



A. W. MOURSUND,
Attorney-at-Law.

A. E. Schuchard,
County Surveyor.

REAL ESTATE AGENTS.

Fredericksburg, Texas June 24th 1892

Hon: J. D. Scruggs
C^o Judge Menard C^o
Menardville Texas.

Sir:

Your favor of the 14th inst: enclosing Land Office communication touching Menard County. line reached me to-day and in reply beg to state that the order of Honorable Commissioners Court Menard County was to test distance of ten miles on M^o Culloch line, that we obeyed said order by actual measurement taken on ground and as represented in our report, that the chains used in measuring said distance, were twenty varas in length, if I remember right, they were chains manufactured by Gurley and had been fully tested previous to using same. Those chains were the property of Mr Farr Deputy Surveyor of Town Green County and one belonging to Mr Gardner Surveyor of Concho County and agreed precisely in measurement, with



A. W. MOURSUND,
Attorney-at-Law.

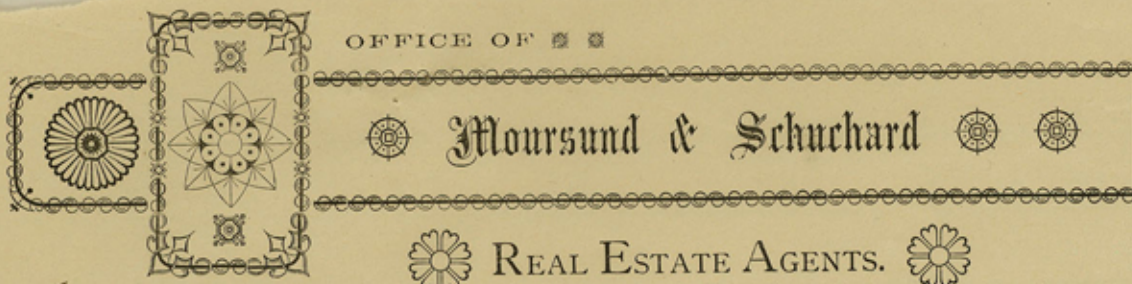
A. E. SCHUCHARD,
County Surveyor.

REAL ESTATE AGENTS.

Fredericksburg, Texas 189....

2.

a steel tape I had on the premises ^{and} which was manufactured by Justus Roe & Son. We failed to reach the 75 mile Post or monument on McCulloch line by 142 varas as stated in our report. Since the Land Office allleges that either the McCulloch County Surveyors chain was too long, or else our's too short, I say that if this is to be considered a self-evident fact then the McCulloch County Surveyors chain was too long. Would add however that I have known instances of surveyors throwing in a couple of chains to the mile ^{and} am still inclined to believe that the error is not in the chain. — As to the assertion that the 75 mile Post on the McCulloch line is the N. E. Corner of Menard do S. E. Corner of Concho County would state that the Surveyor of McCulloch County had no authority to determine where the division line between Menard and Concho Counties should be.



16
A. W. MOURSUND,
Attorney-at-Law.

A. E. Schuchard,
County Surveyor.

REAL ESTATE AGENTS.

3.

Fredericksburg, Texas 189....

With reference to the McCulloch line ^{and}
call for corner of Menard ^{and} Concho
Counties, beg to say that the surveyors
report was improperly recorded in
your County the same appearing on
surveyors instead of Clerks record.
(see Sayles Texas Civil Statutes Title 22
chap. 4 Art: 691.) (Act April 22nd 1879
16 Leg. page 137.) — Said record having
been made improperly has no force
^{and} effect ^{and} is a nullity in law. —
Moreover your records do not show
that Menard Co. had any notice of the
McCulloch County proceedings.
As to the same established by the sur-
veyor of Concho Co. ^{and} myself Special
Surveyor of Menard County beg to call
your attention to Art. 691a. Title 22
chap. 4 Sayles Statutes. Act April
22nd 1879 page 137 — 16 Leg. — which reads
" ^{and} the line so surveyed ^{and} marked
etc.

OFFICE OF

Moursund & Schuchard

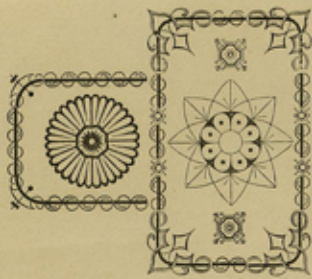
REAL ESTATE AGENTS.

A. W. MOURSUND,
Attorney-at-Law.

A. E. SCHUCHARD,
County Surveyor.

Fredericksburg, Texas 189...

Now there is no doubt that the statutes were not complied with when that aggravating 75 mile Post was made or the reports appertaining to same; Hence that the Counties of Menard and Concho Counties had an undisputed right to properly establish their division line at the time of order of said Court appointing me Special Surveyor and subsequent report of Mr H M Gardner and myself. The statutes having been conformed to in making order, giving notice, making report, which said report has been approved by Courts of Menard & Concho Counties in accordance to law, establishes that line which is designated by aforesaid report of Gardner and myself. As to the call for the C. E. corner of the Jane Williams Survey et al 104



OFFICE OF

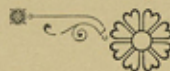


Moursund & Schuchard



A. W. MOURSUND,
Attorney-at-Law.

A. E. Schuchard,
County Surveyor.



REAL ESTATE AGENTS.



5.

Fredericksburg, Texas 189....

it is true, that same is south of County line, as you say my plat shows same and if the report calls for said corner on the County-line then such call is a clerical error and must be corrected — I do not believe however that the original report calls for said corner on County-line and the mistake is probably due to incorrect copies. —

As to course of northline of Menard County, would say that act creating said County calls for said line to run west and if the course of Mc Colloch line is erroneous, that is no reason that the line of Concho County should also be established on an erroneous course. Moreover that course has been settled by agreement of surveyors and approval of Courts.

Respectfully A. E. Schuchard

1872

This is all "bosh"
if no answer to a
question asked

Warren

2004 11
2006 11
2008 11