Volume , Page

BIBLIOGRAPHY

1. See "History of New Braunfels and Comal County, Texas" by Oscar Haas, Page 253. Hereafter referred to as Oscar Haas.
2. See Oscar Haas, Page 178, also see Comal County Deed Records, Page 20 in Volume A.
3. See Inventions Patented by Texans, 1846-1861. Copy attached
4. See "The Wire That Fenced the West" by Henry D. and Frances T. McCallum (University of Oklahoma Press), Pages 241-242. Hereafter referred to as McCallum.
5. See McCallum, Page 263.
6. See McCallum, Pages 47 and 87.
7. See Oscar Haas, Page 46.
8. See "As I Remember" by Harry Landa (Carlton Printing Company, San Antonio), Page 13 (Excerpt attached).
9. See Oscar Haas. Haas uses 1859 while the Deed Records of Comal County has 1860 as the year that Meriwether sold the property to Landa. This discrepancy is explained in the attached notes.
10. Many other notes attached relating to the Meriwether patent.

3a. Records of the United States Patent Office.

NEW BRAUNFELS HERALD, New Braunfels, Texas, Thursday, Sept. 5, 1968



Snake Wire Specimens

Four 18-inch specimens of "snake wire," forerunner of barbwire, are shown here with fence posts and wooden rails sketched as suggested in the patent application made by W. H. Meriwether of New Braunfels Nov. 8, 1853. The wire was the first issued a patent by the United States Patent Office. Meriwether in his application said "the undulating or zigzag form of the wire renders it a spring, similar to a spiral spring, and when tightly stretched makes the panels of the fence sufficiently elastic to yield to accidental pressure ,and on the removal of pressure to regain its original position." The wooden rail was designed to render the fence stiff and "serves to define its position to cattle, when from a distance the wire is invisible."

(Staff Photo)

There's Money in Fencing; Antique Meriwether Sought

There's money in barbed wire — if it's antique and the right kind. Some of it sells for as much as $100 an 18-inch length, according to collectors. More than 600 kinds of antique barbed wire are known to collectors.

One of the collectors, a retired Baptist minister from Waco, came to New Braunfels recently in search of one of the earliest types of wire fencing, invented by a New Braunfels man over 100 years ago.

The Rev. M. G. Ellis was looking for examples of "Snake Wire Fencing" patented in 1853 by W. H. Meriwether. The Meriwether plantation lay on what is now the southern edge of New Braunfels.

Meriwether's wire fence really was not barbed wire, but collectors include it with the spiked varieties.

The wire was given a waved shape to resist pressure from animals or the contraction or expansion caused by cold or heat. Meriwether's patent included diagrams for construction of the fence with wooden or cast iron posts and wooden rails and with wrought iron spikes for fastening the wire.

Meriwether's fencing is believed to be the first patented in the United States. There may lengths of the fencing still standing in the New Braunfels area. One rancher between here and Austin is said to have 500 yards of it in use which he reportedly is willing to sell for $1,000 cash.

Check your fences!

Jack Glover of Sunset has an illustrated guide for collectors, "More 'Bobbed' Wire."

In the Farmer-Stockman in 1969 Mrs. Edora Morton had an article which reads in part as follows:

"A few fences were built of smooth wire many years ago but they were far from successful because they would expand in the heat of summer and contract with the cold.

"It wasn't until 1853, here in the United States, that a fence of any kind was patented. It was a combination of four curved or wavy smooth wires and boards, now called 'snake' wire. It was patented by William H. Merriwether of New Braunfels, Texas".

From the Amarillo Daily News of May 16, 1968, we find the following: ".....The first wire manufactured in Texas was made by W. H. Merriwether of New Braunfels on November 8, 1853". (This is quoting Mrs. Billye Sewell, a barbed wire collector).

From Texas Highways of July 1969 Margie Mugno writes: (Writing of Mulkey Owens' collection). "..... The oldest piece in his collection is the Merriwether Snake Wire. Patented in 1853 by William H. Merriwether of New Braunfels, the wiggly expansion wire was the forerunner of barbed wire".

From the English speaking newspaper of Ankara, Turkey, of December, 1970. The News: "..... The start came in 1853 when William H. Merriwether patented an undulating, wavy form of unbarbed wire. The wave form let it stretch in cold weather, when the metal contracted, withput getting slack in warm weather. But a determined steer could push over or under plain wire and thus the scratchy types were born".

From the Austin American-Statesman of March 5, 1967, by Patty Dillingham: "Robert Thiele collects 'almost anything', including old rusty barbed wire. He has over 3,000 inches of 'bobbed' wire in his collection, ranging from rare snake wire made in New Braunfels in 1853 to ..."

From the Texas Clubwoman of July -August, 1971, A Look at Barbed Wire, by J. M. Owens:

Page 25: "On November 8, 1853, William H. Merriwether of New Braunfels, Texas, received Patent No. 10211 for a fence which used a wooden rail and strands of smooth ribbon type wire that was wavy. This wire has since been dubbed 'Snake Wire' and is a good collectors item. Merriwether's patent is important because in the patent papers it set out characteristics that were later incorporated into patents for barbed wire. The board rail was for visibility - the Obvious characteristic. The ribbon type was also for visibility. The wavy characteristic was to take care of temperature changes as well as visibility".

From the History of New Braunfels and Comal County, 1844-1946, published in 1968 by Oscar Haas.

Page 46: William H. Merriwether, an early mill and plantation owner here, patented an invention for a wire fence, patent dated November 8, 1853.*

*From Southwestern Historical Quarterly, April 1959, Page 522.

Page 152: In 1859, Joseph Landa had acquired the Merriwether gin together with the Merriwether flour mill, grist mill, and saw mill which were all operated by one and the same source of water power from the Comal River.

Page 178: June 7, 1847. William H. Merriwether from Shelby County, Tennessee, purchased the 480-acre Comal Spring Tract from Maria Antonio de Veremendi Garza and husband Rafael C. Garza (now Landa Park). Merriwether's slaves dug the mill race which begins at Landa Park swimming pool and a saw and grist mill was built at present site of the three-story stone original Landa Flour Mill.

Page 183: January 26, 1860. William H. and Catherine W. Merriwether, of Shelby County, Tennessee, sold 1003-acre part of the John Thompson land named "Riverside Farm" to Walter F. Preston of New Orleans at $1.00 the acre. Preston died in 1864, and his widow lost the farm in Reconstruction years. Dr. Theo Koester and Walter F. Preston were elected delegates to represent Comal County at the Secession Convention, February 1861. (Comal County Records and Secession Convention).

Page 184: I, Wm H. Merriwether of the County of Shelby, State of Tennessee, for and in consideration of the sum of $14,000 ..... have conveyed unto Joseph Landa a certain tract of land lying and being in the County of Comal, State of Texas, on both sides of the Comal Springs and known as part of the Acre Lot No. 161 out of subdivision No. 1 and part of Division No. 4, both divisions of a two leagues tract granted to J.M.Veramendi and with all water privileges thereto appertaining in as full interest claim and title as hold

said water conveyances from Rafael C. Garza as Attorney in Fact of Maria Antonio Veramendi and of Gustavus Dresel trustee for the German Emigration Company. (Comal County Deed Records, Volume G, 133-134).

Page 253: (1850 Census of Comal County)
Meriwether, William, Age 50, Business - Mill Owner, native of Virginia.
(He was not shown in the 1860 census).

8-31-81. During our visit to New Braunfels on this date, we found that Merriwether sold the Landa Park property to Joseph Landa in 1859, but that Landa lost the converance, and that the deed to Landa was signed in Shelby County, Tennessee on January 26, 1860. After selling the property to Landa in 1859, the Merriwrthers moved to Shelby County Tennessee and that is the reason that the recording in Volume G, pages 133-34 of the Deed Records of Comal county show Shelby County, Tennessee.

Mrs. Erben will give me the Chain of Title to the property, but it is something like this:

1. Raphael C. Garza, Attorney in Fact for Maria Antonio Veramendi, to the German Immigration Company;
2. Maria Antonio Veramendi and Gustavus Dresel, Trustee for the German Immigration Company, to William H. Merriwether (1847);
3. William H. Merriwether to Joseph Landa (1860);
4. Joseph Landa to Dittlinger
5. Dittlinger to Wurst Fest Association.

Inventions Patented by Texans, 1846–1861*

Compiled by ANDREW FOREST MUIR

Patentee	Residence	No.	Invention	Date
George W. Fulton	Brazoria	4,716	Propeller	Aug. 26, 1846
A. C. Allen	Houston	4,754	Preserving meat by means of a vacuum	Sep. 12, 1846
Robert Wilson, assignor to James T. D. Wilson	Houston	5,605	Brick machines	May 30, 1848
Alfred Swingle	Galveston	5,661	Boring and mortising machines	July 11, 1848
George B. Milner	Houston	7,529	Valve gear for steam engines	July 30, 1850
Geo. Wode	Galveston	7,541	Bureau drawers, fastenings for	Feb. 5, 1850
Edmund P. Gaines	Melrose	7,980	Millstones, dressing	Mar. 4, 1851
James Hardie	Victoria	8,525	Propellers of machinery to be used in currents	Nov. 18, 1851
William H. Meriwether	New Braunfels	10,211	Fences, wire	Nov. 8, 1853
Henry Sigler	Houston	10,761	Fish-hooks	Apr. 11, 1854
E. P. Gaines	Melrose	11,372	Mill-stone, dress	July 25, 1854
William H. Meriwether	New Braunfels	11,484	Bed bottoms, spring	Aug. 8, 1854
Thomas J. Hall	Tawahana Hills	12,627	Ploughs	Apr. 3, 1855
Thomas J. Hall	Tawahana Hills	12,791	Ploughs, gang	May 1, 1855
A. H. Morsell	Marlin	12,867	Planters, cotton-seed	May 8, 1855
A. Brown and A. Coffin, Jr.	Sabine City	13,422	Saws, straining by atmospheric pressure	Aug. 14, 1855
Micajah Crenshaw	Springfield	14,533	Plough, cultivating	Mar. 25, 1856
I. E. Haviland	Galveston	14,658	Marble in obelisk form, machine for sawing	Apr. 15, 1856
M. L. Parry	Galveston	15,082	Saw-teeth, circular method of repairing	June 10, 1856
John F. McCully	Gonzales County	15,665	Glass, black bottle, manufacturing	Sep. 2, 1856
B. G. Shields	Marlin	15,746	Cotton pickers	Sep. 16, 1856
M. L. Parry	Galveston	16,494	Presses, cotton	Jan. 27, 1857
J. C. and T. G. Wilson	Cedar Hill	16,943	Wind-mills, sails or vanes of, method of feathering the	Mar. 31, 1857

*This list is compiled from the following United States serial documents: *House Executive Documents*, 29th Cong., 2nd Sess. (Serial No. 499), Document No. 52; *House Executive Documents*, 30th Cong., 2nd Sess. (Serial No. 542), Document No. 59; *House Executive Documents*, 31st Cong., 2nd Sess. (Serial No. 600), Document No. 32; *Senate Executive Documents*, 32nd Cong., 1st Sess. (Serial No. 624), Document No. 118; *Senate Executive Documents*, 33rd Cong., 1st Sess. (Serial No. 696), Document No. 27; *Senate Executive Documents*, 33rd Cong., 2nd Sess. (Serial Nos. 753-754), Document No. 42; *Senate Executive Documents*, 34th Cong., 1st Sess. (Serial Nos. 816-817), Document No. 20; *Senate Executive Documents*, 34th Cong., 3rd Sess. (Serial Nos. 882-884), Document No. 53; *House Executive Documents*, 35th Cong., 1st Sess. (Serial Nos. 925-926, 931), Document No. 32; *Senate Executive Documents*, 35th Cong., 2nd Sess. (Serial Nos. 985-987), Document No. 47; *Senate Executive Documents*, 36th Cong., 1st Sess. (Serial Nos. 1029-1030), Document No. 12; *Senate Executive Documents*, 36th Cong., 2nd Sess. (Serial Nos. 1083-1084), Document No. 7; *House Executive Documents*, 37th Cong., 2nd Sess. (Serial Nos. 1132-1133), Document No. 53. No Texan received a patent in 1847, 1849, or 1852. The entries reproduced above are as they appear in the reports, without emendation or correction, even though there are a few obvious errors.

Meriwether Improved Fence (Early Varied-smooth wire)

Patented on November 8, 1853, by William H. Meriwether of New Braunfels, Texas. Patent No. 10211.

This early smooth-wire-and-board type of fencing incorporated several important points which should be noted. Cast-iron posts were pictured, in the patent papers, alongside the regularly accepted wooden posts for fences. Also the patent specifications provided for four strands of wire with "one rail of wood about three or four feet from the ground next below the top wire". The board was expected to perform several services, such as keeping small cattle from going under and large cattle from going over the fence, keeping the wire stretched and "elastic", helping to lighten the effects of both external pressure and internal ewactions to heat and cold, and defining "the position (of the fence) to cattle, when from distance the wire was invisible". In other words, the Meriwether design, though made of smooth wire and a wood rail, foreshadowed at an early date a number of features which were incorporated in "obvious" wire of a quarter-century later.

It is not known if this particular pattern was used beyond the sphere of Mr. Meriwether's personal influence, but presumably it was not. Where the invention was prescient in some ways, it was impractical in others, and probably was not accepted commercially.

Note: The above from pages 241 2nd 242 of The Wire That Fenced the West by Henry D. & Frances T. McCallun, University of Oklahoma Press, Norman, Oklahoma. May 1965.

Note 2: McCallum spells Merriwether with one "r:, whereas the History of New Braunfels and Comal County uses two "r's". So we will use two "r's".

From Page 263 of "The Wire That Fenced the West" by Henry D. and Frances T. McCallum, University of Oklahoma Press, Normen Okla., May 1965.

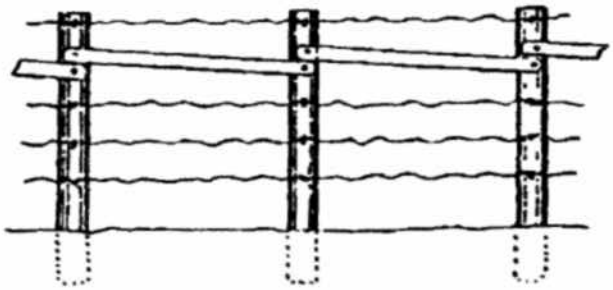
..... The lawsuit filed against Ayers and Decker was tried before the United States Circuit Court for the Southern District of Illinois, with the defendants claiming that barbed wire was not new evan at the time of the Kelly patent in 1868, and citing patents such as Meriwether's (smooth wire), Gale's and Clinger's inventions, along with the usual undocumented pre=Glidden experiments of Hair, Hibbard, Cook, and Beers. In the end the complainants won the suit, but not without bringing in many of the important personalities of the barbed wire world, and not until these special witnesses had given lengthy evidence.*

*Depositions in the case of Washburn & Moen Manufacturing Company and Issac L. Ellwood vs James Ayers and Alexander C. Decker, U. S. Circuit Court, Southern District of Illinois, 1877; AS&W Records, loc,cit.

Note: McCallum spells Merriwether with one "r", whereas the History of New Braunfels and Comal County uses two "r's". So we will use two 'R's".

TEXAS HISTORICAL COMMISSION

TEXAS



FIRST PATENTED WIRE FENCE

VIRGINIA NATIVE WILLIAM H. MERIWETHER (b. 1800), AN EARLY COMAL COUNTY PLANTATION OWNER, RAN A SAWMILL, COTTON GIN AND GRISTMILL AT THIS SITE. AS AN AGRICULTURALIST, HE WAS AWARE OF THE NEED FOR AN ECONOMICAL AND PRACTICAL SOURCE OF FENCING MATERIAL. HIS INTEREST LED TO THE DEVELOPMENT OF A SMOOTH WIRE AND BOARD FENCE THAT EFFECTIVELY RESISTED THE TEMPERATURE CHANGES THAT HAD BEEN SO DAMAGING TO EARLIER WIRE FENCES. HIS INVENTION, KNOWN AS SNAKE WIRE FENCING, WAS AWARDED PATENT NUMBER 10211 ON NOVEMBER 8, 1853. IT WAS THE FIRST PATENT FOR A WIRE FENCE ISSUED IN THE UNITED STATES.

ALTHOUGH NOT WIDELY ACCEPTED, MERIWETHER'S FENCE WAS AN IMPORTANT STEP IN THE DEVELOPMENT OF AN ECONOMICAL FENCING MATERIAL. IT ALSO PLAYED A ROLE IN LATER WIRE FENCE PATENT DISPUTES. MERIWETHER SOLD HIS MILL SITE TO GERMAN NATIVE JOSEPH LANDA IN 1859 AND MOVED TO TENNESSEE, WHERE HE DIED IN 1861.

(1982)

TEXAS HISTORICAL COMMISSION
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(1982)

OSCAR HAAS

329 East Zink
New Braunfels, Texas 78130
1972

Re: Wm.H.Meriwether Mill
Jos.Landa Mill

Comal County Deed Records Vol.G, pp.133&134 15 May 1860.
I, William H.Merriwether of the County of Shelby,State of Tennessee, for and in consideration of the sum of $14,000.00 have bargained,sold, conveyed to Joseph Landa, a certain tract of land lying and being in the County of Comal and State of Texas on both sides of the Comal Springs and known as part of Acre Lot No.161, out of Division No.1 and part of Division No.4, both Divisions of a two League tract granted to the heirs of J.M.Veramendi and with all water privileges thereto appertaining in as full interest claim and title as I hold said water privilges under certain conveyances from Rafael C.Garza as Attorney-in-fact of Maria Antonia Veramendi and of Gustavus Dresel trustee for the German Emigration Company . . . 688 acres more or less. . .

Comal County Deed Records Vol.A,page 20, June 1847, Wm.H.Merriwether from M.A.V.Garza by R.C.Garza . . . Comal Spring Tract. . . $936.25.

Neu=Braunfelser Zeitung of August 9 1861 carried short notice that Wm.H.Merriwether died May 1861 on his plantation near Memphis.Tenn. In 1870, his widow, married W.T.Pryor.

Harry Landa, in his AS I REMEMBER, Copyright 1945, Carlton Printing Company, San Antonio, page 13, "My father, Joseph Landa, was born in the little town of Kempen, near the City of Breslau in Northern Germany. He attended school under the severe old German regime,and became proficient in five languages; English,German,Polish,Russian and Hebrew. His father's ocupation was that of a dealer in livestock,principally horses. He bought cavalry mounts for the Russian Government, and in this business he was reasonable successful.

"The earliest occupation of his son,Joseph,was to ride these mounts back and forth in front of the Russian officers, . . . and then to witness the severe tests to which they were put by the Russian veterinarians,seeking to find some defect for rejection. . ."

". . . in 1844,Joseph Landa arrived in San Antonio . . . rented a small store, and became the second white merchant in the Alamo City. In 1847, he heard about the properous little German settlement 30 miles north of San Antonio, known as New Braunfels, he mounted his mule one Sunday morning and rode over to the little town. . . He was intriqued by the beautiful surroundinsg,especially the Comal River and springs. . . He loaded his belongings (in San Antonio) on four prairie schooners and moved to New Braunfels. He rented a store building on the corner now occupied by Jacob Schmidt and Sons. . ."

". . . By 1862 Joseph Landa, my father, was a prosperous merchant and mill owner. . . Two years earlier he had bought the beautiful Comal Springs. . . owned at that time by J.M.Merriwether, who was operating by water power, a grist mill, a cotton gin, and a saw mill. . ."

Deed Records, Vol.G page 588, April 18 1863. H.Schimmelpfenning,Couty Surveyor, map and measurements of amount of water flowing through Joseph Landa mill channel

HISTORIC AMERICAN BUILDINGS SURVEY

LANDA ROCK MILL, NEW BRAUNFELS, TEXAS (MERRIWETHER MILL)
HABS NO. TEX 3251

Location: On the north side of Landa Street near the entrance to Landa Park in the city of New Braunfels, Comal County, Texas.
Latitude: 29° 42' 33" N Longitude: 98° 07' 49" W

Present Owner: H. Dittlinger Roller Mills Company

Present Occupant and Use: It is now used for storage as a part of the feed mill of the Dittlinger Mills.

Statement of Significance: Soon after the founding of New Braunfels a water-powered mill was erected on this site. This masonry building was built in 1875 by Joseph Landa to replace an earlier wood structure, and since that date it has been an important part of one of the leading industries of the city.

PART I. HISTORICAL INFORMATION

A. Physical History:

1. General History: In 1842 the "Verein zum Schutze deutscher Einwanderer in Texas" (Society for the Protection of German Immigrants in Texas) was formed in Germany. Prince Carl of Solms-Braunfels, director of the Verein, purchased a large, remote tract north of the Llano River, but when the first scheduled settlers began arriving at Texas ports in July 1844, it was quite urgent to acquire a location nearer to the coast. A small tract was purchased at the junction of the Comal and Guadalupe Rivers. The first settlers arrived in March 1845, and the town was named Neu (New) Braunfels.

2. Ownership and Development of the Mill: From Maria Antonia de Veramendi Garza and husband Raphael C. Garza the 480 acre Comal Springs tract was purchased in June 1847 by William H. Merriwether. Using slaves he dug the millrace and then built a grist mill on the site of the present masonry building; later he added a flour mill, a sawmill and a cotton gin. Joseph Landa had arrived in San Antonio in 1843 and two years later came to New Braunfels; then in 1859 he acquired the property which included the springs, millrace and mills. For a time the milling business thrived and in 1875 he built on the same site the three-story masonry building which became known as Landa Rock Mill. In this building he installed a 40 horsepower turbine but continued to use the traditional millstone system of producing flour. By 1891 business was falling off; but

Joseph and his son Harry bought a larger turbine and installed the Hungarian Roller system, and the Landa Mills again became an important industry of the city. The beautiful area with the springs and small lake were opened in 1898 to the public as Landa Park; the park was purchased by the City of New Braunfels in 1936. The mill properties were sold in 1927 by Harry Landa to an investment company; they are now owned by the H. Dittlinger Roller Mills Company.

3. Historical Persons Connected with the Structure: William H. Merriwether had operated a mill and plantations in Shelby County, Tennessee. He purchased the Comal Springs tract in 1847, built and operated the mills for about a dozen years, and then sold them to Landa. Merriwether continued to operate plantations in Comal and Bexar Counties.

   Joseph Landa, of Jewish ancestry, was born February 7, 1811 at Kempen, Prussia, Germany. He came to New York in 1843 and then to San Antonio in 1845; he made significant real estate investments there, but after 1847 his life centered in New Braunfels where he operated a general store and then purchased the Merriwether Mills in 1859. He was successful, but in the 1880's the old type mills could no longer compete; however, Harry Landa, his youngest son, installed new equipment in 1891 and rejuvenated the business. Joseph Landa died in 1896. In 1927 Harry Landa sold the properties to an investment company.

4. Date of Erection: 1875

5. Builder: There is no information about the designer or builder. Although the stonework is quite like that of other buildings by local German masons, the general structural form follows that of the mill construction of New England of the 1870's.

B. Bibliography:

Haas, Oscar. History of New Braunfels and Comal County, 1844-1946 Austin, Texas: The Steck Company, 1968.

Landa, Harry. As I Remember, San Antonio, 1945.

PART II. ARCHITECTURAL CHARACTER

A. General Statement

1. Architectural character: A three-story stone-masonry flour mill that was erected in 1875. Its massive stone walls are characteristic of the German craftsmanship of the area; but its general structural form follows that of the New England mill construction of the 1870's.

2. Condition of the fabric: The exterior stone masonry walls and the heavy timber interior framing are sturdily built and are in good condition. The adjacent mill structures of wood and sheetmetal are not well maintained. During the flood of 1972 water rose to a point two and one-half feet above the first floor.

B. Technical Description of the Exterior:

1. Three floors, now used for grain and feed storage; basement below formerly occupied by the turbines; a low attic above. Rectangular in plan, 30'x74' in size. Attached mill buildings are of wood or metal construction.

2. Foundations: Built adjacent to an earthen dam that forms the mill pond. The stone masonry foundation walls extend below the basement turbine room.

3. Wall construction: The ashlar limestone walls are of squared hand-dressed blocks of locally-quarried stone. The wall thicknesses are: 28" - 1st to 2nd; 24" - 2nd to 3rd; and 18" - 3rd to attic. Wide joints of lime mortar are quite evident.

4. Floor and roof framing: The floor joists are supported by the exterior walls and a center row of longitudinal wood columns. Column sizes: 10"x10" on 1st floor, 10"x12" longitudinal beam; 8"x8" on 2nd floor, 8"x10" beam; 7"x7" on 3rd floor, 7"x10" beam. Floor joists are 2"x12", 18" on center. Asbestos board has been added to fireproof the ceilings. The rafters of the roof are 2"x8".

5. Openings:

a. Doorways and doors: Entrance doors on the ends of the building were cased in wood, but with additions these are now untrimmed masonry openings with heavy stone lintels.
b. Windows: On the 1st level there are only three windows on the west side; on the two levels above there are seven openings, one at each bay. Openings have heavy stone lintels and stone sills. These sash are double-hung, six-over-six. The attic is lighted with three windows on each end and small openings under the side eaves.

6. Roof:

a. The ridge roof is 4 in 12 pitch, sheetmetal covered. The end walls extend up square, with the central portion pedimented. It is topped with carefully-cut stone coping.
b. Eaves: The rafters project about three feet and with a facia board forming the undecorated eaves.

C. Technical Description of the Interiors:

1. Floor plans:

a. Basement: The space has massive piers under the interior columns and several levels to accomodate the turbines. There is no machinery remaining.
b. First floor: the rectangular open space has a row of six wood columns down the middle. In the southeast corner there is a hydraulic freight elevator; in the northwest corner a wooden stair leads to the upper floors.
c. Upper floors: Second and third floors are similar in plan and arrangement to the first.

2. Flooring: The basement floor is of carefully-laid stone; portions have been covered with concrete. The first and upper floors are hardwood (3").

3. Wall and ceiling finish. The interior walls are hammer-dressed stone, unplastered. Ceilings are asbestos board applied to the underside of the joists. Floor-to-floor heights are: 14'-0" - 1st to 2nd; 12'-4" - 2nd to 3rd; 12'-4" - 3rd to attic.

D. Site: The narrow rectangular building is oriented north and south. When first erected it stood alone on the edge of the millpond, but it is now almost surrounded by the other random structures of the mill. It is located on the north side of Landa Street near the entrance to Landa Park.

Prepared by Melvin M. Rotsch
Professor
Texas A&M University
National Park Service
July 1972

There is a Thomas Merriwether listed as being in Company "D", Hood's Texas Brigade, who was wounded at Fort Gilmore. - From Hood's Texas Brigade by Polley, 1910. I haven't been able to determine if this man was related to William H. Merriwether or not.

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Comal County was created on March 24, 1846, from Bexar and Travis Counties about a year after the founding of the German Colony in what is now Comal County. Total population in 1850 was 1773 of which 111 were negroes. - From Page 798 of Texas & Texans, Volume II, American Historical Society - 1914.

o O o

COUNTY	CREATED ORGANIZED	PREVIOUS COUNTIES, LAND DISTRICTS OR MUNICIPALITIES
COMAL	March 24, 1846 July 13, 1846	SURVEYING: Area "A":1846-1787 Bexar Area "B":1836-1840 Travis, 1840-1838 Bastrop, 1838-1797 Bexar. Area "C":1858-o846 Guadalupe, 1846 1840 Travis, 1840-1838 Bastrop, 1838-1787 Bexar. Area "D": 1858-1846 Guadalupe,1846 -1832 Gonzales, 1832-1787 Bexar. Area "E": 1846-1832 Gonxales, 1832 -1787 Bexar. SURVEYING RECORDS: Since 1846. JUDICIAL: Same as surveying. DEED RECORDS: Since 1846 DISTRICT COURT RECORDS: Since September 1846.

Area "A". The area between the Guadalupe and Cibolo Rivers except Area "E" described below.

Area "B". The area north of the Guadalupe River and northwest of a line running about N 75° E from a point on the Guadalupe River approximately 8 miles upstream from New Barunfels.

Area "C". The area northeast of the Guadalupe River, north of the old San Antonio Road and southeast of the line described in Area "B".

Area "D". The area east of the Guadalupe River and south of the old San Antonio Road, being a part of the area taken from Guadalupe County in 1858.

Area "E". The area west of the Guadalupe River and south of the old San Antonio Road southwest to the old Gonzales County Line, which was located about 4 miles southwest of New Braunfels.

Note: this information was compiled by the Texas Highway Department, and issued on July 1, 1947. Page 18 of that compliation.

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New Braunfels, Texas

AUG 8 1982

Live wire

W.C. Heitkamp, chairman of the Comal County Historical Commission, uncovers a Texas Historical Marker commemorating the first patent for a wire fence in the United States. The marker is dedicated to William H. Meriwether, Comal County cotton gin and grist mill owner who developed the wire fence at

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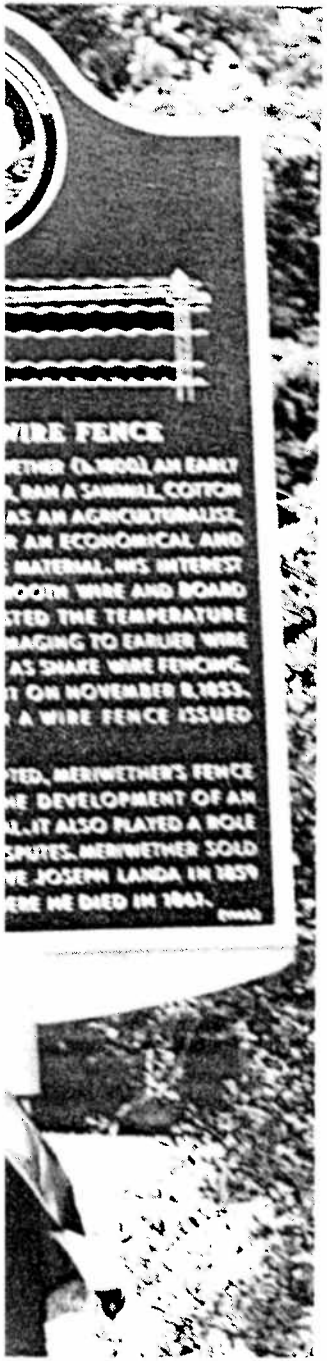

Photos by Frances Bridges

Live wire

W.C. Heitkamp, chairman of the Comal County Historical Commission, uncovers a Texas Historical Marker commemorating the first patent for a wire fence in the United States. The marker is dedicated to William H. Meriwether, Comal County cotton gin and grist mill owner who developed the wire fence at the entrance to what is now Landa Park. The marker is the fourth to be erected by the Texas Barbed Wire Collectors Association. Above, members of that group, who came from all over Texas, visit with local dignitaries who attended the Friday ceremony.

Daily Telegram
Temple, Texas

AUG 1 1982

Collectors' Association Preserves History Of Device That Fenced In Lone Star State

Winter, Baker Perfect, Kelly's Diamond, Upham Snail, Stubbe Plate, Brink-Flat . . ."

Barbed wire first came to Texas in 1873 with "Wild Bill" Gates, an adventurous salesman who brought a carload of wire and proved to skeptical ranchers that it would "hold the meanest critters in and keep other critters out," Neal said. "Gates sold that whole carload to those ranchers and thus evolved barbed wire in Texas."

The association will dedicate a Texas Historical Marker commemorating the first wire fence patented in the United States at 1:30 p.m. Friday near the entrance to the Wurstfest Association Grounds and Landa Park in New Braunfels.

W.H. Meriwether, an early Comal County plantation owner, ran a sawmill, cotton gin and grist mill at the site. His invention of snake wire fencing was awarded patent no. 10211 Nov. 8, 1853.

"People wanted to patent their wire so nobody else would claim that particular type," Neal said. "It's kind of like Ford patenting his automobile."

The association was chartered in January 1966 at Arlington State Bank and operates posts in Austin, Houston, San Antonio, Amarillo-Canyon, Fort Worth-Dallas and Central Texas.

Neal, Bell County school superintendent for 32 years until his retirement in 1979, said he expects about 200 members to attend the convention.

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TEXAS PRESS ASSOCIATION
718 WEST 5th ST. AUSTIN, TEXAS 78701 477-6755

Banner-Press
Brenham, Texas

AUG 4 1982

Local Resident To Attend Wire Convention

Mrs. J.D. Bassel of Brenham will be among those attending the dedication of a Texas Historical Marker commemorating the first wire fence patented in the United States Friday at 1:30 p.m. near the entrance of Landa Park in New Braunfels.

It is being sponsored by the Texas Barb Wire Collectors Association and the Comal County Historical Commission.

Virginia native W.H. Meriwether, an early Comal County plantation owner, was awarded a patent Nov. 8, 1853, on his invention known as snake wire. Although not widely accepted, Meriwether's fence was an important step in the development of an economical fencing material.

After the dedication ceremony, the members of the Texas Barb Wire Collectors Association will go to Temple for their annual show and convention.

The show will be open to the public Saturday and Sunday at the American Legion Post Hall at 25th Street and Avenue M.

Antique barbed wire, tools and related fencing items will be on display. Special events include state championship contests in barbed wire splicing, staple driving, barbed wire cutting and wire identification.

Awards will be presented for the best displays. Mrs. Bassel will serve as one of the state judges.

The public is invited to attend the show to visit as well as buy, sell and trade.