



General Land Office

State of Texas

Austin

J. T. ROBISON, COMMISSIONER
J. H. WALKER, CHIEF CLERK

March 7, 1928.

Mr. Frank Lupton,
County Surveyor,
Colorado, Texas.

Dear Sir:

This acknowledges receipt of yours of the 2d inst. in which you enclosed plat and field notes of the County line between Mitchell and Howard Counties.

I am returning these papers under separate cover for reason that the field notes are not signed and certified to by you as Surveyor, nor is there anything to show that this work was done under the direction or orders of the County Courts of these two counties.

In returning these papers to this office, same should be accompanied with certified copies of the orders of the court, appointing you as surveyor to make the survey. Also copies of the orders of said courts approving your survey. The field notes also should show book and page where they are recorded in the two counties.

Your attention is called to the fact that according to the field notes of the South West corner of Scurry County and the North West corner of Mitchell County as established by H. W. Stoneham and Hugh Goodwin in 1907. It does not appear identical or common with the North East corner of Howard and the South East Corner of Borden as established by W. S. McCleng and T. H. Seay in 1908. The line as run by you should tie into these corners in such manner as to show their relative position and whether or not the corner as fixed by you is at either of the above mentioned corners. Your field notes also should show whether or not the South West corner of Mitchell County and the South East corner of Howard County is the same corner as that heretofore established by Stoneham and Goodwin in 1907.



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#2 - - - - Frank Lupton.

For the statutory requirements in establishing county boundaries, your attention is called to Arts. 1582 and 1588 of the Revised Civil Statutes of 1925. In this connection you will note that it would seem that each county affected should appoint a surveyor to make a joint survey of the county boundaries, and your report to this office should show such fact and reason, if any, for noncooperation in this work. See Art. 1588 as above referred to.

Yours very truly.

J. T. Robison
COMMISSIONER.

Clark/mh

J. LEE JONES
COUNTY & DISTRICT CLERK
R. E. GREGORY
SHERIFF & TAX COLLECTOR
ALLEN D. KUYKENDALL
JAILER
J. B. HOLT
DEPUTY TAX COLLECTOR
H. C. DOSS
COUNTY TREASURER
G. D. FOSTER
COUNTY SUPERINTENDENT

CHAS. C. THOMPSON, - - COUNTY JUDGE
A. A. DORN, - - - COM. PRECINCT No. 1
BURR BROWN, - - - COM. PRECINCT No. 2
JOHN D. LANE, - - - COM. PRECINCT No. 3
CLYDE D. SMITH, - - COM. PRECINCT No. 4

GEORGE H. MAHON
COUNTY ATTORNEY
ROY E. WARREN
COUNTY TAX ASSESSOR
FRANK LUPTON
COUNTY SURVEYOR
W. S. STONEHAM
JUSTICE PEACE PRE. No. 1
H. A. LASSETER
JUSTICE PEACE PRE. No. 2
SAMUEL C. HARRIS
JUSTICE PEACE PRE. No. 5

MITCHELL COUNTY

Colorado, Texas

March 9, 1928

Hon. J. T. Robinson
State Land Commissioner
Austin, Texas

Dear Sir:

IN: RE: Mitchell - Howard County line
Mitchell and Howard Counties, have employed Mr.
Frank Lupton of this city to make the surveys
as required by your office to establish the line
between the two Counties.

The Fuller line as surveyed in 1922
is the agreed line between the Courts of the
two counties. The abstract books of the two
counties correspond to the Fuller line.

Your objection to the Fuller
line is that the surveys do not properly
tie into the line. That is the work we have
employed Mr. Lupton to do..

When he satisfies your department
on the line we will be satisfied.

Mr. Lupton tells me that you want
to know his authority for the work he has
done in this connection. If you require orders
of the two courts, we can furnish them, if not
this letter will suffice.

We want to get the line definitely
settled in the land office, as stated above
the counties have agreed to the line.

If there is further information
that I can give you, please command me. I am
very truly yours,

Chas. C. Thompson

County Judge Mitchell County, Texas.

1056

J. LEE JONES
COUNTY & DISTRICT CLERK
R. E. GREGORY
SHERIFF & TAX COLLECTOR
ALLEN D. KUYKENDALL
JAILER
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JUSTICE PEACE PRE. NO. 5

MITCHELL COUNTY

Colorado, Texas

September 28, 1928.

Hon. Jno. T. Robison,
Commissioner of General Land Office,
Austin, Texas.

Dir Sir:

We are herewith enclosing you Copy of Field Notes and Plat of the West boundary line of Mitchell County, the same being the East boundary line of Howard County, Texas, which has been duly recorded in both counties, and approved by the County Courts of Mitchell and Howard Counties.

We are also enclosing the orders of the County Courts of the two counties, approving the field notes and plat as enclosed, together with a letter from Judge Thompson to you authorizing me as County Surveyor to do this work for Mitchell and Howard Counties.

We trust that this procedure will meet all the requirements of your office and will meet with your approval.

Respectfully yours,

Frank Lupton
County Surveyor
Mitchell County, Texas.

RECEIVED

OCT 1 1928

REFERRED TO MAP

Note Frank Lupton 10/11/28

1697
549

THE STATE OF TEXAS,)
County of Mitchell.)

ORDER FOR SURVEYING WEST COUNTY LINE.

It appearing to the satisfaction of the County Court of Mitchell County, Texas, that the boundary line lying between Howard and Mitchell Counties is not sufficiently definite and well defined, Frank Lupton, an experienced and competent practical surveyor, is hereby appointed to ascertain by actual survey, the boundary line on the East of Howard County and the west of Mitchell County, and to make and establish the said line and the corners of each of said counties on said line and mark the said line at the end of each mile with a monument of stone or posts in compliance with Article 1583, of the Revised Civil Statutes of the State of Texas, 1925, and in compliance with Article 1584 of said Statutes and shall make due return of said field notes in compliance with Article 1587 of said Statutes and he is hereby specifically directed as a supplement to the above requirements, to ascertain and make callings therefor the exact point of the boundary line of every section, crossed or touched, over which said county line shall run, giving the distances said point shall be together with the directions from the corners of said sections.

The said Frank Lupton shall take the Oath of Office and give Bond as required by Article 1586 of said Statutes, before beginning his work under this appointment.

Witness my hand officially this the 25th day of June, A.D. 1927.

Chas. C. Thompson, County Judge,
Mitchell County, Texas.

THE STATE OF TEXAS,)
County of Mitchell.)

I, J. Lee Jones, Clerk of the County Court in and for Mitchell County Texas, do hereby certify that the foregoing contains a full, true and correct copy of an ORDER OF THE COURT, passed the 25th day of June, 1927, as same appears of record in Volume 4, page 276, Records of the Commissioners' Court of Mitchell County, Texas.

Witness my hand and seal of office, this the 13th day of October, 1928.

J. Lee Jones County Clerk,
Mitchell County, Texas.

By Maymel Taylor Deputy.

Howard 00. B. 4. m. # 46

By Wm. H. Jones Deputy.



Mitchell County, Texas.

Wm. H. Jones County Clerk,

Witness my hand and seal of office, this the 13th day of October, 1933.

Comptroller General of Mitchell County, Texas.
1933) as same appears of record in Volume 4, Page 276, Records of the
correct copy of an ORDER OF THE COURT, passed the 25th day of June
Texas, do hereby certify that the foregoing contains a full, true and
County of Mitchell,)
THE STATE OF TEXAS.)

Mitchell County, Texas.

Chas. C. Thompson, County Judge.

Witness my hand officially this the 25th day of June, A.D. 1933.
work under this appointment.

The said Frank Lubben shall take the oath of office and give bond
directions from the corners of said sections.

shall run, giving the distances said point shall be together with the
line of every section, crossed or touched, over which said county line
to ascertain and make callings therefor the exact point of the boundary,
by specifically directed as a supplement to the above requirements,
notes in compliance with Article 1587 of said Statutes and in compli-
Article 1584 of said Statutes and shall make due return of said field
Civil Statutes of the State of Texas, 1925, and in compliance with
of stone or posts in compliance with Article 1583, of the revised
line and mark the said line at the end of each mile with a monument
establish the said line and the corners of each of said counties on said
East of Howard County and the west of Mitchell County, and to make and
appointed to ascertain by actual survey, the boundary line on the
Frank Lubben, an experienced and competent practical surveyor, is hereby
Mitchell Counties is not sufficiently definite and well defined,
County, Texas, that the boundary line lying between Howard and

It appearing to the satisfaction of the County Court of Mitchell

COURT OF MITCHELL COUNTY, TEXAS, THIS ORDER FOR SURVEYING WEST COUNTY LINE.

THE STATE OF TEXAS,)

A

Mitchell County Court -
Order for Survey -

THE STATE OF TEXAS,)
County of Mitchell (

Whereas, heretofore, at the June Term 1927 of the County Court of Mitchell County, Texas, as appears in Book 4, at Page 276 of the Minutes of said Court, Frank Lupton, a competent and practical surveyor of Mitchell County, Texas, was appointed by the County Court of Mitchell County, Texas to go upon the ground and lay out and re-establish the West boundary line of Mitchell County, Texas, lying between Mitchell and Howard Counties, and to mark the same as is required by law, and

It appearing to the Court that said Frank Lupton has re-surveyed said line and has marked the same as required by law, and that said line so run by him is the true boundary line lying between Howard and Mitchell Counties, and that said Frank Lupton has filed with this Court, his report, together with the Field Notes of said survey to be recorded by the County Clerk of Mitchell County,]

It is hereby ordered, adjudged and decreed by the County Court of Mitchell County, Texas, that the said Field notes and report of said Frank Lupton be and the same are hereby approved and ordered filed and recorded by the County Clerk of this County in the Minutes of said Court, and the line as so run and established is hereby declared to be the West boundary line of Mitchell County, Texas.

Witness my hand this the 28 day of September, A.D. 1928.

C. Has. Thompson
County Judge, Mitchell County, Texas.

THE STATE OF TEXAS)
County of Mitchell (

I, J. Lee Jones, Clerk of the County Court of Howard County do hereby certify that the foregoing is a true and correct copy of the Order of the Court Approving Field notes and report of Frank Lupton, as the same appears of record in Book 4, Page 305 Commissioners Court Minutes, of Mitchell County, Texas.

Given under my hand and seal of office this 28 day of Sept., A.D. 1928.

By Mayme Taylor Deputy.

J. Lee Jones Clerk of the
County Court of Mitchell County, Tex.

BY John W. Jones Clerk.

Clerk of the County Court of Mitchell County, Texas.

A.D. 1888.

Given under my hand and seal of office this 28 day of September

Mitchell County, Texas. Page 30 of 30 com-

puted as the same appears of record in Book 11, of the County Court Minutes, a copy of the Order of the Court approving Field Notes and Report of Frank

Howard County do hereby certify that the foregoing is a true and correct

County of Mitchell (I. J. Lee Jones, Clerk of the County Court of

THE STATE OF TEXAS)

County Judge, Mitchell County, Texas.

John W. Jones

Witness my hand this the 28 day of September, A.D. 1888.
the West boundary line of Mitchell County, Texas.

Court, and the line as so run and established is hereby declared to be recorded by the County Clerk of this County in the Minutes of said Frank Johnson be and the same are hereby approved and ordered filed and Mitchell County, Texas, that the said Field Notes and Report of said

It is hereby ordered, adjudged and decreed by the County Court of recorded by the County Clerk of Mitchell County.

Court, his report, together with the Field Notes of said survey to be Mitchell Counties, and that said Frank Johnson has filed with this line so run by him to the true boundary line lying between Howard and said line and has marked the same as required by law, and that said If appearing to the Court that said Frank Johnson has re-surveyed law, and

Mitchell and Howard Counties, and to mark the same as is required by with the West boundary line of Mitchell County, Texas, lying between Mitchell County, Texas to go upon the ground and lay out and re-estab-

veyor of Mitchell County, Texas, was appointed by the County Court of Minutes of said Court, Frank Johnson, a competent and disinterested sur-

Mitchell County, Texas, as appears in Book 4, at Page 316 of the

whereas, hereof, at the time term 1887 of the County Court of

Order of County Court
Mitchell County
Approving Survey

Filed Oct 1st 1888
J. J. Robinson, Comm.

46

Frank Lupton
Surveyor

It appearing to the satisfaction of the County Court of Howard County, Texas, that the boundary line lying between Howard and Mitchell Counties, is not sufficiently definite and well defined, Frank Lupton, an experienced and competent practical surveyor, is hereby appointed to ascertain by actual survey, the boundary line on the East of Howard County and the west line of Mitchell County and to make and establish the said line and the corners of each of said Counties on said line and mark the said line at the end of each mile with a monument of stone or posts in compliance with Article 1583, of the Revised Civil Statutes of the State of Texas, 1925, and in compliance with Article 1584 of said Statutes, and shall make due return of said field notes in compliance with Article 1587 of said Statutes and he is hereby specifically directed as a supplement to the above requirements, to ascertain and make callings therefor the exact point of the boundary line of every section crossed or touched, over which said County line shall run, giving the distance said point shall be together with the directions from the corners of said sections.

The said Frank Lupton shall take Oath of Office and give bond as required by Article 1586 of said statutes, before beginning work under this appointment.

Witness my hand officially this the 25th day of June, A.D., 1927.

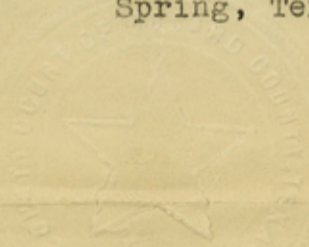
(Seal)

H.R. Debenport, County Judge
Howard County, Texas.

THE STATE OF TEXAS, |
COUNTY OF HOWARD. | I, J. I. Prichard, County Clerk
in and for said County and State, hereby certify that the foregoing is a true and correct copy of order of Hon. H. R. Debenport, County Judge, Howard County, Texas, appointing Frank Lupton surveyor, to survey the East line of Howard County and the West line of Mitchell County, as the same appears of record in Vol. 4, page 257, Minutes of the Commissioner's Court of Howard County, Texas.

Given under my hand and seal of office, at office in Big Spring, Texas, this 10th day of November, A.D., 1928.

J. I. Prichard
County Clerk, Howard County
TEXAS.





T E X A S.
County Clerk, Howard County

[Handwritten Signature]

Spring, Texas, this 10th day of November, A.D.: 1888.

Given under my hand and seal of office, at office in Big

Missioner's Court of Howard County, Texas.
appears of record in Vol. 4, Page 82v, Minutes of the Com-
County and the West line of Mitchell County, as the same
Frank Lupton surveyor, to survey the East line of Howard
Dependport, County Judge, Howard County, Texas, appointing
foregoing is a true and correct copy of order of Hon. H. B.
in and for said County and State, hereby certify that the
COUNTY OF HOWARD.
THE STATE OF TEXAS. | I. L. I. Fritchard, County Clerk

(Seal)

Howard County, Texas.
H. B. Dependport, County Judge

A. D.: 1887.

Witness my hand officially this the 22th day of June.

ning work under this appointment.

The said Frank Lupton shall take oath of office and give bond

Rather with the directions from the corners of said sections.
line shall run, giving the distance said point shall be fo-
of every section crossed or touched, over which said County
make callings therefor the exact point of the boundary line
as a supplement to the above reduplements, to ascertain and
of said Statutes and he is hereby specifically directed
turn of said field notes in compliance with Article 1585
with Article 1584 of said Statutes, and shall make due re-
Statutes of the State of Texas, 1882, and in compliance
posts in compliance with Article 1583 of the Revised Civil
line at the end of each mile with a monument of stone or
each of said Counties on said line and mark the said
to make and establish the said line and the corners of
of Howard County and the west line of Mitchell County and
ascertain by actual survey, the boundary line on the East
and competent practical surveyor, is hereby appointed to
define and well defined, Frank Lupton, an experienced
deputy Howard and Mitchell Counties, is not sufficiently
Howard County, Texas, that the boundary line lying
appearing to the satisfaction of the County Court

*Howard County Court
Order for Survey*

Howard Co. Survey. Line # 46

STATE OF TEXAS |

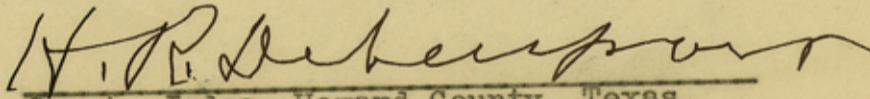
COUNTY OF HOWARD |

Whereas, heretofore, at the June Term¹⁹²⁷ of the County Court of Howard County, Texas, as appears in Book 4, at Page 257 of the Minutes of said Court, Frank Lupton, a competent and practical surveyor of Mitchell County, Texas, was appointed by the County Court of Howard County, Texas, to go upon the ground and lay out and re-establish the East boundary line of Howard County, Texas, lying between Mitchell and Howard Counties, and to mark the same as is required by law, and

It appearing to the Court that said Frank Lupton has re-surveyed said line and has marked the same as required by law, and that said line so run by him is the true boundary line lying between Howard and Mitchell Counties, and that said Frank Lupton has filed with this Court, his report, together with the Field Notes of said survey to be recorded by the County Clerk of Howard County, Texas.

It is hereby ordered, adjudged and decreed by the County Court of Howard County, Texas, that the said Field notes and report of said Frank Lupton be and the same are hereby approved and ordered filed and recorded by the County Clerk of this County in the Minutes of said Court, and the line as so run and established is hereby declared to be the East boundary line of Howard County, Texas.

Witness my hand this the 20th. day of September, A.D. 1928.


County Judge, Howard County, Texas.

THE STATE OF TEXAS, |
COUNTY OF HOWARD. | I, J. I. Prichard Clerk of the County Court of Howard County do hereby certify that the foregoing is a true and correct copy of the Order of the Court Approving Field notes and report of Frank Lupton, as the same appears of record in Book 4 Page 319 Commissioners Court Minutes, of Howard County, Texas.

Given under my hand and seal of office this 26th, day of September, A.D. ,1928.

J. I. Prichard--County Clerk,
Howard County, Texas.

By *Mabel Robinson* Deputy.

Howard Co. Bdry. line ⁷/₂₆

Order of County Court
of Howard County
Approving Co. line survey

Filed Oct 1st 1928
J. T. Robinson, Clerk

BY
HOWARD COUNTY, TEXAS.
J. T. Robinson, Clerk

A.D. 1928.

THE STATE OF TEXAS,
COUNTY OF HOWARD.
I, J. T. Robinson, Clerk of the County Court of
Howard County do hereby certify that the following is a correct and
true copy of the order of the County Court of Howard County
made on the 27th day of September, 1928, in the case of
Robinson vs. the State of Texas.

County Judge, Howard County, Texas.
J. T. Robinson

That the same was read and approved by the County Court of Howard County, Texas.

of said county, and the same is hereby certified to be a true and correct copy of the original.

It is hereby ordered by the County Court of Howard County, Texas, that the same be published in the
official newspaper of said county for three consecutive weeks, to wit: on the 27th, 28th and 29th days of
September, 1928.

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