

SKETCH FILE.6
BOWIE COUNTY

Sketches & Explanations
by H. C. McClure and J. H.
Smesser. - in re - Sec # 76

T & P. Ry Co.

See Bowie S-331

Contents:

Sk. File No. 6.

" " No. 6. (a).

" " No. 6. (b).

" " No. 6. (c).

" " No. 6. (d).

" " No. 6. (e).

Nash, Texas, June 25, 1927.

Mr. R. L. Smith,
Avery, Texas.

Dear Mr. Smith:

I should have written you earlier, but have been too busy of late to do it.

I have received the copy of the Bateman field-notes from the land office which I informed you I would get, and should have gotten before doing my last surveying up there, as they show things quite different to what I had taken them to be, and will cut down the acreage of 76 considerably.

Both Knight and Irvin call for the east boundary line of the Bateman to run at S. 15 degrees west, and that is the way we ran it when we measured and ran from Mill Creek that afternoon, but the Bateman field-notes call for it to run S. 10 degrees west, and as it is the older survey, its course will govern. Knight's and Irvin's survey of 76 causes it to conflict with, or run over into, the Bateman survey, and the former will have to go back east which will cause it to corner on the hill where we found the black jack tree. I enclose the Bateman, Knight's and Irvin's field-notes, also, the Cornelius field-notes so that you may see how it is. I have a letter from the State Land Commissioner of recent date instructing me to give the Cornelius survey its full distance of 1000 varas north from Burkham's N. E. corner. Keep all these notes until I see you again. My mistake is in not getting these notes at first, as then, I should have had no trouble in getting the matter straight at once, but I supposed Col. Irvin's field-notes were correct. Sims ought to have gotten it right at the beginning, as he has a record of all these field-notes, but he keeps them out at his house, and if I write to him for them, he pays no attention to my letter, so I have to send to Austin for them.

I was at Clarksville last week and saw McCluer, who said that he wanted to help me to finish up this work and to get your survey in proper shape, and that if you would get him there and back, he would not charge any thing for his services. I believe it would be best to have him with us, and when I see my way clear to come up there again, I will let you know it in time so that you can have him there.

Yours truly,

Mr McClure found this land on [Signature]

The ground as the knights and Irvins field notes call for he says no conflict over there so I believe Smelser is wrong in his survey and suggest that McClures field notes and map be put on record when received yours truly

R L Smith Avery Tex R 3 Bap 10

PS I have sent the \$100. for field notes you guess it

has reached [Signature]

Sketch File No. 6.
Bowie Co

McCluskey Sketch etc
filed Sept 19-1927
D. J. Robinson - Com
W. T. McDonald Clerk

J. H. Smelser's Statement
about
Sec. 76, T. & P. R. R. Company
20 Mi. N. 60° W. New Boston.

(See sketch left by J. H. Smelser)
Recd - 10/3/27

I had taken them to be and will not down the acreage of 76 considerably.
my last surveying up there, as they show things quite different to what
which I informed you I would get, and should have gotten before doing
I have received the copy of the Patent field-notes from the land office
do it.
I should have written you earlier, but have been too busy of late to

Dear Mr. Smith:

Mr. R. L. Smith,
Avery, Texas.

Newsp, Texas, June 27, 1927.

[Faint, mostly illegible handwritten text, possibly bleed-through from the reverse side of the page.]

Counter 14841

Nash, Texas, May 24, 1927

Mr. Robt. L. Smith,
Avery, Texas.

Dear Mr. Smith:

I have calculated the area of land in section # 76, as we surveyed it last week, and it contains 556 acres.

I have written to the State Land Commissioner for a copy of the field-notes of the Bateman survey, and shall not send my field-notes to him, until I receive them, as an examination of them by me may cause me to change my survey a few acres one way or the other.

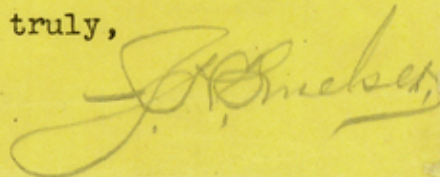
This section was run over into the Cornelius survey far enough to cut 39 acres from its north end, which is shown on the within map enclosed by blue lines.

On this map, I also, show the way in which Mr. Pope expressed a wish to have his part of the conflicted area, added to his new survey. I believe it would be better for you if he would run south from the N. W. corner of the Cornelius survey several hundred varas, thence west and thence north for 160 acres.

I think there is a law where an old survey is found to contain too much land, that the excess is to be cut from it and belong to the State. I purpose to take this matter up with the Land Commissioner and if he consents to it and authorizes it, then there will be sufficient land in section 76 to allow you to have about 110 acres.

I shall keep you advised as to the condition of the matter, after I have sent him my field-notes, plat and explanations.

Yours truly,



Counter 14842

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Avery, Texas.
Sept. 14th, 1927.

Hon. J. T. Robison
Austin, Texas.
Dear Sir:-

When J. H. Smelser was surveying my land before Mr. H. C. Clure came, I asked him and Mr. Lewis Pope asked him to go to the S. W. corner of the T. J. Cornelius and over W 10 E on the W. B. line of the Cornelius survey and E first the S. E. corner of the Chas. Burkham survey and he said its no use to do it and he did not do it. Mr. McClure did and found the S. E. corner of Sec 76 to be 40 ^{yards on} N of the N. E. corner of Chas Burkham where he put it one year ago. When he ran from C. Burkham's N. W. corner, he also finds that there is no conflict of the N. E. corner of section 76 on its S line with the N. B. line of Cornelius survey. Mr. McClure ^{chained} the E boundary line of the C. Burkham survey two times. He said he wanted to be sure he was right. He got the same calls on the creeks as mentioned in the field notes of the C. Burkham survey.

I am inclosing a letter Mr. Smelser wrote me last year, which speaks for its self.

Yours Respectfully,

R I Smith

RECEIVED
SEPT 17 1927
REFERRED TO MAE

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