

3

Dallam-Hartley

County Line.

by
Decree of Court.

March 10 1909.

Cor. in Alsb. vol 32

counted 52062

O. R. McMORDIE

COUNTY AND DISTRICT CLERK, HEMPHILL CO
CORRESPONDENT

FOR MONEY LOANED ON PATENTED LAND

1337

CANADIAN, TEXAS March, 8th 1909.

Hon J.T. Robison, Comr G.L.O.

Austin, Texas.

Dear Sir:-

In reply to your letter of the 6th inst.,
will say that the Judgment in cause No. 280. Dallam Co vs Hartley Co, was
final and no appeal taken.

Yours truly.

O. R. McMordie
clerk.

939
350

counted 52063

Dallam County
vs. No 280
Hartley County.

§
§
§
§

In District Court,
Hemphill County Texas,
January Term, 1908.

It is ordered, adjudged and decreed by the Court that the joint survey pleaded by the defendant Hartley County in this case, as made by the appointed Surveyors of the Counties litigant, Hartley and Dallam, beginningt at a point on a line projected South from the Northwest corner of Sherman County, 30 miles and 1629 feet and ending at a point on the Western boundary line of the Panhandle of Texas, is hereby set aside and canceled. And it is further ordered by the Court that for the purpose of determining the true boundary line between the said Dallam and Hartley Counties, that H.B.Spiller of Hemphill County, Texas, and A.H.Doucette of Gray County. Texas, are appointed by the Court for such purpose; and for the purpose of establishing said boundary line between said counties, they are instructed as follows:

First: They are ordered and instructed by the Court to find upon the ground by correct scientific surveying, the Southeast corner of Lipscomb County, Texas, according to a survey by U.S.Government Surveyor E.N.Darling, in the year 1875, and retraced by U.S.Surveyor A.D.Kidder in the year 1902, Said survey existent and appearing upon the ground at the time the Legislature passed the act bounding the Northern tier of Panhandle counties in 1876.

Second: They are ordered and instructed to ascertain the true latitude of the line running through said Southeast corner of Lipscomb County.Texas, and that said line and latitude through said Southeast corner of said Lipscomb County is to be projected West by scientific and accurate surveying, either by a line actually run upon the ground or scientifically taken and observed as the true latitude by the most correct and improved methods(to them as deemed best and expedient)to a point where said latitude and line projected due West from the said Southeast corner of Lipscomb County,Texas, intersects the West boundary line of Sherman County, Texas, Projected South from the Northwest corner of said Sherman county, Texas; In both instances of the extension of said lines distance being negative

and the course of said line of latitude from said Southeast corner of Lipscomb County West to be unalterable.

Third: Said surveyors from said point of intersection of said two lines, after having been established as aforesaid, shall then run a survey upon the ground on said line of latitude West regarding course as unalterable, to the Western boundary line of Texas.

Fourth: Said surveyors in surveying said line from said point of intersection for the common boundary line between Dallam and Hartley Counties, shall measure and mark the same upon the ground in a proper and suitable manner, the marks and monuments to be of such a lasting and permanent nature so that the same may be thereafter easily traced by said Counties as the common boundary line for the future establishment of permanent and suitable monuments.

Fifth: The said surveyors are further ordered and instructed in running said common boundary line from the point of intersection to the Western boundary of Texas, and in measuring and marking said line, and in reporting the same to this court, the field-notes for said common boundary line between said counties are to accurately describe and designate the artificial marks made by them detailing the survey and the line by miles successively and numerically with a full and sufficient description of all other natural or artificial monuments as to them may seem necessary to designate the line of said survey, as well as all witnesses used by them for the purpose of identifying the same.

Sixth: The said Surveyors are further ordered and instructed to make four maps of the said common boundary line as so constructed and to be certified to by them exhibiting the relative position of said line upon the sections or surveys with block number and name of Survey, through which surveyed one of said maps to be made a part of the report of said Surveyors to the District Court of Hemphill County, Texas, as follows:-

Seventh:- That said Surveyors are to make a complete and full report to the District Court of Hemphill County, Texas, on or before the 1st day of the next term of said court elaborating in detail the

manner in which said work has been done, giving the names of chain-carriers and all assisting in said survey accompanied by one of said maps hereinbefore mentioned and with the field-notes of said work, as before ordered. the said report to be made under separate oath, as follows: "I _____ of _____ County, Texas, do solemnly swear that I have faithfully and impartially discharged the duties as surveyor under the order of the District Court of Hemphill County, Texas, in surveying the line between Dallam and Hartley Counties, Texas, to the best of my skill and ability, without bias in favor of or prejudice against either County, and uninfluenced by any person or officer directly or indirectly in said line or survey."

Eighth: It is further ordered that said line when so surveyed and reported to the District Court of Hemphill County, Texas, and said report and survey approved by said Court upon a hearing and judgment rendered thereupon properly certified in accordance with law and section 808a of the Revised Statutes of Texas, to the Commissioner of the General Land Office, shall constitute the North Boundary line of Hartley County, Texas, and the South boundary line of Dallam County, Texas.

Ninth:- It is ordered that the Surveyors hereby appointed, before they begin the performance of said work, shall each signify their acceptance of the appointment made by the District Court of Hemphill County, Texas, the same to appear upon the margin of the Minutes of said District Court, over their signatures as follows:

"I hereby accept the appointment by the district court of Hemphill County, Texas, to the Position as Surveyor in the case of Dallam County vs. Hartley County, pending upon the docket of said Court."

Dallam County and Hartley County each except to the judgment and order of said court. and each gave notice of appeal to the Court of Civil Appeals for the Second Supreme Judicial District of Texas, at Fort Worth, Texas, and each is allowed twenty days from and after

the adjournment of said court in which to make up ^{prepare and} and file Bills of
Exception and Statement of Facts. [^]
Hemphill County, Texas.

It appearing to the Court that the Surveyors designated
and appointed by the Court at the January term 1908, have failed
to accept the appointment and begin the work of running the boundary

We hereby accept appointment by the District Court of Hemphill
County Texas to the position as Surveyor in the case of Dallam Coun-
ty vs. Hartley County, pending upon the docket of said court:

Signed this 17th day of August 1908.

A.H. Doucette

H.B. Spiller.

Dallam County

vs. No.280

Hartley County

§
§
§
§
§

In District Court
Hemphill County, Texas.

Thursday January 14th 1908.

On this day came on to be heard the above mentioned and entitled cause, Whereupon came on to be heard and considered the report of H.B.Spiller and A.H.Doucette, the Surveyors appointed by order of this court made and entered in this cause on the 26 day of January, 1908, to survey the line between Dallam and Hartley Counties, and it appering to the court that said surveyors have duly qualified and have performed said work and made such report in accordance with the orders of this court, it is accordingly ordered adjudged and decreed ny the court that said report be and the same is hereby in all things approved, said report is in words and figures as follows:

To the Honorable H.G.Hendricks Judge of 31st, Judicial District.

Sir:

We, having been appointed by you at the January term of the District Court of Hemphill County. 1908, to establish the line between Dallam and Hartley Counties by running a parallel of latitude West from the 102nd, mile post on 100th meridian, make our report as follows:-

On August 20th, 1908 we began at a stone set in the ground on divide between the Canadian River and Commission creek (no marks on said stone) supposed to be the 101st mile stone on said Meridian as established by U.S.Surveyor, E.H.Darling, in 1875, and identified by A.D.Kidder in 1902, but in order to establish this fact we ran north from this point as follows:- at 797.9 feet pass 18.3 feet West of a stone supposed to be the corner of sections Nos.8 & 17, T 18, N.R.26 W. and 13.5 feet east of stone; at 4004 feet cross draw (course N.W.) and 4406 feet recross same draw (course east); at 5261.5 feet pass a sandstone set in ground on small sandhill, identified by Kidder as 102nd.mile stone on 100th.meridian, marks indistinct; at 5952 feet pass 13.6 feet West of a stone set in ground; at 7398 feet cross east end of high stony ridge (course E.and W); at 8654 feet pass 22 feet west of concrete block, 2" x 6" on top, marked "100 M" on top;

at 9130 feet cross South bank of Commission creek) at 9260 feet cross North bank of same. at 10,545 feet pass 31.5 feet West of a rock, 8" x 8" on top, marks indistinct. identified by Kidder as 103rd. mile stone on said meridian; at 11,322.5 feet cross small creek (course S.E.); at 14,271 feet cross cap rock; at 15,800 feet pass 27 feet West of 104th, mile stone, marked TEX on West side and "I.T." on east side, other marks indistinct; at 17,740 feet cross Slough Creek; at 18,160 feet cross north prong of Slough creek; at 19,571 feet top of small peak; at 21,056.5 feet pass 62 feet West of Stone marked "M" on north side, other marks indistinct, 105th mile stone on 100th, Meridian; at 26,310 feet pass 88.5 feet West of sand stone marks indistinct, 106th mile stone on said Meridian.

In tracing this line we found that the calls both natural and artificial agreed with those of Kidder in his retracement of same lines, proving beyond doubt that the said stone on small sand hill was the one placed by E.N. Darling for the 102nd. mile stone on said Meridian, and the S.E. corner of Lipscomb County as intended by the Legislature in establishing the boundary of said County in 1876. We find the latitude of this point to be $36^{\circ} 4' 5''$, which is as near as we could calculate it with the facilities at our command. This stone for the 102nd mile post is 158 feet east and 163 feet South of an iron pipe marked "S.I" on South side and S.88 on north side; said pipe was placed in N.E. Corner of section I, Block 43, H. & T. C. R. CO., (same being the S.E. corner of section 88. same block, as established by the State Surveyor in resurvey of said block 43) by W.H.H. Cunningham and H.B. Spiller in the Survey of the line between Hemphill and Lipscomb County, for the corner of said Counties.

At the 102nd. mile post on the 100th. Meridian as identified, on the night of August 21st, 1908, we established the Meridian by observation on Polaris at its eastern Elongation. at which time its Azimuth was $1^{\circ} 28'$. Turning an angle to left 90 degrees from said Meridian, we ran tangent to parallel of latitude at that point West deflecting north at convenient points and touching the parallel of

of latitude at points equal distance on each side of deflecting points; checking our work by frequent observations on Polaris at eastern Elongation, continuing until we made an intersection with West line of Sherman County, as marked on the ground projected South from the N.W. corner of said County, From this point on reference is hereby made to field notes of County line between Dallam and Hartley counties, made a part of this report.

The parties assisting in establishing the line as given in attached notes were as follows:-

James M. Spiller	(Front chainman)
Quince Winder	(rear ")
Grady Pulaski	(Front Flagman)
Fred Young	(rear ")
Richard Spiller	(hack driver)
Charles Peet	(cook from Aug.17 to Aug.28)
Harry Little	(cook from Aug.30, to finish)
H.B. Spiller	
A.H. Doucette	

Filed Notes of South Line of Dallam County and North Line of Hartley County.

Beginning at an iron pipe, 1 1/2" x 3' / marked Dallam" on north side, "Hartley" on south side, at the intersection of line produced West from 102nd, mile post on 100th, Meridian with the West line of Sherman County produced South from its Northwest corner, from which pipe a pile of small stones east of Hartley road bears S.45° 16' W 496 varas, and a sand stone 30" x 24" x 8", set by W.D. Twitchell for S.E. corner of Dallam County and N.E. corner of Hartley County bears north 872.7 varas, and a stone with four pits, North, South, East and West, bears N.21° 35' E.1059.5 varas, and the Coldwater and Hartley Road crossing on the Palo Duro draw bears N.30° E.298.8 varas and a stone set in the ground with four bearing stones, North, South, East and West, bears N.42° 57' E 517.8 varas, and a windmill bears N.89°

24' E. and Polaris on the night of September 13th, 1908 bears N.1°
28' E at Eastern Elongation:

Thence angle to left from Polaris 91° 28' ran tangent West; at
129.6 varas cross Coldwater and Hartley Road; at 216 varas cross draw
(course north); at 1901 varas set pipe, 1 1/2" x 3', marked "1" on
east side, "Dallam" on north side and "Hartley" on south side, 2/10th.
varas north on true parallel. 1 mile.

Thence west; at 1423.8 varas cross old fence line; at 1753.6
varas cross road (course N.W.); at 1901 varas set pipe, 1 1/2" x 3',
marked "2" on east side, "Dallam" on north side and "Hartley" on
south side, 7/10ths. varas north on true parallel. 2 miles.

Thence West; at 618.8 varas cross old fence; at 1081.8 varas
cross road to Frank Williams (course south); at 1415.5 varas pass
40.5 varas north of N.E. corner of section. 4, Block I, E.T.R R Co; at
1901 varas set iron pipe, 1 1/2" x 3', marked "Dallam" on north side,
"Hartley" on south side and "3" on east side, 1 1/2 varas north on
true parallel. 3 miles.

Thence West; at 90 varas cross draw (course N.E.); at 228.6 var-
as cross old road (course N.E.); at 1901 varas set pipe, 1 1/2" x 3',
marked "4" on east side, "Dallam" on north side and "Hartley" on
south side, north 2.8 varas on true parallel, whence Frank Williams
north windmill bears N.67° 39' E. and his South wind mill bears S.
59° 30' E, and a windmill bears S. 21° 10' W. Mitchell windmill bears S.84° 54' W. deflect tangent to
North 0° 5' . 4 miles.

Thence west; at 1452 varas cross fence; at 1901 varas set iron
pipe, 1 1/2" x 3' marked "5" on east side "Dallam" on north side and
"Hartley" on South side, North 1 1/2 varas on true parallel. 5 miles.

Thence West; at 552.6 varas east edge and 619.2 varas West edge
of lake bed; at 1445.4 varas cross fence; at 1901 varas set iron pipe,
1 1/2" x 3'. marked "6" on east side, "Dallam" on north side, and
"Hartley" on south side, north 7/10ths. varas on true parallel. 6
miles.

Thence West; at 87.1 varas pass 21.6 varas north of iron pipe
(no marks); at 167.4 varas cross road (course N.W.); at 893.9 varas

small lake bed; at 1575.3 varas stake, Polaris at Eastern Elongation on night of september 14th. 1908 bears angle to left from back sight $88^{\circ} 31 \frac{1}{4}'$; at 1901 varas set pipe, $1 \frac{1}{2}" \times 3'$, marked "7" on east side and "Dallam" on north side and "Hartley" on south side, north $\frac{2}{10}$ ths. varas on true parallel. Seven miles.

Thence West 1432.8 varas pass 47.5 varas north of a pile of stones set in semi-circular trench and a pine stake marked "N E. Sect. I, Block A 4, N.W. Cor. Sect. 4, Block I, S.P.R.R. Co.:"; at 1901, varas set iron pipe $1 \frac{1}{2}" \times 3'$ marked "8" on east side, "Dallam" on north side and "Hartley" on south side, on true parallel, from which Frank Williams south windmill bears $S. 82^{\circ} 45' E$, Mitchells windmill $S. 86^{\circ} 21' E$, windmill $S. 63^{\circ} 38' E$ and windmill $S. 32^{\circ} 22' E$. Eight miles.

Thence West 1431 varas pass 29.2 varas north of a stone in mound and four pits, the N.W. corner of Section I, Block A 4; at 1901 varas set iron pipe $1 \frac{1}{2}" \times 3'$ marked "9" on east side, "Dallam" on north side and "Hartley" on south side, set north $\frac{2}{10}$ th varas on true parallel. Nine miles.

Thence West 1198.4 varas pass 1281.6 varas south of stone set in semi-circular trench, the N.E. corner of Section 20, Block 48, H & T.C.R.R. Co.; at 1204.9 varas pass 588.6 varas, North of stone in the center of an earth mound and four pits Southeast corner of said section 20; at 1856.1 varas cross road (course S.W.); at 1901 varas set pipe $1 \frac{1}{2}" \times 3'$, marked "10" on east side, "Dallam" on north side and "Hartley" on south side, $\frac{7}{100}$ ths, varas North on true parallel. Ten miles.

Thence west 1198 varas cross road (course N & S); at 1901 varas set pipe, $1 \frac{1}{2}" \times 3'$, marked "11" on east side, "Dallam" on north side and "Hartley" on south side, north 1.5 varas on true parallel. Eleven miles.

Thence west 1901 varas set iron pipe, $1 \frac{1}{2}" \times 3'$, marked "12" on east side, "Dallam" on north side and "Hartley" on south side, north 2.8 varas, on true parallel, whence windmill bears $N 13^{\circ} 20' E$. and a

windmill bears N. $22^{\circ} 01'$ W, and a windmill bears N $59^{\circ} 54'$ W, and a windmill bears N. $32^{\circ} 07'$ W, and the standpipe at Dalhart bears N. $87^{\circ} 8 \frac{1}{2}'$ W. and a windmill bears S. $69^{\circ} 05'$ W. Deflect tangent $0^{\circ} 5'$ north. Twelve miles.

Thence West; at 1901 varas set pipe, $1 \frac{1}{2}'' \times 3'$, marked "13" on east side, "Dallam" on north side and "Hartley" on south side, North 1.5 varas on true parallel. Thirteen miles.

Thence West at 1206 varas cross road (course N & S.); at 1360 varas cross road (course N & W.); at 1785 varas enter and at 1879 varas leave lake bed; at 1901 varas set iron pipe $1 \frac{1}{2}'' \times 3'$, marked "14" on east side, "Dallam" on north side and "Hartley" on south side, north $\frac{7}{10}$ varas on true parallel, Fourteen miles.

Thence West, at 619.5 varas and 730.8 varas cross road (course N.W.); at 1105.2 varas cross road to Dalhart (course N.W.); at 1772.3 varas cross south end of small lake bed; at 1901 varas set iron pipe $1 \frac{1}{2}'' \times 3'$ marked "15" on east side, "Dallam" on north side and "Hartley" on south side, north $\frac{2}{10}$ ths. varas on true parallel, fifteen miles.

Thence west, at 1193.7 varas cross road (course N & S.); at 1197.7 varas cross fence on east line of section 28, in block 48, H & T C R R Co., whence its S.E. corner bears S $0^{\circ} 1'$ W 571.3 varas, said corner is marked by stone and four pits; at 1639.8 varas cross fence (course N & S); at 1901 varas set pipe $1 \frac{1}{2}'' \times 3'$, marked "16" on east side, "Dallam" on north side and "Hartley" on south side on true parallel, from which a windmill bears N $43^{\circ} 32'$ W, stand pipe at Dalhart bears N $84^{\circ} 27 \frac{1}{2}'$ W. a windmill bears S $62^{\circ} 22'$ W. a windmill bears S. $23^{\circ} 22 \frac{1}{2}'$ E. and Polaris at Eastern Elongation on night of September 15th, 1908 bears N $1^{\circ} 28'$ E. 16 miles.

Thence West, at 1901 varas set pipe $1 \frac{1}{2}'' \times 3'$, marked "17" on east side, "Dallam" on north side and "Hartley" on south side, north $\frac{2}{10}$ ths varas on true parallel. 17 miles.

Thence West, at 1196.3 varas cross fence (course N & S.); at 1200 varas cross road (course N & S.); at 1901 varas set pipe, $1 \frac{1}{2}'' \times 3'$, marked "18" on east side, "Dallam" on north side and "Hartley"

on south side, north $7/10$ ths varas on true parallel. 18 miles.

Thence West, at 322.2 varas cross fence (course N & S); at 809.6 varas cross fence (course N & S); at 811.8 varas cross road (course N & S); at 1435 varas cross fence (course N & S); at 1901 varas set pipe, 1 1/2" x 3'. marked "19" on east side "Dallam on north side and "Hartley" on south side, north 1.5 varas on true parallel. 19 miles.

Thence West; at 10.8 varas cross fence (course N & S); at 558.2 varas cross road (course N 50° 16 1/2' W); at 597.6 varas cross Ft. Worth and Denver R.R. track angle of intersection 39° 43 1/2' S.E. angle; at 773.6 varas cross fence (course N.W.); at 1227.2 varas cross fence (course N & S.); at 1231.2 varas cross street; at 1241.6 varas pass 10.5 varas South of N.E. corner of Block 163 in town of Dalhart; at 1901 varas set pipe, 1 1/2" x 3', marked "20" on east side, "D" on north side and "H" on south side, North 2.8 varas on true parallel. Whence a windmill bears N 83° 10' E a windmill bears S 80° 16 - 1 1/2' E. a windmill bears S. 26° 32 1/2' W, a wind mill bears S 70° 20' W. and stand pipe bears N 21° 15' W. Deflect tangent to north 0° 5'. 20 miles.

Thence West, at 344.9 varas cross road in the Main street in town of Dalhart; at 764 varas pass 5.2 varas south of pine peg set in N.E. corner of block 162 in Town of Dalhart; at 907.2 varas cross road (course N & S); at 1191.6 varas point from which Polaris at Eastern Elongation on night of September 16th, bears angle to left from back sight 88° 34'; at 1235.2 varas cross fence on west line of section 32, Block 48, H & T C R R Co: at a point 579.6 varas north from a pile of stones for its Southwest corner and 1298.2 varas South of a stone set in ground at its N.W. corner; at 1901 varas set iron pipe, 1 1/2" x 3'. marked "21" on East. "D" on north and "H" on south side, North 1.5 varas on true Parallel. 21 miles.

Thence West; at 123 varas cross fence; at 293.4 varas cross Rock Island Railroad on curve at Station 875 plus 75; at 1246.3 varas cross fence (course N & S); at 1901 varas set pipe, 1 1/2" x 3', marked "22" on east side, "D" on north side and "H" on South side, North $7/10$ ths. varas on true parallel. 22 miles.

Thence West; 784.8 varas cross fence (course N & S); at 1901 varas set pipe, 1 1/2" x 3', marked "23" on east side, "D" on north side and "H" on South side, north 2/10ths. varas on true parallel. 23 miles.

Thence West; at 372.6 varas cross Reto Blanco creek (course S); at 1276 varas pass 1296 varas South of a pile of stone at the N.E. corner of Section 48, in Block 2, B & B. and the N.W. corner of section 36, Block 48, H & T.C.R.R. Co; at 1277 varas cross fence (course N & S); at 1901 varas set pipe, 1 1/2" x 3', marked "24" on east side, "D" on north side, and "H" on south side, on true parallel; whence stand pipe at Dalhart bears N 84° 3 1/2' E. windmill bears S. 48° 54-1/2' E; windmill bears S 15° 57 1/2' E; windmill bears S 45° 47' West; windmill bears S 69° 59' W. 24 miles.

Thence West; at 1263 varas cross and old fence line (course N & S); at 1901 varas set pipe, 1 1/2" x 3'. marked "25" on east side, "D" on north side and "H" on South side, north 2/10ths. varas on true parallel. 25 miles.

Thence West; at 1636 varas pass center of small lake bed; at 1901 varas set pipe 1 1/2 x 3', marked "26" on east side "D" on north side and "H" on south side, north 7/10ths varas on true parallel. 26 miles.

Thence West; at 1260 varas cross fence (course N & S); at 1901 varas set pipe, 1 1/2" x 3', marked "27" on East side, "D" on north side and "H" on south side, north 1.5 varas on true parallel. 27 miles.

Thence West; at 1277 varas cross a deep road (course N & S); at 1901 varas set pipe, 1 1/2" x 3', marked "28" on east side, "D" on north side and "H" on south side, north 2.8 varas on true parallel: Whence windmill bears N 6° 47' E; windmill bears N 31° 15 1/2' E; windmill bears S 11° 4' E; a windmill bears S 77° 59' W; a windmill bears N 74° 33' W; a windmill bears N 24° 12 1/2 W. and Polaris on night of September 18th, 1908 bears its Eastern Elongation N 1° 28' E. Deflects tangent to North 0° 5'. 28 miles.

Thence West, at 1901 varas set pipe 1 1/2" x 3', marked "29" on east side, "D" on north side and "H" on south side, North 1.5 varas

on true Parallel. 29 miles.

Thence West, at 1517 varas cross road (course N.W.); at 1901 varas set pipe, 1 1/2" x 3', marked "30" on east side, "D" on north side and "H" on South side, north 7/10th s varas on true parallel. 30 miles.

Thence west; at 6.6 varas cross road (course N & S); at 6.9 varas cross fence (course N & S); at 514.8 varas cross old road; at 1901 varas set pipe, 1 1/2" x 3', marked "31" on east side, "D" on north side and "H" on south side, north 2/10th varas on true parallel. 31 miles.

Thence West, at 721.8 varas cross old road (course N W); at 1333.3 varas cross a fence at a point 535.5 varas south from iron pipe and 78 varas north from another iron pipe, at 1901 varas set pipe 1 1/2" x 3', marked "32" on east side, "D" on north side and "H" on south side, on true parallel, Whence a windmill bears N 34° 47' E. a windmill bears N 73° 36' E, a windmill bears S 86° 25' E. and a windmill bears N 39° 9' W. 32 miles.

Thence west; at 1213.2 varas cross road; at 1901 varas set pipe, 1 1/2" x 3', marked "33" on east ^{side,} "D" on north side and "H" on South side, north 2/10ths varas on true parallel. 33 miles.

Thence West; at 1901 varas set iron pipe 1 1/2" x 3', marked "34" on east side, "D" on north side and "H" on south side, north 7/10ths varas on true parallel. 34 miles.

Thence west; at 909.4 varas pass 11,156 varas South of N.W. corner of league 116 and N.E. corner of league 117; at 982 varas cross the West line of League 130 and east line of League 131; at 1901 varas set pipe 1 1/2" x 3', marked "35" on east side "D" on north side and "H" on south side, north 1.5 varas on true parallel. 35 miles.

Thence West; at 1901 varas set pipe, 1 1/2" x 3', marked "36" on east side, "D" on north side and "H" on south side, north 2.8 varas on true Parallel. Whence windmill in draw near house bears N 53° 25 1/2' W. chimney on roof of square house bears N 25° 2' E. windmill bears N 79° 43' E. Deflect tangent to north 08 05'. 36 miles.

Thence West; at 889.6 varas cross road; at 1901 varas set pipe, 1 1/2" x 3', marked "37" on east side, "D" on north side and "H" on South side, North 1.5 varas on true Parallel. 37 miles.

Thence West; at 135.3 varas cross fence at point 214.2 varas North from S.E. corner of section 78, Block 4, of Capitol Land Sub-division; at 148.7 varas, Polaris at Eastern Elongation on night of September 19th, 1908, bears angle to left from back sight $86^{\circ} 32'$; at 666 varas cross fence (course N & S); at 1901 varas set pipe 1 1/2" x 3', marked "38" on east side, "D" on north side and "H" on South side. north 7/10ths varas on true parallel. 38 miles.

Thence West; at 1901 varas set pipe 1 1/2" x 3', marked "39" on east side, "D" on north side and "H" on south side, north 2/10ths varas on true parallel. 39 miles.

Thence West; at 1738.4 varas cross fence; at a point 190.2 varas north of an iron pipe marked "18 & 19, B 5" and a 4" x 4" post marked "80 & 81"; at 1901 varas set iron pipe, 1 1/2" x 3', marked "40" on east side, "D" on north side and "H" on South side, on true parallel. 40 miles.

Thence West,; at 1901 varas set pipe, 1 1/2" x 3', marked "41" on east side, "D" on north side and "H" on south side, north 2/10ths varas on true parallel; Whence a windmill bears $N 63^{\circ} 18' W$; a windmill bears $N 21^{\circ} 56' W$. a windmill bears $N 47^{\circ} 1 1/2' E$, a windmill bears $S 40^{\circ} 59' W$. and a windmill bears $S 83^{\circ} 30 1/2' W$. 41 miles.

Thence West; at 70.2 varas cross old fence line (course N & S); at 1901 varas set pipe, 1 1/2" x 3', marked "42" on east side, "D" on north side and "H" on south side. North 7/10ths varas on true parallel. 42 miles.

Thence West; at 1901 ^{varas} set pipe, 1 1/2" x 3', marked "43" on east side, "D" on north side and "H" on south side, north 1.5 varas on true parallel. 43 miles.

Thence West; at 1152 varas cross old road (course N.E.); at 1901 varas set pipe, 1 1/2" x 3', marked "44" on east side, "D" on north side and "H" on south side, north 2.8 varas on true parallel. De-

flect tangent $0^{\circ} 5'$. 44 miles.

Thence west; at 1901 varas set pipe, $1\frac{1}{2}'' \times 3'$, marked "45" on east side, "D" on north side and "H" on south side, north 1.5 varas on true Parallel. 45 miles.

Thence West; at 1763 varas cross road course N.W.); at 1901 varas set pipe, $1\frac{1}{2}'' \times 3'$, marked "46" on east side, "D" on north side and "H" on South side, North, $7/10$ ths, on true parallel. 46 miles.

Thence West; at 1901 varas set pipe, $1\frac{1}{2}'' \times 3'$, marked "47" on east side "D" on north side and "H" on South side, north $2/10$ ths varas on true parallel. 47 miles.

Thence West; at 123.5 varas Polaris on night of september 21st 1908 at its Eastern Elongation bears $N 1^{\circ} 28' E$; at 1036.6 varas pass 952.4 varas north from iron pipe marked "B5"; at 1217 varas pass 894.1 varas north from N.E.corner of section 2, Block "AI", as called for by W.D.Twitchell and E.P.Batt in notes of South line of Dallam County; at 1901 varas set pipe, $1\frac{1}{2}'' \times 3'$, marked "48" on east side, "D" on north side and "H" on south side, on true parallel, Whence windmill bears $N 67^{\circ} 35' W$, a windmill bears $S 86^{\circ} 12' W$, a windmill bears $N 28^{\circ} 11' E$, south end of high ridge bears $N 80^{\circ} 49' W$. 48 miles.

Thence West; at 1901 varas set pipe, $1\frac{1}{2}'' \times 3'$, marked "49" on east side, "D" on north side and "H" on south side, north $2/10$ ths varas on true Parallel, Whence a windmill bears $N 81^{\circ} 20' W$. centre of Rabbit ear Mountain bears $N 19^{\circ} 15' W$, a windmill bears $N 58^{\circ} 32' E$, and a windmill bears $S 46^{\circ} 31' W$. 49 miles.

Thence West; at 367.2 varas pass 99.5 varas north of pipe marked "B5" 9 and 28"; at 381.6 varas cross fence (course N & S); at 422.6 varas set cast iron pipe, $2'' \times 3'$ north $3/10$ ths varas on true Parallel, Whence earth mound and four pits, Twitchell's S.W.corner of Dallam and N.W.corner of Hartley Counties bears north 579.6 varas.

We, A.H.Doucette and H.R.Spiller, appointed by District Court of Hemphill County, at its January term, 1908, to establish line between Dallam and Hartley Counties, do hereby certify that the foregoing six pages of field notes were made from work actually done by us on

the ground and that the description of all marks and connections to land corners and calls for both natural and artificial objects are true and correct.

H.B.Spiller

A.H.Doucette

We, A.H.Doucette of the County of Gray Texas and H.B.Spiller of Hemphill County, Texas, do solemnly swear that we have faithfully and impartially discharged the duties as Surveyors under order of the District Court of Hemphill County, Texas, in surveying the line between Dallam and Hartley Counties, Texas, to the best of our skill and ability, without bias in favor of, or prejudice against either County, and uninfluenced by any person, or officer directly or indirectly interested in said line or survey.

A.H.Doucette

H.B.Spiller

Subscribed and sworn to before me, this 14th day of January, 1909.

(Seal)

O.R.McMordie Clerk District Court,

Hemphill Co Texas.

It is further ordered adjudged and decreed that the line as surveyed and established by said surveyors as the dividing line between Dallam and Hartley Counties, as shown by the field notes of such line incorporated in said report and map thereof accompanying the same, be and the same is hereby adjudged and declared to be the true and legal boundary line between the Counties of Dallam and Hartley. and the clerk of this court is hereby directed to make three certified copies of this judgment, and of the order entered by this court on the 25th day of January, 1908, appointing said surveyors and directing said survey, and the order of this court entered on the 11th day of July, 1908, granting further time for the making of the Surveyors report, and to transmit one of such certified copies to the county court of Dallam County, one to the county court of Hartley

County, and one to the Commissioner of the General Land Office, at Austin, Texas, the costs of making such copies to be taxed as a part of the costs of this case.

It is further ordered adjudged and decreed by the court that all costs incurred in this cause, including the costs of making said survey, to be and the same is hereby taxed equally against the plaintiff and the defendant, each to pay one half of such costs, for which execution may issue.

The State of Texas §
 §
County of Hemphill § I, O.R. McMordie Clerk of the District
Court, in and for said County and State, do hereby certify that
the above and foregoing are true and correct copies of certain or-
ders and judgments in cause No. 280, wherein Dallam County is Plaintiff
and Hartley County is defendant, as the same now appear of record
in Volume 3, Pages 32-55-105.....in Minutes of the District
Court of Hemphill County, Texas.

Given under my hand and seal of office, this the 26th day of
January, A. D. 1909.

O. R. McMordie

Clerk District Court,
Hemphill County, Texas.



m/ (3)

Dallam - Hartley
County Line
by decree of Court
Mar. 10, 1909.



January, A. D. 1909.

Given under my hand and seal of office, this 10th day of
Court of Hartley County, Texas.

in Volume 4, Page 241, of the Minutes of the District
and Hartley County, in defendant, in the case now pending in Court
doe and Judgment in case No. 500, wherein Dallam County is Plaintiff
the above and foregoing line and correct copies of court in
County, in and for said County and State, do hereby certify that

John S. ...

B 18