Dec. 6, 1932

Dr. S. H. Moore, Proffessor of Economics, Southern Methodist University, Dallas, Texas.

Dear Sir:

1-1-

With your letter of Dec. 3rd you submitted corrected field notes for BEB&C Ry Co survey in Leon county, Cert #21 together with surveyor's statements and sketch, as well as statements regarding boundary lines made by residents in the vicinity of the section resurveyed by Mr Allison.

These statements are returned herewith as they should not be filed unless they are in the form of affidavits. The statements and sketch are filed for information in connection with this survey.

I presume that in filing these field notes, you are following out your intention expressed verbally when you were in the office last summer, of filing corrected field notes for this survey, for the purpose of correcting the abstract. It develops from the surveyor's field notes that there is excess in this section, but in the closing paragraph in these field notes the surveyor states that evidently a part of the James Carson section (S114) is included in the area embraced by the field notes submitted. Under such circumstances, I do not see how these field notes could be filed.

If the boundary linesbetween the two surveys, as mentioned above, is the boundary line of this BBB&C section, then the surveyor certainly should have omitted the statement that some of this area belongs to an adjoining section. I wish to call the surveyor's attention also, to the fact that he refers with considerable doubt to some lines or boundaries. I have endorsed these field notes on the back as follows:

firmers.

"While these F/N are apparently intended to be filed merely for correcting the acreage on the abstract, they should not be accepted in this form, calling as they do in the last paragraph to contain land properly belonging in another survey. The surveyor's own wording lends doubt to his work. If he is not convinced it is correct, how can this department believe it to be so? Let him leave out some of his "assumed" & other expressions of doubt. These may all be incorporated in his report or statement. Field notes should reflect or indicate positive evidence; that is, evidence or objects found. 12-6-32; Blucher."

And when this matter has had proper attention, should you desire to submit further field notes for correcting the abstract, I shall be very glad to give them my attention when they are received.

You state that you enclose a filing fee of \$1.00; the record indicates that the money was not received. Let me state, however, that there is no filing fee required for filing corrected field notes.

Very truly yours,

counter 29782.

Commissioner

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esergenent that must of this-5-on belongs to an adjointant scorion. I wigh to eall the surveyor's detention also, the factor bias be refere with considerable doubt to can't

Dallas Texas S.M.U.

Nov. 28 1932.

2271

Hon.J.A.Walker, Land Commissioner Austin Texas.

Dear Sir:

Kart and

72

Please find enclosed report of County Surveyor ,H.B.Allison, of the B.B.B.&C.R.R. Co. Survey in Leon Co. I also enclose plot mdae by Mr. Allison and the written statements made by the neighbors who have for many decades known the facts as set forth by them.

During the last few years I have had interviews with Mr. Blucher and he is familiar with the facts hitherto presented.

It was suggested to me by him that I get some such data from the county surveyor and send it to your office for your records.

> Yours truly 5.4. More. S.H. Moore Professor of Economics Southern Methodist University.

P.S.I enclose filing fee of \$1.

money not enclosed.



DEC 3 - 1932

REFERRED TO MAP

counter 29783

SURVEYORS REPORT

Part of Sketch Fale no. 24 Leon Co

To

THE HONORABLE COMMISSIONER OF THE GENERAL LAND OFFICE, AUSTIN, TEXAS.

Dear Sir :

73

The following notes are from a survey made August the 18, 19, and 20th A.D. 1932 of the assumed bounds of the B.B.B.& C. R.R. Co. survey S. 723 and the James Carson survey S. 114 of Leon County, Texas for Professor S. H. Moore, (owner) of Dallas, Texas whose apparent motive for desiring said test survey was to secure an official statement as to whether or not the unusual excess acreage within the present bounds of said section was property of the Public Free School Fund.

From the record description of the B.B.B.& C. and the adjacent surveys, a complete tie, as one survey calling for another, is formed about said section ; for example the B.B.B.& C. calls for the Jas. Carson and the Absalom Irwin surveys, the P.B.George notes call for the B.B.B.& C. and A. Irwin, the Wm C. Kelley calls for the Carson which surely must have been the B.B.B.& C., the A.S.Bridges notes call for the B.B.B.& C. and Kelley and with all of this material properly shaped into a map there is only one small unclaimed space and which appears between the P.B.George and the Wm C. Kelly, the George notes fail to call for the Kelly, although the Kelly notes call at its S.W.corner refer to a George Robinson N. line, which very likely was the P.B.George.

I begin at a 3/4" iron bolt 18" long at the assumed W. corner of the B.B.B.& C. R.R.Co. survey for two reasons, first, because the Wm C. Kelly notes as made 1852 embody a call that mention this point as being 1252 Vrs. from its E. corner and which distance almost checked in a former I made. Second, on the ground the adjoining owners apparently do not question said corner. I was disappointed in not finding Two corners here, for the B.B.B. call No. 2 says or reads 1900 Vrs. while the same line in call No. 1 of P.B.George reads 1878 Vrs. a difference of 22 Vrs. at any rate, as this area is well timbered, I had hopes, of finding two lines departing S.67 W. and made a reasonable search but found only one marked corner and line. I could not identify the original witness trees, however, there are many B.J. trees hereabout. From the iron stake I find a 14" Hky. marked H bearing N.86 E. 3.9 Vrs. a 9" Hky. blazed bearing S.76 W. 5 Vrs. the fence corner Brs. S.64 W. 4 Vrs. I tried the season ring count on an 8" Hky. bearing S.57 W. 19 Vrs. which bore haws, and made out 42 season rings.

Thence S.23 E. with a Var. of 09.00' E. at 279 Vrs. cross old abandoned farm road (see plat) at 320 Vrs. another such road, at at 406.8 Vrs. pass 2 Vrs. E. of 12" P.O. bearing 3 very old hacks, at 583.5 Vrs. cross wire fence at rightangles in mouth of lane, (see plat) at 1125 Vrs. cross almost at rightangles the channel of Buffalo creek. Now while at this point it is well to check the call No. 1 in the P.B.George notes, which reads to begin at the S.W. Cor. of the B.B.B.& C. Sur. thence N.23 W. with said survey, at 760 Vrs. Buffalo Creek, in all 1878 Vms. stake in W. line of same. Now the creek at this point seems permanent and if so then 1878 minus 760 equals 1118 Vrs. and we found it to be 1125 Vrs. difference 7 Vrs. close for a stream check, possibly I begin at the George N.E. corner instead of the B.B.B.& C. N.W. corner, refer to this later. At 1282.3 Vrs. cross center line of I-G.N. RG R.R. R.O.W. under second span of culvert No. 30.23 at, 1878 Vrs. make for P.B.George S.E. corner, on the W. is the S. edge of cultivated area and on the E. is open pasture land, and I find no timber for witness trees and my search for a departing line was futile, at 1900 Vrs. make another useless search, at 2102.4 Vrs. we luckivy found a 10" P.O. and a 7" Hky, that bore old marks about 42 Vrs. S.67 W. of this point which were approximately 38 years old, from this point there is a 7 year old corner with several witness trees, bearing S.23 E. 20.4 Vrs. Now Thende Nide His distance of 202.4 Vrs. over the call of original notes is unreasonable and difficult to account for, however,

for the lack of ground evidence we turn in line with the marked trees, set a 4" P.O. stake and read a proof point a 6"P.O. Brs. S.30 W. 7.5 Vrs.

Thence N.67 E. at 558.7 Vrs. cross channel of said Buffalo I mention this point merely because Call No. 1 in the B.B.B & C. description reads begin at Carson S.W. corner thence S.67 W. 900 Vrs. Exfalo Creek, it fails to state, Cross buffalo creek " now 1900 Vrs. minus 900 Vrs. equal 1000 and I find the creek channel nearest my line at 1034, possibly the creek was up when the surveyor in 1860 reached this point and made a guess at this data, however, if this line was moved N.W. 202 Vrs. the B.B.B & C. call would have reached the creek about 1450 Vrs. Of course this is weak evidence, but it is evidence, at 1900 Vrs. we make a futile search for the Carson corner, but since the notes of the B.B.B & C. call for the S.W.line of the Jas. Carson Survey it usually eliminates the possibility of a vacancy between said surveys, so I made no test of the line between said sections at this date, but for future reference I plant a 4" Pin 0. stake from which # two 10" trees grown togather an elm and pin **B**. bears S.41 E. 6 Vrs. and a 10" black gum Brs. S. 56 W. 6 Vrs. at, 2211.8 Vrs. we plant a point a 4" P.O. stake at the junction of a line said to be the S.W. line of the Jas. Carson section for the past 26 years, at 2567 Vrs. arrive at the W. side of a barn, ## (I was told earlier in the day that this line heretofore had passed through this barn) at 2592 Vrs. we plant 20 1b. rock in a garden from which point I take a reading on 4 brick chimneys which are in plain view, thus N.42.30 'W. N.74 E. N.84.15'E. and N.68.45'E. at 3484.8 Vrs. pass 0.3 varar S. d 30" B.J. marked on the N.side, at 3953.5 Vrs. plant a stake against wire fence at a point 18.3 Vrs. S.23 E. from a fence corner that is assumed by all adjoining owners to be the S.W. corner of the Jno. S. Carson section No. 62, and among those present was one Mr. J.W.Stevenson who states that 21 years ago this off set was acknowledged and the wire fences situated as at present.

Now with the various evidence along this line such as roads, lanes, marks, buildings and the general opinion of the adjoining owners, that it would hardly be possible to shift this line but vety little without meeting objection from many lawful sources. At the fence corner assumed as the J.S.Carson S.W.corner I read a 12" B.J. Brs. N.35 E. 5 Vrs. a 12" B.J. Brs. S.73.30'W. 9 Vrs.

Begin again at the iron stake at the N.W.corner of the B.B.B & C. R.R.Co. survey,

counter 29784

SURVEYORS REPORT

THE HONORABLE COMMISSIONER OF THE GENERAL LAND OFFICE, AUSTIN, TEXAS,

Dear Sir :

The following notes are from a survey made August the 18, 19, and 20th A.D. 1932 of the assumed bounds of the B.B.B.& C. R.R. Co. survey S. 723 and the James Carson survey S. 114 of Leon County, Texas for Professor S. H. Hoore, (owner) of Dalias, Texas whose apparent motive for destring said test survey was to secure an official statement as to whether or not the mossai cheess cereage within the present bounds of said section was property of the Public Free School Fund.

From the recerd description of the B.B.B.& C. and the adjacent surveys, a complete tie, as one survey calling for another, is formed about said section ; for example the B.B.B.& C. calls for the Jas. Carson and the Absalom Irwin surveys, the P.B.George notes call for the B.B.S.& C. and A. Irwin, the Wm C. Kelley calls for the Garson which surely must have been the B.B.B.& C., the A.S.Bridges notes call for the B.B.S.& C. and Kelley and with all of this material which appears between the P.B.George and the Gorge and at its S.W.corner refer to a Goorge and the Wm C. Kelly, the George at its S.W.corner refer to a Goorge Robinson N. line, which very likely was the P.B.George Robinson N. line, which very

i begin at a 3/4" from bolt 18" long at the assumed W. corner of the B.B.B.& C. R.R.Go. survey for two reasons, first, because the Mm C. Kelly notes as made 1852 embody a call that mention this point as being 1252 Vrs. from its E. corner and which distance almost cigered. A.D. September A.D. 1932 in the first point as owners ap. 2. Sol No. September A.D. 1932 in the Survey of September A.D. 1932 on reads 1868 Vrs. from its B. corner and the Survey of September to reads 1868 Vrs. from the Curvey of Survey as rate, of the Survey reads 1868 Vrs. a difference of Survey of Survey and the Survey of Survey of September A.D. 1932 or reads 1868 Vrs. a difference of Survey and the Survey of Survey of Survey of Survey of Survey and Survey of Survey and Survey of Survey and Survey and Survey of Survey and Survey of Survey and Survey and

is wert timber axaf "viruod noal rovernue viruodnes departing 5.67 W. and made a reasonable search but found only one marked corner and line. I could not identify the original witness trees, however, there are many B.J. trees hereabout. From the iron stake I find a 14" Hky. marked H bearing N.86 E. 3.9 Vrs. a 9" Hky. blazed bearing 5.76 W. 5 Vrs. the fonce corner Brs. 5.64 W. 4 Vrs. I tried the season ring count. on an 8" Hky. bearing 8.57 W. 19 Vrs. which bore hacks, and

Thence S.23 E. with a Var. of 09.00' E. at 270 Vrs. cross old abandoned farm road (see plat) at 320 Vrs. another such road, at at 406.8 Vrs. pass 2 Vrs. E. of 12" P.O. bearing 3 very old hacks, at 583.5 Vrs. cross wire fence at rightangles in mouth of lane, (see plat) at 1125 Vrs. cross almost at rightangles the channel of Buffalo creek. Now while at this point it is well to check the call No. in the P.B.George notes, which reads to begin at the S.W. Cor. of the B.B.B.& C. Sur. thence N.23 W. with said survey, at 760 Vrs. Enffalo creek, in all 1878 Va., stake in W. line of same. Now the creek at this point seems permanent and if so then 1978 minus 760 equals 1118 Vrs. and we found it to be 1125 Vrs. difference 7 Vrs. close for a stream check, possibly I hamin at the George N.E.corner instead of the D.B.S.K C. N.W. corner, refer to this later. At 1282.3 Vrs. cross center line of I-G.N. 28 A.R. B.Q.W. under second span of culvert No. 30.23 at, 1878 Vrs. make for P.B.George S.E. corner, on the W. is the S. edge of cultivated area and on the E. is open pasture land, and I find no timber for witness trees and my search for a departing line was futile, at 1900 Vrs. make another useless search, at 2102.4 Vrs. we Inckiyy found a 10" P.O. and a 7" Hky. that bore old marks about 42 Vrs. S.67 W. of this point which were approximately 39 years ald, from this point there is a Year old corner with several witness trees, bearing 9.22 E. 20.4 Vrs. Thekessiges at this distance of 202.4 Vrs. over the call of WON original notes is unreasonable and difficult to account for, however, for the lack of ground evidence we turn in line with the "h s jos , sooil P.O. stake and read a proof point a 6"P.O. Brs. 84V A. 7 . W OC. 8 Thonce E. 67 E. at 558.7 Vrs. cross channel of said Buffalo Crock, at 62470 Vrs. cross samd crock annin, course M. at 701.0 Vie. cross sayd creek again, course S.R. at, 1034 Vrs. we pass within 28.8 Vrs. N. of gesnerate the said creek channel (see plat) I mention this point merely because Call No. 1 in the B.B.B & C. description reads begin at Carson S.V. corner thence S.67 W. 900 News Service Oreas, it fails to state, Eross laffalo creek " now inco Vrb. wishes 900 Vrs. equal 1000 and I find the creek channel nearest my line at 1034, possibly the creek was up when the surveyor in 1860 reached this point and made a guess at this data, however, if this line was moved N.W. 202 Vrs. the B.B.B & C. call would have reached the creek about 1450 Vrs. Of course this is weak evidence, but it is evidence, at 1900 Vrs. we make a futile search for the Carson corner, but since the notes of the B.B.B & C. call for the S.W.line of the Jns. Carson Survey it usually eliminates the possibility of a vacancy between said surveys, so I made no tost of the line between said sections at this date, but for future test of the line between said sections do this date, and for the reference I plant a 4" Pin 0. stake from which i two 10" trees grown tegather an elm and pin D. bears 5.41 E. 6 Vrs. and a 10" black gram brs. 5. 56 W. 6 Vrs. at, 2211.8 Vrs. we plant a point a 4" P.6. stake at the function of a line said to be the 5.W. line of the Jas. Carson section for the past 26 years, at 2567 Vrs. arrive at the W. side of a barn, 2% (I was told carlier in the day that this line heretofore had passed through this barn) at 2592 Vrs. we plant 20 lb. rock in a garden from which paint I take a reading on 4 brick chimneys which are in plain view, thus N.42.30'W. N.74 E. N.94.15'E. and N.68.45'E. at 3484.2 Vrs. pass 0.3 varar S. of 30" B.J. marked on the N.side, at 3953.5 Vrs. plant a stake against wire fence at a point 18.3 Vrs. 3.33 E. from a force corner that is assumed by all adjoining samers to be the S.W. corner of the ine. S. Carson section No. 62, and among those present was one Mr. J.W.Stevenson who states that 21 years ago this off set was acknowledged and the wire fences situated as at present.

Now with the various evidence along this line such as roads, lanes, marks, buildings and the general opinion of the adjoining owners, that it would hardly be possible to shift this line but very little without meeting objection from many lawful sources. At the fence corner assumed as the J.S.Garson S.W.corner I read a 12" B.J. Brs. N.35 F. 5 Vrs. a 12" B.J. Frs. S.73.30'W. 9 Vrs.

Regin again at the iron stake at the N.W. corner of the B.B.B & C. R.R.Co. survey,

counter 29785

SURVEYORS REPORT

Page 2.

al.

Thence N.67 E. with what Mr. P.L.Leach states as being the S.E.line of the Wm C. Kelly survey as made 1852 and which has been surveyed time and again to his knowledge, at 565.2 Vrs. pass 0.9 varar N. of a 3/4" iron bolt at Mr. Leach's South corner, at 664 Vrs. cross deep ravine, course S. and along with many old and late hacks, at 810 Vrs. cross old Buffalo and fairfield road, at 1004 Vrs. cross small ravine, at 1247.4 Vrs. plant a 4" sassafras stake at or very near the E. corner of the WmC. Kelly survey.

Now the Kelly notes as made by B.H.Hammit, January 17, A.D. state that from this corner S.68.30'W. with Carsons line 1852 at 1252 pass his N.W. corner. of course this 01.30' off reading could be valuable and could be worthless and it also could have been a matter of the declination adopted, at an rate the fact that he passed the N.W.corner of this said section at 1252 Vrs. and my measurement was only 4.6 Vrs. less is evidence that I value. In my view it almost makes these lines permanent and not subject to shift, even though there is a contrast between the dates of the B.B.B & C. which discloses Oct. 8 1860 and the Kelly is 1852. The older survey calling for the TASSE younger may be accounted for in some way as a corrected note, possibly in a way that my record would fail to show. From the assumed East corner of the Kelly survey I read for future reference a 20" R.O. Brs. S.22 E. 6.1 Vrs. a 10" B.J. Brs. N.49.30'W. 10 Vrs. a 9" sassafras Brs. N.28 W. 2.5 Vrs. At 1512 Vrs. cross deep ravine course S.W. at 1900 Vrs. plant oak stake and make a limited search for section corner as even the A.S.Bridges survey made in 1877 refers to this point as being proper for the Carson corner, but I find no evidence on the ground, but for a reference I read a 10" P.O. Brs. N.87 W. 4 Vrs. # now between this point and the marked line I found at 2204.6 Vrs. I found quite a number of marked trees with 20 year hacks thereon about 5.4 Vrs. S.E. of my transit line, at 2204.6 Vrs. plant a stake on the recognized line between said sections, whose position of course is a matter between the present owners, at least that is my assumption.

For future reference of this station No. 2204.6 Vrs. I read a 7" B.J. Brs. N.11 E. 7 Vrs. a 6" S.G. Brs. N.31 W. 35 Vrs. at 2160 Vrs. cross the Bridges Lake Spring Branch, course S.E. at 2565.3 Vrs. make a futile search for the E. corner of the A.S.Bridges survey, however, I do find a late marked line 65.8 Vrs. N.E. of the transit line, and which I was told by Mr. D.R. Mc Kinnon was questionable, at 2998.7 cross head of ravine, at 3211 cross deep spring branch course S.E. at 3258 Vrs. another ravine (see plat) and between these two **Fast** mentioned ravines I found the remnants of an old rail fence about 1.2 Vrs. N. of the transit line, at 3528 enter cultivated area, at 3672 Vrs. we are 46.4 Vrs. S.E. of a wire fence, at 3833 Vrs. cross wire fence, at 3953.5 Vrs. plant an oak stake for the assumet N.E. corner of the Jas. Carson section, 42.1 Vrs. S.23 E. from the paralleling wire fence. Now as night overtook me at this point and I believed that I had ample evidence to prove my positions at most points I closed this test.

I have not made a test on the A. Irwin survey nor the P.E. George survey except where I have come in contact with said area. TO WHICH I CERTIFY.

ison County Surveyor of Leon County, Texas.

counter 29786

Thence N.67 E. with what Mr. P.L.Leach states as being the S.E. line of the Wm C. Kelly survey as made 1852 and which has been surveyed time and again to his knowledge, at 565.2 Vrs. pass 0.9 varar N. of a 3/4" iron bolt at Mr. Leach's South corner, at 664 Vrs. cross deep ravine, course 5, and along with many old and late hacks, at 810 Vrs. cross old Buffalo and fairfield road, at late hacks, at 810 vrs. cross old additate and failed a 4" sassafras 1004 Vrs. cross small ravine, at 1247.4 Vrs. plant a 4" sassafras stake at or very near the E. corner of the WmC. Helly survey. Now the Kelly notes as made by B.H.Hemmit, January 17, A.B.

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te No. 24

County

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interand recorded in the Surveyors application Book No. 2, beer I pages No. 16, 17 and 18 in the County Surveyors record of Leon County, Texas.

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For future reference of this station No. 2204.6 Vrs. I read a 7" B.J. Drs. N.11 E. 7 Vrs. a 6" S.G. Brs. N.31 W. 35 Vrs. at 2160 Vrs. cross the Bridges Lake Spring Branch, course S.E. at 2565.3 Vrs. make a futile search for the E. corner of the A.S.Bridges survey, however, I do find a late marked line 65.8 Vrs. N.E. of the transit line, and which I was told by Mr. D.A. Mc Kinnon was questionable, at 2398.7 cross head of ravine, at 3211 cross deep spring branch course S.E. at 3258 Vrs. another ravine (see plat) and between these two Rest mentioned ravines I found the remnants of an old rail fence about 1.2 Vrs. N. of the transit line, at 3528 enter cultivated arca, at 3672 Vrs. we are 46.4 Yrs. S.E. of a wire fence, at 3833 Vrs. cross wire fence, at 3953.5 Vrs. plant an oak stake for the assumed N.E. corner of the Jas. Carson section, 42.1 Vrs. 5.23 E. from the paralleling wire ence. Now as night overtook me at this point and I believed that I had ample evidence to prove my positions at most points I

closed this test. I have not made a test on the A. Irwin survey nor the P.B. George survey except where T have some in contact with said area. To Which I CLATIEY.

County Surveyor of Leon County, Texas,



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Apparently this sence line was placed before a test of the sections was mode as it seems it would badly conflict with the Bridges survey Remman 5 af an old Jabandorned rail sene Unable to identify original Bridence at this which on the E. Slope as a sandy hill side NO. S. CARSON. Ilid not test this line along which is a hog proof wire fonce which is said to be on or very near said Line. Oscar Henson residence Metal roof. Farm residence. Soid to have been here at least 25 vears Apparently an off of 18.372. Which the adjoining owners recognize and state has been here as far back Many late and a few old marks along said line. as they remember: and no one denies br questions the Sact that the sence con A 10" burnt oak post is on arvery near the J.S. Carson S.W. Cor. 56 Ft. water well. 16.2 Yrs. S.E. of transit line of a point 3490 Yrs. N.67 E. from the assumed S.W. Corner of the B.B.B.4 C. Survey. At Residence of W.T. Wells. X BURNS. Set. 20 Mr. rock the sandy garden on bill side. 2592 yaras N. C. From assumed B.B.B. S.W. Cor. As which point I taken Reading on 4 brick Chinneys thus. N. 42130 W. N. TAE. N. 84. 15 E. and M. LE. ASE. -PLAT-Of A Test survey made Rugost 18.19. and 20, AD 1932 of the B.B.B. & C. R.R. CO. S. 123 and the Jas. Carson S. 114 Leon Co. Teras, to locate if possible the presence This point is 1900 vrs. Nove from the assumed SW. Cor. of the B.B. H. P.C. LEGEND B.J. as the notes call for: ------- Wire fencing ----- Doubtful position of miniked line. Gultivated arba. Apparently permanent lines. mount Roil Sence. I hereby certify that the above and soregoing map is a true representation of the ground condition it covers to the best of my Knowledge Rulison. C.S.L.C. Texas. ---- Form ditches. ====== Road-ways. SCALE 360 Varas Baubi one inch. Mag. Ileci, 09.00'00" East. See Serial No. Alt. fot Leon Co. in 1927. U.S. C. and G. Survey. <u>H.B. Allison</u>. County Surveyor Leon Co. Texas. 61 SKETCH FILE No. 24 COUNTY ____LEON