

Wm A Leckie State Sur. Resurney-

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No. 1-Application and Obligation

957-909-5m.

File Block no 6

Dimmit County

Dec. 10 1909.

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Office of W. H. LECKIE Lock Box #103 Runge, Tex.

Runge, Texas, Dec. ICom, 1909

5-10-0

Commissioner J. T. Robison

General Land Office

Austin, Texas.

Dear Sir:-

In terms of your instructions of Oct. 2Ist, last, supplemented by your verbal instructions of Nov. 8th, relative to surveying in Dimmit County; Iwent upon the ground and completed the survey as directed. We were favored with good weather, and pashed the work to a finish without intermission. I only ran out such lines as were likely to reveal material facts, and quit the survey as soon as I felt I was in possession of all the existing facts bearing on the questions at issue. Many of the lines run were very brushy, but all were properly cleared, and distances carefully measured.

Under separate cover, by Registered Mail, Isend you certified report with plats attached, also sworn statement of account; all of which I trust will meet your satisfaction.

Yours truly

Um H. Lechie

RECEIVED DEC 13 1909 Referred to Map

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. Office of

W. H. LECKIE Lock Box #103 Runge, Texas.

REPORT OF SURVEY IN DIMMIT COUNTY.

To the HON. J. T. ROBISON, Commissioner, General Land Office, Austin, Texas.

By virtue of appointment as "Special State Surveyor", of date 4th October last, with letter of instructions accompanying same, supplemented by your letter of 2Ist October with further instructions, relative to surveying in Dimmit County on Blocks 6 and 8, I.& G.N.R.R. Co, and Block IO, T.W.N.G.R.R.Co, surveys; I presented myself in your office, in the morning of November 8th last, and secured such data pertaining to the surveying in view, including working sketches and copies or excerpts from field notes, as were available or seemed necessary.

Necessary. Your Mr Hunnicutt assisted me in getting up the data. I also went over the details at some length with Mr Giraud, representing the New York & Texas Land Company; also with Mr Corwin, residing in Austin Texas, who assured me that he did the actuall surveying upon the ground for Mr F. M. Maddox, in the original survey, in July 1875, of Blocks 6, 7, and 8, I.& G.N.R.R.Co.surveys, and explained to me what lines he ran in blocking out those surveys. I left Austin in the night of November 8th, and went directly to Carrizo Springs in Dimmit County, arriving there in the evening of the next day. On Nov. IOth, accompanied by County Surveyor W. W. Barker and the field corps he provided, we drove to San Pedro Springs, a dis-tance of about 25 miles and pitched camp, consuming practically the

and the field corps he provided, we drove to San Pedro Springs, a dis-tance of about 25 miles and pitched camp, consuming practically the whole day. Thursday morning, Nov. IIth, was exhausted in an inspection of San Pedro Springs, an effort to define the location of the old Royal road to Presidio, now long disused, and the old corner stone recognized by Mr Corwin as the Lombrano grant corner; but nothing positive was identified. In the afternoon of the same day we went to Cathedral Rock, a noted landmark situated in section 6, Block 7, and began our survey, and pushed it without intermission till com-pleted on the ground, as hereinafter described, on Nov. 24th following Cathedral Rock is about 60 feet through at its base, and about 35 feet in height, standing alone in an open plain, and is a conspic-

Cathedral Rock is about 60 feet through at its base, and about 35 feet in height, standing alone in an open plain, and is a conspic-uous object for a long distance in every direction. This rock, or rather cluster of rocks, is made a bearing for the S.W. and N.W. cor-ners of Sec.6, Block 7; the field notes calling for it to bear N.42°E. and S.73½°E. from those corners, respectively. On a base due north and south, of I900 varas, the rock should be distant from the S.W.cor. Sec. 6, 2018 varas, and from its N.W.cor., I408½ varas. Beginning the survey at the Cathedral Rock, and measuring from its approximate centre, I ran S.42°W. 2018 varas, using a trial var-iation of 9°30'E., and set a stake. Thence turned North; at I4¼ varas passed an old iron pipe set in the ground, evidently for S.W.cor. Sec.6, Block 7; at I60I varas crossed Richardson's fence claimed to be in the south boundary line of the Lombrano grant as fixed by a Decree of Court; at I905 varas

crossed Richardson's fence claimed to be in the south boundary line of the Lombrano grant as fixed by a Decree of Court; at 1905 varas passed another iron pipe in line, in a mound of stones, set for N.W. cor. Sec.6, and S.W.cor. Sec.5, Block 7, Cathedral Rock bearing about S.731°E.; at 3807 varas, point from whence East, 53 varas, I found an old iron pipe from which a Mesquit tree, I6 in. dia. mkd X, old mark, bears S.56°E. I9 varas, and an old Mesquit stump, 8 in.dia., bears N.35°E.26 varas: the bearing trees for N.W.cor.Sec.5 and S.W.cor. Sec.2,Block 7. Continuing line North from the 3807 varas; at 3880 varas, in a low flat drain, ravine apparently filled mp; at 5696 varas it was East, 394 varas to an old iron pipe evidently set for N.W.cor. Sec.2, from whence a large lone rock in the prairie bears S. 77ºE. 462 varas. Note: if the variation was reduced half a degree, this cor. would be moved 4 varas North to fit the bearing on the rock, and would be just 5700 varas from my point of turning North, and 1893 vs from S.W.cor. Sec.2. Continuing line and measurement North from the 5696 varas; at 7113 varas turned N.84°E. about 225 varas which brought me on the West slope of a sandy ridgeand North or Northeast

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about 25 or 30 varas from what was apparently an old road, but no corner stone was found, though a closs search was made. From the 7II3varas, I again continued my line North; at 7592 varas a pointed stone set up in a large stone mound bears East, 77 varas. This stone in stone mound Irecognize, from the surrounding conditions, as the original S.W.cor.Sec.I, Block 6, and N.W.cor.Sec.I, Block 7, I.&G.N.R.R.Co. Surveya, as claimed to be fixed by Mr.Corwin in his survey of July 1875. Again from the 7592 varas continuing North; at 7599 varas reached the waters edge of San Pedro Creek at7614 varas, north bank of the creek; at 8100 varas, changed my variation to 8°55'E. adopting a variation that I found would run North from my point of beginning at Sec.6, Elk 7,S.W.cor. through the pointed stone in the stone mound on the S.E. side of San Pedro Creek at Sec.I, Elk 6, S.W., thence continued North on a parallel thereto, with continued measurements; at 9500 varas, nothing identified at 11465 varas, an old stone mound at base of a rocky hill is East, 68 varas; at 13300 varas, nothing found; at 14921 varas, crossed an old road leading from Eagle Pass to Laredo, course S.60°E.; at 14973 varas, another trail of same rcad; in all 15203 varas. Thence turned East,8I varas and set a stake for N.W.cor.Sec.4, Elk 6, and S.W.cor. Sec.35, same Block, as streeyed by Mr Corwin, from whence the old decayed roots of a Mesquit tree, about 10 or 12 in. dia., from which two younger trees are growing, bears S.22°E. 106 varas.

the old decayed roots of a Mesquit tree, about IO or I2 in. dia., from which two younger trees are growing, bears S.22°E. IOO varas. From the last as fixed, I ran East, variation 8°55'E., and at right angles to the strait line running from the S.W.cor. Sec.6, BLK 7, through the pointed stone set up in stone mound at the San Pedro Creek to this stake; at IOO6 varas crossed Richardson's fence in the East side of the Lombrano grant, as I am advised it was fixed by the Decree of Court; at 4200 varas, entered a dry pond or marshy flat, about 40 varas across; at 52725 varas, cross a fence of quite recent construction, owned by Mr M. Holloway, and intended to be in the West side of Sec. 32, Blk 6; at 6772 varas crossed a branch; at 6800 varas, which is the called distance for the branch. a line run North west side of Sec. 22, Bik of at off2 varas crossed a blanch, at cool varas, which is the called distance for the branch, a line run North will strike the branch at a short bend at IOO varas, while a line run South will not strike it for a very long distance, if atall, as its trend is westward of due South. Continuing East; at 72062 was varas crossed Mr Holloway's fence, supposed to be in the East side of Sec.32, N.I^OW. 227.6/IO varas from its S.E.cor. at a post; at IO770 varas, crossed San Lorenzo Creek; at IO900 varas, the called distance, there is no creek. A line run North from this point will strike into the creek at about 2IO varas, and a line run South will not strike the creek for a much longer distance, as again the trend is West of due South. Continuing East; at IIO32 varas, intersected the east boundary line Sec, 29, N.I^{OW.} I62½ varas from a post at its S.E.cor. as pointed out by Mr Lacy; at I2960 varas, a cedar post is also pointed out by Mr Lacy as N.E.cor. 28, Block 6, South I36½ vara from line; at I392I varas, crossed a branch; atI5868 varas crossed Moro Creek; at I596I varas, the creek; at I6000 varas, the creek; at I6240 varas, the creek; at I6255 varas, the creek again; at I6240 Moro Creek; at I596I varas, the creek; at 16000 varas, the creek; at 16240 varas, the creek; at I6255 varas, the creek again; at I6340 varas, touch bend of the creek; at I6612 varas, Moro Creek, fast time; at I6754 varas, a cedar post, shown by Mr Lacy, for N.E.cor.24, Block IO, T.W.N.G.R.R.Co., is South 96 varas; I87462 varas, crossed Mrs Annie Taft's fence into Sec. IO3, Blk 8, I.& G.N.R.R.Co.; at I887I varas, enter Moro Creek; at I8895 varas, leave Moro Creek; at in all I9000 varas, set stake for N.E.cor.Sec.23, Blk IO,T.W.N.G.R.R Co., in the West side of a branch of Moro Creek. No old corner, or other marks of identification were found. Block IO, on its East other marks of identification were found. Block IO, on its East side, calls only for a stake and mound at each section corner, no calls for connection with other surveys, nor anywhere in the whole Block does it call for any natural or artificial object of a perman-ent nature, whereby this boundary as actually surveyed, may be de-fined upon the ground. To identify the N.W.cor.Sec.95, and S.W.cor.Sec.IO3, Blk 8,

To identify the N.W.cor.Sec.95, and S.W.cor.Sec.IO3, Blk 8, I.& G.N.R.R.Co., and the common line between them, I made a long and tedious investigation of the locations and courses of the many eres-k branches and gullies in this locality; and finally adopted the following. Beginning for connection at the point of intersection of Mrs Taft's fence, above described, at the I8746½ varas. Thence S.½ E. 57 varas, with the fence to the N.W.cor.Sec.95, Blk 8, as identified.

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From thence I ran a line N.8910E., at I52 varas, Iwas in the first branch of Moro Creek; at 330 varas, the second branch of same; at 540 varas, the second branch again; at 620 varas, the second branch again; at 680 varas, the north bank of the branch; at 720 varas, in the branch at mouth of small branch from N.W.; at 770 varas, the branch again; at 932 varas, the branch again; at 970 varas, the branch again, last time. Night coming on, Idid not carry this line any farther,, but it is the only line in this neighborhood that will even approximately meet the conditions called for: the differences from the calls are not great.

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conditions called for; the differences from the calls are not great, and may in part be accounted for by small changes in the bed of the branch since the date of the original survey; but the creek is not at all as shown in my working sketch, but is rather as outlined in the plat accompanying this report. In running this line I found some evidences of an old cut line, also about I5 feet south of it, and parallel thereto there is a line of old posts of an abandoned fence, that was probably put up twenty five years ago.

or an old but the, also about 15 the solution of it, and particle there there is a line of old posts of an abandoned fence, that was probably put up twenty five years ago. Returning to the pointed stone in the stone mound, on the south side of San Pedro Creek; from thence I ran East, with a variation of 8055'E., for the south boundary line of Block 6; at 3408 varas, crossed again the Richardson's fence again, and at 323 varas found an old stone mound, on south side of an old road, from which an old dead Mesquit tree I2 in. dia. mkd X, bears N.IS⁶E. 57 varas, another dead Mesquit, 6in. dia. mkd X, bears N.IY⁵W. 45⁷ varas. This corner was made by Surveyor A.Wyschetski for S.F.Sec.8 and S.W.Sec.9, in Block 6, I.& G.N.R.R.Co. Again from the 3453¹ varas, I continued my line East; at 5309 varas crossed fence out of property belonging to J. F. House into Mrs Taft's pasture; at 537I varas, thence timed South 305¹ varas and set a stake at the S.F.cor.9 and S.W.cor.I6, Blk 6, as fixed by Surveyor Wyschetski, from whence a Mesquit stump of a large tree bears MFF* N.50¹0W., 128¹ varas, and another Mesquit stump bears N.37¹0⁶F. IOI¹ varas; both bear-ings being on the north side of an old road. Again from the 537I varas quit stump, about 8 in. dia.bears N.86⁶F. 84 varas: Wyschetski's cor-ner for S.F.I6 and S.W.I7, Sik 6. The Hackberry tree called for is gone but there is a smaller Hackberry near its site. Continuing from the 7289 varas; at IOOI4 varas crossed San Lorenzo Creek, which is 2I4 va-ras over itsncall, nor is there any place above or below at which the call can be made to fit: the creek is entirely too far eastward. If ras over stancall, nor is there any place above or below at which the call can be made to fit: the creek is entirely too far eastward. If measured along the line of Wyschetski's corners from his nearest corner between IS and I7, the discrepancy would be still greater, being about 400 varas excess. At IIE22 varas turned South,255 varas to a point from whence an old leaning Mesquit stump, mkd X, bears S.95°E. II9.2/3 varas, and an pld Mesquit Stump, cut off close to the ground, bears 5.30°W. I23.2/3 varas, being the corner fixed by Wyschetski for S.W. cor.Sec.26, BHk 6, and Northford Sec.48, Blk 7. Continuing line East from ILE22 varas; at ISIOS, intersect Mrs Taft's fence. Thence ran S.4°W 23I varas to its corner post, and I vara farther to a stake from whence I find an old Mesquit stump, cut off nearly level with the ground, bears N.30°E. I2 varas, which is the call for the bearing tree at the S.E.cor. Sec.25, Elk 6. From the intersection of Mrs Taft's fence at the ISIOS varas I continued line East; at IS300 varas found no bearing tree, the distance for S.E.cor. Blk 6, terminated in a open Mesquit ridge, and there are one or two Mesquits within reasonable limits, either of which may have been the tree, but their trunks are too badly decayed for marks to be identified; at I4956 varas, ran S.4°E.corcasing the Taft fence at SII varas to an old stone mound on the north side of a hill, that was set up by Wyschetski for S.W.88 and S.E.87, Blk 7, presumably in his survey of June,IE79. Returning to the I4956 varas, I again continued East; at IE170 varas, crossed Bonita Creek; at IE816 varas, crossed Mrs Taft's fence in West side of Block 8, I.& G.N.R.R.Co., at a point N.40'W. I88 varas from its corner; in all I9000 varas and set stake for distance to S.E.cor.Sec.34, Blk I0, T.W.N.G.R.E.Co. surveys.-Considering that nothing was to be found in the east boundary of Elk I0, but Course and Distance from the east boundary line of Blk 6, I did not run that line. Also considering that the creek calls as des-cribed in the nor ras over stancall, nor is there any place above or below at which the call can be made to fit: the creek is entirely too far eastward. If

Bik 10, but course and Distance from the east boundary fine of bin of a did not run that line. Also considering that the creek calls as des-cribed in the north boundary line of Sec.95, Blk 8, fixes the N.W.cor. of that Section beyond controversy, and that there is nothing to be ffound existing now that can successfully contradict it; also that cor-ner being in the west side of Blk 8, and in Mrs Taft's fence line, whose general course is in approximate agreement with the variation of Wyschetski's other lines; and also understanding that A.Wyschetski was Counter 20186

the original surveyor of those Sections of Elk 8, that join Elk IO on its East; I consider that a conflict is established as existing between Elks 8 and IO, to the extent shown. Neither did Irunged the east boundary lines of Secs 25,26,27,&28,in Elk 6, for like reasons; there is nothing called for that I could hope to find, in contradiction of what had already developed; and I am advised there are no fences on, or near where these lines would run, except Mrs Taft's fence, which was intended to enclose within her pasture Secs. I6,I7,24,& 25, Elk 6, and which has an excess over the four miles, east and west, of I94 vs. I am informed by Mr J.M.Green, who represents Mrs Taft in her man-agement of this property, that these fences have been built for ten year years and over.

AND

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It appearing from an inspection of their several maps, that there was some confusion in the minds of the earlier surveyors on Blks 6 & 7, regarding the true location of the E.T.R.R.Co, Secs.615 and 616; and deeming it advisable at this time that they should be definitely iden-tified. I devoted one day to a suptomatic search for their corners tified, I devoted one day to a systematic search for their corners, with the result that the N.E. and S.E. corners of #615, with its ori-ginal bearing trees, was found precisely as shown in plat. I did not run to the S.E. of #616, considering the two corners found sufficient for the purpose.

With your permission, I will now draw your attention to certain points of interest, and details of the work that are especially worthy of notice.

It will be observed that F.M.Maddox's (Corwin's) measurements between identified corners did not vary greatly from mine; I used a 40-vara Chicago Steel Tape. The total difference in chaining in the first four miles run North to the stone in stone mound on the south bank of San Pedro Careful de Store about the stone mound on the south bank of San Pedro Creek is Svaras short; while the entire eight miles on this course is only 3 varas over. This positive test of Corwin's chaining between known corners should have its influence in determining others

that are unknown. Relative to the stons in the large stone mound on the south bank of the San Pedro being the corner fixed by Corwin for S.W.and N.W.Secs I, Blks 6 and 7; all the corners on Secs. 6,5,2, and even the S.W.cor. of Sec.I, Blk 7, tie directly to this corner. The mound of stone was evidently set up, at some pains by some one, as a landmark; furthermore, in a interview with Mr Corwin himself, before leaving Austin, the ques-tion was asked him, how far east of San PEdro Springs was his corner placed, and he answered, "close by, about one hundred varas". This stone mound is about 25 varas south, and IOO varas east from the bank of the San Pedro.

placed, and he about 25 varas south, and 100 varas east from the the stone mound is about 25 varas south, and 100 varas east from the Regarding the Mesquit stump out away nearly level with the Regarding the Mesquit stump out away nearly level with the ground, N.30°E. 12 varas from the old stake at the corner of Mrs Taft's fence, and apparently adopted by some surveyor as the bearing twee for the S.E.cor. Sec.25, Blk 6; it would appear there is some question as to its ever being the original tree marked by Mr Corwin in 1875. The tree has been cut away so close, and the body being gone, it is imposs-ible as a new just what size the body was; but though the stump is not more than 12 inches across altogether, it shows within that area to not understand it to be taken as the bearing tree; he and more than one body. Mr J.M.Green was present with us at this point, and said he did body. Mr J.M.Green was present with us at the ree was then standing; fore the present Taft fence was built; that the tree was then standing; that he and Mr Eardley examined it closely, and found no marks; that it was his impression that the tree was too young to have been the old bearing tree, and he thought the body was now being used in the fence as a post. Though this tree stood approximately in Wyschetski's line for the south boundary of Blk 6, it is open to doubt that he ever had any knowledge of it, or indeed, as will be shown, was ever at the S.W. corner 25 atall. It will be noted that between all the corners mar-ked by Wyschetski for Section corners in Blk 6 south boundary, there ked by Wyschetski for Section corners in Blk 6 south boundary, there is a uniform distance, east and west, of I917 or I918 varas, according to my chaining; yet the corner fixed from this tree is I984 varas east from his last corner at the III22 varas.

Mr Green was with us while surveying along these lines, and

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kindly furnished me with a map in his possession that was compiled

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Mindly furnished me with a map in his possession that was compiled by surveyor A.M. Prench, in Sept. 1895, presumably from original data, and which purported to show in red lines upon the map"A. Wyschetski's connecting line run by instructions of the General Land Office Hith of June to 8th July 1877? The red lines in this map shows that hi Wyschetski began his survey at the Los Dos Hermanos corner of Blk e, and ran five miles west to a point in the Antonic Guerra grant; thence he ran nine miles north to the N.w.cor. 69, Blk 8; from thence he ran diagonally, or N.450W. across Sections 50 and 54, and set up a small pile of stones for N.W.cor.54, which is the small pile of gra-vel stones described in the lower part of page #3 of this report. This corner was supposed to be in the east boundary line of Elk 7, and also the S.R.cor.88 in that Block, as originally surveyed. Thence he raw West, crossing the Eagle Pass and Larde road at HI30 varas, and in all 1900 varas, and set up a pile of larger rocks on the side of a hill next the food, supposed to be the common corner of Secs.86 67,88,85, Elk 7; and is the pile of rocks also found as described in the lower part of page #3 of this report. From this pile of rocks, hi wyschetski ram N.450W. 2087; varas, across Sec.77, and marked the corner, estensibly for the N.E.cor.60.46 which he afterwards describes in his corrected field notes of that section as being in its north his corrected field notes of that section as being in its north and therefore did not attempt to check up on a point that would have put him right, after his long run; though it was only a mile away. Twould be rather a remarkable circumatance in practical field work, if true, that he should have run some nineteen miles of courses from the Los Dos Hermanos, including right angles and diagonals, chaining the called or calculated distances only, in every case, and landed in punning East from San Pedro Springs; and the tree study M.SoCe. If was from the old stake at the Taft fence corner, if the original coincidence.

coincidence. From his marked corner, Mr Wyschetski turned West and ran the line and marked the corners described in this report; continuing his line to a point 360 varas south, and 320 varas west of San Pedro Spr. This line and marked corners he eventually adopted as the line and corners of Sections on Blk 6; but is forced to abandon these corners as controlling the corners of Sections on Blk 7; possibly because of the stubborn fact of "Cathedral Rock" So that in effect, the Section corners on Blk 7 are eastward of the corresponding Section corners on Blk 6; and Blk 8 is in conflict with Blk IO, T.W.N.G.R.R.Co, on its East side. Copy of Mr Green's map attached hereto,mkd Exhibit B. There would appear to be two prime causes for existing condi-tions; to say, first: the difference in variation used by Mr Wyschet-

tions; to say, first: the difference in variation used by Mr Wyschet-ski in running his lines, compared with that used by Mr Corwin in his original survey; starting from distant and opposing points, their lines tended continually to diverge, second: by fixing the lines and corners of Blk 6, solely by running course and distance from Los Dos Hermanns, to the disregard of its own corners marked upon the ground. **********

Before concluding this report, I wish to say that County Surveyor W.W.Barker accompanied me throughout the survey, and rendered valuable assistance. Hereto I attach fee bill and expense account, amounting to \$ISI.35, marked Exhibit C, and which I trust will meet your approval.

Respectfully submitted

tor H. Leckie .

Special State Surveyor

I hereby certify that the foregoing described survey was made by me upon the ground, between the dates named; and that the lines, distances and corners, with marks of the same, are truly and correctly described and set forth in the foregoing plat and report. Witness my hand at Runge, Tex. this 9th day of December A.D. 1909.

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Special State Surveyor

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Hipe to a post set was south, and 520 varas are at ban Pedro 2011. This line and marked corners he eventually shorted as the line and corners of Sections on Bik 6: but is forced to abaden these corners as controlling the corners of Sections on Bik 7: possibly because of the stubborn fact of Cathedral Rock! So that in effect, the Section corners on Bik 7 are eastward of the corresponding Section corners on Bik 6: and Bik 8 is in conflict with Bik TO, T.W.U.G.F.H.Go, on its mast side. Copy of Mr Green's map attached hereto, mkd Emilbit B. There would appear to be two prime causes for existing condi-ski in running his lines, compared with that used by Mr Corwin in his exist in running his lines, compared with that used by Mr Corwin in his original survey; starting from distant and opposing points, their corners of Bik 6, solely by running course and distance from Los Dos Hermanns, to the disregard of its own corners marked upon the ground. it det the start of the survey starting from distant and opposing points, their dimes tended continually to diverge, second; by fixing the lines and corners of Bik 6, solely by running course and distance from Los Dos Hermanns, to the disregard of its own corners marked upon the ground.

Refore concluding this report. I wish to say that County Sur-veyor W.W.Barker accompanied me throughout the survey, and rendered valuable assistance. Hereto I attach fee bill and expense account. your approval.

Respectfully submitted

H. Acches

hereby certify that the foregoing described survey was made on the ground cetween the dates named; and that the lines, and set for him the foregoing plat and report. I and set for him the foregoing plat and report. See by hand at Runge, Tex. this Sch day of December A.D. 1909.