

P. D. SANDERS, County Judge.
F. P. MORGAN, County Attorney.
J. L. JONES, District and Co. Clerk.
W. B. ANTHONY, Sheriff and Tax Col.
J. MILLHOLLON, County Treasurer.
H. S. POST, Tax Assessor.
J. A. FISHER, County Surveyor.



COMMISSIONERS:

J. S. RIKE, - - - Precinct No. 1.
B. H. OWSLEY, - - - Precinct No. 2.
C. W. LUCAS, - - - Precinct No. 3.
J. B. ADAMS, - - - Precinct No. 4.

Haskell, Texas, April 16 '1894

Hon. W. L. McLaughley
Austin Texas

Dear Sir:-

I am in receipt of your letter of 11th inst. inclosing sketch showing an excess of 617 varas in the distance from the S. W. corner of Throckmorton Co. and N. W. Corner of Baylor Counties, which excess you say must be given to Baylor and Knox Counties in establishing the boundary lines, of Haskell & Throckmorton Counties.

In 1890 Haskell County undertook to have its boundary lines established, and had the East, South and West lines run, and finding that the N. W. cor. of Throckmorton and S. W. cor of Baylor County had never been definitely fixed on the ground, I wrote to R. M. Hall then Comr Gen. Land Office, and asked him where we should begin to run the North line of Haskell County, and ^{he} instructed me to have a line run 60 miles West from the North West Corner of Young County and establish the N. W. Cor of Haskell County at the end of said 60 miles

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HASKELL COUNTY.

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but as running said 60 miles involved the expense of running the North line of Throckmorton Co. Haskell Co. refused to run said line, and dropped the matter until the Northwest Cor. of Throckmorton Co. should be established. Then in 1892 the N. W. Cor. of Throckmorton was established, ^{by the surveyor of Throckmorton Co.} as I understand under your direction, by running 30 miles South from the N. W. Cor. of Baylor Co., and in running this line the excess before mentioned, ^{was found} and was divided between Baylor and Throckmorton ^{and he established S. W. Cor. of} Counties, and run the North line of Throckmorton Co. accordingly. This County then ordered her surveyor to finish up the work of running and definitely fixing on the ground her boundary lines. And knowing of the before mentioned excess in distance, I wrote to you in May 1893 and explained to you about the excess and asked you where we should begin to run the lines of Haskell County, and you replied by letter dated June 2nd 1893 in which you use this language "The North boundary line of Throckmorton has been returned this day for correction for the

counter 26164

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reason that no excess can be allowed added to the 30 miles South from the N. W. Cor. of Baylor Co. to reach the N. W. Cor. of Throckmorton, and for other reasons, any excess between the N. Body of Shackelford and the N. W. Cor. of Baylor Co. must go to Throckmorton & Haskell Co's. which appears to be about 939 vrs by statement of Mr Couch." Also the following " The N. W. Co. of Throckmorton can be used for the starting point for the N. & W. lines of Haskell, and also for the E. & S. lines when it is properly established by reduction of the excess added to the West and connecting line of Baylor Co. " Again in your letter of date Aug 29th 1893 you say, "Replying to yours of 24th inst. I will state that in my communication of June 2^{na} I said: the N. W. corner of Throckmorton Co. could be used for the beginning point to establish the N. & W. lines of Haskell Co. provided said corner had been properly established by reduction of the excess claimed, "

In obedience to the instructions in your
 counter 26165

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letters above quoted, the surveyors of this
appointed by Haskell & Throckmorton Counties
met and reduced the excess as directed by
you and established the N. W. Cor. of Throckmorton
at a point 30 miles South from the N. W. Cor.
of Baylor Co. and run from there South to
the Shackelford Co. N. line and established the
boundary line between Haskell & Throckmorton
Counties, and the S. W. Cor. of Throckmorton & S. E.
Cor. of Haskell Co. Then the Haskell Co. Surveyor
and the surveyor appointed by Knox Co. met
and began at said N. W. Corner of Throckmorton
Co. and run west 30 miles and established
the boundary line between Haskell & Knox
Counties, under the instructions given in
your said letters, both surveyors agreeing
on the line so run. Then the Haskell
surveyor began ~~and~~ at the S. W. Cor. of Throck-
morton Co. established by him and the Throckmor-
ton surveyor, and run 30 miles west
following the N. lines of Shackelford and
Jones Counties, as directed by you, and
established the South bdy. line of Haskell
Co. and S. W. Cor. of Haskell Co. And he then

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met the surveyor appointed by Stonewall Co. and they began at the ^{said} S. W. Cor. of Haskell Co. and ran North to the point 30 miles west from N. W. Cor. of Throckmorton Co. as established by the Haskell & Knox Co. Surveyors, and established the bdy. line between the Haskell and Stonewall Counties, and also established a corner for the N. W. Cor. of Haskell, and N. E. Cor. of Stonewall, and S. W. Cor. of Knox Counties, 30 miles west of the N. W. Cor. of Throckmorton Co. as directed by you in said letters. The surveyors appointed by Haskell, Stonewall & Knox Counties all three being present and agreeing to said corner.

The Surveyor of Haskell County then submitted to its Comr. Court the field notes of the four lines of Haskell Co. so run by him, and I submitted said field notes to you for examination and suggestion of such corrections as you might think necessary, so the corrections could be made before the field notes were adopted by the Commissioners Court of Haskell Co.

And on Jan. 3rd 1894 you returned said counter 26167

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field notes with a letter & suggestions of necessary corrections, but no suggestion that the excess of distance should be given to Knox Co. In said letter of Jan. 3rd 1894 you say, "The recent survey of the N. line of Throckmorton Co. places said boundary 939 varas too far north. But this you have obviated which is correct, as Throckmorton County cannot go any farther north than a point 30 miles due west from the N.W. Cor. of Young County." In obedience to your letter the Haskell surveyor made the corrections in his field suggested by you, and made report of said field notes and map of the lines established by him to the Commissioners Court of Haskell County, and it was on April 12th 1894 adapted by said Court and ordered recorded and a certified thereof made and forwarded to your office, and said certified copy will be ready to file in your office as soon as the Clerk can make it up. On April 14th 1894 two days after said report was adapted your letter of 11th inst. counter 26168

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Came saying the excess mentioned should be given to Knox County, which is just the reverse of the instructions given by you theretofore, and under which the surveys were made.

Now to obey this ~~last~~ direction and give the excess to Knox Co. will require the rerunning on the grounds of the North line of Haskell Co. which will cost Haskell & Knox Counties about \$300. extra. Besides this is the third time Haskell County has had its lines run in attempting to establish them, but on account of the uncertainty of the lines of connecting Counties has been unable to get them legally established until this late day, although it has paid out about \$2000. ^{for} the work, and I feel that it would be wrong to compel Haskell Co. to pay out any more money on its bdy. lines if it can be avoided.

I also think it would be but just to adhere to your former ruling under which the lines were run, as given me in your letters of June 2nd and Aug. 29th 1893 and
counter 26169

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Jan 3rd 1894. and especially so when, as I have found, there is nothing in the statute prescribing the boundaries of Baylor, Throckmorton, Knox and Haskell Counties or in any other law, which requires the excess to be given to Knox Co. any more than it requires it to be given to Haskell Co.

The law, and your instructions have been complied with to the letter, in running and marking definitely on the ground, and in making the report and field notes and map, ^{said lines} and it has been duly examined and approved by the Commissioners Court of Haskell County, (and so far as I have been able to learn all the interested Counties are satisfied) and it seems to me that your letter of 11th inst. came too late, it having come after the adaption by the Com^{court} of the report of the surveyor, that under the decision of the supreme Court of Texas in the case of Jones vs Powers 65 Tex Reports 207 it is beyond our power to have another line run, and that the line we have

counter 26170

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adapted is now the line between the
 counties whether it is correct or incorrect.
 And said lines having been run under
 your instructions to give all the excess
 to Haskell (and Throckmorton) County and
 your instructions having been obeyed to
 the letter, and the ^{line} finished and adapted, the
 line so run is now the true dividing
line between Haskell and Knox Counties
and can not now be changed. See Art.
 6913 Act of April 2nd 1889 page 42.

I dislike to bother you with a long letter
 but thought it best to state all the facts so
 you can act intelligently.

Please do me the kindness to answer this at an
 early date.

Hoping you will conclude to adhere to your
 former ruling in this matter, giving the excess
 to Haskell County, and ~~not~~ accept the lines as
 already run, marked on the ground and approved
 by the Commissioners Court of Haskell County
 I am

Yours very truly
 P. D. Sanders
 County Judge Haskell County

Sk. File
Haskell Co 16

counter 26172

Sanders' letter 4/16/94

4/20/94

Hon P. D. Sanders
Co Judge Haskell Co
Haskell Tex.

Dear Sir Replying to your favor of 16th inst.
I will state, that soon after I took charge
of this Department, I investigated the Condition
of the County boundaries of the Organized
Counties, with the view of having their bound-
aries perfected in strict conformity to the
Act of April 22nd 1879, so that each Organ-
ized County could become a separate Land
District at the earliest practicable date.
I therefore requested, that indefinite and irregu-
larly established Co lds be retraced or def-
initely and permanently established as
prescribed by the above cited act, so that
accurate data could be procured for such
change in the abstract as to prevent
any expense on the part of the State for
making changes in the future.

The boundaries of your County had not
been approved by my predecessor, and in con-
sequence ^{you} only gave instructions for the retrac-
ing of said boundaries, ^{as were prescribed by the law of} from such
data then in the office, and up to a
few days of my last letter and sketch
the former instruction received had been
sufficient for the correct establishment of the
boundaries in the tier of Counties

in which your County is situated,
for the reason, that Archer County
was regarded as only 30 miles square
by the field notes on file and ap-
proved by this Office, but within a
few days of last letter & sketch to you
a retracing of the N. body of young
was filed in this office which showed
an excess in ^{see sketch sent you} westings, and a few days ear-
-lier a protest from Wichita against
Archer Co having encroached on their
territory 617 acres

Young and Archer lines having been
accepted and approved by this Depart-
ment as correct, no change can be
made by said Counties, or by any or-
der from this Office.

The boundaries of your County lately
submitted to this Office for investigation
were carefully examined and com-
pared with the maps of surrounding
and interested Counties, and after
said examination were returned to your
County for approval by your Commis-
-sioners Court, as they were believed
to be as near correct as they could
well be established

This Department has no feeling
as to preference in the matter
of boundaries of any County, only
requiring the lines to be established
in conformity to the requirements
of the Statute, and as it is found
that Archer Co has an excess in
meriting, the Counties west in the
same tier would naturally have
the same excess owing to the definite
N W Cor of Young and the N W Cor
of Baylar, from which latter, a defi-
nitely approved base line has been
established 150 miles West by State
Surveyor Ira Millington

In Conclusion I can state that I
can only see one way out of the
present difficulty (provided, Baylar,
Knox, Haskell and Throckmorton
adhere to the N W Cor of Throckmor-
ton as recently established by said
County) by Throckmorton establish-
ing an oblique line from its
late established N W Corner, East to the
N W Corner of Young, which must
be the Common Corner of Archer,

Bayler, Shrockmorton and
Young, which would be the
only compromise between
Bayler and Shrockmorton
permissible by this Depart-
ment

See sketch sent you
Respectly,

Letter of
Judge P. D. Sanders
Haskell Co
Beaman's Union
4/20/94 J. L.



counter 26177



16,

WM. H. McDONALD
COMMISSIONER
GENERAL LAND OFFICE
AUSTIN, TEXAS

Haskell Co

*Judge Sanders Letter
and Comrs reply to same,
Dated April, 16, 1894 &
April, 20, 1894 -*

counter 26178