~~Hays Co Sr~~
1 Labor 2 Hays
1 Leage Guadalupe

Gr. Dist
Guadalupe
75

File 159.

Gonzales Co. 1st Clss.

B-Ab-220

The Heirs of
Andrew Mitchell.
1. Leage and 1 Labor.

See Protest within Cert 118

See old wrapper
within Cert 118

Labor correct on map
of Hays Co + the Lea
on map of Guadalupe
Co. 10/20/97

Patented Dec 1-1845 Hill
no-278 vol 3-1 league
Mem copy of Protest
for J. P. Hector
Nov 27
Castroville Welch

Patented Dec 1st-1845
no-277 vol 3-1 Labor
1761

Contents

1. Certificate.
2 & 3. Field notes.
4 & 5. Old wrappers
June 28 [illegible] Luck
6 - Protest
Novr 28/78
Shelley

Republic of Texas
County of Matagorda }

No 118

The Board of Land Commissioners for the County aforesaid hereby certify that the Heirs and Representatives of Andrew Mitchell Dec. are entitled to One League and Labor of Land. Upon Conditions of their Making the payments required by Law. He having emigrated to this Country in the year Eighteen Hundred and thirty five

Given under our hands this 9th day of January 1838

Wm. Jamison
H. L. Cook

D C Cady Clerk

Commissioners

1. File 159
Gonzales Co 1st Class

Head right Certificate
The Heirs of
Andrew Mitchell

The Heirs and assigns
of Andrew Mitchell

22 v 118

Survey No 62 in class No 5
Of one League or Twenty five Labors of Land made for the heirs of Andrew Mitchell Deseast It being a part of the quantity of Land to which they are entitled by vertue of a Land certificate No 118 Issued by the Board of Land commissioners for the county of Matagada Situated Between the Gaudaloupe and Sanmarcos rivers about 33 miles above Ganzales begining at a Stake set for the S W corner of Survey No 19 in class No 5 from which is a muskut 10 inches in Dia bears N 10 E 15 vs and another 12 inches in Dia bears S 5 W 18 vs

Thence on a true Line

S 50 W 1735 vs crossing a creek 4 vares wide runs Due S
1770 vs to the N E corner of Survey No 63 in class No 5
4510 vs to the N W corner of said survey No 63 in class No 5
5000 vs and a Stake set for the S W corner of this survey from which is an Elm 6 inches in Dia bears E 11 E 2 4/10 vs and an other 6 inches in Dia bears N 55 E 5 vares

Thence on a true Line

N 40 W 1400 vs through muskut timber into prairie
5000 vs set a stake for the N W corner of this Survey from which is a muskut 2 inches in Dia bears N 20 W 33 vs and another 6 inches in dia bears N 3 W 60 vs

Thence on a true Line

2500 vs [illegible]ough Prairie and crossed a creek 5 vs wide runs S E

The foregoing plat and field notes of Survey No. 62 in Class No. 5 having been examined and being found Correct, I have Duly Recorded the Same upon Pages 287 of my Record Book And I do hereby Certify the Same to the Commissioner of the General Land Office in Conformity to Law.

Gonzales May the 4th 1838.

Charles Lockhart
C. S. for the Co. of Gonzales

I, Peter C. Ragsdale do solemnly swear that the foregoing Survey was made subsequent to the opening of the Land Office by the act approved Dec. 14. 1838 and according to Law.

Peter C. Ragsdale
Deputy Surveyor

~~Sworn to and subscribed before~~
me this 5 day July 1838 a Gonzales

5000vs through prarie set a stake for the NE corner of this survey and for the NW corner of Survey No 19 in class No 5 from which is a musket 8 inches in Dia bears S 75 W 21 4/10 vs and another 18 inches in Dia bears S 78 E 21 vs

Thence on a true Line

S 40 E 5000 vs with the W Line of the said Survey No 19 class 5 through Scatering musket timber to the place of begining —

This Survey Contains Eight Labors of Temporal or arable Land without the facitilites of Irigation and seventeen Labors of pasture Land —

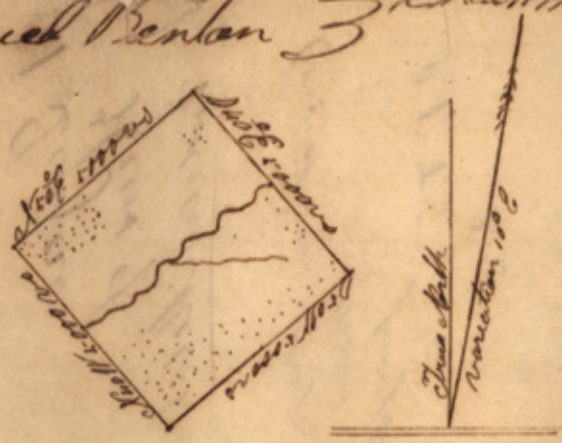
These Lines were run at a variation of Ten Degrees and the variation East —

Surveyd by me the undersigned

The 27th Day of April 1838

Benj. Dickens } Chairman

Daniel Benton }



Peter C Rugsdale
Deputy Surveyor
Gonzales County

Scal of 4000 vs to the inch

Received of Mrs. Margaret Mitchell [illegible] Gonzales February 9th 1839 [illegible]

To [illegible] @ $5.00 pr [illegible] $[illegible].10

[illegible] @ [illegible] 2.40 [illegible] $80.80

Received the above [illegible] Treasury [illegible] Republic [illegible]

G. Dist
Guadalupe

Survey No. 62 in C. 5
of 1 League of land
Made for
Andrew Mitchell

P

[illegible] platted
[illegible]

Govt. dues paid in full on both
the within Surveys [illegible]
11th May 1844

Recorded Page 287

2

File 159

Gonzales Co. 1st Class

Field Notes
1 League
Heirs of
Andrew Mitchell

Correct on Map
Hooten?
Jan. /45.

Patented
M. [illegible]

About 5 miles S 20 W from San Marcos

Survey No 58 in Class No 5

Of one Labor of Land made for the heirs and representatives of ~~Andrew Mitchel~~ C. Henderson Decast It being a part of the Land to which they are entitled to by virtue of certificate No 118 Issued by the Board of Land commissioners for the county of Matagorda situated Between the Guadaloupe and Sanmarcas rivers about 33 miles above the town of Gonzales Begining at the N W corner of survey No in Class No 5 made for the heirs of Andrew Mitchel Decd at a mound on the Sanantonio road

		Thence with the meanders of the road
S 65 W	600 vs	
S 60 W	800 vs S 60 W.	
S 64 W	806 vs	set a stake for the W corner of this survey from which musket 8 inches in Dia bears N 39 W 27 vs and an other 10 inches in Dia bears N 3 W 20 vs
		Thence on a true Line
Due E	1970 vs	to the W Line of said survey No in class 5 raised a mound for the S E corner of this survey
		Thence on a true Line
Due N	1000 vs	to the begining with the West Line of said survey No in class No 5
		This survey contains one Labor of Temporal or arable Land without the facility of Irigation

G. Dist
Guadalupe
80

Survey No. 58 in 65
of Land Labor of
Land made for
the heirs of Andrew
Mitchel dec.

25 & (1) ok

File 159
Gonzales Co. 1st Class

Field Notes
1 Labor
The Heirs of
Andrew Mitchell

Correct on Map
[illegible]
June 85.

Patented
[illegible]

Recorded Page 288

These lines were run at a variation of Ten Degrees and the variation East
Surveyed by me the undersigned
The 29th Day of April 1838 —

Reason Sinclair } Chainsmen
Daniel Benton }

Peter C Ragsdale
Deputy Surveyor
Gonzales County

~~I Peter C Ragsdale Solemnly declare that the foregoing survey was made since the fire~~

I Peter C Ragsdale
Solemnly declare under
Oath of my office the
foregoing survey was
made since the first
day of February last
Gonzales October 3d 1838

Peter C Ragsdale
Deputy Surveyor

scale 100 vars to the inch

I certify that ~~the~~ I have examined the within field Notes and find them correct & the Survey made according to Law
Gonzales Oct 3th 1838

Charles Lockhart
County Surveyor for the Co of Gonzales

Receivers office Gonzales February 25th 1838

Mary D. McMitchell Admr of the Estate of M. Mitchell dec'd

To the Republic of Texas Dr

To One Labor of Temporal Land @ $500 $500

Received the above amount in a draft on the Treasury of this Republic she having taken the oath required by Law

J. D. Clements

Rec P.M. C.G.

Hays Co. 62.

2 G Dist
Guadalupe
50
56

File 159

Gonzales Co. 1st Class

The Heirs of
Andrew Mitchell
1 League & Labor

2 Surveys 1 Containing
1 League the other
1 Labor

Both Surveys
Correct on Maps
Wm H Gdeet
Hector
June 1845

Certificate not recommended
T. W. Ward

Established by Decree of
District Court & Correct for
patenting.
Ward.

Both Surveys patented
1st Dec 1845
Mo Ohr Secy

Ones paid
Pats del'd to Geo W. Ward
3rd Decr 1845.
Over

3

181 & 182 vol

both Certified copy of
field notes for
A M Sindre

Pat No 277 vo
3, make copy fo
C. S. West

5.

Hays Co/62.

File 159.

Gonzales 1st class

Heirs of Andrew Mitchell

1 League & 1 Labor

See old wrapper within

Both surveys patented
1st Decr 1845.

Galveston Nov 21st 1878

Hon. Wm. C. Walsh
Comr Genl Land Office
Austin

Sir:

I am informed that James Hector Esqr is again making an effort to patent his locations on his imaginary vacancy between the Fulshear & Whitehead leagues in Gandaloupe Co and the West Blanton and Giester 160 acre surveys in Hays Co (near San Marcos)

As Administrator of the Estate of Benj C Franklin, the grantee of the West Blanton and Giester Survey, and as heir inheriting said lands I would respectfully protest against the issue of patents to cover any alleged vacancy between the Whitehead and Fulshear leagues and the West Blanton & Giester surveys and between the Wm West survey No 2, and the J M Wilson survey No 1, And I would respectfully request you to place this protest in the proper file, and give me such opportunity for opposing the issue of any patents on these locations, as under the law may be permitted

The original surveys all close and call respectively for each other, and I respectfully

suggest that until suit is brought against the grantees of the State or their assigns and the existing patents cancelled or declared void for fraud or other reason there is no power in the office to grant a junior patent.

The Blanton West and Fiester surveys all fall short on the lines running from the Mitchel league to the old San Antonio roads. The country is open and the calls for natural objects in the contiguous surveys are very few, and owing to the lapse of time and the great amount of unauthorized surveying that has been done in this vicinity, the location of the surveys is somewhat difficult.

But I am satisfied that a careful and disinterested survey of the whole Block of work will show as much accuracy as the ordinary work of the surveyors of the State. And while it is possible that there may be a vacancy somewhere in Gandalupe or Hays Counties, I submit that Mr Hector should not be allowed to locate that vacancy just to suit himself regardless of existing patents - Unless he does so in a properly litigated case with all parties

in interest before the Court.

I understand that a suit of some character was brought in Guadalupe Co. I was not a party and do not see how such a suit could in any way affect other the surveys belonging to other parties in a different County and district

If the Commissioner of the Genl Land Office was made a party to that suit I would respectfully enquire what course will be pursued under the decree if rendered and ask for a memorandum of the survey and files numbers of Mr Hector's pretended locations

I have the honor to be
Respectfully Your Obdt Servt

Robt M Franklin

File 159
Gonzales 2d Class

Hn Andrew Mitchell
Protest against patentees
locations between this
& Fulcher title & between
other Survey 3

Filed Nov 23/78
Rhoada Fisher,
Chf Clk