

September 25, 1942

Hon. Bascom Giles,
Commissioner of the General Land Office,
Austin, Texas.

Dear Mr. Giles:

I have been requested by the Executors and Trustees of the Estate of Van Zandt Jarvis, deceased, to make a survey of a tract situated in Hood County, which embraces all of the John Daly Survey and all of the John H. Traylor Survey and parts of adjoining surveys. This Estate owns much other land in this area, embracing the surveys west of the John Daly Survey, the Wm. R. Martin, Veil, Kimball and other surveys extending into Erath County.

I now submit the matter to you for consideration and advice as to how to proceed to clear up some excesses between corners as I found them.

I did some surveying on these properties in 1918 for an oil field promotion; some further surveying in 1919 and again in 1923. In 1918 and 1919 I had some abstracts before me, and also made search in the Surveyor's Records of Erath County; there are no records of original surveys in Hood County; I have never investigated for data in the Land Office, except immediately around the John Daly Survey in Hood County.

In 1918 I began at a stone for the southwest corner of the W. S. Hansborough Survey, no bearing trees then standing; I ran east 2,000 varas to an old mound of stone for the southeast corner of the Hansborough survey and the southwest corner of the R. B. Kimball Survey No. 40, whence a Liveoak which had recently broken off, bears N. 63-1/2 W. 101 varas and another Liveoak bears west 123 varas and about two varas south; the first tree still showed the round portion of the "D", but the straight line came in the break of the trunk; there were no marks visible upon the tree to the west. Thence east at 2025 varas I struck 11 varas south of an old mound of stone for the south corner between the R. B. Kimball surveys numbers 40 and 39; there was no hackberry tree of sufficient size to have been the original bearing tree; a flat drain from the northwest ran southeast to the southwest of the stone mound at such a distance that a hackberry tree growing in it could have been at the course and distance called for. Thence from the stone mound I ran east; at 2008 varas I struck 110 varas south from a stone in a mound of stone for the southeast corner of the Kimball

No. 39 and the southwest corner of the G. A. Vail Survey. The course of the above running would be north $89-1/4$ east compared to the run to the east from the Vail corner. In August of 1942 I began at the above mound of stone for the southwest corner of the Vail Survey and ran east:- At each point for corner noted, I made extensive search within a radius of two hundred varas for any corner object or bearing tree; all objects found are noted.

At 1704 varas an old mound of stone for the northwest corner of the E. Davids Survey;

At 2887 varas no corner object nor bearing trees for the corner between the Vail and Buckle Surveys.

Thence east at 955 varas no corner object nor bearing trees for the corner between the Buckle and Erwin Surveys.

Here I ran north and at 1422 varas made search for the corner between the Buckle and Kessler Surveys but found nothing; in all 2887 varas and found neither corner object nor bearing trees for the corner between the Kessler and Erwin Surveys. I then ran west 955 varas but could find no corner object nor bearing trees for the northwest corner of the Kessler Survey.

I then returned to the point for the southwest corner of the Erwin Survey and ran east at 244 varas I found a set stone for the northeast corner of the E. Davids Survey whence a Live-oak bears S. 30 E. 28 varas; no marks are now visible upon this tree, but when I ran to it in 1919 the "O" was plainly visible; the other tree was gone; I drove a one inch pipe ten varas east of the stone; in all 2887 varas but I found no object nor bearing trees for the corner between the Erwin and Martin Surveys.

I then ran east; at $229-1/2$ varas a pipe for the northeast corner of the A. S. Lafferty Survey; in 1919 I had run to this corner from the south, following subdivision corners in the Lafferty Survey; at that time I found a set stone for the corner, no bearing trees called for; at that time I drove a one inch pipe four feet long beside the set stone; the stone is now gone but the pipe remains intact; in all 1280 varas to a point for the corner between the Martin and the Daly Surveys; no corner object nor bearing trees could be found.

I then ran east; at $2596-1/2$ varas no corner object nor at $2746-1/2$ varas nor at $297-1/2$ varas west of each point, for corners of the Goforth Survey; at 2887 varas no corner object for the southeast corner of the Daly Survey, the original call having been for a stake; in all, $3184-1/2$ varas to a mound of large stone one marked "J D"; I took this stone mound to be the southwest corner of the S. M. Ellis preemption survey; I set the stone marked "J D" in the old mound without disturbing it.

I then ran east 412 varas to a mound of large stone for the southeast corner of the said Ellis Survey.

Thence from the stone "J D" I ran north: - at 1486 varas an old fence row runs to east; (the land to south of it has been in cultivation in the past but has been turned out as pasture) at 2324 varas an old fence row runs east; the old mound of stone for the corner between the P. H. Richards and M. Palmer pre-emption surveys, which was in place here in 1919, is now gone; at 2887 varas no corner object for the northeast corner of the Daly Survey.

From this point I ran west: - at 1900 varas a mound of stone, probably for the corner between the two H. T. & B. R. R. Co. Surveys; at 2887 varas a mound of stone, probably for the corner between the Daly and Martin Surveys; at 3800 varas a mound of stone for the corner between the H. T. & B. R. R. Co. Survey No. One and the W. Williams Survey; in all, 4147 varas, no corner object nor bearing trees for the corner between the Martin and Erwin Surveys.

Then from the point for the northeast corner of the Daly Survey I ran north; continuing same measure from the south: at 3900 Varas I made search for a hundred varas either north or south for any corner for between the Palmer and Leffell Surveys but found none; at 4770 varas I struck 17 varas east of a mound of stone which had been set since the last rain when I was here in 1919; at 4795 varas I struck 23 varas west from a stone in a mound of stone and also 128 varas west from a stone on a mound of stone at the re-entrant corner of the A. M. Leffell Survey which is the southeast corner of the J. M. Zachery Survey and from this corner the stump of a Liveoak bears S. 21 W. 4 varas; I then ran north from this Zackery corner 208 varas; for another corner of the Zackery and Leffell Surveys; here I found a long slim stone marked "A L F" in 1919 but the stone is now lying under a net wire fence which extends to east and to west.

I did quite a lot of other surveying for the Jarvises in 1919, but none of the data threw any further light upon my proposition, which is to determine how to locate the John Daly Survey.

You will note from the measurements I have given you above that the distance east from the nearest known corner in line of survey calls, to-wit, the southwest corner of the G. A. Vail Survey to the southwest corner of the S. M. Ellis Survey is excessive in the amount of 297-1/2 varas. The Ellis is fixed upon the ground by its actual corners, although it calls for adjoiner with the Daly. The Daly builds east from the southwest corner of the Vail through the successive calls of the

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intervening surveys and there are no corners between which might serve to extend the distance calls. The deed to the Jarvises extends east to the southwest corner of the Ellis and thence north to the northeast corner of the H. T. & B. No. 2, patented to J. H. Traylor. They now wish to convey to a purchaser up to the west line of the Ellis.

Will you suggest what shall be done to assure the purchaser that he has title out of the State of Texas?

Awaiting your favors and with best regards to all.

Truly yours,

BROOKES BAKER
Licensed Land Surveyor