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To the Honorable Charles Ro-
gan, Commissioner of the Gen-
eral Land Office
Austin Texas.

your
come by W. Littlefield, and J. W.
White, Comprising the firm
of Littlefield and White - en-
gaged in business in Mason
and other Counties - and state
that they are the owners of
Survey No 265, in Mason Coun-
ty Tex -

That said Survey was patented
to Jno W. Gamel Assignee of
the G. N. T. & P. R. R. Co, on the 21st day
of March AD 1848, by Patent
No 29. Vol 38 - (File 22000,
Bexar Serip), -

This Survey, with other lands,
was conveyed, by Warranty
Deed, to them, by the said Jno
W. Gamel on the day of
18 - for a full and valuable
consideration.

That they are informed that
one C. C. Smith is claiming
that there is a vacancy between
said Survey No 265, and Survey
Nos 95 & 96 above, and No 44
Nancy Arvin, lying to the
East; and that the said Smith
has made application to
the County Surveyor of Mason
County for a Survey of,

said supposed vacant land,
that J. White, pump owner
of said survey no 265 - the being
the the owner of an undivided one
fourth, and G. W. Littlefield being the
owner of an undivided three fourths
as a matter of precaution
and protection, upon learning
of the said application, ^{of our survey} for
said survey, made an ap-
plication on the 28 day of June
1907, for a survey of said land
under the act of the First called
Session of the 26th Legislature
approved Feb'y 23^d 1900 - asserting
his preference rights - in the
event there should be found
to be a vacancy;

That the said County Surveyor
Whitwell Hollard, on the 20th
day of July 1907, made a pretended
survey of said lands - and for-
warded the field notes and plat
to the Civil Land office - said
survey being numbered 125
and recorded in Book N, p 244.

They now show to the Honorable
Commissioner that there is no
vacant land between said
surveys, - because by an in-
spection of the calls of the
Plat No 29, vol 38, issued
for said survey no 265. A
W. Lyall, it appears that
it begins on the South Bank

of the Leno River, about 14 miles
South West from the Town of
Muson, at a stake from which
a Beacon 14 in dia $N 47 \frac{1}{2} W 17$ vrs;
a three pronged Cotton-wood sap-
pling 36 in dia $N 10 W 10$; $N 3^{\circ} E 10 \frac{1}{2}$
vrs; $N 5^{\circ} E 12$, - which corner is fixed
well upon the ground by the
burying trees distinctly marked
as called in the patent - and
thence thence South 3837 vrs to
a stake - thence East 788 vrs
to a stake in the West line
of Sec No 96 for state, - which
West line of No 96. is ~~is~~ distinctly
marked and easily found -
thence North (with the West line
of Sec No 96) 1736 vrs to a stake
for the N.W. Corner of Sec No 96 -
which corner is found on the ground,
thence East 162 vrs; thence
North 2737 to a stake on the South
Bank of the Leno River, for the
N.E. Cor of said Sec No 265; a stake
by $S 50^{\circ} W 212$ vrs; an Elm 14 in
by $N 72^{\circ} W 15$ vrs; a $S 12$ in by $S 75^{\circ} E$
 5 vrs; thence up the River to
the Beginning -

And by our inspection of
the culls of Patent No 9 vol
5 issued to John G. Council for
the Nancy & Vin Survey No 44
it appears that its Beginning Cor-
ner, (N.E. Cor) is the N.W. Cor of
Sec No 74 - and that its 18th

call, running West with the
West line of Sur 96-1468 and
calls for a Stone Monument in the
East line of Survey No 265—
thence North (with the East line
of No 265) to a stake and Monument on
the bank of the Llano River - with
brs S 50° W. 217 OR. with an Elm 14
in brs N 72° W 15 OR. an Elm 12 in brs
S 75° E. 5 OR. from Stake - thence down
down the River to the Beginning -

From all which they insist
that Sur 265, by N. Y. & P. R. R. and
Sur 96 at B & M and #4 Nancy
Irwin are adjoining contiguous
surveys; and that they cannot
by any possibility be any vacant pub-
lic land between them - because
the field notes of Sur No 265 - call
for the West line of Sur No 96 - and
thence with said West line to its
NW Cor., and the field notes of Sur No
44 calls for the East line of No 265
and thence North with said East line
of 265 to the River Bank, giving the
identical bearings as are called
for in Sur No 265 -

Said Surveyor however pro-
voked the field notes and
plot of said Survey to the Land
Office, - these Protestants - again
insisting that the land surveyed
under said application is not
vacant, but is patented land - pro-
test against the recognition

by the Honorable Commissioners
of any currency between said
Surrey, and prays that the
said field notes be not approved
and filed, but held to be in-
correct and void, and not made
according to law, and as in
duty bound they will ever pray,

Littlefield & White
Stapleton & Meek
attys

Mason Co #20

Sketch File ~~20~~ 19

Protest of
Littlefield White
against
~~approval~~ and
filing of field
notes of survey
made for J. W. White
by Surveyor
of Mason County
on July 20th 1904,