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W. B. CHAMBERS, C. E.  
COUNTY SURVEYOR AND LICENSED STATE LAND SURVEYOR  
PALESTINE, TEXAS

SURVEYOR'S REPORT

Palentine, Texas  
June 9, 1942

Hon. Bascom Giles  
Commissioner General Land Office  
Austin, Texas

In Re: P. M. Lowe Survey, Abstract 488, Anderson County, Texas

Dear Sir:

I have made a survey upon the ground, and research among the records in an attempt to ascertain the conditions relative to obtaining the issuance of a patent covering the land in Anderson County, Texas set aside for Perry M. Lowe by virtue of Certificate No. \_\_\_\_\_ . My findings and conclusions are as follows:

Attached to this report is a map showing the P. M. Lowe and adjacent surveys as called for in the surveyor's notes and as I found them to be in actuality, said map and report are to be used in conjunction. The surveys in proximity to the P. M. Lowe Survey and whose relative positions would directly affect the position of said Lowe Survey, are listed in their chronological order below:

Elizabeth Groce League, A-28.	1835
P. O. Lumpkin 1/3 League, A-477.	1839
E. D. Hanks Survey, A-358.	1844
Samuel Holliday Survey, A-391.	1851
J. N. Fitzgerald Survey, A-299.	1853
Sallie Hendley Survey, A-860.	1877
F. M. Griffin Survey, A-858.	1879
W. C. Rogers Survey, A-1022.	1884

The Perry M. Lowe was surveyed in 1851, approximately eight months after the S. E. Holliday but, as the notes of said survey were not approved, it would probably have no seniority. The P. M. Lowe field notes called to begin at the southwest corner of the Eli Hanks, thence south 944 varas to the southeast corner of the P. O. Lumpkin, on the north line of the S. E. Holliday 320 acre survey; Thence east to the northeast corner of said survey 855 varas; Thence north 944 varas to E. Hanks Survey; Thence west 855 varas to beginning. A note, written on the Land Office file #540 for Perry M. Lowe and dated December 12, 1855, states that, as the north line of the S. E. Holliday Survey runs with the south line of Lumpkin a distance of 330 varas, and as the Holliday north line only calls for 1003 varas, then, the P. M. Lowe can only run 673

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varas with same. In Land Office file #540 there is a certificate made by H. G. Hendrix, C.S.A.C., in which he states "I do further certify that I have examined the Perry M. Low Survey. I find that it dose not corner with the E. S. Holliday's northeast corner as called for in field notes but passes it 136 varas, which causes a sligh conflict of (some 3 acres) with it and the (John N. Fitzgerald) -----" The field notes made for J. N. Fitzgerald by Jas. Majors in 1853 called his north line to run "Thence W. 1087 varras to the E Boundary line of Richard Waldrop's 143 acre survey----- Thence S. 1960.53 vars to the place of beginning." You will note that in the Perry M. Lowe notes Jas. Majors had called the southeast corner of said survey to be at the northeast corner of the S. E. Holliday, he therefore thought that the north terminus of a line running coincident with the east line of the Holliday and extending north of the northeast corner of same would lie in the east line of the Lowe Survey. As above pointed out, this was not the fact as the P. M. Lowe extended 136 varas east of the Holliday northeast corner, therefore the Fitzgerald notes were in conflict with the Lowe southeast corner. On September 25, 1859, a re-survey was made for the J. N. Fitzgerald, by H. G. Hendrix, County Surveyor of Anderson County, and corrected notes of same filed with the Land Office. In these corrected notes Mr. Hendrix called for said Fitzgerald north line to run, from the northwest corner of the J. B. McNealy League, west 930 vrs. to the east boundary line of the Lowe Survey; Thence south 130 vrs. the southeast corner of said Lowe Survey; Thence west 136 vrs to the northeast corner of Samuel Holliday's 320 acre survey; Thence south 1830 vrs. to beginning. The patent for the J. N. Fitzgerald Survey was issued on the Jas. Majors survey on August 18, 1859, or 38 days before Hendrix made the corrected notes, such being the case, the corner in conflict is covered by the Fitzgerald patent, and therefore, lost to the P. M. Lowe Survey, subject to your ruling, of course.

The P. M. Lowe field notes call to run from the southwest corner of the Eli Hanks Survey south 944 vrs. to the southeast corner of the P. O. Lumpkin. It is evident that Mr. Majors was mistaken in his point of beginning being at the southwest corner of the Eli Hanks. I have relocated the south line of the Lowe Survey, running east from the southeast corner of the P. O. Lumpkin and along the north line of the S. E. Holliday and find same to be 1177 vrs. south of the Hanks south line. The General Land Office recognized this failure of the Hanks and Lowe surveys to join and issued a patent to W. C. Rogers for said vacancy, on a survey made by R. W. Watkins in 1884, calling the north and south width of said tract to be 240 vrs. This, according to my findings, would cause a 7 varas overlap on the Hanks Survey. The notes for the W. C. Rogers call to run north 240 varas from the north line of the P. M. Lowe but do not call for the Hanks Survey, however Mr. Watkins' plat, accompanying his field notes, shows the

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Rogers to join the Hanks Survey on the south. By running the called distance of north 944 vrs. from the southwest corner of the Lowe Survey, thence east to the old established line and northeast corner of same and thence north the call of 240 vrs. I arrive at a point in a field from which a large Walnut stump bears south 8 vrs. I believe this to be the northeast corner of the Rogers as set by Watkins although it does fall 7 vrs. north of what I believe is the south line of the Hanks. Mr. Watkins was evidently not sure of the exact location of the Hanks south line or he would have called for same.

I find the actual distance from the southeast corner of the P. O. Lumpkin to its northeast corner to be considerably short of its called distance, however said distance is only 19 vrs. short of the total calls of 944 vrs. for the Lowe Survey, 240 vrs. for the Rogers Survey and 1563 vrs. for the Hanks Survey.

At the northeast corner of the Lumpkin and the northwest corner of the Hanks Surveys I found a fence corner and point of long recognition. I base my reestablishment of this corner on the accompanying statement of Mr. H. E. Fitzgerald. I place particular credence in this statement because of the fact that Mr. Fitzgerald told me both the kind of trees and their approximate position before I told him for what I was searching. At the southeast corner of the Lumpkin and the southwest corner of the Lowe Surveys I found a rock mound and at their exact called position therefrom I found remains of the Post Oak called for in the Lumpkin notes and the Black Jack called for in the Lowe notes. At the northeast corner of the S.E. Holliday Survey I found a rock mound and old Pine Knot and the original Post Oak witness tree standing at its called position. From this corner I ran south and at 200 vrs. crossed a branch as called in the Holliday notes. I have stated above what I found for the Rogers northeast corner. At the E.D. Hanks southeast corner I found a set stone at an old field corner from which a Hickory Stump bears S. 45° W. 4.8 vrs. as called for. At the southeast corner of the S. Hendley and the southwest corner of the E. Groce Surveys I found a rock mound. Mr. F. T. Fitzgerald, who owns and who has lived on land adjacent to said corner for the entire 72 years since his birth, said that his father helped to survey from that corner in 1850 and had told him that it was, and has since been known, as the southwest corner of the E. Groce League. The original notes for the E. Groce called for a R. O. S. 77° E. 12.6 vrs. At this position from the rock mound I found a large Post Oak. I do not think Mr. McFarland would mistake a Post Oak for a Red Oak, but think it very probable that he mistakenly wrote R. O. instead of P. O.

A point 330 varas west of the P. O. Lumpkin southeast corner, as called in the S. E. Holliday field notes, would place the northwest corner of the Holliday Survey in the head of a small rocky draw. This is also the position given said corner by local history and

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reputation. By running S. 0° 19' E. 1807.6 vrs. against a call of south 1800 vrs., and thence west 240 vrs., as called in the I. F. Cloud field notes, I arrive at the southwest corner of the Cloud Survey as evidenced by a rock mound and two of the original witness trees. You will note that the field notes for the Cloud Survey call for the original Hickory witness tree at the southwest corner of the S. E. Holliday Survey.

I have been unable to set up the lines and corners of the Sallie Hendley and F. M. Griffin Surveys except by their calls for common corners and adjacent lines. The Hendley Survey seems to be in conflict with the J. N. Fitzgerald and the Griffin is in conflict with the E. D. Hanks, however as it is a case of overlapping there is no vacancy created thereby.

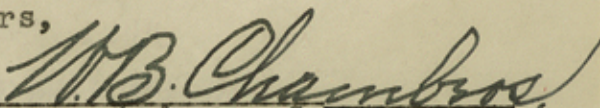
In summary of above I would say as follows: The south line of the Lowe Survey is definitely established by the southeast corner of the P. O. Lumpkin and the north line of the S. E. Holliday. The west line is established by the east line of the P. O. Lumpkin. I have placed the north line at its called distance of 944 varas from the south line, because it not only follows the line of long recognition, use and occupancy, but it also places the northeast corner at the called distance of south 240 vrs. from the northeast corner of the W. C. Rogers as re-established. I have placed the most eastern southeast corner at a point 136 vrs. east of the J. N. Fitzgerald's northwest corner as Mr. Hendrix found same to be in his survey of 1859. The ell corner of said Lowe would be at the northwest corner of the J. N. Fitzgerald Survey, which position is 130 varas north of the northeast corner of the S. E. Holliday Survey, as Mr. Hendrix found same to be and so stated in his corrected field notes for the Fitzgerald.

I show on the attached map, call bearings and distances of lines of surveys checked by me and "Boxed", I show the actual bearings and distances of the same lines for your convenience. I also show witness trees called for in the field notes, and original witness trees actually identified by me, are also "Boxed." Original corners are shown double circled in red.

You will find attached hereto, corrected field notes covering the Perry M. Lowe Survey, Abstract No. 488, which have been duly recorded in the County Surveyor's Records of Anderson County, Texas.

Should there be any further information which you desire in this connection, please command me.

Respectfully yours,

  
County Surveyor, Anderson County, Texas.

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Anderson Co. SK. File # 23

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GENERAL LAND OFFICE

JUN 15 1942

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File No. 23

Anderson County

Surveyor's Statement

W.B. Chambers

Filed June 15, 1942

BASCOM GILES, Com'r.

Attest

File Clerk

See Trolled SK. N<sup>o</sup> 8

BY THE CLERK OF THE COUNTY OF ANDERSON  
M. B. CHAMBERS, C. E.

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