

Statement.

General Land Office  
March 25<sup>th</sup> 1895

According to the Statute, the County line between Burnet and Lampasas Counties runs from the upper corner of Sallie House's (widow of James House) league N<sup>o</sup>. 14 East to a point lying N<sup>30</sup>°W from a point on Lampasas river, where the lower line of W<sup>m</sup>. P. Reese's 320 acres survey crosses the same.

This line was first run by John Harvey in 1853, whose field notes call for ~~the~~ starting from Sallie House's upper corner and running East 29<sup>1</sup>/<sub>2</sub> miles thence S<sup>30</sup>°E 5070 ors to Lampasas river.

The same line was retraced by T. A. Chamberlain, County Surveyor of Burnet Co. and J. C. Greenwood, County Surveyor of Lampasas Co (both Surveyors agreeing) in August 1883 and the line was adopted by the Commissioner of the General Land Office W<sup>m</sup>. C. Walsh as m<sup>kd</sup> in pencil on the file.

In May and June 1890 another line was run by E. Brown, County Surveyor of Lampasas Co - Burnet Co. not being represented.

In May 1892 the line was rerun by E. Brown (Burnet Co. not represented) the field notes of which are endorsed: Approved June 25/94 and Abstract corrected June 27/94. G. N. Beaumont - further action seems to have been suspended.

The line run by Ealy J. Moses, Special Surveyor filed in this Office February 26/95 appears to be a correct retracing of John Harvey's line of 1853, though straightening it, where it deviates from a straight line.

The main cause of the trouble is the doubtful position of the S. W. corner of league N<sup>o</sup>. 14, which by its bearing trees is identical with the S. W. corner of league N<sup>o</sup>. 13, while the map in use shows a space of 983 ors, covered by old surveys, between them. There is no proof that either Harvey or Brown started from the correct point, but Harvey's line has been recognized by this Office from 1853 to 1890.

The adverse report of O. N. Lively admits, that the marks on the line, trees are old and agree with those described by John Harvey, nor does he deny that the N. E. corner of Burnet Co. established by Mr. Moses lies

over.

N30°W 5070 ors from the crossing of Lampasas river as called for by Harvey, which proves it to be identical with Harvey's line. The discrepancy in distances is explained by Mr. Moses's report as originating from running from the starting point first through rough ground and afterwards by an excess in the length of miles, also that Harvey's line is not straight, but deviates partly North, partly South of a straight line. The disappearance of timber and bearing trees since 1853 is easily accounted for by the lapse of 42 years - I do not think the objections raised by Mr. Lively to be convincing.

C. W. Pressler

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Statement.

Pressler

1895

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Andrew J. Baker,

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Powers, page 211, 65 Texas, and Kaufman County vs. McLaughley, page  
 3rd Civil Court of Appeals. If, however, I am mistaken as to my  
 position in the premises and I were to adopt any line I would be  
 constrained to adopt that of E. J. Moses, as it is no doubt correct-  
 ing an exact retrace of the old Harvey line, except where it  
 straightens the line. I very much regret the want of power to adopt  
 this line, simply because it does make straight a line which was  
 originally intended to be straight, but which was made crooked by the  
 roughness of the country.

I beg, therefore, to advise you that this office will correct the  
 abstract, and under these surveys, so as to conform to the line made  
 by Harvey, and retraced by Chamberlain and Greenwood which was approved  
 by the Commissioner, as referred to above.

Very respectfully,



Commissioner.

ows a space of 983 yrs, covered by patented surveys between them.

There is no proof that either Harvey or Brown started from the correct point, but Harvey's line has been recognized by this office from 1853 to 1890.

The adverse report of V. H. Zively admits that the marks on the trees are old and agree with those described by John Harvey, nor does he deny that the N. E. corner of Burnet County, established by Jones, lies N 30 W 5070 yrs. from the crossing of Lampasas river, as stated for by Harvey, which proves it to be identical with Harvey's line. The discrepancies in distance is explained by Mr. Moses' report, originating from running from the starting point, first, through rough ground and afterwards by an excess in the length of miles, also that Harvey's line is not straight, but deviates partly North, partly South of a straight line. The disappearance of timber and bearing since 1853 is easily accounted for by the lapse of 42 years. I do not think the objections raised by Mr. Zively to be convincing.

It is therefore believed by this office that the Harvey survey has been identified both by Chamberlain and Greenwood, in their tracing, and having been adopted by the Commissioner, it is believed that any objection now by me would be ultra-vires both under the decision of Jones

Andrew J. Baker

March 26, 1896.

To the commissioners court of Burnet Co.,

Burnet, Texas

Gentlemen: According to the statutes the county line between Burnet & Lampasas counties, runs from the upper corner of Sallie House's (widow of Jas. House) league No. 14, east to a point lying N 30 W from a point on the Lampasas river, where the lower side of Wm. P. Heese's 320 acre survey crosses the same. This line was first run by John Harvey in 1852 whose field notes call for starting from Sallie House's upper corner and running east 29, 1-2 miles; thence S 30 E 5070 vrs to Lampasas river. The same line was run-retraced, by L. A. Chamberlain, County surveyor of Burnet and G. C. Greenwood, County surveyor of Lampasas County, (both surveyors agreeing) in August 1883, and the line was adopted by the Commissioner of the general Land Office, W. C. Walsh as marked in pencil on the file.

The line run by E. J. Moses, special surveyor, filed in this office July 26th, 1895, appears to be a correct re-tracing of the John Harvey line of 1852, though straightening it where it deviates from a straight line. The main cause of the trouble is the doubtful position of the N. W. corner of league No. 14 which by its bearing trees is identical with the S. W. corner of league No. 13, while the map in use

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Burnet co. Bdry. line #7