

GREGG COUNTY  
ROLLED SKETCH NO. 13

M.A.-34718  
Report and Sketch.

*counter 45439*



## REPORT OF SURVEYING INVESTIGATION

RE:

SURVEY No. 252, IN THE NAME OF WILLIAM E. PASTEUR, AND ADJACENT SURVEYS LOCATED IN GREGG COUNTY, TEXAS.

## COMMENTS

RE:

\*\* Survey Records pertaining to this area \*\*

The records show that No. 252 was one of a system of Surveys located by Mr. Thos. D. Brooks. The Field Notes of this Survey are labeled William E. Parstures; and call for three hundred and twenty acres of land by virtue of Certificate No. 92, class 3rd., issued by the Board of Land Commissioners for the County of Sabine. The Field Notes of Survey No. 252 are of record in Book H, Pages 294 & 295, Surveyor's Records of Macogdoches County; and are also of record in Upshur and Gregg Counties, Texas. The Field Notes used in making this investigation are from the Upshur County Surveyor's Records. The Field Notes of Survey No. 252 are dated Jan. 28th., 1846. In order that a better knowledge of the general area might be had, a Working Sketch of the actual Field Note calls of this Survey and all adjacent Surveys in the area has been prepared. It is suggested that this Work Sketch be closely studied when considering the following comments; and with that idea in mind, all bearing tree calls are omitted in the comments which follow:

The William E. Pasteur, Survey No. 252, calls to Begin at the NW. Corner of No. 251, ( An abandoned Survey made for John H. Anderson ) Thence West with the League line marked W C, 322 vs., the SW. Corner of the said League Survey. Note: The calls for bearing trees are not the same in the Field Notes of the W. H. Castleberry Survey, and No. 252, at this purported common Corner. Thence North with the said League line 349 vs. set stake in said League line. Thence West, at 273 vs. Branch 1 vr. C SW., 1424 vs. set stake. Thence South, at 630 vs. lake or flag pond, the line passing through the middle of said pond and the water so deep as not to be able to wade, at 1099 vs. Corner in flag pond, and no bearing trees to be taken. Thence East 281 vs. NW. Corner of No. 250, ( An abandoned Survey made for Daniel Moseley ) Thence East with the line of No. 250, 1465 vs. SW. Corner of No. 251. Thence North with the line of No. 251, 750 vs. the place of Beginning.

From the foregoing calls, we find that with the exception of the calls with the line of the League marked W C, and the SW. Corner of said League, that every call made for another Survey, is a call for an Abandoned Survey.



Thus it is evident that consideration must be given to the entire system of Surveys located by the Surveyor, Mr. Thos. D. Brooks. As shown on the dates of Surveys on the Working Sketch attached, Mr. Brooks first laid out a system of Surveys North of the System of which No. 252 is a part. This North System of Surveys begins with No. 172, the W. C. Wakeland Survey, which calls to Begin at the NW. Corner of the W. H. Castleberry League, and go West 1900.8 vs., South 1900.8 vs. East 1900.8 vs., and North 1900.8 vs. to the place of Beginning. Originally, Survey No. 173 was called to be a 640 acres Survey, West of the Wakeland. These Field Notes were Abandoned when it was discovered that they over-lapped the H. H. Edwards Survey, which was made in 1835. Also, Survey No. 174 was originally made for the Administrator of the Estate of James Roark, and called for 320 acres of land. The Survey called to Begin at the NW. Corner of the Abandoned Field Notes for No. 173 and go West 950 vs., South 1900.8 vs., East 950 vs., and North 1900.8 vs. to the place of Beginning. These Abandoned Field Notes of Surveys on the North System of Surveys by Mr. Brooks have not been shown on the Work Sketch. However, from the records it is evident that Nos. 172, 173, & 174 as originally located, occupied the space North of the Patented Surveys, Nos. 177, 175, & 176, as shown on the Work Sketch attached. It is also evident that both No. 173, and No. 174 as originally located, over-lapped on the H. H. Edwards Survey which is the oldest Patented Survey in this area. As reflected by the records, we find that just about one year later, Mr. Brooks began the work on the South System of Surveys, of which No. 252 is a part. The First Survey located, of this System is No. 245, made for P. McAnelly, the Field Notes of which are labeled Pleasant McAnulty, and are of record in Macogdoches, Upshur, and Gregg Counties. In as much as Nos. 246, 247, and 248, are located East of No. 245 and have no bearing on the location of No. 252, they are not shown on the Work Sketch attached; and are not discussed.

The Field Notes of No. 245 call to Begin at a stake bearing N. 82° W. 1520 vs. from the SW. Corner of one third of a League of Land marked R. Thence South 1900.8 vs. set stake in Sabine bottom. Thence East 530 vs. set stake on the bank of Sabine River. Thence N. 59° E. with the bank of the River 1100 vs. Thence East 470 vs. set stake on the bank of the River. Thence North 1090 vs. set stake on the line of 1/3 League of Land marked R. Thence West with said line of 1/3 League, at 325 vs. Branch 2 vs. C SW., at 450 vs. SW. Corner of 1/3 League of Land. Thence North with the line of 1/3 League



of Land marked R, 1360 vs. set stake on said line. Thence West 505 vs. set stake. Thence South 1116 vs. set stake. Thence West 987 vs. the Place of Beginning.

The fact that Mr. Brooks calls to begin this Survey at a stake N.82 W. 1520 vs. from the SW. Corner of the  $\frac{1}{3}$  League marked R, and then later calls for this SW. Corner of the  $\frac{1}{3}$  League, raises a question. Just why did Mr. Brooks call to Begin the Survey at a stake N.82 W. 1520 vs. from this Corner, when it is evident that he could have run the entire Survey off of the SW. Corner of the  $\frac{1}{3}$  League without giving the kind of a call that he gave?

The next Survey in this System that is pertinent to the proper location of No. 252, is Survey No. 249, first made by Mr. Brooks for William Deavenport, the Field Notes of which were abandoned; and later identically Re-Surveyed by Mr. J. M. Glasco for Chas. H. Alexander. The Field Notes of No. 249 call to Begin at the NW. Corner of No. 245. Thence North, 938 vs. Branch 1 vr. C SW., 1605 vs. Branch 1 vr. C SW. 1900.8 vs. set stake. Thence East 845 vs. Branch 2 vs. C SW. 950 vs. set stake. Thence South, 276 vs. Branch 2 vs. C SE. 784 vs. Corner of No. 245, 1900.8 vs. Corner of No. 245. Thence West with the line of No. 245, 950 vs. the place of Beginning. The foregoing calls are from the Field Notes by Mr. Brooks. The Field Notes of this Survey by Mr. Glasco Begin at the SE. Corner of No. 250 (The next Survey made by Mr. Brooks) and recite the same bearing trees as the Field Notes by Mr. Brooks. See Work Sketch.

The next Survey in this System by Mr. Brooks is No. 250, made for Daniel Moseley, ( An abandoned Survey) The Field Notes of No. 250 call to Begin at the NW. Corner of No. 249. Thence West, 367 vs. Branch 1 vr. C SW., 1052 vs. Branch 1 vr. C South, 1900.8 vs. set stake in the edge of flag pond. Thence South 1900.8 vs. set stake on the head of Lake. Thence East 1900.8 vs. the SW. Corner of No. 249. Thence North with the line of No. 249, 1900.8 vs. the place of Beginning

The Next Survey of this System by Mr. Brooks is No. 251, made for John H. Anderson, ( An abandoned Survey) The Field Notes of No. 251 call to Begin at the NE. Corner of No. 245. Thence North with the Riddle line 1527 vs. NW. Corner of said Survey, on the line of a League and Labor of Land marked W C. Thence West with said line marked W C. 1890 vs. set stake on said line Thence South 750 vs. set stake on the line of No. 250. Thence East with the line of No. 250, 435 vs. NW. Corner of No. 249. Thence East with the line of No. 249, 950 vs. NE. Corner of No. 249. Thence South with the line of No. 249



784 vs. Corner of No. 245. Thence East with the line of No. 245, 505 vs. the place of Beginning.

The William E. Pasteur, Survey No. 252 is the next Survey made by Mr. Brooks in this System of Surveys. The calls of the Survey No. 252 have been previously recited on page 1, of this Report.

The next Survey in this South System of Surveys by Mr. Brooks is the Richard Stiles, Survey No. 253. The Field Notes of No. 253 call to Begin at the NW. Corner of No. 252, the W. E. Pasteur. Thence West 476 vs. set stake. Thence North, 684 vs. Creek 4vs. C SW., 950 vs. the SW. Corner of No. 176. Thence East with the line of No. 176, 1900 vs. SE. Corner of No. 176. Thence South with the League line marked W C., 950 vs. the NE. Corner of No. 252. Thence West with the line of No. 252, 1424 vs. the place of Beginning.

It is noted that these Field Notes were not acted upon by the General Land office, and that they were abandoned. However the records show that a verbatim copy of these Field Notes was made for W. H. Hart, by Mr. Brooks, nearly eleven years and a half later than the Field Notes for Richard Stiles. The next Survey in order of seniority in this area is the Geo. R. Rains, No. 350, made by Mr. Thos. D. Brooks. The records show that this Survey was made nearly four years later than the other Surveys of the South System made by Mr. Brooks; and nearly five years later than the North System. No. 350 calls to begin at the SW. Corner of No. 177. Note the difference in the bearing trees called for. While this is not as it should have been, in as much as the same Surveyor did the two lay-outs, it is safe to assume that the two Surveys do have a common Corner.

Thence South 1357.7 vs. set stake in Sabine bottom. Thence East 1900.8 vs. set stake. Thence South 543.1 vs. set stake. Thence East 950 vs. set stake. Thence North, ~~--950 vs. SW. Corner of No. 253,-- Continue Thence North with the line of No. 253--~~, at 1900.8 vs. the SE. Corner of No. 175. Thence West with the line of No. 175, 1900.8 vs., SE. Corner of No. 177, 2850.8 vs. the place of Beginning.

It is noted that this set of Field Notes does not make a single call for a Branch or Crook. It is also noted that something was wrong with the Notes as first written, because of the strike outs on the calls along the East line of the Rains Survey. That this assumption is well grounded, is further developed by considering the Field Notes of No. 253 as written and dated for W. H. Hart. The Field Notes of the Hart Survey are dated nearly eight years later than the Field Notes of the Rains Survey, the two sets of Field Notes were



written by the same Surveyor, and the Junior set of Notes does not purport to tie to, or connect with the Senior Survey in any way, other than the call for the SE. Corner of No. 175, by the Rains Field Notes, and the call for the SW. Corner of No. 176 by the Hart Field Notes.

The next Survey in order of Seniority in this area is the Dudley Moore Survey, No. 137, made by Mr. J. M. Glasco. Survey No. 137 occupies the eastern portion of the Abandoned Survey No. 251. The Field Notes of No. 137 call to Begin at the NW. Corner of Survey No. 1, made for John Ruddle. Thence West with the line of the said Castleberry Survey, at 950 vs. a stake. Thence South, at 145 vs. Branch C SE., at 750 vs. a stake. Thence East with the North line of No. 249, at 360 vs. Branch C SE., at 460 vs. the NE. Corner of said Survey No. 249. Thence South with the East line of said Survey, at 255 vs. Branch C SE., at 389.3 vs. a stake. Thence East at 90 vs. Branch C S., at 490 vs. on the West line of John Ruddle Survey, a stake. Thence North at 1139.3 vs. the place of Beginning.

The next Survey in order of Seniority in this area is the Jefferson Moseley, No. 177, made by Mr. S. B. Scott.

The Field Notes of the Survey No. 177, (J. Moseley) call to Begin at the SE. Corner of No. 252. Thence North with the East line of No. 252, at 752 vs. the South line of the W. H. Castleberry Survey and to the NE. Corner of No. 252. Thence East with the said line at 1052 vs. a stake. Thence South with the line of Dudley Moore Survey, at 757 vs. to the North line of C. H. Alexander Survey. Thence West with the said line at 500 vs. the NW. Corner of same. Thence South at 196.3 vs. a stake. Thence West at 552 vs. to a stake. Thence North at 196.3 vs. the place of Beginning.

Note that the W. H. Castleberry Survey and the John Ruddle Survey were made by Mr. David Hill, in 1838. (Shown on Work Sketch attached). The Field Notes of the Castleberry Survey call for it to be 5099.01 vs. square. The Field Notes of the John Ruddle Survey call for it to be 2886.75 vs. square. Since the John Ruddle Survey calls to Begin at the SE. Corner of the W. H. Castleberry Survey, and occupy an area 2886.75 vs. square, lying West of it's Beginning point, and having it's NW. Corner in the South line of the said Castleberry Survey, it is evident that the portion of the said Castleberry Survey lying West of the Ruddle Survey would be the result of subtracting 2886.75 vs. from 5099.01 vs. which is 2212.25 vs.

Thus it is evident from the Field Notes of Survey No. 251, and Survey No.



252 that these two Surveys took up, or occupied the entire distance along the South line of the Castleberry Survey, West of the NW. Corner of the John Ruddle Survey, as reflected by the Field Notes. Proof of this is as follows: No. 251 calls to go West with the Castleberry line 1890 vs. from the NW. Corner of the Riddle, or Ruddle Survey. No. 252 calls to Begin at the NW. Corner of No. 251 and go West with the line of the Castleberry Survey, 322 vs. to the SW. Corner of said Survey. Thus the two calls for distance along the South line of the Castleberry Survey, added equals 2212 vs. which falls short of the 2212.26 vs. only 0.26 vr.

Survey No. 251 was Abandoned; but Survey No. 252 was Patented. Thus it is evident that the distance between the ENE. Corner of the Survey No. 252 and the NW. Corner of the John Ruddle Survey, along the South line of the Castleberry Survey was 1890 vs. according to all of the Field Notes of the various Surveys. On Sept. 11th., 1857, Mr. J. M. Glasco used 950 vs. of this distance when he Surveyed the Dudley Moore Survey. 1890 vs. minus 950 vs. leaves 940 vs. between the West line of the Dudley Moore Survey and the East line of the W. E. Pasteur Survey. Then on May 22nd. 1860, Mr. S. B. Scott made the Jefferson Moseley Survey, the calls of which have been previously recited. Mr. Scott calls for a distance of 1052 vs. between the West line of the Dudley Moore Survey and the East line of the W. E. Pasteur Survey. This distance is 112 vs. greater than the distance could have been according to the Field Notes of all other Surveys in this area. A close examination of all the Field Notes reveal that Mr. Scott actually over-lapped the Jefferson Moseley Survey onto the East end of the W. E. Pasteur Survey. This is evident from the following: When Mr. Brooks ran East along the North line of No. 250, from the SW. Corner of No. 251, which was made the SE. Corner of No. 252, he called to pass the NW. Corner of No. 249 at 435 vs. When Mr. Scott ran the Jefferson Moseley he called for the West line of the Dudley Moore Survey, and then called to go West with the North line of the C. H. Alexander Survey (No. 249) 500 vs. to it's NW. Corner. He then called to go South 196.3 vs. Thence West 552 vs. Thence North 196.3 vs. the place of Beginning, which he had previously called the SE. Corner of No. 252. Thus Mr. Scott shows to have had a distance of 552 vs. between what he used as the East line of No. 252, and the West line of No. 249, the C. H. Alexander Survey. Comparing the distance of Mr. Brooks and of Mr. Scott, a difference of 112 vs. is found. Thus the evident error of Mr. Scott along the South line of the Castleberry Survey, is corroborated by a comparison of the



calls along the North line of the Abandoned Survey No. 250, between the SE. Corner of No. 252 and the NW. Corner of No. 249. In addition to this, it is evident that Mr. Scott did not even use the same bearing trees at the Corners of the Jefferson Moseley, as those called for in the W. E. Pasteur.

That Mr. Scott knew of the location of the Abandoned Survey No. 251, and its location, can not be doubted; for the records show that on April 27th., 1860, when Mr. Scott Surveyed the William L. Welborn Survey, which he numbered No. 178, he called for the SE. Corner of No. 251, and then called to go West with the South line of No. 251.

The next Survey in order of Seniority in this area that is somewhat pertinent to the proper location of No. 252, is the Survey made for James Wear, by Mr. S. B. Scott, some time in the year 1860, after he had made the W. L. Welborn and Jefferson Moseley Surveys. The records do not give a day and month on the date of these Field Notes; but do give the year as 1860.

It is not deemed necessary to recite all of the calls in this set of Field Notes as they are so long that it would take a page or more of space in this report. Suffice to say that Mr. Scott calls to Begin this Survey at the SW. Corner of No. 295, (this should have been No. 296) made for John R. Crosby. Note that Mr. Scott gives different bearing trees at this his Beginning Corner.

Then as he goes East and South with the lines of other Surveys, note that in each and every instance of a Corner passed, that Mr. Scott does not only call for the Corner, but also calls for the exact bearing and distance to bearing trees until he reaches the SE. Corner of No. 350. The difference in his call at the SE. Corner of No. 350 is considered likely to have been an error in transcribing rather than an error, or difference in the Field Notes as taken in the field. However this may be, on the next call, i e, North with the East line of No. 350, at 820 vs. to the SW. Corner of No. 253. Note that these Field Notes were made after the Field Notes of the W. H. Hart Survey were made on No. 253; and that Mr. Scott makes a call in these Field Notes at this Point that the Surveyor who located the Geo. R. Rains Survey did not make; and further, that the locating Surveyor of the Rains Survey, located Survey No. 253 originally 14 years before Mr. Scott located the Wear Survey, and that when the locating Surveyor of No.



253 re-wrote the Field Notes of No. 253 in 1857, about three years before Mr. Scott located the Wear Survey, that the locating Surveyor of No. 253, did not in any way call for an adjoinder between the Hart and Rains Surveys. Since Mr. Brooks located No. 253 originally, and later re-wrote the Field Notes for another applicant for a Patent on the land embraced in the Field Notes of No. 253, and Noting that the last set of Field Notes were written nearly nine years after he had located the Geo. R. Rains Survey, and taking further note that even then Mr. Brooks did not make so much as adjoinder call between the two Surveys at the SW. Corner of No. 253, it would seem presumptuous at the very least, for Mr. Scott to call for an adjoinder between these two Surveys, and then not call for the bearing trees at the SW. Corner of No. 253.

The next call of Mr. Scott in running the lines of the James Wear Survey is : Thence East with the South line of No. 253, to the NW. Corner of No. 252, at 482 vs. Note that Mr. Scott does not call for the same bearing trees as does the Field Notes of No. 252, although the trees called for are similar to the trees called for in the Field Notes of No. 252.

Thence South with the West line of No. 252, at 630 vs. lake or flag pond at 1100 vs. Corner in flag pond. Thence East 1778 vs. to a stake for Corner, Note the Mr. Scott does not call for this to be the SE. Corner of the Pasteur, and neither does he call it to be the Corner of the Jefferson Moseley; but the next call, i e, South with the West line of a Survey made for Jefferson Moseley, 196.3 vs. a stake, makes it evident that he ran to his Beginning Corner of the Jefferson Moseley Survey.

The succeeding calls in these Field Notes show that Mr. Scott ran East with the South line of the Jefferson Moseley, at 552 vs. a stake on the West line of a Survey made for C. H. Alexander ( No. 249); and it is deemed unnecessary to recite the other calls of this Survey; for they have no real bearing on the question at hand.

Having noted the calls made by Mr. Scott when he wrote these Field Notes for James Wear, now note that Mr. Scott re-wrote these Field Notes for M. L. Baker under date of June 5th., 1861. In the Field Notes Mr. Scott changes some of the distances of lines; but uses the identical calls with reference to the SW. Corner of No. 253, the West line of No. 252, the SW. Corner of No. 252, and the distance East along the South line of No. 252. However, in making the call East 1778 vs. Mr. Scott calls for the SE. Corner of No. 252 in the second set of Field Notes.



Having noted the calls and some few discrepancies in the first and second sets of Field Notes made by Mr. Scott on the Land that was later Patented to the assignees of Francis W. Johnson. Now compare these two sets of Field Notes with the Field Notes on which the Patent was issued. These Field Notes were also written by Mr. Scott, under date of March 19 th., 1873. Attention is called to the distance called for by Mr. Scott across the South line of the William Tyndale Survey, No. 457, i e, Mr. Scott calls for 880 vs. as compared to the call of 950 vs. in the Tyndale Field Notes. The Patented Field Note calls of the Francis Johnson Survey are shown on the Work Sketch; and from the calls thus shown a comparison can be made of the many changes that Mr. Scott made on the third set of Field Notes that he wrote on this area. To-wit the call along the East line of No. 350 is changed from 820 vs. to 950 vs., The call along the South line of No. 253 is changed from 482 vs. to 480 vs., The call along the South line of No. 252 is changed from 1773 to 1748 vs., The call along the West line of the Jefferson Moseley Survey is changed from 196.3 vs. to 215 vs., The call along the South line of the Jefferson Moseley Survey is changed from 552 vs. to 502 vs.; and many other changes are evident from the Work Sketch and the Field Notes submitted herewith.

A very significant omission in all three sets of Field Notes on the area Patented to the assignees of Francis W. Johnson is that on each and every set of Field Notes mentioned heretofore, Mr. Scott made no mention of the NW. Corner of the Abandoned Survey No. 250, when calling for the South line of No. 252. The Field Notes of No. 252 were of record; and the Field Notes of No. 252 definitely call for the NW. Corner of No. 250, the Field Notes of which were also of record. If Mr. Scott ran his line along the South line of No. 252 as he said he did, he could not have failed to see the bearing trees called for at the NW. Corner of No. 250.

All of the foregoing has been discussed with the one view in mind, i e, the determining which of the two Surveyors, Mr. Brooks, or Mr. Scott was most reliable in narrating, or describing just what he did in making a Survey. From the foregoing discussion it <sup>is</sup> quite evident that of the two Surveyors, Mr. Brooks was by far the most reliable.



DISCUSSION OF EVIDENCE FOUND, RELATING TO THE TRUE AND PROPER LOCATION OF THE WILLIAM E. PASTEUR SURVEY, No. 252, GREGG COUNTY, TEXAS

A close study having been made of the Field Note descriptions of the W. E. Pasteur Survey, and adjacent Surveys, both Patented and Abandoned, and a preliminary Work Sketch prepared, actual field work was begun.

First, a reconnaissance was made of the general area; and it was decided that the possibility of finding evidence of the Corners of the Abandoned Survey No. 250 was more likely than that of other Survey Corners in this area.

Actual field work was begun on a line the true bearing of which was known; and all work was done from this base line. Thus at no time was dependance placed upon the Magnetic Compass for the bearing of any line.

A multitude of random traverse lines of investigation was run. The evidence was accurately tied in to these traverse lines; and the true relation of each bit of evidence found correlated to all other evidence, i e, the relation of each bit of evidence to other evidence was determined by the use of a system of co-ordinates.

Definite evidence of the location of the NW. Corner of the Abandoned Survey No. 250 was found. The Over-Cup bearing tree was found standing; and the Tap root of the Pine tree called for was found. The Over-Cup tree has been badly gutted by fire, which was evidently meant to destroy this tree, as other trees in the immediate vicinity have not been so badly burned; and quite a few trees in the immediate proximity of this tree show no evidence of fire. The bearing and distance called for in the Field Notes was measured off of this tree, allowing for the natural growth of the tree since 1846, and a position was taken from which a search was made for the Pine tree called for in the Field Notes. It was noted that when the Field Notes of No. 252 were written that the bearing N. 83 E. was changed to N. 38 E., so a diligent search was made on both bearings called for, for the Pine tree or evidence of its former location. The search on the bearing N. 38 E. revealed no trace of any evidence of any kind. The search on the bearing first called revealed nothing at the exact called distance of 50 vs. However, at 56.4 vs. a depression in the natural surface of the ground was found; and an excavation was made. At approximately 8 inches below the surface of the ground found indications of Pine tree roots. At 12 inches below surface, the outline of Tap root was very plain, rotted out. At 12 inches below surface



struck the top of a 4 - way 4 inch pipe fitting, weight about sixty or eighty pounds. Fitting was rusty but in good condition otherwise; and was placed squarely on the top of the un-decayed Tap root of a Pine tree. This Tap root was found to be 14 inches in dia. at a point 17 inches below the surface of the ground. At this point the Tap root was dry; but was un-mistakably Pine. At a later date this Tap root was again uncovered and a section of it was sawed off. Photographs of the Pipe fitting, the depth of the excavation, the Tap root before and after being sawed, were made. Also the Over-Cup tree was photographed. At first glance, the position of the Pine Tap root was considered not of sufficient weight to be relied upon because of the difference in the distance called, i e, and the distance found, i e, 56.4 vs. to the center of the root. After a thorough study of the conditions under which this Survey No. 250, and the other adjacent Surveys were made by Mr. Brooks, it is now considered Good. Mr. Brooks made this Survey in Jan. 1846. It can be safely presumed that the weather was cold. When the distance to the Pine tree was recorded it was evidently 56 vs., the six had a short top on it; and when the Field Notes were being transposed from the field book, the six was taken for a naught. This explanation, of course, is presumption; but in the light of other evidence becomes very logical. When the bearing and distance called for to the Over-Cup tree is measured off, and the bearing called for on the Pine tree is turned, it is found to fit the position of the Pine Tap root found and described above.

The Courses of Survey No. 250 were reversed and a line was run from the NW. Corner of No. 250 as above described, a distance of 1900.8 vs. East; and a search for the bearing trees called for at the NE. and Beginning Corner of No. 250, which is also the NW. Corner of No. 249. No evidence of these trees was found. Noting that the North line of No. 249 called to go East from it's NW. Corner, the line of investigation was continued East. At the total called distance of the two Surveys, i e, 1900.8 plus 950 vs., or 2850.8 vs. a diligent search was made for the bearing trees called for at the NE. Corner of No. 249. A depression was noted slightly northeast of a fence corner in this vicinity. An excavation was made and evidence of rotted oak found. Using this as marking the possible position of the Black Oak called for at this Corner of No. 249, a position for the possible Corner position was measured off from this excavation and a search was then made for the evidence of the Pine tree called for at this Corner.



The position of the Pine tree was found in a cultivated field. An excavation was made; and at approximately 18 inches below natural surface of the ground the outline of the Pine Tap root was found. The root had evidently burned out; and the hole thus left had filled up with top soil, leaves and other matter which plainly showed the outline of the edges of the hole. Taking a position off of the center of this tap root hole, and allowing for 15 inches more than the distance called to the Pine, the bearing called for on the Black Oak was again turned off, the distance called for was measured and it was found that the distance again reached the depression where the excavation had been made for the Black Oak evidence. At approximately 12 inches below the surface of the ground a piece of a lath was found set vertically in the ground. From the evidence thus found it was considered that the NE. Corner of No. 249 had been re-located. Having located two Corners on a line called to run East and West, and called to be 2850.8 vs. or 2851.2 vs. if the call for 950 vs. was actually meant to be one half of 1900.8 vs., the true bearing and length of the line was calculated and found to be actually  $S.89^{\circ}-55'E. 2857.66$  vs. This is 6.46 vs. more than a mile and a half, i e, the length called for by Mr. Brooks in 1846. The Branch calls given on the two lines thus run was found to fit phenominally close, with the exception of the Branch called for at 367 vs. West of the NE. Corner of No. 250. For data on these Branch calls see map of actual survey attached.

Going back to the NW. Corner of No. 250 as previously located, the West line of No. 250 (Abandoned) was run South the called distance of 1900.8 vs. No trace of the bearing trees called for was found; but it was noted that the line thus run, ended on call distance, i e, 1900.8 vs. on the head of Merrills Lake. Note that Mr. Brooks called for this Corner of No. 250 to be on the head of a lake.

Having determined that the Lines, i e, the North, and West lines of No. 250 had been properly re-located, attention was next directed to re-locating the Abandoned Survey No. 251, off of the West end of which the William E. Pasteur, Survey No. 252 was actually built.

Since No. 251 calls for No. 249 in several places, it was deemed necessary to first obtain any additional data that could be found relative to No. 249. The Lines of No. 249 were run from the NE. Corner as previously located. the evidence of occupation and other data was tied in, and search was made for evidence of the other Corners of this Survey. Failing to find evidence of the Corners resort was had to Courses and distances, and the



search was then continued for evidence of the location of the Abandoned Survey No. 251. Note that No. 251 calls to Begin at the NE. Corner of No. 245 ( P. McAnelly) Thence North with the Riddle line (Meaning the John Ruddle line) 1527 vs. to the NW. Corner of said Survey on the line of a League and Labor of Land marked W. C. (Meaning the W. H. Castleberry) Since the Survey No. 251 called for the line of the John Ruddle Survey, and for the NW. Corner of the Ruddle Survey, a search had to be made for the location of the line of, and the two Corners of the Ruddle Survey. This search was made; and it was supplemental to previous work on the location of the West line of the Ruddle Survey. At the SW. Corner of the Ruddle Survey two roads intersect; and all vestige of evidence of the bearing trees is gone. At the NW. Corner of the Ruddle Survey the land has been cleared for a long time and there is no evidence of the bearing trees at this time. The best evidence of the location of the West line of the Ruddle Survey that could be found was the location of a Sub-division Deed Corner of the Ruddle Survey, called for on Sept. 30th., 1852, Vol. D, Pg. 256, Deed Records of Upshur County, Texas. The date of this Deed above given is the filing date evidently. However, this being the best evidence of where the line was treated in 1852, this location was used for the West line of the John Ruddle Survey in lieu of better evidence. It was found that the West line of the Ruddle Survey was 94.11 vs. longer than it was called to be, when placed as per the Deed above mentioned, i e, the SW. Corner placed South 1443.5 vs from the Deed Corner; and the NW. Corner placed 743 vs. North of the NE. Corner of the Survey No. 249, and in a line North from the Deed Corner mentioned. This placement of the Corners of the John Ruddle Survey makes the West line of the Ruddle 2980.86 vs. instead of 2886.75 vs. as called. When the West line of the John Ruddle Survey is placed as above described, it is found that the SW. Corner is in a roadway running in a generally East and West direction; and it is found that the Branch call on the South line of the Ruddle fits an old slough, See map of survey attached.

Having determined the best evidence of the West line of the Ruddle, this line was intersected with a line Eastwardly from the proximity of the SW. Corner of the W. H. Castleberry Survey as said Corner is generally recognized. On the line running Westwardly from the NW. Corner of the Ruddle as placed, there was no evidence of any great age found. The evidence found was correlated with all other evidence; and is shown on the map of survey attached. A search was made for the bearing trees called for at both the NW. and SW. Corners of the Abandoned Survey No. 251; and no evidence found.

county 95752



Resort was had to distance West of the West line of the John Riddle Survey as called in the Field Notes of No. 251. The North line of No. 251 was run N.  $89^{\circ}-35'-30''$  W. from the NW. Corner of the John Riddle Survey as previously placed, 1890 vs. The West line of No. 251 was then run South as called, to an intersection with the North line of No. 250 as called, and as previously located. The distance South was found to be actually 754.45 vs. From the SW. Corner of No. 251, the distance was measured East with the North line of No. 250, S.  $89^{\circ}-55'E.$  to the NW. Corner of No. 249, and the NE. Corner of No. 250, and the distance was found to be actually 434.67 vs. Having previously located the NW. Corner of No. 250, and having noted that the Field Notes of No. 252 called to run East with the North line of No. 250, 1465 vs. from the NW. Corner of No. 250 to the SW. Corner of No. 251, this distance was measured and the distance was found to be actually 1470.70 vs. Thus it was found that the position of the West line of No. 251, and the East line of No. 252 had been checked within a maximum error of 5.70 vs. from at least three points that had been previously called for by the locating Surveyor Mr. Brooks. These calls were as follows: 1890 vs. West of the West line of the John Riddle Survey, 435 vs. West of the NE. Corner of No. 250, and NW. Corner of No. 249, and 1465 vs. East of the NW. Corner of No. 250. The position of the West line of No. 251, which was the East line of No. 252, as thus located is considered Good. Since the other lines of No. 251 are not pertinent to the location of the W. E. Pasteur Survey, they will not be discussed.

Having located the NW. Corner of No. 251, which was the Beginning Corner of No. 252, a search for the lines and Corners of No. 252 was begun from this point. A trial line was run West from the NW. Corner of No. 251 as located, or rather the line was continued N.  $89^{\circ}-35'-30''$  W. a distance of 322 vs. as called, and a search made for possible evidence of the Re-entrant Corner of No. 252. No evidence was found at this point; and the line was continued Westward to the generally recognized SW. Corner of the W. H. Castleberry Survey. A thorough search was made for evidence of either the trees called for in the Field Notes of the Castleberry, or Pasteur Field Notes. No positive evidence was found of either set of trees; and a line was then run North as called, 349 vs. No evidence of the Black Oak bearing trees called for at this the NNE. Corner of the Pasteur Survey was found. A line was then run West; and at 273 vs. the line intersected a Branch, course SW. as called



for in the Field Notes of the W. E. Pasteur Survey. Having noted that the first call on the Field Notes of No. 252 was 116.49 vs. longer than called for, it was anticipated that the North line might be either excessive or short of the called distance approximately the same amount. Consequently, a thorough search was made for evidence of the bearing trees called for at the NW. Corner of No. 252, beginning at about 1300 vs. West of the evident WNE. Corner as tentatively located. At 1317.88 vs. a position was found from which evidence of the rotted remains of what was evidently an Oak tree was found to bear  $S.11^{\circ}-30' E. 3.4$  vs. plus the half of the dia. of the tree called for in the Field Notes. A large Pine stump was found to bear  $S.61^{\circ} W. 13$  vs. This Pine Stump had been burned rather badly; but a portion of the heart of the tree was standing about two feet above the ground. This piece of the Pine was taken as evidence to be preserved, after photographs had been made of the stump as found. The search for possible evidence of the trees called for at the NW. Corner of No. 252 was continued along a line West for a total distance of approximately 1450 vs.; but no other such evidence was found. A trial line was then run South from the position found marked by the evidence of the Oak tree and Pine that fit the calls in the Field Notes. This line was produced South, and at 630 vs. it was found that the line did not reach the edge of the actual flag pond; but was in the immediate vicinity of the flag pond, i e, on the beginning of the slope to the edge of the flag pond. This position was where a reasonably intelligent Surveyor would have offset to get around the flag pond had he wanted to reach the NW. Corner of No. 250. A random line was continued to the NW. Corner of No. 250; and the relative position of the tentative location of the NW. Corner of the Pasteur, No. 252, was calculated with respect to the location of the known position of the NW. Corner of No. 250. It was found that the tentative location for the NW. Corner of No. 252 was actually Good; because it is located 1104.44 vs. North of, and 285.66 vs. West of the NW. Corner of No. 250. This compares very well with the calls of Mr. Brooks, i e, he called the NW. Corner of No. 252 to be 1099 vs. North of, and 281 vs West of the NW. Corner of No. 250. In addition to this evidence of having retraced the foot steps of Mr. Brooks, it was found that the SW. Corner of No. 252 when located 1104.44 vs. South of the NW. Corner of No. 252 as located, and 285.66 vs. West of the NW. Corner of No. 250, was actually in the middle of the flag pond as Mr. Brooks called it to be. Thus the lines of No. 252 have been re-located.

counter 75454



The next data needed for the matter under investigation is the location of the Geo. R. Rains Survey, No. 350.

A very thorough and pains-taking investigation was made along all of the lines of the Rains Survey by means of random traverse lines. The evidence was tied in and correlated. From the evidence found, it was evident that the lines of the Rains Survey had been surveyed over and over again. There are several sets of line tree marks along these lines, none of which are estimated to be of sufficient age to have been made by the locating Surveyor Mr. Brooks. No evidence of the Original bearing trees at any of the Corners of this Survey were found. However, at the SSW. Corner of the Rains Survey evidence was found of a re-marked Corner reference for this Corner in which a call was also given for one of the Original bearing trees. At this Corner a Post Oak tree was found with an old X on the South side. It is found that in Vol. T, Page 557 of the Deed Records of Gregg County, that in the Warranty Deed from G. Munzesheimer et al to H. M. Cate et al, dated May 9th., 1903, that this tree is called for; and the description also calls for a Willow Oak to bear N. 65° E. 4.8 vs. which is the same identical<sup>call</sup> that is given for one of the bearing trees in the Original Field Notes by Mr. Brooks. From this position for the SSW. Corner of No. 350, the Southerly South line of No. 350 was run the called Course and distance, ie, East, 950 vs.; and this position was taken for the SE. Corner of No. 350. This position was found to be 33.58 vs. West of the SE. Corner of No. 175, the Geo. A. Thomason Survey. At first glance this does not seem to be a proper location of the SE. Corner of No. 350 because of this 33.58 vs. difference in the position of two Corners that are called to be North and South of each other. Having previously noted that there had been two calls struck out on the Field Notes of No. 350, the Field Notes were again given a careful study. Noting that the locating Surveyor, Mr. Brooks, was usually specific in at least mentioning such things as lakes, and or creeks, and noting that any way that the East line of No. 350 could be run that it would have to cross the flag pond mentioned in the Field Notes of No. 250, and also in the Field Notes of No. 252, and noting that no mention was made of said flag pond in the Field Notes of No. 350, the position is taken that Mr. Brooks did not, for some reason, run the East line of No. 350. This position has the following points that make it not only reasonable, but logical. 1st. The flag pond mentioned, is of practically the same size and depth where the East line of No. 350 crosses it, as it is where the SW.



Corner of the W. E. Pasteur, No. 252, is located. Had Mr. Brooks crossed this flag pond in Oct. 1849, (The month and year that No. 350 was Surveyed) in the early months of the winter, it is not reasonably conceivable that no mention of the difficult crossing would have been made. The same thing is true with respect to the SW. Corner of No. 253. That is, had Mr. Brooks run the South line of No. 253 as far West as is required in order to run North as called, to the SW. Corner of No. 176, which is also the SE. Corner of No. 175, then he would have had to have located the SW. Corner of No. 253 actually in the flag pond. Since Mr. Brooks called for two bearing trees at the SW. Corner of No. 253, it is hardly likely that he located the Corner South of the SW. Corner of No. 176 as called. Thus there is good logical grounds for the construction used in locating the East line of No. 350 as shown on map of survey attached.

There being no point in discussing the other lines of the Rains Survey, other than the North line, which is a well marked line as shown on map of survey attached, and which has been successfully held in litigation in the past, attention is now given to the location of the Francis W. Johnson Survey, No. 420.

The Francis W. Johnson Survey, No. 420, was botched up in so many ways that it is evident that it must be treated as an office made Survey; and the construction of it's line as such has been made.

Having discussed the Field Notes of this Survey heretofore in the Comments relative to the records; and having shown ample reason for treating it as an office made Survey, discussion of it's line or lines will only be with respect to their location from the SSW. Corner of No. 350 Eastward.

Having located the SSW. Corner of No. 350. and having a common call at this Corner in the Francis W. Johnson Survey, and a call to go East with the line of No. 350, 950 vs. to the SE. Corner of No. 350, this was done. The next call in the Patented Field Notes of the Francis W. Johnson Survey is: North with the East line of the Rains Survey, No. 350, 950 vs. to the SW. Corner of No. 253. The call for the SW. Corner of No. 253 is wholly out of harmony with the distance called for; and in addition is by the terms of the Field Notes an inferencial call, as Mr. Scott does not mention the bearing trees at the SW. Corner of No. 253. Therefore this line of the Johnson Survey was run with the line of the Rains, far enough North to intersect a line produced West from the NW. Corner of No. 252, and this position taken for the Corner of the Johnson Survey, in the East line of the Rains Survey as previously located. The distance Northward along the



East line of No. 350 was found to be actually 793.14 vs.

The Patented Field Notes of the Johnson Survey next call to go East with the South line of No. 253, 480 vs. and calls this to be the NW. Corner of No. 252. Noting that the Johnson Field Notes do not call for the same bearing trees at this point as do the Field Notes of the Pasteur, and bearing in mind the botched up condition of the Johnson Field Notes, this line was limited on it's call for distance, i e, 480 vs. The construction of the next two lines of the Francis W. Johnson Survey is made as follows: Going South, the Field Notes of the Johnson call for the line of and the SW. Corner of No. 252, then the Field Notes call to go East 1748 vs. to the West line of a Survey made for Jefferson Moseley. Having previously located the West line of the Jefferson Moseley on the ground, the distance was measured from a point South of the Corner position taken 480 vs. East of the line of No. 350, Eastward along the line of No. 252, to the West line of the Jefferson Moseley as previously located, this distance was found to be actually 1751.08 vs. Please note that this is within 3.08 vs. of the Patented Field Note call on this line of the Johnson Survey, i e, 1748 vs. Thus from the evidence found, and from the records it is found that the construction of the Corner of the Francis W. Johnson Survey, 480 vs. East of the East line of the Geo. R. Rains Survey is actually Good. The Next line of the Johnson Survey was run South as called, to a point West of the SW. Corner of No. 252 as previously located, and the distance was found to be actually 1104.44 vs. Note that the Johnson's Patented Field Notes call for 1100 vs. The next line of the Johnson Survey was then run East 112.05 vs. to the SW. Corner of No. 252, in the flag pond, Thence, East 285.66 vs. to the NW. Corner of the Abandoned Survey No. 250. Thence; S.89°-55' E. 1353.37 vs. to the West line of the Jefferson Moseley Survey.

From the foregoing construction, based on the Records, and on the physical evidence found on the ground, it is found that there is actually 112.05 vs. between the East line of the Francis W. Johnson Survey, and the West line of the William E. Pasteur Survey. The area thus found between the two Surveys is 21.921 acres.



Subsequent to the findings relative to the location of the various Surveys described heretofore, it was deemed advisable to try to learn the reason for the Excessive length of the first line called for on the W. E. Pasteur Survey, and the Shortage found on the third call in the W. E. Pasteur Field Notes. This was accomplished in the following manner, and the following results were obtained:

The work in this area was connected with and to other work previously done North of the area in which the W. E. Pasteur Survey is located.

The records show that there were three Surveys that called for the NW. Corner of the W. H. Castleberry Survey, i e, the Henry Hathaway Survey, the W. C. Wakeland Survey, and the David Ferguson Survey. It is found that the Field Notes of the Hathaway Survey was made in 1838, shortly after the Castleberry Survey was made, and that the Field Notes of the Hathaway Survey more nearly fit the calls for bearing trees at the N. W. Corner of the Castleberry Survey than do the Field Notes of the Wakeland Survey.

Having previously located the NE. and Beginning Corner of the Wakeland Survey, a thorough search was made for the bearing trees called for at this the called SW. Corner of the Henry Hathaway Survey. Evidence of the location of the Post Oak called for having been previously located and positively verified by W. C. Elms, County Surveyor of Upshur County, who found the tree standing in May, 1911, and the writer having found this tree down in 1931, a position was measured off of the location of the Post Oak as called for in the Hathaway Field Notes and the bearing turned off for the Pine tree called for in the Hathaway Field Notes. The stump of the Pine was found just as called for, i e, N. 35° E. 10 vs. It was found that the location of the SW. Corner of the Hathaway Survey was located at a point 1.26 vs. South of, and 1.47 vs. East of the NE. Corner of the W. C. Wakeland Survey and the SE. Corner of the David Ferguson Survey. The Hathaway Survey being the oldest of the three Surveys that call for the NW. Corner of the Castleberry Survey, the location of it's SW. Corner was used to determine the actual distance Southward to the Re-entrant Corner of the W. E. Pasteur Survey which called for the SW. Corner of the Castleberry Survey. This distance was found to be actually 5298.75 vs. This is 199.74 vs. Excessive of the call on the West line of the Castleberry Survey. From other work done by the writer it was found that this Excessive length on the Castleberry Survey's North and South dimensions was almost exactly equalled by an Excessive length East and West.



That the Castleberry Survey is actually of this Excessive size is generally recognized. Also the John Ruddle Survey is generally known and recognized to be actually much larger both East and West and North and South than it calls to be in the Field Notes.

That the Castleberry Survey was Excessive in length was known to Mr. Brooks when he began the first or North System of Surveys along the West side of the Castleberry Survey is evident by the Field Note descriptions of the various Surveys along the West side of the Castleberry Survey, i e, he called for the Wakeland and Painter Surveys to be 1900.8 vs. North and South. He had previously called for 349 vs. North from the SW. Corner of the Castleberry on the Pasteur Survey Field Notes when he wrote the Field Notes for the Richard Stiles which later was changed to the Field Notes for W. H. Hart. Note that the two Surveys called to be 1900.8 vs each, plus the 349 vs. called for on the Pasteur equals 4150.6 vs. Mr. Brooks then called the Stiles or Hart Survey to be 950 vs. North and South. Thus it is found that the total called distance called for by Mr. Brooks along the West line of the Castleberry Survey adds up to a total of 5100.6 vs., which is only 1.59 vs. more than the "called" distance in the Castleberry Field Notes. In this instance of the Stiles or Hart Field Notes, Mr. Brooks knew that he had to call for the North and South dimension to be such as would very closely match with the other distances, the distance called for on the West line of the Castleberry Survey. This procedure had to be followed because the Castleberry Survey was already shown on the maps in the General Land Office according to it's Field Note Calls; and if he had shown the actual distance that he found on this line he knew that the Field Notes of at least one or possibly all four Surveys made by him along the West line of the Castleberry Survey would be rejected by the Land Office. This same condition existed in the instance of the first call of the Pasteur Survey along the South line of the Castleberry Survey. Mr. Brooks knew that the distance was more than 438 vs.; but because of the Field Notes of the John Ruddle Survey, and the Field Notes of the John H. Anderson (No. 251) having taken up a total distance by calls of 2886.75 plus 1890 vs. which only left 322.26 vs. of the Castleberry Survey's South line that was uncalled for, according to the call for distance on the South line of the said Castleberry, Mr. Brooks had to limit the call for distance along the Castleberry Survey's South line to 322 vs. to meet the requirements of the

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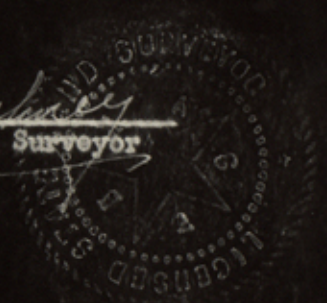


General Land Office. In addition to the actual findings of the writer, with respect to the actual length of the lines of the Castleberry Survey, it is noted that the Field Notes of the Henry Hathaway Survey calls for the NE. Corner of the Castleberry Survey, calls to go West with the North line of same, and at 5250 vs. calls for the NW. Corner of the Castleberry Survey. Thus it is not presumption, but fact, that the Excessive length of the lines of the Castleberry Survey was known as early as Nov. 7th., 1838, the date of the Hathaway Field Notes.

The Comments relative to the records, Argument sustaining Comments, Photographs confirming actual findings on the ground, and Report of findings and construction made therefrom, are hereby respectfully submitted.

Witness my hand and official seal of office this the 26th, day of June, 1940 A. D.

M. H. Hackney  
Licensed State Land Surveyor

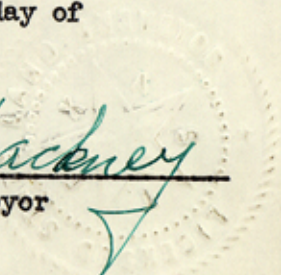




\*\*\*\*\* CERTIFICATE \*\*\*\*\*

I, M. H. Hackney, a Licensed Land Surveyor in and for the State of Texas do hereby certify that the foregoing 21 pages are true and correct copies of a report written by me.

Witness my hand and official seal of office this the 31st. day of August, 1940 A. D.

  
M. H. Hackney  
Licensed Land Surveyor



FIELD NOTES OF 21.921 ac. OF LAND SITUATED IN GREGG COUNTY, TEXAS, ABOUT  
N.88°-30'W. 8 miles FROM COUNTY SITE, ON THE WATERS OF THE SABINE RIVER.

Beginning at the Northwest Corner of the William E. Pasteur Survey, a stake  
from which State Reclamation Monument F-13 bears N.85°-41'-33"W. 116.90 vs.

THENCE:

West, with the South line of the W. H. Hart Survey, 112.05 vs. to a stake  
from which State Reclamation Monument F-13 bears N.27°-14'W. 9.87 vs.,

and a 2 inch pipe driven vertically in the ground bears N.55°-21'W. 11.29 vs.

THENCE: / Said stake being an Interior corner of the Francis W.  
/ Johnson Survey

South, with the East line of the Francis W. Johnson Survey, 1104.44 vs.

to a stake from which State Reclamation Monument F-14 bears N.29°-15'W.

14.88 vs., and a 2 inch iron pipe driven vertically in the ground bears

N.37°-15'W. 37.11 vs., said stake for corner being the Southwest corner

of this tract, and an Interior or Re-entrant Corner of the said Johnson  
Survey.

THENCE:

East, with a North line of the said Francis W. Johnson Survey, 112.05 vs.

to a stake for corner, same being the Southwest corner of the William E.

Pasteur Survey, and being located in the middle of a Flag Pond, and from

which State Reclamation Monument F-14 bears N.83°-47'-30"W. 120.02 vs.

THENCE:

North with the West line of the said Pasteur Survey, 1104.44 vs. to the

place of Beginning, containing in all 21.921 acres of land.

Bearings TRUE

County 75462



RECEIVED

SEP 12 1940

GENERAL LAND OFFICE

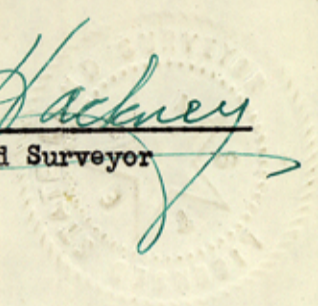
*law e.s.*

\*\*\*\*\* CERTIFICATE \*\*\*\*\*

I, M. H. Hackney, a Licensed Land Surveyor in and for the State of Texas do hereby certify that the Field Notes on the reverse side hereof are a true and correct copy of Field Notes written by me.

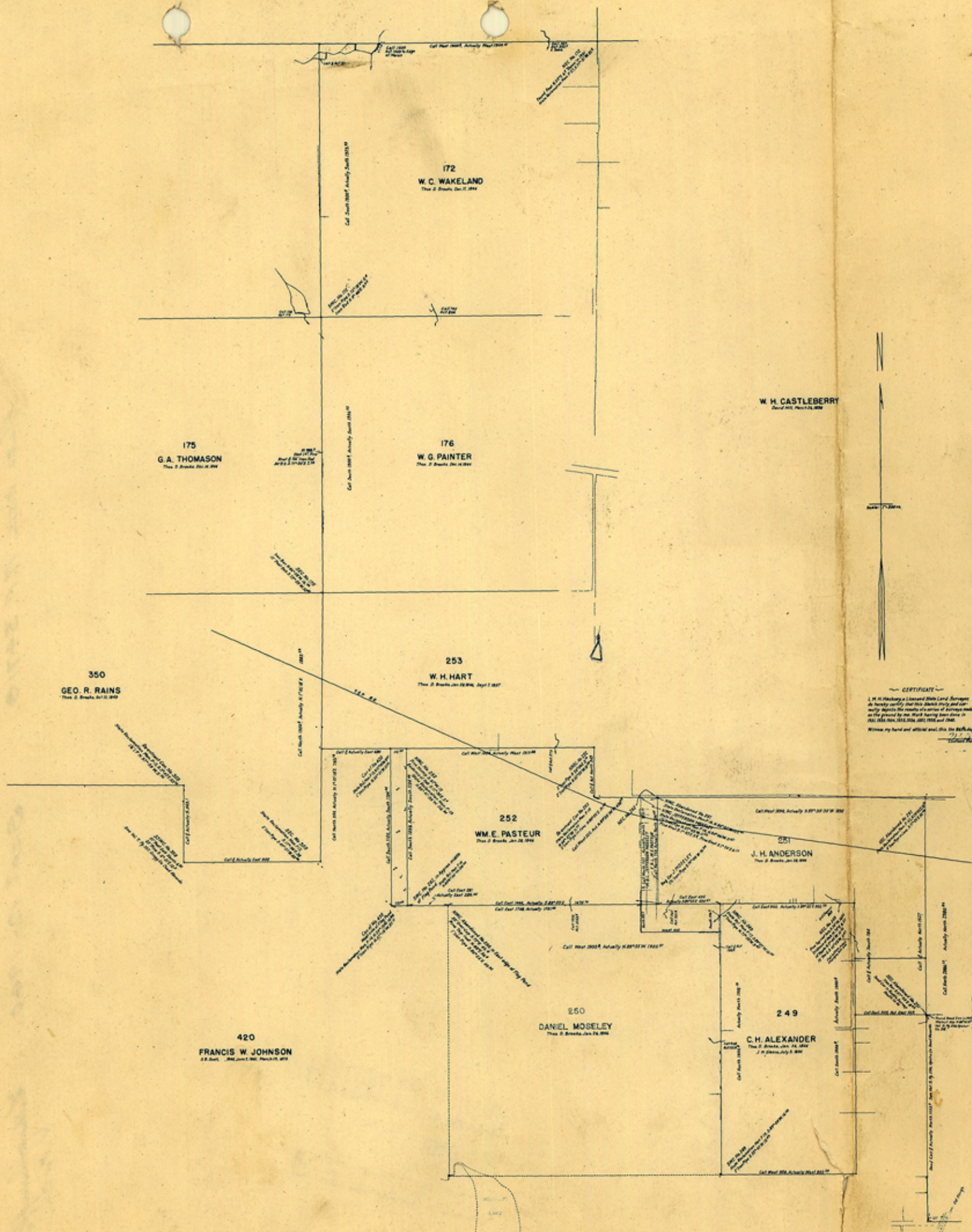
Witness my hand and official seal of office this the 31st. day of August, 1940 A. D.

*M. H. Hackney*  
\_\_\_\_\_  
Licensed Land Surveyor



*counter 75463*





CERTIFICATE

I, M. H. Mackay, a Licensed State Land Surveyor, do hereby certify that this Survey and Certificate represent the results of a series of surveys made as the ground by me, which having been done in full accordance with the laws of this State, and that I witness my hand and official seal this the 15th day of June, 1900.

M. H. Mackay  
Licensed State Land Surveyor

counter 15467

X



GREGG Co A.L.O. SKETCH No 13

ALSO SEE M.A. 34718.

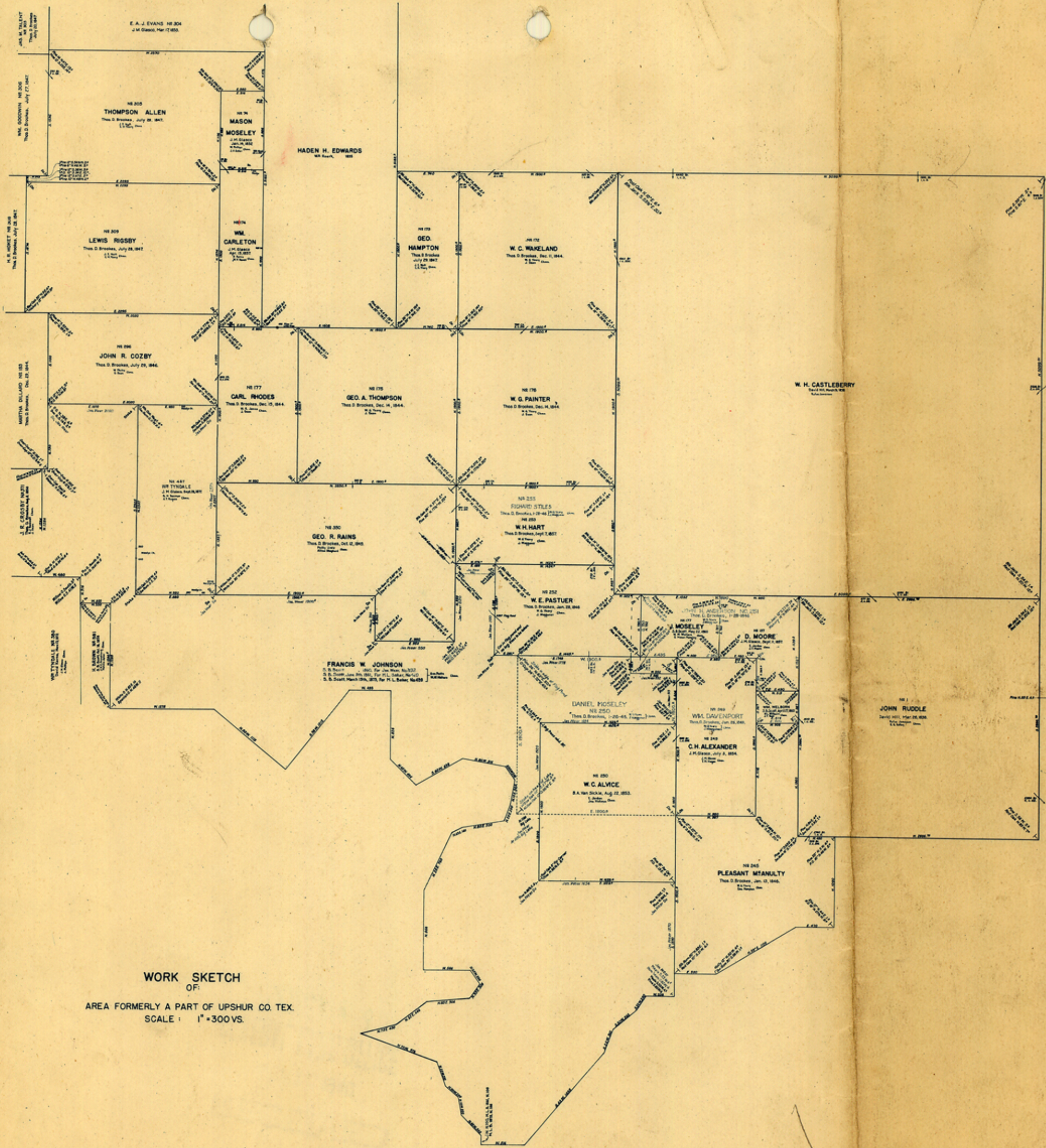
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Yellapothreddy  
T. C. K.

RECEIVED  
SEP 12 1940  
GENERAL LAND OFFICE  
*house 8*

counter 75465





WORK SKETCH  
 OF  
 AREA FORMERLY A PART OF UPSHUR CO. TEX.  
 SCALE: 1" = 300 VS.

counter 75766



m.a. 34718

September 17, 1940

Mr. M. H. Hackney  
P. O. Box No. 189  
Longview T e x a s

Dear Mr. Hackney:

This is to acknowledge receipt of your letter of September 11th., with which you enclosed a report of surveying investigation in the vicinity of the William E. Pasteur survey in Gregg County.

The area on which you report a vacancy was covered by an application filed by Mr. F. L. Luckel under the new law, pursuant to which Mr. W. B. Chambers was appointed to make the survey. After a careful investigation Mr. Chambers reported to this office that no vacancy existed between the Pasteur and the Francis W. Johnson, and Mr. Luckel concurred with him. For this reason that application, which was M. A. 34718, was rejected by this office.

Your report will be placed with this file for the information it contains.

Sincerely yours,

Small:rlw

BASCOM GILES  
COMMISSIONER OF GENERAL LAND OFFICE

counter 45467



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PHO. 408, OFFICE

M. H. HACKNEY, C. E.  
LICENSED STATE LAND SURVEYOR  
P. O. BOX 188  
LONGVIEW, TEXAS

PHO. 2328, RES.

Sept. 11, 1940

RECEIVED

SEP 12 1940

GENERAL LAND OFFICE

*Law e. s.*

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

Dear Mr. Commissioner:

Enclosed herewith is a photostatic copy of a report of findings from a surveying investigation, with reduced copies of work sketch and map of survey attached.

This investigation was made at the request of an individual land owner. The data was submitted to the land owner on June 30th., 1940; and the enclosed report and sketches are submitted in compliance with statutory requirements. I have delayed my report in order that ample time might be had by the gentleman who ordered this work, or his representatives, to examine my report. At this time I have received no comments of any nature from he or his representatives.

I am not submitting photographic data pertaining to this matter. There are a number of photos of evidence on this work. I have the negatives; and should prints be desired they may be had, provided the cost of printing does not have to be taken care of by me. I feel that the personal expense on matters of this nature should be compensated for in some way. The statute requiring submission of reports and other data does not provide for any compensation for expenses incurred by the reporting Surveyor.

It is my impression that the School Land Board is charged with the duty of placing a value on areas claimed to be either surveyed or un-surveyed lands belonging to the State, so I have not estimated the value of the tract of land described.

Referring further to the statute requiring the submission of reports, it is noted that no mention is made of filing fees for such reports. Therefore, though no filing fee accompanies this data, I presume that it will be duly filed in the records.

Yours very truly

*M. H. Hackney*  
M. H. Hackney

cc;  
Attorney General

counter 75468

*Case G. P. O. No. 12*