LAW OFFICES OF
JAMES G. BARKER
ATTORNEY AND COUNSELOR AT LAW
CONSULTING SURVEYOR
JASPER, TEXAS

RECEIVED

October 28, 1947

NOV 3 1947

REFERRED TO MAP

Honorable Bascom Giles, Commissioner General Land Office Austin, Texas

Dear Mr. Giles:

In the course of some recent surveying in an area located approximately twenty-three (23) miles South of Jasper, Texas, Jasper County, I found conclusive evidence that a series of T&NO RR Sections in Block # 5 are excessive in acreage and I recommend to the owner of said sections, the Southwestern Settlement & Development Corporation that they submit corrected field notes and make application to purchase the excess acreage from the State of Texas. Said Corporation agreed to this procedure and is submitting the necessary papers to the General Land Office of the State of Texas. Accompanying this report is a map, scale 1 inch to 400 vrs., showing the area involved, indicating the identified corners, the recognized corners and actual course and distances as found on the ground, the field note distance given in parenthesis and the name of the original surveyor together with the date of the original survey. All data used as to the original field notes were obtained from certified photostatic copies from the General Land Office.

From this map you will see that we have a series of surveys on the West side which were surveyed in the year 1838. Beginning in the Southwest portion of our map we have the Wm. Allen League, surveyed by A.J.Shelby on May 15, 1838. For the Southeast corner of said League, I found the following:

A.J.Shelby: 1838 Pine marked WA S.22° E. 6 vrs. Pine WA N. 30° W. 16.3 vrs.

Jas.G.Barker: 1947 Old pine knot found from which: Pine stump N. 30°15' W. 18.1 vrs. Pine stump 13" S. 22° E. 6.7 vrs. Pine 9" S. 67°34' E. 22.2 vrs. Pine XX 10" S. 47°15' E. 26.1 vrs.

THENCE I went N.O°16' W. 2605.85 vrs. to the northeast corner of

the Allen League, from which:

A.J.Shelby: 1838 Pine marked WA brs.S.25°W. 2.3 vrs. Pine marked WA brs.S.47°W. 11 vrs.

Jas.G.Barker: 1947 Pine stump (burned) S.25° W.2.3 vrs. Pine stump 17" S. 47° W. 11 vrs. Pine stump 12" N. 28°45' W. 9.9 vrs. Pine stump 17" N. 29°20' E. 4.3 vrs. THENCE I went West to called distance of 2000 vrs. and found at 1999.09 vrs. a location from which:

A.J.Shelby: Pine WA S. 30° E. 6 vrs. 1838 Pine WA S. 30° W. 5.2 vrs.

Jas. G.Barker: Pine stump 18" S.30° E. 6 vrs.

1947 Pine stump S. 30° W. 5 vrs.

Pine stump 14" S. 74°04' W. 25.8 vrs.

Pine stump 13" N. 55°14' W. 13.1 vrs.

This is to report that at this locality I found no marks or sign of corner and no line was leading North. I continued West along the marked line and found at 2453.99 vrs. a recognized corner which has been accepted by subsequent surveyors as the Northerly interior North corner of the Wm. Allen Lg. This point is 454.90 vrs. too far West from the Northeast corner of the Wm. Allen Lg. as called for in the original field notes. A marked line goes N.O°19' E. 392.29 vrs. to the most Northerly North corner of the Wm. Allen Lg. (This distance is called to be 400 vrs.) at which point I found the following:

0.H.Delano: (Wm. Williams) 4-27-1838 Pine X N. 82° E. 0.8 vrs. Pine WW N. 44°30' W. 5.6 vrs.

A.J.Shelby: (Wm. Allen) 5-15-1838 Pine WA S. 30° E. 6 vrs. Pine WA S. 25° W. 7 vrs.

Jas.G.Barker: Pine stump 16" N. 82° E. 0.7 vrs.
1947 Pine stump 18" N. 44°30' W. 5.5 vrs.
No evidence Shelby bearings.
Pine stump 15" S. 78° E. 4.9 vrs.
Pine stump 19" S. 46°33' W. 15.6 vrs.

This is to advise that from the point 2000 vrs. West of the North-east corner of the Wm. Allen Lg., I went North 400 vrs. and did not find any evidence of the Wm. Allen nor the Wm. Williams corner, nor did I find any line from that point going West or South.

The next Survey North is the Wm. Williams Survey, surveyed by O.H. Delano on April 27, 1838. As previously referred to, I identified the Southeast corner of said Survey. THENCE I went North 24°56' W. 1021.88 vrs. (Field notes distance 1000 vrs.) and found and partially identified the old Northeast corner of the Wm. Williams Survey as follows:

2.

O.H.Delano: Black Gum S. 8 vrs. 4-27-1838 Maple S. 29° W. 8 vrs.

Jas.G.Barker: Old iron pipe from which:

1947

Black Gum X 24" S. 7.9 vrs.

No evidence of Maple

Beech 23" S. 28°23' E. 12.3 vrs.

Hickory X 24" N. 23° E. 12.6 vrs.

From that point I went S. 64°25' W. at 48 vrs. (Field Notes 46 vrs.) crossed branch, in the vicinity of 321 vrs. (Field Notes 315 vrs.) crossed branch three times, at 533 Vrs. (Field Notes 532 Vrs.) crossed old Jasper Road and at 1021.17 vrs. I found and identified the Northwest corner of the Wm. Williams by both bearings as follows:

0.H.Delano: 4-27-1838 Pine marked WW S. 41° W. 5 vrs.

Pine S. 44° E. 4.6 vrs.

Jas.G.Barker: 1947

Pine stump (burned) S. 41° W.5 vrs. Pine stump X 15" S. 44° E. 4.6 vrs. Pine X 14" S. 66° E. 3.7 vrs.

Pine stump 16" N. 0°9' E. 3.7 vrs.

The next old survey to the North is the Wm. Jordan Survey, surveyed by Jno. A. Veatch, Certificate dated May 8, 1838 and at its Southeast corner, I found and identified same as follows:

Jno.A.Veatch: 5-8-1838

Pine 4" N. 192° E. 3 vrs. Pine 10" N. 2° E. 5 vrs.

Jas. G.Barker:

1947

Pine snag X 14" N.19°30' E. 3.3 vrs. Pine stump (burned) N.2° E. 5 vrs. Pine X 17" N. 45°20' E. 9.9 vrs. Pine stump 17" S. 49°56' E. 2.5 vrs.

THENCE I went North 0°3' West 1874.46 vrs. where I found the

following:

Jno.A. Veatch: 5-8-1838

1947

(Wm. Jordan)

Pine 20" N. 102° W. 6 vrs. Pine 8" S. 70° E. 2 vrs.

Jas. G.Barker:

Pine stump (burned) N. 10°30' W. 5.8 vrs.

Small pine stump S. 70° E. 2.2 vrs.

Pine 9" N. 1°0' E. 10.3 vrs. Pine 21" S. 44°55' E. 9.5 vrs. Sweet Gum 8" S.32°42' W. 9.4 vrs.

From the Northeast corner of the Wm. Jordan I went North 89°05' E. 948.73 vrs. to the Northeast corner of the Jno. Meyers Survey (Abst. 388), surveyed by Geo. Smith Sept. 2, 1861, where I found:

Geo. Smith:

(Abst. 388 - John Meyers)
Pine 26" N. 20° W. 1.4 vrs.
Pine 14" S. 54° W. 9.8 vrs.

Jas.G.Barker: 1947 Pine snag 20" N. 20° W. 1.4 vrs. Pine stump S. 53° W. 8.8 vrs. Pine 14" N. 85° W. 8.2 vrs. Pine 19" S. 47°35' W. 10.9 vrs. THENCE I continued with the South line of the Owen Taylor League an additional 297.7 vrs. along the marked line to the Southeast corner of the Owen Taylor League, this distance calls to be 447 vrs. The Owen Taylor League was surveyed in 1838 by Jno. A. Veatch and he calls at this corner for the following bearings:

Jno. A. Veatch: Pine 7" N. 49° W. 2.4 vrs. 1838 Pine 8" S. 80° W. 3 vrs.

Jas. G.Barker: Pine stump (burned) N. 49° W. 2.3 vrs.
1947 Pine stump (burned) S. 80° W. 3 vrs.
Pine 10" N. 69° E. 16.7 vrs.
Pine stump 19" N. 71°05' E. 9.5 vrs.

THENCE I went North 0°17' East, along a well marked line, 2315.54 vrs. (Call distance 2307 vrs.) where I found the recognized northeast corner of the Owen Taylor League but was unable to locate the original bearing trees called for by Jno. A. Veatch, however, on Sept. 20th and 21st, 1886, L. D. Scarborough, County surveyor of Jasper County, made a resurvey of the North portion of the Owen Taylor Lg. and stated at the Northeast corner of the Taylor League, "old bearings dead and down, Pine 20" N. 3½ vrs., Pine 16" N. 86° E. 6.8 vrs." I found at that point the following:

Jas.G.Barker: 1947 Pine stump X 20" N. 3.5 vrs.
Pine stump 18" N. 85° E. 6.8 vrs.

(These two bearings fit the Scarborough bearings, thus perpetuating the identity of this corner. The field notes by L.D. Scarborough are recorded in the surveyors record of Jasper County, Book A, Page 6, of which a

certified copy is attached herewith.)

Additional bearings:

Pine X 14" S. 57°22' E. 20.6 vrs. Pine X 14" N. 59° E. 14.6 vrs.

A well-marked line leads from this point Westerly

towards the river.

The next series of surveys which were laid out on the ground are

as follows:

J. W. Pritchett Survey, surveyed by Wm. Blewett on Oct. 4, 1854 and its decription starts as follows: "Beginning at a post 3933 vrs. S.83°40' E. from the Southeast corner of a one-half league survey made for Wm. Jordan on Neches River, from said post a Pine 20" in Dia. brs. S. 25° E. 2 vrs., X, Pine 22" E. 5 vrs." I found at the northwest corner of the Pritchett Survey, the following:

Jas. G.Barker: 1947 Pine stump (burned) S.25° E. 2.3 vrs. Pine stump (burned) E. 4.7 vrs.

Other bearings:

Pine stump 18" N. 45°12' E. 14.3 vrs. Pine stump 22" (x) S. 48°04' W. 5.4 vrs.

I checked the connecting line to the identified Southeast corner

of the Wm. Jordan and found it to be S. 84° 11' E. 3939.91 vrs. (Field Notes S.83° 40' E. 3933 vrs.)

From the Northwest corner of the Pritchett Survey, I went North 89°45' East along a marked line, at 792 vrs. (Field notes distance 750 vrs.) crossed Cypress Bayou and at 967.5 vrs. (Field Notes 950 vrs.) I found the original Northeast corner of the Pritchett Survey as follows:

Pine 12" N.8° E. 2-1/3 vrs. Wm.Blewett: Pine 10" N.57°E. 52 vrs. 10-4-1854

Pine stump (burned) N.8°0' E. 2.3 vrs. Jas.G.Barker: Pine stump (burned) N. 57° E. 5.4 vrs. 1947 Pine 17" S. 50°20' W. 22.5 vrs. Pine 18" N. 69°36' W. 29.6 vrs. Pine stump 26" N. 67°55' W. 19.1 vrs.

THENCE I went South 0°16' East 966.07 vrs. (Field Notes 950 vrs.) and found the original Southeast corner of this survey as follows:

Pine 15" X N. 43° W. 3 vrs. Wm.Blewett:

Pine stump 18" N. 43°0' W. 3 vrs. Jas.G.Barker: Pine 17" N. 60°0' W. 7.3 vrs. 1947

Black Gum X 25" S. 85°37' W. 24.1 vrs. Pine 19" S. 1°35' W. 14.8 vrs.

Pine 19" N. 29°56' E. 5.6 vrs.

From this point I went along a well marked line North 89°56' West at 117 vrs. (Field Notes 125 vrs.) I crossed Cypress Bayou and at 960.8 vrs. (Field Notes 950 vrs.) I found the identified Southwest corner of this survey as follows:

Pine X 2' S. 62° W. 2 vrs. Wm. Blewett: Pine X 12" N. 11° W. 6 vrs.

Pine stump 16" S. 62°0' W. 2 vrs. Jas.G.Barker: Pine stump 27" N. 11°0' W. 6 vrs. 1947 Pine stump 21" S. 16°12' W. 8.4 vrs. Pine stump 25" S. 42°55' E. 9.4 Vrs.

From this corner I ran North along a well recognized line with a course of North 0°40' W. 961.83 vrs. (Field Notes 944 vrs.) and returned to the above described Northwest corner of this survey.

Jas. M. Jean Survey, surveyed Nov. 23, 1858, by Geo. Smith. The connecting line for this survey is as follows:

" From the Southwest corner South 581 vrs. intersecting the North boundary line of J.W.Pritchett 160 acre survey, 242.3 vrs. East of his northwest corner." A line South from the Southwest corner of the Jean Survey to the North line of the Pritchett Survey, will intersect said North line at 684.28 vrs. and this point is 253.5 vrs. East of the Northwest corner of the J.W.Pritchett. The southwest corner of the Jean Survey described by Geo. Smith is as follows:

Geo. Smith:

Pine 12" brs. S. 81° E. 4 vrs. Pine 12" S. 51° W. 3.8 vrs.

Jas.G.Barker:

Pine stump (burned) S. 81° E. 3.9 vrs.

1947

Pine X 16" S. 9°05' E. 23.4 vrs. Pine X 16" S. 50°01' W. 15.3 vrs.

From this corner I went North 0°19' E. 958.85 vrs. to the North-west corner of the J.M.Jean Survey, where we have the following:

Geo.Smith:

Pine 18" N. 29° W. 5.3 vrs. Pine 30" S. 50° W. 5.6 vrs.

Jas.G.Barker: 1947 Pine stump N. 29°0' W. 5.3 vrs. Pine stump S. 50°0' W. 5.3 vrs. Pine snag 18" N. 78°23' W. 11 vrs. Pine stump 20" S. 73°25' W. 4 vrs.

THENCE I went S. 89°43' E. 956 vrs. to the recognized northeast corner of the J.M.Jean Survey where I was unable to find any evidence of the original bearings: A concrete marker for the well recognized corner from which I found:

Jas.G.Barker:

1947

Pine stump 17" S. 38°19' W. 6.6 vrs. Pine stump 16" N. 38°19' W. 14.3 vrs. Pine stump 20" N. 16°07' W. 17.7 vrs.

THENCE I went S. 0°19' W. 958.85 vrs. to the Southeast corner of the J.M. Jean Survey, at which point Geo. Smith recorded:

Geo. Smith:

Pine 36" N. 24° W. 13.3 vrs. Pine 18" S. 45° W. 17.4 vrs.

I found evidence of large stump bearings N. 24° W. 14 vrs. and South 45° W. 18 vrs., in cultivated field, thus identifying this corner. Mr. H.A. Woods, Surveyor for the Southwestern Settlement & Development Corporation, on Jan. 19, 1924, found a pine stump 36" N. 24° W. 13.3 vrs., Pine stump S. 45° W. 17.4 vrs at this location.

THENCE I went North 89°43' W. and found at 400 vrs. (Field Notes 400 vrs.) a branch and at 956 vrs. to the place of beginning.

The adjoining survey to the North of the J.M. Jean Survey is the W.A. Fletcher Survey, surveyed by L.D.Scarborough on Dec. 21, 1881. I was unable to find any of the original bearings but only the recognized corners of the W.A. Fletcher, however, the recognized Southwest corner of the W.A.Fletcher is supposed to be 241 vrs. West of the Northwest corner of the J.M.Jean and it was found at that distance. From the northwest corner of the W.A.Fletcher Survey going East, L.D.Scarborough called to cross Cypress Bayou at 230 vrs. I found the crossing to be at 220 vrs.

Other surveys on the West side of this block are the following:

Jas. Morgan Survey, surveyed by Wm. Blewett Dec. 13, 1855. I was able to identify its northeast corner by the original bearings Blewett called for:

Wm. Blewett: Pine N. 54° W. 15.4 vrs. 12-13-1855 Pine S. 46° W. 13.8 vrs.

Jas.G.Barker: Pine stump N. 54°40' W. 15.5 vrs.

1947 Pine stump S. 45°30' W. 13.2 vrs.

New bearings:

Pine 18" N. 89°48' W. 10.8 vrs.

Pine 18" N. 89°48' W. 10.8 vrs. Pine 16" S. 55°37' W. 5.3 vrs.

The Southwest corner of the Jas. Morgan calls for the Wm.Williams corner which I identified and previously described. The Northwest corner and the Southeast corner of the Jas. Morgan could not be identified as to the original bearings but the locations are well marked.

M. M. Jones Survey, was surveyed by Geo. Smith as J.J.Choate on March 26, 1861, and his connection line for the Southwest corner of the J.J.Choate to the Wm. Jordan is West 1236.6 vrs. This connecting line is North 88° 33' W. 1248.38 vrs. On Nov. 27, 1879, W.W.Blake resurveyed the same tract for M.M. Jones and described the corners with practically the same bearings. I was able to identify the Southwest corner of the M. M. Jones as follows:

W.W.Blake: Pine 16" N. 40° W. 4 vrs. 11-27-1879 Pine 18" N. 3° E. 11.5 vrs.

Jas.G.Barker: Pine stump 28" N. 40° W. 4 vrs.

1947 Pine stump 18" N. 3° E. 11.4 vrs.

Pine 16" S. 59°20' W. 8.1 vrs.

As stated before this corner is S. 88°34' E. 1248.38 vrs. from the identified southwest corner of the Wm. Jordan, however, this connecting line was not mentioned by W.W.Blake, but he called for his beginning corner for the abandoned preemption survey J.Choate.

From this southwest corner I went North 969.04 vrs. to the North-west corner of the M.M. Jones which is described by W.W.Blake as follows:

W.W. Blake: Pine 8" S. 10° W. 2 vrs. 11-27-1879 Pine 4" N. 12° E. 2 vrs.

Jas.G.Barker: Pine stump 24" S. 10° W. 2.5 vrs.
1947 Pine stump 23" N. 10° E. 2.5 vrs.
Pine X 8" S. 75°41' W. 11.0 vrs.
Pine X 20" N. 34°09' W. 7.1 vrs.

Although I followed the well marked North, East and South lines

of the M.M. Jones Survey, I was unable to identify the northeast and southeast corners of said survey at the recognized location.

3.

John Meyers Survey, Abst. 388, was surveyed by Geo. Smith on Oct. 18, 1861. and has its beginning point on the South boundary line of the Owen Taylor Lg. at the northeast corner of the Wm. Jordan, which corner I identified and described previously in this report.

FROM this point I went N. 89°05' E. 948.73 vrs. along a well marked line to the northeast corner of this survey at which point Geo. Smith gave the following bearings:

Geo. Smith: Pi

Pine 26" N.20° W. 1.4 vrs. Pine 14" S. 54°W. 9.8 vrs.

Jas.G.Barker:

1947

Pine snag 20" N. 20° W. 1.4 vrs. Pine stump hole S. 53° W. 8.8 vrs.

Pine 14" N. 85° W. 8.2 vrs. Pine 19" S. 47°35' W. 10.9 vrs.

This point is N.89°54' W. 297.7 vrs. (Field Notes 447 vrs.) from the southeast corner of the Owen Taylor League;

THENCE I went S.0°36' E. 955.77 vrs. along a well marked line to the southeast corner of the Jno. Meyers Survey, from which:

Geo. Smith:

Pine 18" S. 50° W. 11 vrs. Pine 18" N. 76° E. 4 vrs.

Jas.G.Barker:

1947

Pine stump 20" S. 50° W. 11 vrs. Pine stump 18" N. 76° E. 3.8 vrs. Pine X 16" N. 8°10' E. 12.1 vrs. Pine X 16" N.83°45' W. 14.9 vrs.

THENCE I went South 89°26' W. 966.53 vrs. to the southwest corner of the Jno. Meyers Survey, Abst. 388, from which:

Geo. Smith

Pine 18" S. 46° E. 2.8 vrs. Pine 14" N. 14° E. 7.4 vrs.

Jas.G.Barker: 1947 Pine knot found from which:
Pine stump (burned) S. 46°E. 2.9 vrs.
Pine stump 14" N. 14° E. 7.4 vrs.
Red Oak X 12" N. 43°43' W. 7.4 vrs.
Red Oak X 6" S. 49°30' E. 4.7 vrs.

This described location is S. 89°26' W. 8.39 vrs. from the point of intersection with the East line of the Wm. Jordan Lg. and at this intersection I took the following bearings:

Jas.G.Barker: 1947 Red Oak 5" S. 30°28' W. 1.3 vrs. Red Oak 6" N. 14°34' W. 9.1 vrs. Pine 13" N. 26° 12' E. 16.4 vrs. H. & T. C. RR Sections: In 1860 Geo. Smith surveyed H&TC RR Sections # 20 (later corrected), 21, 22, 23, 24 and 25, shown on the extreme right of the accompanying map and the West lines of said Sections form a continuous North and South line. I identified the Northwest corner of Section # 20, the Southwest corner of Section # 22, the Northwest corner and the Southwest corner of Section # 24, and the Southwest corner of Section # 25. Geo. Smith also surveyed H&TC RR Sections # 1, 2 and 3, and Wm. Armstrong and E.I.Kellie resurveyed H&TC RR Sections # 4, 5 and 6. These last mentioned surveys have their east line common with the West lines of Sections # 20, 21, 22, 23, 24 and 25. The Southeast and Northeast corner of Section # 2, the Northeast corner of Section # 3 and the Northeast corner of Section # 6, all have been identified in my work. It is apparent that the extreme west line of Sections # 1,2,3,4,5 and 19 were intended to be a straight line and are found on the ground to line-up in one straight line but interrupted only by the Pritchett, Jean and Fletcher (W.H.Clark) Surveys.

T. & N. O. RR Co. Sections: In 1868 Wm. Armstrong filled the spaces between the river leagues and surveys, surveyed previously to 1861 and a line drawn from the Southerly Southwest corner of H&TC RR Section # 19 to the Southwest corner of H&TC RR Section # 1, excepting of course, the Pritchett, Jean and Fletcher Surveys. These surveys were patented as T&NO Sections # 3,4,5,6,7,8,9,10, 11 and 12. A recent resurvey of these Sections disclosed the fact that there is an approximate excess distance of 450 vrs. East and West on the ground between the H&TC RR Sections on the East, and the Pre-Emption and River League Surveys on the West, making most of these sections excessive in acreage. It is not known why Wm. Armstrong did not use the correct distances in the field notes of these lines, since Wm. Blewett in 1855 had the right distance between the Northwest corner of the J. W. Pritchett and the Wm. Jordan Southeast corner, and Wm. Armstrong made reference to the excess distance in his field notes to T&NO RR Section # 9, Jasper Scrip, File 264. In this report I mentioned the fact that the Easterly North line of the Wm. Allen is excessive 453.99 vrs. and this fact may give us a clue of why the other distances are excessive also. Each of these surveys have been completely re-surveyed on the ground and a table of the field notes acreage and the actual acreage is given below:

ACREAGE

FIELD NOTES	ACTUAL	EXCESS
640	677.83	37.83
	646.29 856.96	6.29 216.96
640	668.41	28.41
630	731.29	101.29
640	740.92	100.92 86.18
320	390.25 389.23	70.25 69.23
•		788.81
	640 640 640 640 640 640 640	640 677.83 640 646.29 640 856.96 640 668.41 640 711.45 630 731.29 640 740.92 640 726.18 320 390.25 320 389.23

From this table it is evident that all the named T&NO RR Sections are excessive and the Southwestern Settlement & Development Corporation, the fee owner of these mentioned section is filing herewith application to purchase the excess acreage.

Realizing that the above description of my work covers a large territory and that it was necessary to omit some detail information which I have in my file, I am asking you to write me for any additional data which you may need to formulate your conclusion.

Very truly yours,

Jas. G. Barker, County Surveyor Jasper County, Texas.

10.

SK-File No. 27

Jasper County
Jos. G. Barker's Report of Resurvey
of T. + N. O. R.R., Block 5

Bascom Giles Com's Il Uvon Rosenberg

see Rolled Sk. 4 for Jas. G. Barker's Sketch