

4/10/05 Legg

File 6596

Harris County
SCHOOL LAND.

SOLD TO

2 1/2 Acres.

Reject: 1/11/05
Survey No. 41

Block No. John Ferrell,
Surveyed for

D. A. Mc Fall.
Austin

ACT FEBRUARY 23, 1900.
(On the Brown June 11th 1888)

See student on file
4/10/05

Mgl. See letter within to see 2/8/05

2-1-9-05
m.s.

CONTENTS.

- 1. Application to Surveyor. } 1. 6. 05
- 1/2 Sketch } Day
- 2. Field Notes.
- 3. Application to Purchase.
- 4. Treasurer's Receipt.

Contents 1/2 sketch missing
Date 9-15-16

Application for a Survey to be made under Chapter XI, Page 29, Act of the First Called Session of the 26th Legislature, Approved February 23, 1900, and as amended by an Act, Approved April 15, 1901.

To Wm Bradburn County Surveyor of Harris County, Texas; or to _____ District Surveyor of _____ land district.

You will please survey for me, and at my expense, under Chapter XI, page 29, Act of the First Called Session of the Twenty-sixth Legislature, approved February 23, 1900, and as amended by an Act, approved April 15, 1901, the following described land, to-wit:

Situated in Harris County, Texas, about 1 1/2 miles N.E. from the County site. Said tract is bounded as follows:

Being an island in the West Fork of the San Jacinto River both South of which lies the John Brown Jones Survey and to the North of which lies the William Massey Survey containing about 20 acres of land -

I solemnly swear that I reside in Harris County, Texas; that my postoffice address is Austin Travis County, Texas; That I desire said land surveyed with the intention of purchasing the same, and that I am not acting in collusion with, or attempting to acquire said land for any other person.

(N. B.—Write name and P. O. distinctly.) P. O. DAM Fall Applicant Austin Travis County, Texas

Subscribed and sworn to before me, this 13th day of December 1904, and I hereby officially certify that with the exception of the field notes, I carefully read aloud to said applicant and for his benefit, the contents of the foregoing application and affidavit.

Wm Bradburn Notary Public in & for Harris County Tex
(Note.—The above application may be sworn to before any officer authorized to administer oaths. SEAL MUST NOT BE OMMITTED.)

I, Wm Bradburn County Surveyor of Harris County, Texas, or Surveyor for _____ Land District, hereby certify that the above and foregoing application was filed for record on the 13th day of December 1904, at 9 o'clock a M., and recorded in Vol. 5 page 284-5, in my office Harris County, Texas.

Wm Bradburn County Surveyor, Harris County

#4 1

Survey No.

APPLICATION

OF

D. H. Mc Fall

FOR A SURVEY OF LAND.

ACT OF 1900.

(AS AMENDED BY ACT APPROVED APRIL 15, 1901.)

In *Harris* County.

Received and filed this *13* day of *December* 190*2*

at *9* o'clock *a* M.
W. H. [Signature]
Harris County Surveyor.

Received and filed in General Land Office,
this _____ day of _____ 190____
at _____ o'clock _____ M.

Commissioner.



File No. *5F 6596*,
Harris County,
D. H. Mc Fall of *Harris* County,
app. to sur.
Filed *Jan 6 1905*
J. D. [Signature] Com.
By *Mary de la Garza*

THIS IS TO CERTIFY THAT THE ABOVE APPLICATION WAS FILED FOR RECORD IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS ON THE 13th DAY OF DECEMBER 1902 AT 9 O'CLOCK A.M. BY THE SURVEYOR OF HARRIS COUNTY, TEXAS.

Harris

County,

No.

91

District,

Bk.

FIELD NOTES of a survey of

2 1/2

acres of land made for

D. F. Mc Fall

Variation 8°30' by virtue of his affidavit and application made before Wm Bradburn a Notary Public in & for Harris Co. on the 13 day of December 1904 and filed with the Surveyor of Harris County and District, on the 13 day of December 1904, under Act of First Called Session of the Twenty-sixth Legislature, approved February 23, 1900, and as amended by an Act approved April 15, 1901, providing for the sale of unsurveyed land. Said land is situated in Harris County, about 1 1/2 miles N. E. from County site, and known as survey No. 91

in block No. BEGINNING AT Two Sycamores on the South bank of the West Fork of the San Jacinto the recognized N.W. Corner of the Tract of Mrs. Brown Jones, thence Meandering the South bank of the San Jacinto River; S. 73°15' E. 87.68 Ys. S. 62°45' E. 98.78 Ys. S. 55° E. 83.34 Ys. S. 66 1/4° E. 88.02 Ys. S. 79°25' E. 130.14 Ys. S. 81°10' E. 93.24 Ys. S. 86°45' E. 51.98 Ys. N. 67° E. 29.12 Ys. to a point on the Island which is the North point of this Survey;

Thence N. 76°05' E. 100 Ys. to a stake
Thence S. 82°40' E. 103 Ys. to a stake near mouth of Black Water Creek,
Thence S. 30°55' W. 110 Ys. up said creek to a stake,

Thence N. 79°50' W. 85 Ys. to a stake,

Thence N. 40° 50' W.

90.8 Ys

to the place of beginning.

Bearings marked

Surveyed

Dec. 19th

1904

Bob. Bush

Wm Rogers

Chain Carriers.

I, Wm Bradburn County Surveyor of Harris County

Texas, do hereby certify that the foregoing survey was made by me on the ground, and according to law; that the limits, boundaries and corners, with the marks, natural and artificial, are truly described in the foregoing Plat and Field Notes, just as I found them on the ground; and that they are recorded in my office in Book A

Page

587

This

27 day of

December

1904

Wm Bradburn County Surveyor of Harris County Texas.

I, R. D. Allen Deputy County Surveyor of Harris County

Texas, do hereby certify that the foregoing survey was made by me on the ground, and according to law; that the limits, boundaries and corners, with the marks, natural and artificial, are truly described in the foregoing Plat and Field Notes, just as I found them on the ground. This 19 day of December 1904

R. D. Allen

Deputy County Surveyor of Harris Texas.

FIELD NOTES.

Survey No. 41.
Harris County.
Made for D. A. Mc Fall

I, R. D. Allen
Deputy Surveyor of
Harris County

do solemnly swear that the land included within
the limits of the within field notes is properly
and correctly classified as follows, viz:

light Sandy Soil.
State Character.
no Agricultural.
Dry or Watered.
No Grazing.
Dry or Watered.
No. value Timber.
Dry or Watered, and Kind of Timber.

And that said land is reasonably worth
\$ 100 per acre, and that the timber
on said land is reasonably worth \$ None
per acre. R. D. Allen.
Deputy County Surveyor.

Sworn to and subscribed before me this the
26th day of December 1905
W. J. Brown
Notary Public in & for Harris Co. Tex.

Approved and filed _____
_____ 190_____

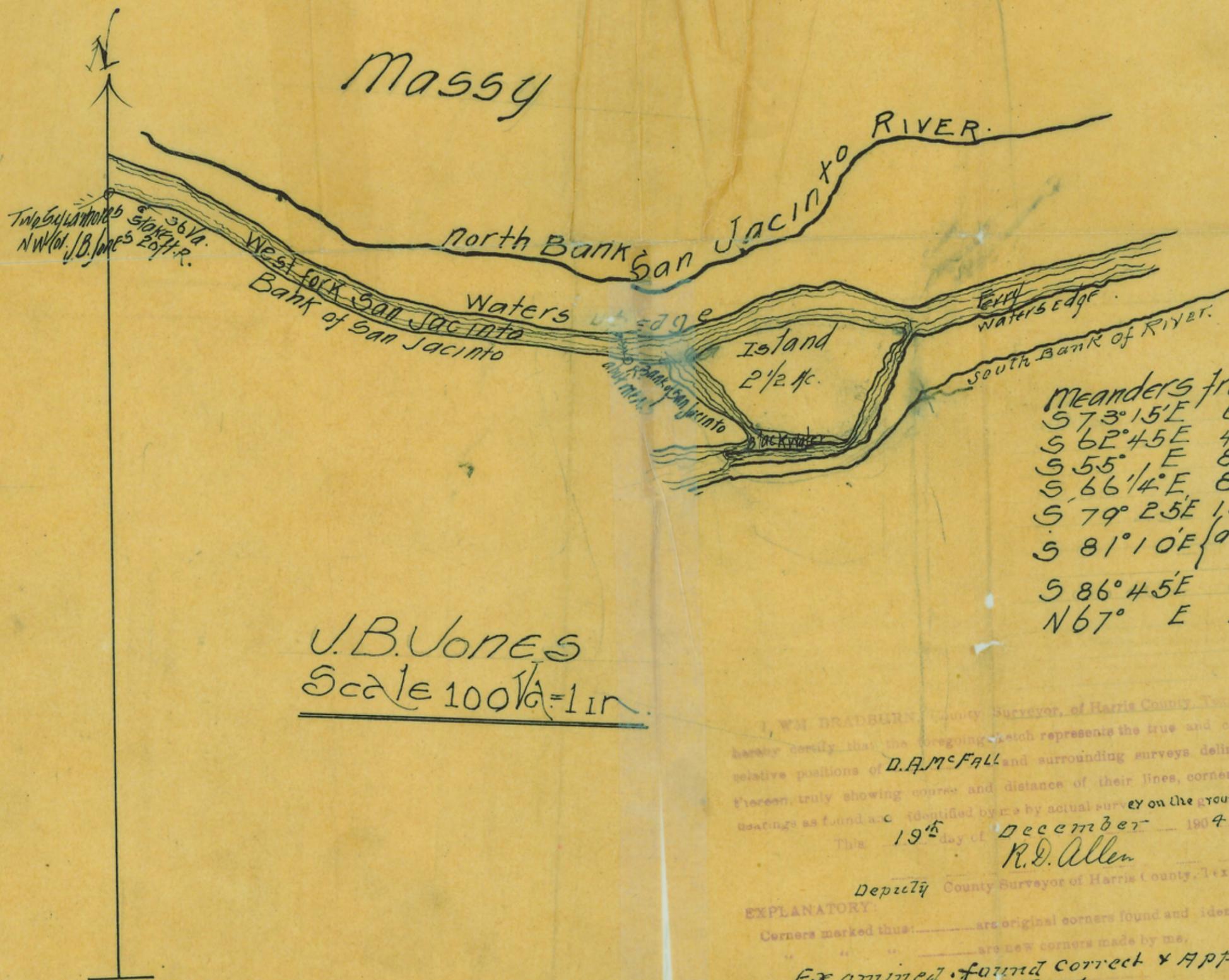
Commissioner.

File No. F 6596.
Harris County.
D. A. Mc Fall
Field Notes
Filed Jan. 6 1905.
J. T. Robinson
acting Com'r.
By Mary de Zavala
Clerk

Taking the case in
the f. v. of the John
Brown Jones sur. in
connection with the
survey sketch filed
herein, showing as the said
sk. does this island
on the south side of
the channel of the River
proper, this survey
would be on the said
John Brown Jones ptd. sur.
The Jno. Brown Jones sur.
calling for a bridge patented
to the meander of the
San Jacinto River, and
out of its sloughs.
1/10/05 Legd

W. D. ANTHONY, Receiver,
GENERAL LAND OFFICE.
2-1-7-06

Adams



J.B. Jones
Scale 100 ft = 1 in.

meanders from N.W. Cor. J.B. Jones
 at 36 yrs. str 20 ft. R.

S 73° 15' E	67.68 Ys.
S 62° 45' E	48.78 "
S 55° E	83.34 "
S 66 1/4° E	88.02 "
S 79° 25' E	130.14 "
S 81° 10' E	69.84 Bridge Abotments
	93.24
S 86° 45' E	51.48
N 67° E	24.12 to point of Island-

I, Wm. DRAUBURY, County Surveyor, of Harris County, Texas, do hereby certify that the foregoing sketch represents the true and correct relative positions of D.A. McFall and surrounding surveys delineated thereon, truly showing course and distance of their lines, corners and usages as found and identified by me by actual survey on the ground.

This 19th day of December 1904
 R.D. Allen

Deputy County Surveyor of Harris County, Texas

EXPLANATORY

Corners marked thus: _____ are original corners found and identified.

_____ are new corners made by me.
 Examined, found correct & Approved.

Wm. D. Draubury
 County Surveyor, Harris Co. TEX

Handwritten notes and signatures:
 Wm. D. Draubury
 County Surveyor
 Harris Co. TEX
 1904



General Land Office.

State of Texas.

Austin.

January 11, 1905.

JOHN J. TERRELL, COMMISSIONER.
J. T. ROBISON, CHIEF CLERK.

S. F. 6596-Harris Co.

Judge D. A. McFall,

Austin, Texas.

Dear Sir:

Referring to the above file number covering a claim in your name under the act of February 23, 1900, being survey No. 41 of 2 1/2 acres, have to advise that this claim is hereby rejected for the following reasons: Taking the calls in the field notes of the John Brown Jones survey in connection with the surveyor's sketch filed under the above file showing, as the said sketch does, this island on the South side or John Brown Jones' side of the channel of the river proper, this survey would be on the said John Brown Jones' survey patented, the John Brown Jones survey calling for and being patented to the meanders of the San Jacinto river and not one of its sloughs. As above stated, your claim numbered as above is hereby rejected.

Very respectfully,

Legg-Ewing

Commissioner.

③ SF 6596



Central Land Office

State of Texas

JOHN J. TERRELL, COMMISSIONER
J. T. ROBINSON, CHIEF CLERK

Austin

January 11, 1905

S. W. 6596-Harris Co.

Judge D. A. McCall,

Austin, Texas.

Dear Sir:

Referring to the above life number covering a claim in your name under the act of February 23, 1900, being survey No. 41 of 2 1/2 sections, have to advise that this claim is hereby rejected for the following reasons: Finding the call in the third corner of the John Brown Jones survey in connection with the surveyor's sketch filed under the above life showing, as the said sketch does, this island on the South side of John Brown Jones' side of the channel of the river proper, this survey would be on the said John Brown Jones' survey patented, the John Brown Jones survey calling for and being patented to the meanders of the San Jacinto river and not one of its branches. As above stated, your claim numbered as above is hereby rejected.

Very respectfully,

Commissioner.

Jess-Bwing

RAILROADS.
SEWERAGE.
WATERWORKS.
HIGH ENGINEERING.
DRAINAGE.
BRIDGES.
STRUCTURAL WORK.
ELECTRICAL CONSTRUCTION.

THIRTY-SIX YEARS EXPERIENCE IN ALL BRANCHES OF ENGINEERING.

1687

COUNTY SURVEYOR
HARRIS COUNTY
TEXAS.

WM. BRADBURN.

CONSULTING CIVIL AND MECHANICAL ENGINEER
AND SURVEYOR.

OLD PHONE 2210.

HOUSTON, TEXAS. February, 6th. 1905. 190

Hon. John J. Terrell,

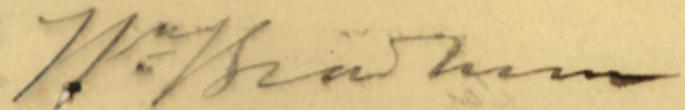
Commissioner of The General Land Office, Austin, Texas.

Dear Sir:-

Concerning S. F. 6596-Harris County.

Your remark that " the John Brown Jones survey calling for and being patented to the meanders of the San Jacinto River and not one of its sloughs as above stated ", indicating that the south channel is a slough is a matter of surprise. At the low stage of the water, the water flows to North of the Island but with an average stage, it flows both to North side and south side and Black Water Creek flows into the South channel. The South channel is as distinctly marked as the North; it is sand all the way around and some fifty feet wide at narrowest point. The South bank of the San Jacinto River is distinctly marked, south of the South channel. It is nothing unusual for the two channels about islands to be of different depths, so that sometimes at low stages of ^a River, one channel is dry. The same reasoning would take out two large islands in the lower San Jacinto, one East of the Amy White and the other North of the Josiah T. Harrell, both well known to be islands.

Respectfully,



County Surveyor, Harris County.

Allen-JGB.



General Land Office.

State of Texas.

Austin.

February 9, 1905.

JOHN J. TERRELL, COMMISSIONER.
J. T. ROBISON, CHIEF CLERK.

S. F. 6596-Harris Co.

Mr. Wm. Bradburn,
County Surveyor,
Houston, Texas.

Dear Sir:

Replying to yours of the 6th inst., without attempting to argue the point of whether, what is shown on your sketch to be the lower or Southern boundary of the D.A. McFall survey (S.F. 6596) is one of the channels of San Jacinto river, a slough of same or Black water creek, which latter name you designate on your sketch and call it in the field notes, all of which is immaterial as I view the matter, I will say that be that as it may the John Brown Jones survey calls for and is patented to San Jacinto river as is the survey on its North, so that in any event I fail to see how you are to sandwich in a vacancy these river surveys and the river on either side, whereby their river front, as called for, would be cut off. The question of there being a small tract of 2 1/2 acres and surrounding by water and, therefore, an island is not questioned by this department and I see no good reason why the Jones of the Massey or any other survey, calling as does these two surveys for the river, could not hold same under their calls. Such islands likely obtain at other points on this river but the fact that they are islands does not within itself make them vacancies. I do not find that the two islands to which you refer as being "in the lower San Jacinto river, one East of the Amy White and one North of the Josiah T. Harrell", to have been appropriated, under the act of 1900, away from either of the surveys supposed to embrace them. Therefore, do not understand why you raise this question. I have examined into this feature, however, further than the official map discloses.

Very respectfully,

Legg-Ewing

Commissioner.

General Land Office

State of Texas

Austin

February 2, 1900

S. F. 6596

JOHN L. TERRELL, COMMISSIONER
J. T. ROBINSON, CHIEF CLERK

Mr. Wm. Bradburn,
County Surveyor,
Kerens, Texas.

Dear Sir:

Replying to yours of the 23d inst., without attempting to argue the point of whether what is shown on your plat to be the lower or Southern boundary of the S. A. McNeil survey (S. F. 6596) is one of the channels of the Brazos River, a strip of land on the west side of which water later was not deposited on your plat, I call it in the title of this plat, "A strip of land on the west side of the Brazos River, in the lower Brazos River valley, as shown on your plat, S. F. 6596, which was not deposited on your plat, and which is shown on your plat to be the lower or Southern boundary of the S. A. McNeil survey (S. F. 6596)."

It is pointed out that the river as it is shown on your plat is a very narrow channel, and that in no event I shall be able to see how it can be a channel of the river. The river narrows and the river on either side, which is a very narrow channel, would be cut off. The question of there being a small tract of 2 1/2 acres and extending to water and, therefore, an island is not questioned by this department, and I see no reason why the forces of the survey or any other survey, either as does these two surveys for the river, could not hold under their title. Such islands likely obtain at other points on the river but the fact that they are islands does not itself make them a part of the river. I do not find that the two islands to which you refer as being "in the lower Brazos River, one part of the Jay White and one North of the Josiah T. Bartlett," to have been appropriated under the act of 1890, away from either of the surveys supposed to embrace them. Therefore, do not understand why you raise this question. I have embodied into this feature, however, rather than the official way dis-
closes.
Very respectfully,
Commissioner



SF 6596

E1444 II

1.117

Wm Massey, s.

N. (4/14/38) 3
 (In montland) 5
 5 7
 4 1
 7

W. Fork San Jacinto R.

Mary
Owens

1.95

Note. 12 W E 12
 Lym 7 B 5 S W 12

Stk on River
 Max O. K. 5 ft N 66 W 89
 S 85 S L N 12

Up river
 with meander
 (not given)

Stk on river with
 meander to W 1/2 N

Mag. mkd JB on bank
 of San J. River at the mouth of a slough
 emptying into River - pointer trees blazed

JB. Jones:

Wherry
 B. Adams
 Ptd.

S. 5
 5
 8
 9
 5

1.88

John Brown
 Jones
 Ptd.

(3/15/38)
 J W Henderson

Stk on rd
 in pra. BJ mkd
 One of B's blazed
 1444