Hays 80.

File 783.

Travis Donation.

W. M. Jerry

~~[illegible]~~ acres

For Protest, see file S. 1249 Travis
" within

V/D Certificate No. 119

Correct on map
of Hays Co.
May 17/89. E Schnitzel.
Patent to W R McKie
apr
5/18/89. Shelley
Patented June 3/89
No. 125 Vol 7 Byrn

mkdptd. & Reg

Mgl. 12497.
c Apr 29
c [illegible]

May 1/80
c JHN

Contents.

No. 1. Certificate.
No. 2. Field Notes.
No. 3 Transfer
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5. Protest
April 29th/80
July 15/80 Book
Gildart
6 Protest
Sept. 14/80 Book
7. Cor. F/notes
4/27/89 Daniel

Joe C. Eve
$6.00 Deposited
Apl 29, 80

A. B. Vol. P.

CONTEN

No. 1. Certificate.

" 2.

" 3.

" 4.

File 783, Hays

783 Drawer

MILAM BOUNTY.

Abst - 581

W. M. Perry

588, Acres

Old Wrapper Within

Certificate No. 119

Patented June 3/89

to W. R. McKie assee

No 125 vol 7

Mgl 12497.

VETERAN DONATION.

No. 119

640 Acres.

GENERAL LAND OFFICE,

Austin, Texas, November 14 1879

This is to Certify, That W. McPerry is entitled to have surveyed by any legally authorized surveyor, upon any of the vacant and unappropriated public domain of the State of Texas, SIX HUNDRED AND FORTY ACRES of land, in accordance with the provisions of an act entitled "An act granting a Land Certificate of Six Hundred and Forty Acres to each of the indigent Veterans who was engaged in the struggle for Texas Independence, prior to and at the battle of San Jacinto, enrolled under the act approved July 28, 1876, approved April 26, 1879," said W. McPerry having made the proof required by said act.

This Certificate may be located as headright certificates; and said Certificate and the land located, by virtue thereof, shall be exempt from forced sale so long as it shall remain the property of said W. McPerry

In Testimony Whereof, *I hereunto set my hand and affix the impress of the seal of said office, the date first above written.*

W. C. Walsh

Commissioner.

588 acres Patrick Jones 3/8/89

1/ File 783.

Travis Donation

W. M. Perry

Exo acres

V/D. Cert No 119

Filed April 29th/80

Rhoads Fisher

Chf Clk

W. C. Hutchison

8 8 1/2 David

Wilson

Commissioner.

State of Texas,
County of Hays. } Plot and Field-Notes of a Survey of 640 acres, made for W. R. McKie, assee, By virtue of Veteran Donation Land certificate No. 119 issued Nov. 14th 1879 by W. C. Walsh Comr. of the Gen. L. Office to W. M. Perry. Said Survey is situated in Hays Co. on Purgatory Creek.
About 9 miles N86 W. from San Marcos.
Beginning at N. corner of the Henry Pettit Survey No. 7. at a Stone mound N45°E. 50 vs. from the centre of the channell of Purgatory Creek. from which a L. O. 14 in. dia. mkd. M. brs. N56½° W. 60 vs. Thence S45° W. 50 vs. centre of Purgatory Creek 1900 vs. a stone mound from which a Group of 7 L. Oaks one mkd. M brs. S30½° E. 131½ vs. for the E. corner of the Simon L. Jones Survey No. 4. Thence N45° W. 1900½ vs. to a stake. Thence N45° E. 1900 vs. to a stake on S.W. Line of the Gideon Bowditch Survey No. 11. Thence S45° E. 1900½ vs. to the Beginning.

J. Springer Davis } Chainmen. Variation 10° E.
William G. Teller }

Jos. C. Eve,
C. S. Hays Co. Tex.

I certify that the foregoing Survey was made by me in the Field according to Law and that the Field-Notes are

C

correct and have recorded the same in Book D. Pages 135 & 136. Surveyed Apr. 24th 1880.

Witness my official signature this 26th day of Apr. 1880.

Jos. C. Eve,
C. S. Hays C. Tex.

Note of Explination. See Plot. I commenced at A. the W. corner of Jesse Hoffman No. 21 Thence S45°W. 1344 vs. and made a corner for Henry Pettit. Thence S45°W. 1900 vs. and made a corner for the S. corner of Simon L. Jones. Thence N45°W. 3800 for the N. corner of R. B. Moore, I found at this point two L. O's. that would answer exactly for the bearings of this corner, but no marks, the trees were decayed and both exactly on the side where the mark x should have been. The space between the John Hannan and R. B. Moore, No 3 is 328½ vs. I then Started at the E. corner of the said Hannan, Thence S45°W. 926 vs. and made a corner for the H & G. N. R. R. Co. No. 1. at 660 vs crossed Purgatory, this does not agree with the calls of the Hannan, but said corner has the bearings made by B. C. Hardin, former Surveyor, and said corner is at the intersection of the two mked lines for the said Hannan. Thence E. 300 vs. centre of Purgatory Creek 1918 vs. made a corner, which is N45°W. 84 vs above where the N. corner of the Gideon Bowditch No. 11 should be. Thence S45°E. 2772 vs. to Beginning. In running last line crossed Purgatory at 1252 vs. also crossed it again. I passed 20 vs. to the E. of N. corner of the R. Pierce, Survy, but did not change my line to go to it as said Survy conflicts with the G. Bowditch. Recorded in Book D. P. 138.

Jos. C. Eve.
C. S. Hays C. Tex.

2/ File 783.

Travis Donation

W. M. Perry

6x0 acres

Field Notes

Filed April 29th /80

Rhoad & Fisher

Chf Clk

The Surveyor in his Cert. states that he established the North corner of Pettit survey by running 1344 vrs S45W from the West corner of No 21 G. Huffman's survey. Whereas the field notes of Pettit survey on file in this office call to begin at the West corner of No 5 which is also the South cor. of No 11 G. Bowditch from which a L.O. 24. mkd. X S65E40
Elm 18 " X S15W20
See sketch for other bearings &c

Cancelled by surrounded field notes

FILING FEE PAID
APR 29 1880

bearings differ with those of surrounding surveys.

(over)

May 1/80

Former Surveyor B.C. Hardin filed Feby 26/75 a certified statement & sketch showing a space of 437 vrs between the Huffman & Bowditch surveys, explanation required.

It appears as if the Surveyors never take the trouble in looking for old corners but nearly govern themselves by course & distances. It is well known that the old surveyes are excessive.

July 30/81

Evon Rosenberg

See D-700 for Hardin's statement.

The State of Texas, } I, Ed. J. L. Green, Clerk of the County Court in and
COUNTY OF HAYS. } for the County and State aforesaid, hereby certify that
the Instrument of Writing hereto attached
from W. M. Perry — to W. O. Hutchison
— dated the 24th day of Dec. A. D. 1879.
was filed for record the 24th day of April A. D. 1880 at 2 o'clock P. M.,
and duly recorded by me on the 24th day of April 1880 at 3 o'clock
P. M., in Book "N" of Hays County Records for Deeds on pages
86.

IN TESTIMONY WHEREOF I hereunto set my hand and official seal
at office in San Marcos, on this the day and year last above written.

Ed. J. L. Green
Clerk C. C. Hays Co., Texas.
By _____ Deputy Clerk

State of Texas
County of

3-1

For and in consideration of the sum of One Hundred & thirty five Dollars the receipt of which is hereby acknowledged I W. M. Perry of the County and State aforesaid have this day bargained and sold and do hereby bargain sell transfer and convey to W. O. Hutchison of the County of Hays in the State of Texas the following Land certificate, to wit: Number 119 issued to me as a Veteran, by the Commissioner of the General Land office on the 14th day of November 1879 for 640 acres under the act granting a Land Certificate of 640 acres to each of the indigent Veterans who was engaged in the Struggle for Texas Independence prior to and at the Battle of San Jacinto, performed April 21. 1879. To have and to hold said Certificate to the said W. O. Hutchison his heirs and assigns against the claim of all persons whatever. I hereby warrant the title to said Certificate to the said W. O. Hutchison his heirs and assigns against the claims of all persons whatever. Witness the 24th day of December 1879.

W. M. Perry

Test. Witness
Wm. J. Good
J. Good

State of Texas (Before. R. H. Manlove a
County of Hays (Justice of the peace in
& for precinct two of Hays county an Ex of
Notary Public in & for said County and State of
Texas personaly appeared W. M. Perry who is
well known to me and whoes signature
appears to the here attached article of
conveyance bearing date 24th day of December
A.D 1879 and acknowledged the same to be
his genuine signature & that he had
signed, sealed and delivered the same
for all the uses purposes and considerations
here in contained and expressed

Witness my official seal and
signature at Mountain City
this the 26th day of December
A D 1879 R H Manlove Justice
of the peace and Ex of Notary Public
Precinct No 2 Hays County Texas

NOTARY PUBLIC HAYS COUNTY TEXAS

W. M. Perry
To Transfer to
Ld Cert
W. O. Hutchison

Filed for Record
April 24th 1880
at 2 O'clock P.M.
Ed. J. L. Green
Clk. C. C. H. Co.

Recorded in Book
N. Pages 86 & 87

95

3/ File 783

Travis Donation

W. M. Perry

to } transfer

64 Acres

W. O. Hutchison

Filed April 29th 1880

Rhoads Fisher

Clerk

Entered

41

1651. SINGLE ACKNOWLEDGMENT. Printed and for sale by Geo. D. Barnard & Co., Printers and Stationers, St. Louis. Class 6

The State of Texas,
County of Hays } Before me, Ed. J. L. Green

Clerk of the County Court in and for said County, personally appeared

W. O. Hutchison known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 23d day of April A. D. 1880

Ed. J. L. Green
Clerk Co Court Hays Co.

B
No 60

4-2

The State of Texas, } I, Ed. J. L. Green, Clerk of the County Court in and
COUNTY OF HAYS. } for the County and State aforesaid, hereby certify that
the Instrument of Writing hereto attached
from W. O. Hutchison to W. R. McKie
dated the 23d day of April A. D. 1880.
was filed for record the 24th day of April — A. D. 1880 at 2 o'clock P M.,
and duly recorded by me on the 24th day of April — 1880 at 4 o'clock
P M., in Book "N" of Hays County Records for — Deeds — on pages
87, —

IN TESTIMONY WHEREOF I hereunto set my hand and official seal
at office in San Marcos, on this the day and year last above written.

Ed. J. L. Green
Clerk C. C. Hays Co., Texas.
By _____ Deputy Clerk

The State of Texas } In consideration of
County of Hays } the sum of One Hun-
dred & Sixty dollars to me paid by W. R. Mc-
Kie of said County - I. W. O. Hutchison
of said County hereby sell transfer grant
and deliver to the said W. R. Mc Kie
the following described land certificate
to wit Number 119 issued to W. M. Perry
as a veteran, by the Commissioner of the Genl
Land Office on the 14th day of November
1879 for 640 acres of land under the act
granting a Land certificate of 640 acres
to each of the indigent Veterans who were
engaged in the Struggle for Texas Independance
prior to and at the Battle of San Jacinto
Approved April 26th 1879 and which certificate
was transferred to me by W. M. Perry on the 24th
day of December 1879 To have and to hold
said certificate unto the said W. R. Mc Kie
his heirs and assigns forever -
Witness my signature this the 23rd day of
April 1880

W. O. Hutchison

4 File 783

Travis Donation

~~W. M. Perry~~

W. O. Hutchison
to & transfer
W. R. McKie

Filed April 29th 1880
Rhoads & Fishin
Agent

Acctd

2

W. O. Hutchison
Transfer of 640
acre certif to W. M. Perry
To
W. R. McKie

Filed for Record
April 24th 1880
at 2 O'clock P. M.
Ed. J. L. Green
Clk. C. C. H. Co.

Recorded in Book
N. Page 87

Attest

The County of Travis }
State of Texas. }

To the Hon. W. C. Walsh Commissioner of the General Land Office of the State of Texas at the City of Austin:-

We, the under-signed, attorneys for D. C. Mitchell, by leave to file in your office this paper signed and filed by us for and on his behalf, representing that D. C. Mitchell aforesaid resides in the County of Hays in the State of Texas, but is now temporarily absent from the state. That he owns the tract of land situated in said Hays County containing 1280 acres. Known and designated as the Henry Pettit Survey No. - which was long ago patented. That Jas. C. Evans the present County surveyor of said Hays County, on or about the 24th day of April 1880, made a survey of supposed Public Land by virtue of Veteran Donation Land Certificate No. 119. issued by said Commissioner to W. M. Perry Nov. 14th 1879. and needed the

field notes thereof and plat in the office of said Surveyor. That we are informed said field notes are supposed to be now on file in your office together with the note of explanation by said Surveyor accompanying the same. for the purpose of obtaining a patent for the 640 acres of land embraced by them.

In his note of explanation accompanying said field notes, it will be observed that Mr. Evans himself, as such Surveyor, establishes a corner for the North Corner of said Petitt Survey, and indicates and identifies its locality by certain bearing trees selected and marked by himself this being intended to coincide with a corner of the new, Mc. Kie survey.

On behalf of said Mitchell we by leave to call attention to this fact, viz:- we are informed by B. C. Hardin late former Surveyor of said Hays County, that the lines of the Petitt Survey as originally run, and located

and upon which it was patented. are clearly defined and easily ascertainable. by marks and objects used at the time for the purpose, as well as by reference to the lines of other and prior surveys: particularly that the North corner of the said Pelitt survey may be easily ascertained as defined in the original field notes of it. and that the point designated and established by Mr. Eaves as above said as the North corner of the Pelitt, is about 438 vrs. from the point called for in the field notes of the Pelitt as its North corner.

The practical result of the survey run and reported by Mr. Eaves as field notes of the W. R. McKie, as aforesaid, is, then, according to our information to throw the said McKie in conflict with the said Pelitt by about 438 vrs throughout the whole extent of the Pelitt on the side named.

Wherefore, we as Attorneys for said D. C. Mitchell. beg leave

to file this paper for and on his behalf. for him and in his name protesting against the issuance of a patent to the said McKie for so much of said McKie survey upon said certificate Veteran Donation No 119. as is in conflict with said Henry Pettit survey.

Brown & Coffield
Attys for
D. C. Mitchell.

This 13th July 1880.

5 Title 783
Travis Donation
W. M. Perry
Protest by D. C. Mitchell against patenting this claim
filed July 14. 80
Rhoads Fisher
Chief Clerk

Look for D. 783.

To the Hon W. C. Walsh, Commissioner of the Gen. Land Office of the State of Texas:—

The undersigned as Attorneys for D. C. Mitchell, protestant, in a protest by us filed on his behalf about 60 days ago. Protesting for reasons therein assigned against the issuance of a patent to W. R. McKie upon certain field notes therein named of a Survey made for said McKie by one Jos. C. Eaves of Hays County as Surveyor of said County which said field notes we alleged to be in conflict with a prior Survey in said County known as the Henry Pettit Survey. Would further respectfully represent unto your honor that said D. C. Mitchell who was then absent from the State has not yet returned but is expected to arrive now every day.

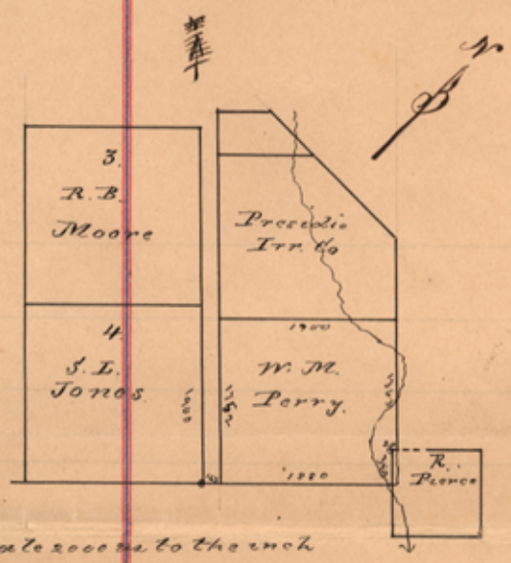
On behalf of the said Mitchell we hereby respectfully ask of the Commissioner not to is-

the said Patent as yet but to suspend the issuance thereof for such further time as you can consistently do as to enable Mitchell to secure a fresh survey of the premises before patent shall issue.

Most Respectfully
Brown & Caffield
Attys for
D. C. Mitchell

This 13th September 1880.

File 783.
Travis Donation
W. R. McKee.
Assn of W. M. Perry
Protest by D. C. Mitchell per attys against issuing patent.
Filed Sept. 14 80
Ranaldo Fisher
Chief Clerk



Scale 200 vrs to the inch

Variation 10° E.

The State of Texas
County of Hays

Corrected plat and Fieldnote of a survey of 588 acres of land made for W. R. McKie by virtue of Veteran Donation Land Certificate No. 119. issued Nov. 14th 1879 by W. C. Walsh Com. Gl Ld Office to W. M. Perry said survey is situated in Hays County on Purgatory Cr. about ~~7½~~ 8 miles N. 85 W. from San Marcos. & bounded as follows.

Beginning at the ~~South~~ corner of a survey made for W. R. McKie ass. Presidio Irrigation Co. Thence N 45° E. with S. E. line of said survey 1900 varas to its East corner in the S. W. line of the G. Benditch survey.

Thence S 45° E with the S. W. line of said survey 1363 varas to the N. W. line of the R. Pierce preemption.

Thence S 45° W. 20 varas to a rock md the West corner of said Pierce survey fr. wh a L. O. mkd P. H. bears N 63½° W. 24¾ vrs. & a Bl. Jack bs N 45° W. 20½ vrs.

Thence S 45° E. 389 varas to st. in the N. W. line of Henry Pettit survey.

Thence with the N. W. line of said survey S 45° W. 1880 varas to rock md from which the old corner of the S. L. Jones survey No. 4. bears S 45° W. 163 varas

G

Thence N 45° W. 1752 varas to the place of beginning. Surveyed April 6th 1889

W. Groos
O. Groos } J.C.

Otto Groos C.S.
Hays Co. Texas

I Otto Groos County Surveyor of Hays County Texas do certify that the foregoing survey was made by me according to Law. and that the field notes are correct & have recorded the same in Book D. page 359.

This 20th day of April A.D. 1889.

Otto Groos County Surv.
Hays Co. Texas

G'

(7) File 783.
Travis Donation
W. M. Perry

Cor F/notes
Filed Apr 23/89
R A Shelley
Chief Clk.

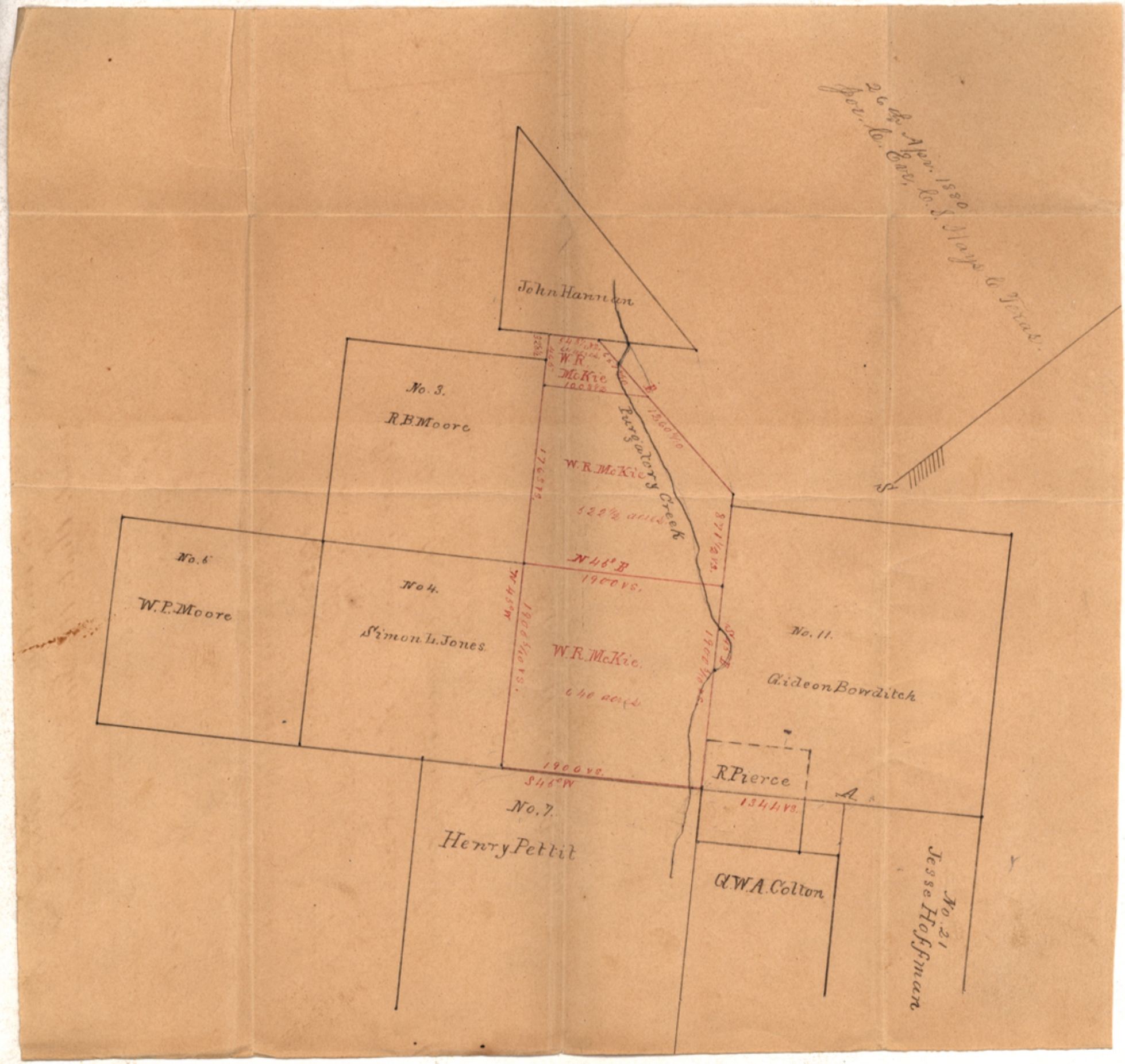
Correct on map
of Hays Co.
May 17/89. E Schnitze
Patented June 3/89
Bym

c/c Apr 29
JTN. 89

W. M. Perry
Donation
Corrected Fieldnotes

8
6

4/22/89
Shelley


26th Apr. 1880
Jos. C. Eve, C. S. Hays & Texas.
John Hannan
W.R. McKie
No. 3.
R.B. Moore
Purgatory Creek
W.R. McKie
522½ acres
No. 6
W.P. Moore
No 4.
Simon L. Jones
N 46° E
1900 vs.
W.R. McKie.
640 acres
No. 11.
Gideon Bowditch
R Pierce
1344 vs.
A
1900 vs.
S 46° W
No. 7.
Henry Pettit
G.W.A. Colton
No. 21
Jesse Hoffman