

The State of Texas, Survey No. 1

District of Bexar.

Block No. 35

FIELD NOTES of a survey of 640 acres of land made for the HOUSTON AND TEXAS CENTRAL RAILWAY COMPANY, by virtue of Certificate No. 46/6337, issued by the Commissioner of the General Land Office, under an Act "to encourage the construction of Railroads in Texas by donations of lands," approved January 31, 1854, and the amendments thereto.

Scale 4,000 vs. per inch.
Variation East

Situated in _____ County, on the waters of Pecos River, a tributary of Rio Grande River, about $6\frac{1}{2}$ miles S 52 E from Horse Head Crossing, and known as Survey No. 1 in Block No. 35. Beginning at the Stake 350 vs N 40 E from N cor of Survey 1 Blk 31 and W Cor of this Survey.

Thence N 40 E 1900 vs Stake for Cor.

S 50 E 1900.

S 40 W 1900.

N 50 W 1900. to beg

Bearings marked IIII

Surveyed April 24 1873.

Geo. N. Stone }
Louis Carthagena } Chain Carriers.

I, M. J. DOYLE, Deputy Surveyor, Bexar District, do hereby certify that the foregoing Survey was made according to law, and that the limits, boundaries and corners, with the marks, natural and artificial, are truly described in the foregoing plat and field notes.

M. J. DOYLE,
Deputy Surveyor, Bexar District.

I, L. C. NAVARRO, District Surveyor, Bexar District, do hereby certify, that I have examined the foregoing plat and field notes, and find them correct, and that they recorded in my office, in Book B, No. 3, page 80

L. C. NAVARRO,
District Surveyor, Bexar District.

The State of Texas, I, Luciano G. Navarro, County Surveyor
County of Bexar, of Bexar County, do hereby certify that I
have, in conjunction with Saml S. Smith, County Clerk of
Bexar County, carefully examined the transcripts of records
contained on the preceding pages of this book from page
No. 1 to page No. 686 inclusive, & compared the
same with the original records of my office, & found them correct.
And I do further certify that the foregoing transcript of
the surveys of lands situated in the County of Tom
Green, is a true & correct copy of the original records
of the County Surveyor's office of Bexar County.

I certify which I herewith sign my name, at office, in
San Antonio, this 14th day of June A. D. 1878.

L G Navarro

County Surveyor Bexar County

The State of Texas, I, Saml S. Smith, County Clerk of Bexar
County of Bexar, County do hereby certify that I have, in
conjunction with L G Navarro, County Surveyor of Bexar County, care-
fully compared the transcripts of records, contained in the pre-
ceding pages of this book, from page No. 1 to page No. 686, in-
clusive, & compared the same with the original records of the
County Surveyor's office of Bexar County, & found them correct.
And I do hereby further certify that the foregoing transcript
of the surveys of lands situated in Tom Green County is a true & correct
copy of the original records of the County Surveyor's office of Bexar County.

I certify which I herewith sign my name & affix the seal of the
County Court of Bexar County, at office in San Antonio,
this 14th day of June A. D. 1878.

Saml S. Smith
County Clerk Bexar County



THE STATE OF TEXAS,

Upton County.

Report of
Traverse run.

FIELD NOTES of a Traverse from the S.E. corner of Juan Cordona Certificate No.151. in Crane County, to the S.W. cor of section No.1. Blk.31.H.& T.C.R.R.Co. and from the S.W. cor o of said section No.1.Blk.31 to the S.W. cor of section 11. C.C.S.D.& R.G.N.G. Block 3 $\frac{1}{2}$.

And a closed traverse from the S.W. cor of said section 11. Blk.3 $\frac{1}{2}$. to the West line of section No.3. G.C.&S.F. certificate No.5193, and South line sections 3 and 2. G.C.&S.F. and North through M.K.& T. Block No.1. to the N.W. cor of section 29 said Block No.1. and West ten miles to the place of beginning.

Beginning at the S.E. cor of Juan Cordona survey of 22,372,900 square varas of land made for Mrs Annie James certificate No.151 issued Feb.6th 1838 and surveyed January 23, 1867. This corner fully identified from the description in the original field notes.

Thence N.42°12'E. 874 $\frac{1}{2}$ vrs
Thence N.41°29'55" E. 1936.6 vrs to a point
Thence N.41°31'25"E. 1915 vrs to corner,
Thence S.48°20'E. 9584.9 vrs to corner
Thence S.48°28'55"E. 3821 vrs to corner,
Thence N.41°27'E. 253.3 vrs to point
Thence S.84°22'E. 1887 vrs to a point,
Thence S.50°08'E. 8006 vrs to a hub whence a rock mound set by M.W.Neyland in 1888, brs N.40°21'E. 507.8 vrs.
Thence S.40°21'W. 9088.3 vrs to a point whence a rock mound set by M.W.Neyland brs S.49°52'E. 21 vrs.
Thence N.49°52'W. 807 vrs to a rock mound in road.
Thence S.40°08'W. 4340.8 vrs to a rock mound on East bank of Pecos river center rock marked S.W.31. set by M.W.Neyland for the S.W. cor of section No.1Block 31, whence Sugar Loaf Mt'n brs S.82°02'E. point of Mt'n brs S.16°23'E. a do brs S.50°15'W.

This corner is also in the position for the original S.W. corner of this survey made by M.J.Doyle in April 1873, and is the correct distance from the S.E. corner of the said Juan Cordona survey with a vara length of 1 vara is equal to 1.0106.

The direction of the river southward also fits the course and distance called for by the original surveyor and no other place in this vicinity along the east bank of the Pecos river could be adjusted to that course and distance.

-----o-----
Beginning at a rock mound and center rock marked S.W.31 on the east bank of the Pecos river whence Sugar Loaf Mountain bears S.82°02'E., a point of mountain S.16°23'E. another point of mountain S.50°15'W., identified as Neyland's S.W.corner of section 11 Block 31 H.&T.C. survey

Thence N.40°08'E. 4340.4 vrs to rock mound in road:
Thence S.49°52'E 807 vrs to a point whence rock mound set by M.W. Neyland brs S.49°52'E. 21 vrs .

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REFERRED TO MAP

B
Crane co. Sk.F. 30

Counter 19612

#2.

Thence N.40°21'E. 10643.1 vrs to a point in the N.E. line of H.&T.C. Block 35 as set by M.W.Neyland:

Thence S.50° 26'E. 3115.2 vrs to a rock mound identified as the East cor of section 7 Block 35, H.&T.C. R.R.Co. by Neyland in the corrected survey made in 1888.

Thence N.49°46'W. 940.1 vrs to a 2" iron pipe at the S.W. corner of section 11. Block 3½.C.C.S.D.& R.G.N.G. and the West cor of the William Teer survey No.4.

Beginning at a 2"iron Pipe at the S.W. cor of section 11. Block 3½. C.C.S.D.& R.G.N.G.

Thence S.49°46'E. 20452.2 vrs to hub.

Thence N.0°06'E. 1688.8 vrs to a rock mound in South line section 3. G.C.&S.F.

Thence S.89°54'E. 3351.2 vrs to hub at the S.E. cor of section No.2.G.C.& S.F.

Thence N.0°01'E. at 3808 vrs to a point whence the original S.W. cor of section 32,Blk.No.L.M.K.&T. brs East 16 vrs. whence sugar loaf Mt'n brs S.19°38'E. East end Table top Mt'n brs S.31°55'E. at 5702.5 vrs a point whence original pebble mound in powel Gap brs East 18.5 vrs (original bearings check closely at this cor) at 11475.5 vrs in all to a hub in the North line of section 38 Block No.1. M.K.&T. on south side of mountain,whence N.E. cor of said section 38 brs East 37.8 vrs.

Thence N.89°49'W. 18971.2 vrs to the S.W. cor of section 11,Blk.3½, thus closing this traverse.

Adjusting the above traverse to the section lines and corners we find that the S.W. cor of section 11, Blk.3½. is 19008 vrs (ten miles) West and at right angles to a line passing through the original corners at the N.W.33, N.W.32 and the N.W.30 all in M.K.& T.Blk.No.1.

I find the line Neyland projected N.E. from the S.W. cor of section No.1. Blk.31.on the Pecos river is within 2minutes of a right angle to the S.W. line of the Wm.Teer,No.4. the King No.1.and the Nidiver surveys

From the S.W. cor of section No.1. Blk.31 on the river to the N.E. or back line of Blk.35 H.&T.C. is according to the original survey by Doyle, 14600 vrs, And according to Neylands position of this line the distance is 14980 vrs.

The original call distance for this space is 14600 vrs
Neylands call distance for this same space 14900 vrs
Difference 300 vrs.

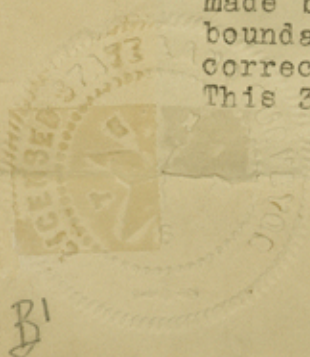
Having located the position of the N.E. line of the said Block 35 H.& T.C. according to the original survey, I find this said N.E. line to be parallel to the S.W. lines of the William Teer, J.H.King, and Jno. Nidiver surveys. The distance between these two parallel lines is 3019.6 vrs., or 90.6vrs more than is necessary for the various surveys made by J.W. Armstrong in 1884 to occupy this space - his distance called as 2929 vrs.

Survey made October,1933.

Chain Carriers, F.E.Melear.
Walter Estes.

I, Robt E. Estes Licensed Land Surveyor Midland County Texas hereby certify that above and foregoing described survey was made by me on the ground and according to law, that the lines boundaries, and corner with the marks are truly described and correctly set forth just as they are on the ground. This 30 th day of October 1933.

Robt E Estes.
Licensed Land Surveyor
Midland County, Texas.



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Letter 981

Midland, Texas.
October 30 1933.

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NOV 2 1933

Hon. J.H. Walker,
Commsr Gen. Land Office,
Austin, Texas.

REFERRED TO MAP

Dear Sir:

The following is a report of a survey made for the purpose of determining the position on the ground and the correct boundaries of survey 16, Mrs S. Hearn certificate 1940, and the J.M. Mc Afee certificate 1952, and their relation to the adjacent and surrounding surveys, situated in Upton County Texas.

The Mc Afee and the Hearn tracts was surveyed by J.W. Armstrong in August 1884., and in April of the same year he surveyed Survey 3.G.C. & S.F. surveys 5 and 7. Mrs S. Denton the two Grooms surveys 6 and 8, and other tracts which join the Mc Afee and Hearn tracts on the South West. This survey was made four years before Mr. Neyland re-surveyed the H.&T.C lands embraced in Block 35, which join the Armstrong surveys on the South West.

My purpose is to present a picture of the surveys and their relations to each other as they existed in the year 1884.

In order to determine the North-East limit of the H.&T.C. Block 35, I follow the Original Field Notes made by M.U. Doyle deputy district surveyor of the Bexar land district. in 1873.

River section No.1. Block 31. H.&T.C. calls to begin at a stake on the East bank of the Pecos river 23275 vrs S.36°E. from the S.E. corner of patented survey in the name of Juan Cordona, Thence following the calls in the field notes N.40°E. 2850 vrs to a stake.

Now I take up the original field notes for section No.1. Block 35 H. & T.C.

" Beginning at a stake 350 vrs N.40°E. from the North cor of survey No.1. Blk.31 and West cor of this survey"

I then go N.40°E. 1900 vrs which takes me to the N.E. limit of section No.1. Block 35.

In like manner I go N.40°E 1900 vrs to the North East limit of section No.2, and 1900 vrs respectively for sections 3,4,5 and 6. which takes me to the North East limit of the H.&T. Grant, according to the original field notes. Thence S.50°E. following the North East limit of said Block 35, I find that this line occupies a place on the ground 300 vrs South West and parallel to the line that Mr. Neyland calls to be the N.E. limit of Block 35 in his re-survey made in 1888.

I now project a line N.40°E. from the original North East limit of said Block 35 and from a point 940 vrs N.50°W. from the East cor of section 7. Blk.35 and at a distance of 2976 vrs strike a 2" iron pipe set for the S.W. cor of section 11. Blk.35. C.C.S.D. & R.G.N.G. Thus I find that J.W. Armstrong had angle

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October 30 1933

NOV 2 1933

Gen. J. E. Walker
Comman Gen. Land Office,
Austin, Texas.

REFERRED TO MAIL

Dear Sir:

The following is a report of a survey made for the purpose of determining the location of the ground and the correct boundaries of survey 16, the 1/4 section 16, T. 23 N., R. 10 E., and the 1/4 section 16, T. 23 N., R. 10 E., and the adjacent and surrounding surveys, situated in Union County, Texas.

The No. 16 and the 1/4 section 16 was surveyed by J. E. Walker in August 1894, and in April of the same year he surveyed Survey 16, T. 23 N., R. 10 E., and other tracts which join the No. 16 and 1/4 section 16 on the South West. This survey was made four years before Mr. Walker surveyed the 1/4 section 16, which join the 1/4 section 16 on the South West.

My purpose is to grant a right of the survey and their relations to each other as they existed in the year 1894. In order to determine the North-East limit of the 1/4 section 16, I follow the Original Field Notes made by J. E. Walker, County District Surveyor of the Texas Land District, in 1892.

Survey section No. 16, Block 31, T. 23 N., R. 10 E., calls to begin at a point on the East bank of the Red River, 23275' and 2° 30' from the S. E. corner of section 16, in the name of Gordon, Texas, following the call in the field notes, 140° 30' to a stake.

File No. Sketch File 30
Crane County

Filed Nov. 2 1933

GARRY MAURO, Com'r
By (Douglas Howard)

space to place surveys 3.G.C. & S.F. 5, 6, 7, 8. The Mrs S. Hearn and the J.M. Mc Afee as above referred to between the then and now existing surveys joining on the North East and the North East limit of the H. & T.C. Block 35 joining on the South West.

As I find it Mr. Neyland in his re-survey of H. & T.C. Block 35 inadvertently placed the N.E. limit of said Block 35 some 300 vrs outside of the original grant. By a careful inspection of the calls in the original field notes of Blk. 35 one may be able to see how this happened.

The original field notes for section No. 1. Blk. 35 H. & T.C. now on file in the Land Office reads as follows:-

"Beginning at a stake 350 vrs (scratched out) with 650 wrt written in above, -N. 40° E from N. cor of survey 1. Blk. 31. and West cor of this survey" Showing Mr. Neyland started 300 vrs too far North for the beginning point of this survey No. 1.

I find in the certified transcript of the records in San Angelo on page 381 field notes of survey No. 1. Blk. 35, which reads as follows:-

Beginning at a stake 350 vrs N. 40° E from the North cor of survey 1. Blk. 31. and West cor of this survey. The 350 is not scratched out.

This record of field notes in San Angelo carries the certificate of L.C. Navarro who was the district surveyor of the Bexar district, dated June 14 1878. and was the district surveyor in 1873 when his deputy surveyor, Doyle made the original field notes for Blocks 31 and 35. H. & T.C. R.R. Co.

The S.W. cor of section 11. Blk. 3½ above referred to as a 2" iron pipe was established by projecting a line North one mile and West ten miles from the N.W. cor of section 30 Blk. No. 1. M.K. & T. which cor is described in the original field notes as cactus from which point of Mt'n brs N. 15° W. and West point Mtn. brs N. 71° W. This same corner found and used by R.S. Dod, State Surveyor, and also by F.F. Friend State Land Surveyor, Mr. Friend projected a line one mile North and ten Miles West to the S.W. cor of section 11. Blk. 3½. Mr Friends line was coincident with the line I ran.

All the original field notes of Block 31 and 35 have been cancelled by corrected field notes of State Surveyor Neyland under an Act approved April 2nd 1887 Chapter 115 section 3. but this Act did not authorize the surveyor to embrace more land in the Grant than was provided for in the original Grant, or the original survey of the Blocks. In other words if an 1888 survey encroaches on a survey made in 1884, the younger survey will have to yield, unless it can be shown that the 1888 survey is within the original Grant, then it would be in effect an older survey.

Where a line 23275 vrs in length intersects the East bank of the Pecos river will be the beginning corner of section No. 1. Block 31. H. & T.C.

At this point I find a rock mound Placed by Mayo W. Neyland in March 1888, center rock marked S.W. 31 Whence Sugar Loaf Mtn brs S. 82° E. a point of Mtn brs S. 16½° E. a do brs S. 50½° W.

I ran a traverse from the S.E. cor of the Juan Cordona survey and I verify the S.W. cor of section No. 1. as placed by Neyland and I find it in as near the correct position as it is possible to be placed.

The Juan Cordona Tract was surveyed by J. Hubbell in January 23, 1867.

Field Notes Read in part as follows:-

"Beginning at an earth mound erected for the S.E. corner of this survey near the S.E. cor of a Salt Lake and 114 vrs East of the road running from Horse Head Crossing of the Pecos river to said Salt Lake and which point in said road is 40 vrs South of where the said road first enters the said lake....."

Thence from said mound North at 100 vrs are 15 vrs East of the S.E. corner of said lake, at 180 vrs are the lake is distant 25 vrs"

The point used by Neyland for the S.E. corner of the Juan Cordona fits closely with the above description in the field notes. The old road going into the lake is very plain and is the only one in this vicinity, the bank of the lake is worn down several feet where the road enters.

For a more comprehensive understanding of the above described survey, reference is had to the accompanying maps which are made a part of this report.

Very truly yours

Robt E Estes.

Licensed Land Surveyor,
Midland Texas.

Ft. Worth, Texas, Nov., 6th, 1933.

Hon. J. H. Walker,
Land Commissioner,
Austin, Texas.

Crane County

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REFERRED TO MAP

Dear Mr. Walker:

With reference to our conversation a few days ago while I was in Austin regarding my filings on the Mrs. Hearn Survey No. 16, and the McAfee 306 acre tract in the western part of Upton County, I made my filings with the County Clerk, I believe, on the 3rd day of July, 1926, and placed my filings in the Land Office, with all necessary documents, and the required amount of money on the 29th day of July, 1926, strictly in accordance with the law.

I received a letter from the Land Commissioner stating that I had filed these papers with the required amount of money, and that I was first to make such filings, and that it appeared that I had fully complied with the law. Afterwards, about August 23rd, of the same year, I received a letter from the Land Office saying that my application had been refused for the reason that according to the information in the Land Office there was no room for these two surveys.

After receiving this letter, I went to work to get knowledge and information showing the existence of this land, and tried to get a competent surveyor to make a correct survey of the land, and all the surveyors told me I was just throwing money away; that the two tracts of land were not there, but I believed they were and kept insisting that the survey be made. Mr. Robert E. Estes of Midland, Texas, and Mr. Frank Friend were the surveyors I tried to get to make this survey.

I have worked on the matter ever since, in the Land Office, every time I was in Austin, and in the various counties where information might be obtained, always believing that I could find information justifying a resurvey of this land which I thought would disclose the tracts of land on the ground. I have made searches in the Land Office and the records of the west Texas counties involved year after year, obtaining copies of field notes and other data. I frequently conferred with Judge Clark, Mr. Blucher, Moursself, and Mr. Robinson. I have also conferred with the various attorneys general, or their assistants, since that time, with reference to this land, during Mr. Pollards and Mr. Bobbitts administrations, as well as Mr. Allred. I got no encouragement

at any time from the attorney'general's office. They always assigned me to some young fellow, and they always told me that is your fight and we will do nothing in the matter.

On my first trip to Mr. Allred, he assigned me to Mr. Daugherty, and the next trip to Mr. Dewolf. Mr. Allred told me to go ahead and have the land surveyed, and if the land was there his office would cooperate with me and assist me in obtaining my rights under my filings because of the royalty interest the State would have in same. Judge Ocie Spaer and Judge Clay Cooke, of Ft. Worth, Texas, were with me on these trips to Mr. Allred's office, and they remember what he said with reference to my having the land surveyed. On the strength of this assurance, I went to work and spent considerable money to have the land surveyed and to prove that this land was there, and when I took my surveyor, Mr. Robert Estes, of Midland, Texas, to Mr. Allred's office with the maps and information showing the land was actually there, Mr. Allred changed his attitude altogether in the matter, and denied the facts concerning these conversations, and his statements to me inducing me to make these surveys, and became real discourteous about the whole matter.

Mr. Walker, I have always believed this land was there, and I believe my proof and surveys will convince any court, and I hope that your office will find that this survey is correct, and that you will be able to grant this Permit to me. As I told you, I expect to leave nothing undone in this matter. I expect to contend for my rights under these filings to the highest courts. I have continuously made all kinds of search for information and facts concerning these two surveys. I have never given up on the matter, and after these years of search and work and expense, added to the assurance given me by the attorney general of his assistance if I spent the additional money to convince him the land was there, I feel, and I am sure you and the courts will decide that I am justly entitled to the rights the law gave me under these filings.

Yours very truly,

W. A. Gushell

The State of Texas, Survey No

District of Bexar. Block No 35

FIELD NOTES of a survey of 640 acres of land made for the HOUSTON AND TEXAS CENTRAL RAILWAY COMPANY, by virtue of Certificate No 466337, issued by the Commissioner of the General Land Office, under an Act "to encourage the construction of Railroads in Texas by donations of lands," approved January 31, 1854, and the amendments thereto.

Scale 4,000 vs. per inch. Variation East

Situated in County, on the waters of Pecos River, a tributary of Rio Grande River, about 6 1/2 miles S 52 E from Horse Head Crossing, and known as Survey No. 1 in Block No. 35 Beginning at the Stake 350 on N 40 E from N cor of Survey 1 Blk 31 and W Cor of this Survey.

Hence N 40 E 1900 to Stake for Cor.

S 52 E 1900.

S 40 W 1900.

N 50 W 1900. to be

Bearings marked

Surveyed April 24 1873.

Geo. N. Stone } Chain Carriers. Louis Cartwright }

I, M. J. DOYLE, Deputy Surveyor, Bexar District, do hereby certify that the foregoing Survey was made according to law, and that the limits, boundaries and corners, with the marks, natural and artificial, are truly described in the foregoing plat and field notes.

M. J. DOYLE, Deputy Surveyor, Bexar District.

I, L. C. NAVARRO, District Surveyor, Bexar District, do hereby certify, that I have examined the foregoing plat and field notes, and find them correct, and that they recorded in my office, in Book B, No. 3, page 80

L. C. NAVARRO, District Surveyor, Bexar District.

State of Texas } I, J.A. Simpson, County Surveyor of Tom Green County, County of Tom Green Texas, do hereby certify that the above described field notes of survey No. 1 Block No. 35 H. & T. C. R. R. Co, Certificate No. 446337 is a true and correct copy of same as taken from the Tom Green County Surveyor's Records as recorded in Book 7 Page 381 and I further certify that the two certificates of L. C. Navarro and Sam S. Smith as shown hereon are correct copies of same as taken from said Book 7 Page 687 of Tom Green County Surveyor's Records.

This the 8th day of November, 1933.

J. A. Simpson, County Surveyor, Tom Green County, Texas.

The State of Texas, Luciano C. Navarro, County Surveyor Bexar County, do hereby certify that I have, in conjunction with Sam S. Smith, County Clerk of Bexar County, carefully examined the transcripts of records contained on the preceding pages of this book from page No. 1 to page No. 686 inclusive, and compared the same with the original records of my office, and found them correct. And I do further certify that the foregoing transcript of the surveys of lands situated in the County of Tom Green, is a true & correct copy of the original records of the County Surveyor's office of Bexar County.

I certify which I herewith sign my name, at office, in San Antonio, this 14th day of June A. D. 1878.

L. C. Navarro, County Surveyor Bexar County

The State of Texas, Sam S. Smith, County Clerk of Bexar County, do hereby certify that I have, in conjunction with L. C. Navarro, County Surveyor of Bexar County, carefully compared the transcripts of records, contained on the preceding pages of this book, from page No. 1 to page No. 686, inclusive, and compared the same with the original records of the County Surveyor's office of Bexar County, and found them correct. And I do hereby further certify that the foregoing transcript of the surveys of lands situated in Tom Green County is a true & correct copy of the original records of the County Surveyor's office of Bexar County.

I certify which I herewith sign my name and affix the seal of the County Court of Bexar County, at office in San Antonio, this 14th day of June A. D. 1878.

Sam S. Smith, County Clerk Bexar County

Crane Co. Rolled Sketch