

RECEIVED

MAR 20 1922

Referred to Map

Kaufman, Texas, March 18th, 1922.

Mr. J. T. Robison,  
Commissioner, General Land Office,  
Austin, Texas.

Dear Sir:

In reply to your letter of March 13, 1922, in regard to cancellation of Patent of the Juana Delgado Survey, Kaufman County, Texas, I shall say in the second paragraph of my report of February 25th, I stated that this Patent was cancelled by a decision of the Supreme Court of Texas rendered by Justice Moore in the case of Kleiber vs. Waters & Dashiell. The basis of my report was information given me by Judge J. S. Woods, who was an attorney for the Defendants in the above styled cause. Since receiving your letter, I find that the style of this case is Kleiber vs. Chas. B. Gillespie et al, in the District Court of Kaufman County, in 1887, and the Judgment is recorded in the Minutes of said Court in Vol. 9, page 265. The docket does not show that the case was appealed.

The subject matter of the case is as follows: Emile Kleiber held title to 475 acres of land comprising the Delgado Survey, under title from Waters & Dashiell, the Patentees. Gillespie et al. held title to the same land on the ground of title from the Patentees of the Ruth Peckum Survey, the Judgment of the Court giving the land in question to the Defendants.

Judge Woods advises me that the Court and the attorneys followed the decision in the case of Jones vs. Burkett, 46th Texas, 284 - that is that the King's blocks join up and that there are no vacancies existing between them.

There is no land on the Tax Assessor's books rendered in the Delgado survey in this County, but the 475 acres sued for by Kleiber in the above suit is rendered on the Ruth Peckum Survey.

If you care for a certified copy of the Judgment of the Court setting aside this Patent, I will get the Clerk to furnish same.

BFW:LA

Yours very truly,

*B. J. Williams*  
County Surveyor.

counter 28666



# Application for Survey

APPLICATION NO. \_\_\_\_\_

To Mr. Ben F. Williams County Surveyor of Kaufman  
County, Texas, or to \_\_\_\_\_ District Surveyor of  
\_\_\_\_\_ Land District:

By virtue of Section 7 of an Act approved April 3, 1919, I hereby apply for a survey of the following described unsurveyed land appropriated to the Public Free School Fund under Chapter 11, Act February 23, 1900, to-wit:

Situated in Kaufman County, Texas, about 15 miles N. 23 W.

from the County site. Said tract is bounded as follows:

On the Northwest by Juana Delgado;

On the Northeast by Ruth Peckham and David Harris

On the Southeast by L. Pierce

On the Southwest by John B. Smith, James P. Davenport, hrs. Samuel Smith, and Juan Lopez

(N. B.—Write name and P. O. address Distinctly) Ed. Meyer Applicant.

P. O. Jefferson Texas.

I, B.F. Williams, County Surveyor of Kaufman County, Texas, or Suveyor of \_\_\_\_\_ Land District, hereby certify that the above and foregoing application No. \_\_\_\_\_ was filed for record on the 16 day of Feb. 1922, at 9:20 o'clock A.M., and recorded in Vol. B, page 454, in my office Kaufman County, Texas.

B.F. Williams  
Co. Sec. Kaufman Co., Texas



Application for Survey

APPLICATION NO.

LAND OFFICE

S. F. No. ....

Application for Survey

Filed ..... 191 .....

.....  
Commissioner.

.....  
Clerk.

*[Faint handwritten notes and signatures, including names like "W. B. White" and "J. O. White"]*

Counter 28668

Randman Co. Sk. File # 19



2950  
Kaufman, Texas.  
Feb. 25th, 1922.

Hon. J.T. Robison,  
Commissioner of the General Land Office,  
Austin, Texas.

*Rec. 1-1171*

Dear Sir;

The following is my report on the enclosed application and a survey upon the ground and an investigation of the records:

1868  
I find that upon the ground the North Corner of the Lewis Pearce and the South corner of the David Harris surveys are identical and that by the record the East corner of the J.B. White survey is 60 varas North 45 deg. West from this corner. The Wesley Boles survey of 23 acres, surveyed by Tinnin, August, 1868, between the Pearce and White, actually containing 9 acres, could not be identified on the ground. The identity of the North corner of the Pearce and the South corner of the Harris closes the apparent vacancy along the Southwest line of the Harris.

667-44  
The Juana Delgado survey located by Brewer, 1874, was patented to Waters and Dashiels and annulled by the Supreme Court of Texas in a decision by Justice Moore in the case of Kleiber Vs. Waters and Dashiels. The Court in the above case followed the decision in the Jones Vs. Burkett case, 46th, Texas, page 284. This decision closes the Southwest line of the Ruth Peckum Survey, upon the Northeast line of the Juan Lopez. The David Hines survey, located May, 1874, by Kyser, partly on the apparent vacancy Southeast of the Delgado, has been cancelled;

Therefore, by the facts on the ground and the decisions of the courts in suits in trespass to try title to the apparent vacant strip of land along the Southwest lines of the David Harris and Ruth Peckum survey, Kaufman County, Texas, no vacancy exists where this applicant has applied.

Yours very truly,

*B.F. Williams*  
County Surveyor, Kaufman County, Texas.

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JFW.SC.

MAR 1 1922

Referred to Map

counter 28669



Sketch File ~~17~~ 19  
Kaufman County

Surveyors Statement

Filed March 1<sup>st</sup> 1922.

J. J. Robison, Comm.  
S. C. Clark  
clk.

Court decree cancel-  
ling patents of Juana del  
Gardo and David Hines

Surs.

Dated Feb. 25, 1922.

Filed Mar. 1, 1922.

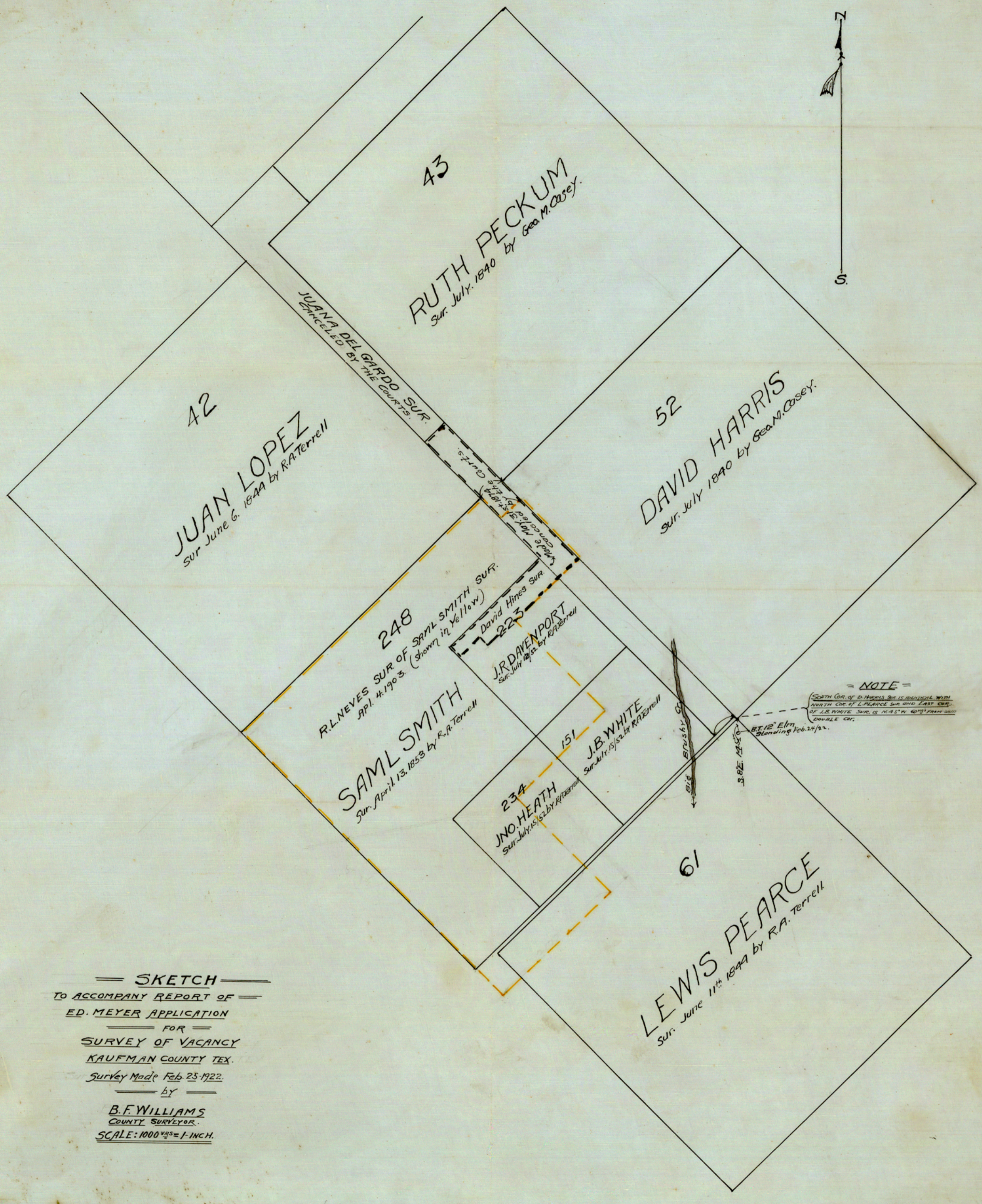
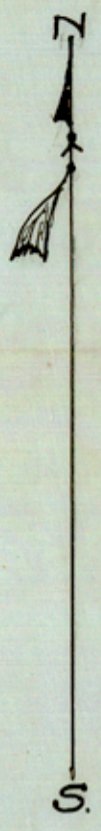
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Yours very truly,

County Surveyor, Kaufman County, Texas.

counter 28670





— SKETCH —  
 TO ACCOMPANY REPORT OF —  
 ED. MEYER APPLICATION  
 FOR —  
 SURVEY OF VACANCY  
 KAUFMAN COUNTY TEX.  
 Survey Made Feb 25-1922.  
 by —  
 B.F. WILLIAMS  
 COUNTY SURVEYOR.  
 SCALE: 1000' = 1" INCH.

= NOTE =  
 SOUTH COR. OF D. HARRIS SUR. IS IDENTICAL WITH  
 NORTH COR. OF L. PEARCE SUR. AND EAST COR.  
 OF J.B. WHITE SUR. IS N. 45° W. 60' FROM  
 DOUBLE CR.  
 BT 12' Elm  
 Standing Feb. 24/22.  
 S. 82° 14' 30"

County # 957000

Kaufman Co. 36. File #19