File 260 Hays. Co/57 75 58 59

Travis 3rd Class.

Abst - 193 No 2 for

Joseph Gainer

Three Hundred & Twenty Acres.

Preemption No 7

On a League marked on the Map Geo. W. Jones, otherwise correct on the Map in Hays county. June 11/58

Upshur

No 682 Vol 17

Cert Reported

Correct for patenting to original

J. M. White

No 682 vol 17

Patented June 25 1/58.

F. I. Roberts

Pt del^n To^s Gainer Jany 6th 1859

Joseph Gainer

MP in Reg 2 Ap 1857

Mgl 13.918

c c June 11 58 F B

Contents,

1. certificate
2 & 3. affidavits
4 & 5: F/Notes,
3/27/95:
Smith

The State of Texas }
County of Hays }

No 7

I. C. Eckhard, Clerk of the County Court of the County aforesaid hereby certify, that Joseph Gainer, has resided upon and cultivated the tract of land surveyed for the said Joseph Gainer as a pre-emption claim, by H. L. Lucket Depty. Surveyor for Travis District, on the 16th day of September A. D. 1853, for the space of three consecutive years, and has fully complied with the provisions of "An Act granting to settlers upon the Public domain, pre-emption privileges, approved January 22nd 1845.

The above facts having been proved to me by the oaths of Thos. P. Roundtree and Wiley L. Massey two respectable witnesses, to me well known

In testimony whereof I have hereunto set my hand and seal of Office, at San Marcos, this the 25th day of February A. D. 1857

C. Eckhard
Clk. C. C. Hays Co

1 File 260

Travis 3rd Class

Preemption Cert. 320 acs

Joseph Gainer

Filed Feby 27. 1857

The State of Texas
Travis County } Before H. S. Upshur District Surveyor for Travis personally.

Came and appeared Joseph Gainer who being duly sworn according to law states that he has settled and made improvements upon land which he believes to be vacant and neither filed upon entered or located upon by virtue of any legal evidence of title previous to such settlement and improvement and desires to avail himself of the benefit of an act of the Congress of the Republic of Texas Jany 22d. 1845. granting to settlers preemption previleges — Beginning at the 5th Corner of a file Mad by Enoch Moore on Onion Creek thence East 210 varas thence South 1425 $\frac{60}{100}$ varas thence west 1449 $\frac{36}{100}$ varas thence North to said Moores file ~~Containing 316 $\frac{8}{10}$ acres~~ thence with the said Moores file to the place of Beginning

Containing 316 $\frac{5}{10}$ acres

Joseph Gainer

Sworn to and subscribed before me this 16th day of September 1853

H. S. Upshur
District Surveyor
Travis District

2 File 260

Travis. 3rd Class.

Preëmption Affidavit
Joseph Gainer

Filed June 30, 1854.

Joseph Gainer
Sept. 16th 1853

Preemption

Onion Creek — on
the Geo. W. Jones league

Mr W. J. Upshur, you will please to make the following alteration in the Application I made in the Office ~~for~~ a survey of September 6th 1853

You will Begin 300 varas. west of the South ~~west~~ East Corner of a Survey made in the name of Boyd. Thence South 1900 Thence west. west & North to an application Made in the Name of E. Moore & and the Survey Made in the name of — Boyd

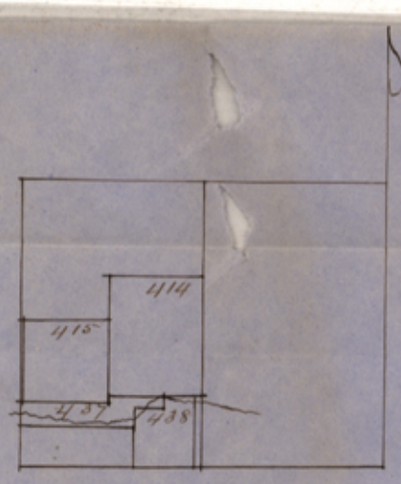
Joseph Garner

3

File 26

Travis 3rd Class.

Gainer 320 pre



SCALE—4,000 Varas to the Inch: VARIATION, 10°30' E.

The State of Texas, District of Travis. } **SURVEY NO.** 438

Field-Notes of a Survey of 320 Acres of Land, made for Joseph Gainer ——— it being ——— the ——— Land to which he is entitled, by virtue of a Pre-emption Claim filed with the District Surveyor of Travis District, September 16th 1853

Said Survey is No. 438, situated in Hays County on Onion Creek ~~in the County of Travis~~ & S 72° W. 26 miles from the City of Austin and 23 miles N. 28° W. from San Marcos

made for Enoch Moore No 437 Beginning at the North East corner of Survey No 437 a Stone mound from which a Live Oak 6 in in dia bears N 71 3/4 W 23 1/4 vs - & a Live Oak 3 in in dia bears N 42 E 20 vs -

made for L. W. Kingsley No 414 665 vs. Thence East with the South line of Survey No 414 a Stake from which a Live Oak 12 in in dia bears N 35 W 53 1/2 vs - & a Pecan 5 in in dia. bears 5 in in dia. bears S 55 W 38 vs -

Thence South 18 vs to Onion Creek, 1560 vs - to the South line of a Survey made in the name of Geo. W. Jones on the north line of Jesse Massey's Survey Stake from which a Live Oak 4 in in dia bears S 31 E 7 1/2 vs - & a Post Oak 7 in in dia bears S 30 W 18 1/4

Thence West 1346 vs - Stake Black Jack from which a 4 in in dia bears N 15 E 36 vs - Live Oak 9 in in dia bears N 11 1/4 W 46 3/4 vs -

Thence North 790 vs - to South line of said Survey No 414 a Stone mound

Thence East 86 vs - Stone mound from which a Spanish Oak 4 in in dia bears East 2 1/2 vs - & a Spanish Oak 5 in in dia bears S 5 1/2 E 10 vs -

Thence North 340 vs - to Onion Creek 390 vs Stone mound from which a Live Oak 10 in in dia bears S 76 1/2 E 10 1/2 vs - & a Live Oak 8 in in dia bears S 66 E 10 1/2 vs

made for Enoch Moore Thence East with a South line of Survey No 437 150 vs - to Onion Creek 595 vs corner on north hill side - Thence North 360 to Onion 380 vs

Varas to the place of beginning.

Bearings marked X

Surveyed, 29 Nov. 1853

Orin Wright
Wm Johnston } Chain Carriers.

I, S H Sucker H Del Surveyor of Travis District, do hereby certify that the Survey designated by the foregoing Plat and Field Notes, was made according to law, and that the limits, boundaries and corners of the same, together with the marks, natural and artificial, are truly described therein.

S H Sucker H Del
Surveyor of Travis District.

I, **H. L. Upshur,** District Surveyor for Travis District, do hereby certify that I have examined the foregoing Plat and Field Notes, and find them correct; and that they are recorded in my office, in Book K page 18.

H. L. Upshur
District Surveyor, Travis District.

Austin, March 29th 1854

+ File 260

Travis 3rd Class.

Fieldnotes — 320 Acres.

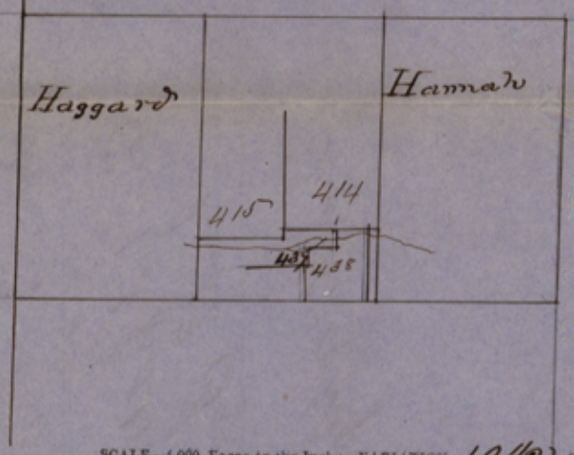
— Joseph Gainer —

Filed 30th June 1854.

Upshur says these field notes conflict with some other surveys

C.C. June 11:58 F.B

J Gainer pat 320 corrected & print set appears note recorded page 15 to be cancelled



SCALE—4,000 Varas to the Inch: VARIATION, 10½ E.

The State of Texas, } **SURVEY NO.** 438
District of Travis.

Field-Notes of a Survey of 320 Acres of Land, made for Joseph Gainer ——— it being ——— the . Land to which he is entitled, by virtue of a Pre-emption Claim filed with the District Surveyor of Travis District September 16th 1853

Said Survey is No. 438, situated on Onion Creek in the County of Hayes & about 26 Miles S 72 W from the City of Austin

Beginning at the N. E. Corner of Survey No 437 at a Stone Mound from which a Live Oak 10 in in dia bears S 7 E 10½ vs a Ditto 8 in in dia bears S 66 E 10½ vs Thence East with the South line of No 414 vs 682 vs to a corner Thence South (across Onion) 1540 vs a Stone Mound from which a Live Oak 8 in in dia bears S 68 E 21 vs & a ditto 6 in in dia bears N 27 W 14¼ vs Thence West with North line of No 8 vs 1363 vs a Stake from which a black Jack 4 in in dia bears N 31½ E 15 vs & a Live Oak 9 in in dia bears N 20¼ W 28 vs Thence North 790 vs a Stone Mound Thence East 86 vs a ~~Stone~~ Mound Thence North 340 vs to Onion Creek 390 a Stone Mound Thence East 180 to Onion 545 vs to a corner on North hill Side Thence North 360 vs to Onion Creek 380 ~~vs to South line of no~~ Varas to the place of beginning

Bearings marked X

Surveyed, 25 Mar 1854

Orin Wright
Wm Johnson } Chain Carriers.

I, L. H. Sucket Dep Surveyor of Travis District, do hereby certify that the Survey designated by the foregoing Plat and Field Notes, was made according to law, and that the limits, boundaries and corners of the same, together with the marks, natural and artificial, are truly described therein.

L. H. Sucket Dep
Surveyor of Travis District.

I, **H. L. Upshur,** District Surveyor for Travis District, do hereby certify that I have examined the foregoing Plat and Field Notes, and find them correct; and that they are recorded in my office, in Book K page 77

H. L. Upshur
District Surveyor, Travis District.

Austin, February 25th 1856

5 File 260

Travis 3rd Class

Corrected field Notes 320 Acres
Joseph Gainer

Filed Feby 26th 1856.

Patented June 21/58.
F. J. Roberts