Hays Co

File 1164 Abst. 566 - 3

Travis Pre-emp

Abst. 566

W. C. Wallace

80. acres.

Aug 12. 1870

Old wrapper within

Abandoned - (Proof within)
Vol XVI - Abst. 566.

15856

19 Old wrapper.

20. Affidavit

9/1/90 Denial

21. Affidavit 6/19/95 Moore

No 113

The State of Texas
County of Hays

Before the undersigned Authority Personally appeared W. C. Wallace applicant and J. L. Wallace and Stephen Alexander Witnesses, to me well known who being duly sworn, according to law declare that W. C. Wallace is Bona Fide settler upon vacant public domain the same discribed in the accompanying file under "An act to regulate the Disposal of the Public Lands of the State of Texas" approved August 12. 1870 and that he has no homestead

W. C. Wallace
J. L. Wallace
S. Alexander

Sworn to and Subscribed before me this 14th day of March 1878
In testimony whereof, I have hereunto affixed my official seal and signature

Edw. L. Green
Clerk Co Ct Hays Co Texas

A

No 113 Designation

To the Surveyor of Hays County

By virtue of the accompanying affidavit No 1 made in accordance with the Section of "An Act to regulate the Disposal of the Public Lands in the State of Texas" approved August 12, 1870. I hereby apply for a Survey of the following premises, including my improvements viz: Beginning at

W. C. Wallace

A-1

TRAVIS-P-1164

1/ File 1164.

Travis Preemption

W. C. Wallace.

Affts & Designation

filed Novbr 22/78.

Rhoads Fisher

Cnf. Clk.

Copy for Surveyor

113

W C Wallace

Preemption

Filed for Record at 2 p.m. March 14th AD 1878

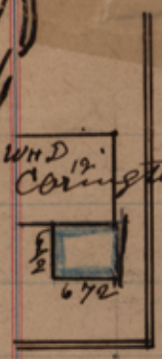
B. C. Hardin

Surveyor Hays County Texas

Copy

R B Littleton

4-2



State of Texas
County of Hays
Plat and Field notes of
Survey No containing
80 Acres, made for and in the
name of WC Wallace. By virtue
of his Affidavit & Designa-
tion No 113: made according to
Law. and of date and file 14th March
AD 1878, Recorded in Book D
page Record of Affidavits
& Designations.

The Land here in described
is located in Hays County Texas
on Dedmans Creek, tribu-
tary to Pedernelas, about 31 mls N 26 W
from San Marcos and Beginning at the S.W.
Corner of Survey No
of 160 Acres, in name of
WHD Carington, Thence, West
at 490 vrs crossed West prong
Dedman creek at 591: made
Stone mound for N.W. Corner
of this a L.O marked X bys
S 2° W 68½ vrs # Thence South
672 vrs to Stone mound
for the S.W Corner of
this survey a double
line oak marked XX. bys S 37½ W
39½ vrs

Thence East at 590 vs the west prong of Dedmans Creek at 672 vrs Stone ~~Stone~~ Mound for the S E Corner a line oak tree marked X. bs S44W 27½ v Thence N 672 vrs to Stone mound, two line oak trees each marked X. bs S61W 106 vs; Thence West 81 vs to beginning, I chainmen Stephen Alexander and G. Hugo Heldenfels.

I certify that the above described survey was made by me Field notes correct and addapted according to Law; and duly Recorded in Book D page 86 Record of Field notes, witness my official signature this 31st day of ~~[illegible]~~ October AD 1878 B. C. Hardin

Surveyor Hays Co. Cty Tex

2 5 8

2, File 1164.
Travis Preemption
Field Notes
80 Acres
W. C. Wallace
filed Octr 22/78.
Rhoda Fisher,
Cy. Clk.

Recovered by P. 1787
Revise Correct on
Map of Hays County
Jany 31/89 C. McNeill
May 1/89
Sept 20/89

Copy

C Nov 26
C MH 78

The State of Texas }
County of Hays }

Before me J. C. Rowe
A. J. P. Ex officio Notary Public in
and for Hays County Texas, on this
day personally appeared E. W. Hunt-
zinger and J. M. Pound known
to me to be trustworthy citizens
and who being by me duly sworn
according to law deposes and says
that a certain tract of land lying
and being situated in Hays County
Tex, on the West prong of the Dead
Mans Creek filed on in 1878 by
W. C. Wallace was abandoned by
him the said W. C. Wallace in
April 1879 and is now in possession of
of Joe Senour and was filed
on by him the said Joe Senour
on the 15th day of Nov A D 1884
Witness our hands } E. W. Huntzinger
This 15th day of May } J. M. Pound
A D 1885.

Sworn to and subscribed before
me this 15th day of May A D 1885

J. C. Rowe J. P.
Ex officio Notary Public
Hays County Tex

③ File 1164.
Travis Preemption
W. C. Wallace.

Proof of
Abandonment
Filed May 16/85.
D. N. Robinson
Chief Clk.

May 16/85
Robinson

The State of Texas }
County of Blanco } Before me J. R. Brown a Notary Public in and for Blanco County Texas on this day personally Came; J. H. Hampton & G. E. Brown and being by me duly sworn deposes and says that heretofore to wit on or about the 25th day of December AD 1879 that L. T. Tucker did not within the knowledge of Affiants occupy and live on a certain Place in Hays County Texas known as the Wm C Wallace ~~as a Homestead~~ Homestead; Preemption as a Homestead; the Same being a 80 acre tract of land out of the Public domain to actual Settlers; in Hays County Located on a Small Creek known as Deadmans Creek a tributary of the Pedernales. Said affiant further says that ~~that~~ within affiants knowledge; Said L. T. Tucker has not occupied Said place above discribed, after the said date above referred to; as a homestead.

J H Hampton
G E Brown

Subscribed and Sworn to before me April 25th AD. 1886.

J R Brown
Notary Public
Blanco Co
Tex

4

File 1164
Travis Pre-emp
W. C. Wallace
Proof Abandonment
Filed May 31/86
D N Robinson
Chf. Clk.

Copy fixed

J. C. Hampton
Cnee
G. C. Brown
Co
Affidavit

No. 1769 Geo. D. Barnard & Co., Printers, Lithographers, Stationers and Blank Book Makers, St. Louis. Class 2

THE STATE OF TEXAS,
COUNTY OF Hays } Know all Men by these Presents:

THAT I W. C. Roy of the County of Hays and State of Texas, for and in consideration of Two Hundred and Fifty dollars ($ 250) DOLLARS, to me paid by James M. Roberts of Blanco County and State of Texas

the receipt whereof is hereby acknowledged, have Bargained, Sold and Delivered, and do by these presents Bargain, Sell and Deliver unto the said James M. Roberts his heirs, legal representatives and assigns All the rights and titles to certain improvements on the tract of land lying and being situated on Dead Mans Creek Drain Hays County Tex and known as the Wm. Wallace Homestead, and in the event that the said James M. Roberts should lose the said improvements by suit or any otherwise be dispossessed of them legally, then and in that event, I the said W. C. Roy is hereby held responsible for the purchase money the amount of which is, Two Hundred and Fifty dollars $250,

And I do for myself heirs, legal representatives and assigns, covenant to and with the said James M. Roberts his heirs, legal representatives and assigns, to Warrant ~~and Defend~~ the said Property before mentioned, against all and every person or persons whomsoever.

WITNESS my hand at Dripping Springs, this 4th day of April A. D. 1884.

WITNESSES:

W. C. Roy

THE STATE OF TEXAS,
COUNTY OF Hays } BEFORE ME J. C. Rowe J. P. Exofficio Notary
~~Clerk of the~~ Public ~~Court~~, in and for Hays County, Texas, on this day personally appeared
W. C. Roy 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 4th day of April A.D. 1884

J. C. Rowe J. P.
Exofficio Notary Public, Hays County, Texas.

THE STATE OF TEXAS,
COUNTY OF Hays } I, James G. Burleson, County Clerk,
in and for said County, do hereby certify that the foregoing Bill of Sale, dated the 4 day of April 1884
with its certificate of authentication, was filed for Record in my office the 9 day of April A.D. 1886
at 3 o'clock, P. M., and duly Recorded the 9 day of April A.D. 1886 at 5 o'clock P. M.,
in the Records of said County, in Vol. Book "O" on Page 25 & 26 Bills of sale

WITNESS my hand and the seal of the County Court of said County, at office in San Marcos
Texas, the day and year last above written.

Jas G. Burleson
Clerk County Court, Hays County.

By ——, Deputy.

GEO. D. BARNARD & CO., PRS., ST. LOUIS.

BILL OF SALE

FROM
W. C. Roy
TO
J. M. Roberts

Filed for Record on the 9 day of April 1886, at 3 o'clock P. M.

Jas G. Burleson
Clerk C.C.H., Co., Texas.

By —— Deputy.

Acknowledgment Fee, . . $
Recording Fee, ...
Total, . . . $

Recorded in Book "O" pages 25 & 26

No 75 cts

5
File 1164
Travis Pre-emp
W. C. Roy
To 3 Transfer
Jas. M. Roberts
Filed May 31/86
D. N. Robinson
Chf Clk,

File 1164
Travis Pre-emp
W. C. Wallace

The State of Texas } Know all Men by these Presents
County of Blanco } that I, J. M. Roberts of the County of Blanco and State of Texas for and in consideration of One hundred and twenty five dollars ($125,00) to me paid by Jo Senour of Hays County and State of Texas the receipt whereof is hereby acknowledged have bargained Sold and delivered and do by these presents bargain sell and deliver unto the said Jo Senour his heirs legal representatives and assigns all the right and title to one half of the certain improvements on the tract of land lying and being situated on Deadmans Creek in Hays County Texas and Known as the W. C. Wallace Homestead. And I do for myself my heirs legal representatives and assigns covenant to and with the said Jo Senour his heirs legal representatives and assigns to warrant the said property before mentioned against all and every person or persons whomsoever

Witness my hand this 21st day of June A.D. 1884

J. M. Roberts

The State of Texas }
County of Burnet } Before me J. M. Gillespie a J P & Ex officio Notary Public in and for the County and State above stated on this day personally appeared J. M. Roberts of the County of Burnet and State of Texas known to me to be the person whose name is subscribed to the foregoing instrument in writing and acknowledged to me that he had executed the same for the purposes and considerations therein expressed

Given under my hand and seal of office at Lacy Burnet Co Texas this April 6th 1886

J. M. Gillespie J P & Ex officio Notary Public for B Co Tex

C

THE STATE OF TEXAS, }
COUNTY OF HAYS. } I Jack Burleson Clerk of the County Court, in and for the County and State aforesaid, hereby certify that the foregoing instrument of writing from J. M. Roberts to Jo Senour — o — dated, the 21 day of June A. D., 1884, was Filed for Record the 9 day of April A. D., 1886, at 3 o'clock P M., and duly Recorded by me on the 9 day of April 1886, at 6 o'clock P M., in Book "O" of Hays County Records for Bills of Sale on pages 26

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.

Jas G. Burleson
Clerk, County Court, Hays County, Texas.

TRAVIS P-1164

C-1

6

File 1164
Travis Pre-emp
J. M. Roberts
To Transfer
Jo. Senour
Filed May 31/86
D. N. Robinson
Chf. Clk.

Copy

J. M. Roberts
To Bill of Sale
Jo. Senour

FILED FOR RECORD.
April 4 1886 at
3 o'clock, P. M.
Jas. S. Burleson
Clk. C. C. Hays Co.

Recorded in Book
C. pp 76 Hays Co

Trans. p 1787
Rec 75 cts

Proof of Settlement under Homestead Act

The State of Texas }
County of Hays } 7-1

Before me the undersigned Justice of Peace in and for said County, this day personally appeared L. T. Tucker ..... a resident citizen of said County who being duly sworn declares before me that he is a bona fide settler upon (80) eighty acres of vacant Public Land situated in said County and surveyed for W. E. Wallace on the 31st day of October 1878 by B. C. Harding Surveyor of said County that he has occupied and improved the same for a period of three consecutive years beginning on the day of March 1878 that he is the head of a family that he makes this affidavit for the purpose obtaining a title to same under Chapter Nine Title LXXIX of the Revised Statues and that he has not a Homestead other than the above

And also at the same time came and personally appeared W. R. Elliott and Lewis Marglain — two credible resident citizens of said County to me well known who being duly sworn, depose and say that the person first above named in this Affidavit L. T. Tucker, has actually settled upon the land surveyed for W. E. Wallace on the 31st day of October 1878 by the Surveyor aforesaid for the period of three consecutive years and they nor either of them have any interest in the said land.

L. T. Tucker
Louis Marglain
W. R. Elliott

Sworn to and subscribed before me and I hereby certify that W. R. Elliott and Lewis Marglain are credible and trustworthy citizens of said county.

Witness my hand and seal of office at my office this 30th day of October 1881 L. Smith
Ex officio Notary Public

TRAVIS- P-1169

1-8

THE STATE OF TEXAS,
COUNTY OF HAYS.

I, Jas G. Burleson Clerk of the County Court, in and for the County and State aforesaid, hereby certify that the foregoing instrument of writing from ..... to ..... dated, the 30 day of Oct A. D., 1881, was Filed for Record the 1st day of Sept A. D., 1886, at 8 o'clock a M., and duly Recorded by me on the 1st day of Sept 1886, at 10 o'clock a M., in Book "U" of Hays County Records for Deeds on pages 341 and 342

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.

Jas G. Burleson
Clerk, County Court, Hays County, Texas.

L. T. Tucker
and others -
Proof of Settlement

FILED FOR RECORD
Sept 1st 1886 at
8 o'clock a M.
Jas G. Burleson
Clk. C. C. Hays Co.

Recorded in Book
U p 341 and 342

4th
Aff of
+ [illegible]
[illegible]

7 File 1164.
Travis Preempt^n
W. C. Wallace
Cert of
Occupancy
Filed Mch 15/87.
R C Shelley
Chief Clk

Copy
Endorsements
O. T. Brown + McBride
San Marcos

X surveyed for said wallace Oct 3 1878

The State of Texas }
County of Travis }

To the Honorable Richard M Hall Commissioner of the General Land Office of the State of Texas.

Comes L T Tucker by his Counsel W P Bacon and respectfully asks your Honor to grant him a patent to the lands described in the application of W. C. Wallace for pre emption Claim No 1164 X

And for reasons submits the accompanying papers herewith filed.

1st The application of said Wallace in March 1878 in file No 1164.

(Copy) 2nd Deed from said Wallace to W J Pettill Sept 1879.

(Copy) 3rd Deed from Pettill to said Tucker Oct 1879.

4th Affidavits of Tucker & witnesses proving up claim & occupancy Oct 1881.

5 Affidavit of Tucker showing loss of original Deeds from Wallace to Pettill & from Pettill to himself

And the said Tucker by his said Counsel respectfully protests against

6

TRAVIS P-1164

your Honor granting a patent to one Jo Senior for said lands under his application for pre emption of the same by File No 1787

For the following reasons to wit;

1st Said land was not Public land subject to pre emption at the time of his pretended file on the same but had been appropriated and surveyed for the said Wallace as aforesaid.

2nd Said Senior was the owner of one hundred and sixty acres of land by purchase, adjoining said land, ~~and living on the same~~, at the time he attempted to file upon the lands in controversy & pre empt the same

3rd See affidavits of E H Huntsinger and J M Pound

Also of N. T. Hancock, showing fraud on the part of said Senior in the pretended survey of said land under application No 1787

All of which is respectfully submitted

L. T. Tucker by his Counsel

W W Roach

L. J. Tucker
application
for Patent
and Protest

(8) File 1164.
Fran's Preempt^n
W. C. Wallace
Protest
Filed Mch 15/87.
R C Shelley
Chief Clk.

2-3

State of Texas }
County of Hays }

on or about the 14th day of May A.D. 1886 we the undersigned made affidavit in behalf of Joe Simons to the abandonment of Eighty Acres of land formerly pre-empted by Wm. Wallace who left the said land and we were not aware that he ever sold or legally disposed of his right to the land in any way whatever but since that time transfers to said land has been produced duly recorded and acknowledged which satisfies us that we were mistaken in Wm. Wallace abandoning said land.

Witness our hands this 8th day of Sept A.D. 1886

E. O. Hunzinger
J. M. Pound

Sworn to and subscribed before me this 8th day of Sept A.D. 1886.

J. C. Rowe J.P.
Ex officio Notary Public
Hays County Texas

(9) File 1164.
Trans Preempt
W. C. Wallace

Affidavit
Filed Mch 15/87
R C Shelley
Chief Clk.

3rd
under protest

Certificate
E W. Hentzinger
J. M. Pound

Aff of Hu[illegible]
Pou[illegible]
Hen[illegible]

ROYAL COUNTY OF HAYS, TEXAS
OFFICE OF THE CLERK

SHEEKS & SHEEKS,
LAWYERS,
Austin, Texas.

State of Texas }
County of Travis } W. T. Hancock,
being duly sworn says;

That he never acted as chain-carrier for any surveyor at any time, in making a survey for Jo Senor, of the tract of land known as the W. C. Wallace, preemption, or any part of it, said survey being in Hays Co.

That he never carried a chain in any way or for any survey except once in his life, and then in making a survey for Judge Hancock.

Further he says that his brother C. B. Hancock informed affiant that he had never carried a chain for any surveyor in making a survey of the said W. C. Wallace preemption for Jo Senor, and that he believes that such is the fact.

Sworn to and subscribed before me this 8th day of ~~Sept~~ October 1886

James D. Sheeks,
Notary Public,
Travis Co.
Texas.

W T Hancock

(10) File 1161.
Trans Preempt.
W. C. Wallace
Affidavit
Filed Mch 15/87.
R C Shelley
Chief Clk

Affidavit
of
W. T. Hancock.

The State of Texas } Before me Frank Brown
County of Travis } Clerk County Court Travis
County on this day personally appeared W. C.
Wallace, (made known to me by W. C. Roy,) who
being duly sworn says that he is the
Wallace who pre-empted eighty acres of Land
in Hays County on Dead Man's creek, located by
him in the year 1878, sold by Wallace to
Pettit, by Pettit to Tucker and Tucker to
W. C. Roy - for James Allison - that said Land
was never at any time abandoned by the said
Wallace, but was by him sold in good
faith to W. J. Pettit, for a valuable consid-
eration

W. C. Wallace

Sworn to and Subscribed before me ~~this~~
April 5th 1886

Frank Brown
Clerk County Court Travis
County Texas

(10½)

File 1164
Trans Preempt^n
W. C. Wallace

Affidavit
Filed Mch 15/87
R C Shelley
Chief Clk

5th

Aff of
Wallace

STATE OF TEXAS |

COUNTY OF TRAVIS| BEFORE ME, JAMES D. SHEEKS, NOTARY PUBLIC TRAVIS COUNTY, TEXAS, ON THIS DAY PERSONALLY APPEARED LEONARD T. TUCKER, WHO AFTER BEING DULY SWORN SAYS ON HIS OATH;

THAT, HE IS THE IDENTICAL L.T.TUCKER NAMED IN A CERTAIN DEED OF DATE, OCTOBER 31ST, 1879, FROM ONE W.J.PETTIT, CONVEYING XXXXXXXXXXXX EIGHTY ACRES OF LAND, THE SAME HAVING BEEN SURVEYED AND LOCATED BY BEN HARDIN, ON THE 3RD DAY OF OCTOBER, 1878, AND THE SAME BEING A PREEMPTION SURVEY, AND THE SAME LAND CONVEYED, BY, W.C.WALLACE AND WIFE, TO W.J.PETTIT, BY DEED DATED 13TH DAY OF SEPTEMBER 1879;

THAT HE HAD IN HIS POSSESSION THE TWO CONVEYANCES ABOVE NAMED AND FOR THE PURPOSE OF HAVING THEM RECORDED LEFT THEM IN THE HANDS OF ONE L.SMITH, THE OFFICER BEFORE WHOM THEY HAD BEEN ACKNOWLEDGED, WITH INSTRUCTIONS TO HIM TO HAVE THEM RECORDED. THAT THEY WERE CAUSED TO BE RECORDED BY SAID SMITH AS I S SHOWN BY THE FACT THAT THEY ARE NOW ON RECORD AMONG THE DEED RECORDS OF HAYS COUNTY, AS SHOWN BY THE CERTIFIED COPIES HEREWITH PRESENTED. THAT SAID SMITH HAS SINCE DIED, THAT HE HAS CAUSED DILIGENT SEARCH TO BE MADE AMONG THE PAPERS OF SAID SMITH DECEASED, AND IN THE OFFICE OF THE COUNTY CLERK OF HAYS COUNTY, AND OTHERWHERE THERE MIGHT BE PROBABILITY OF THEIR BEING. THAT ALL OF SAID SEARCHES HAVE BEEN UNSUCCESSFUL, THAT HE DOES NOT KNOW WHERE SAID CONVEYANCES ARE WHEREFORE HE SAYS THAT SAID TWO ORIGINAL CONVEYANCES ARE LOST OR DESTROYED, THAT HE CAN NOT FIND THE SAME AND THEREFORE PRESENTS CERTIFIED COPIES FROM THE RECORDS OF HAYS COUNTY AND ASKS THAT THEY BE RECEIVED AND CONSIDERED IN LIEU OF SAID ORIGINALS.

L T Tucker

SWORN TO AND SUBSCRIBED BEFORE ME THIS 12TH, OF MARCH, 1887.

James D. Sheeks,

NOTARY PUBLIC, TRAVIS COUNTY, TEXAS.

(11) Tric 1164.
Travis County
W. C. Wallace
Applicant
vs Lost deed
Trio Mch 15 79
Regular
Original
Filed

STATE OF TEXAS

COUNTY OF TRAVIS. BEFORE MEGAMES G. SHEEKS, NOTARY PUBLIC TRAVIS COUNTY, TEXAS, ON THIS DAY PERSONALLY APPEARED LEONARD T. TUCKER, WHO AFTER BEING DULY SWORN SAYS ON HIS OATH;

THAT HE IS THE IDENTICAL L.T. TUCKER NAMED IN A CERTAIN DEED OF DATE OCTOBER 21ST, 1879, FROM ONE W.G. PETTIT, CONVEYING XXXXXXXXXXXXXX EIGHTY ACRES OF LAND THE SAME HAVING BEEN SURVEYED AND LOCATED BY BEN HARDIN ON THE 3RD DAY OF OCTOBER, 1879, AND THE SAME BEING A PREEMPTION SURVEY, AND THE SAME LAND CONVEYED BY W.C. WALLACE AND WIFE TO W.G. PETTIT, BY DEED DATED 12TH DAY OF SEPTEMBER 1879;

THAT HE HAD IN HIS POSSESSION THE TWO CONVEYANCES ABOVE NAMED AND FOR THE PURPOSE OF HAVING THEM RECORDED LEFT THEM IN THE HANDS OF ONE L. SMITH, THE OFFICER BEFORE WHOM THEY HAD BEEN ACKNOWLEDGED, WITH INSTRUCTIONS TO HIM TO HAVE THEM RECORDED. THAT THEY WERE CAUSED TO BE RECORDED BY SAID SMITH AS I S SHOWN BY THE FACT THAT THEY ARE NOW ON RECORD AMONG THE DEED RECORDS OF HAYS COUNTY, AS SHOWN BY THE CERTIFIED COPIES HEREWITH PRESENTED. THAT SAID SMITH HAS SINCE DIED. THAT HE HAS CAUSED DILIGENT SEARCH TO BE MADE AMONG THE PAPERS OF SAID SMITH DECEASED, AND IN THE OFFICE OF THE COUNTY CLERK OF HAYS COUNTY, AND OTHERWISE THERE MIGHT BE PROBABILITY OF THEIR BEING. THAT ALL OF SAID SEARCHES HAVE BEEN UNSUCCESSFUL, THAT HE DOES NOT KNOW WHERE SAID CONVEYANCES ARE WHEREFORE HE SAYS THAT SAID TWO ORIGINAL CONVEYANCES ARE LOST OR DESTROYED, THAT HE CAN NOT FIND THE SAME AND THEREFORE PRESENTS CERTIFIED COPIES FROM THE RECORDS OF HAYS COUNTY AND ASKS THAT THEY BE RECEIVED AND CONSIDERED IN LIEU OF SAID ORIGINALS.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 12TH, OF MARCH, 1887.

Geo. G. Sheeks

NOTARY PUBLIC, TRAVIS COUNTY, TEXAS.

State of Texas
County of Hays

Know all men by these presents That I W.C. Wallace of the County of Hays and State of Texas in and for the consideration of Two hundred dollars to me paid by W.J. Pettitt of the aforesaid County and State have this day bargained sold and transferred and by these presents do bargain sell and transfer unto the aforesaid W.J. Pettitt of the following tract of land lying on the Waters of Pednales Creek it being a preemption surveyed and located by Ben Hardin on the 3° day of October 1878 Bounded as follows Beginning at the S.W. corner of Survey No 12 of 160 acres in name of W.H.D. Carrington. Thence W 490 vs cross W. prong dead man creek at 491 vs made stone mound for N.W. corner of this a L.O. mkd x brs S 2° W. 68½ vs. Thence S 67½ vs to stone mound for S.W. corner of this survey, a double L.O. marked x x brs S 37½ W. 35½ vs. Thence E at 590 vs the W prong of Dead man Creek at 672 vs stone mound for the S.E. corner a L.O. mkd x brs S 44 W. 37½ vs. Thence N 672 vs to stone mound two L.O.'s each marked x brs S 61 W. 106 vs. Thence W 81 vs to the beginning, Containing Eighty acres. Recorded Oct 31, 1878. To have and to hold all and singular the said land together with all the improvements and appurtenances thereunto belonging or in anywise appertaining thereto with all the rights and privileges that I have or may hereafter legally have to the said premises unto the said Pettitt his heirs and assigns forever and I do hereby warrant and defend the title to the same as herein written against the claims of any and all persons legally claiming the same or any part thereof. In testimony whereof I hereunto set my name and affixed a scroll for seal this 13th day of September 1879

F.

TRANS-P-116

W. C. Wallace (55)
Ida Wallace

The State of Texas
County of Navo

Before me L. Smith Notary Public in and for the aforesaid County and State personally appeared W. C. Wallace to me well known and whose name appear to the above deed and acknowledged that he signed and delivered the said deed for the consideration and purposes therein written and Ida Wallace wife of said W. C. Wallace after being examined by me separate and apart from her husband, and having the above deed fully explained to her acknowledged that she signed the same for her own free will and accord and does not wish to retract the same

To certify which I have hereunto set my name and affixed my seal of Office this 13th day of September 1879

L. Smith
Notary Public

Filed for record April 23, 1880 at 2 o'clock PM and duly recorded April 23° 1880 at 5 o'clock PM.

Ed. J. L. Green
Clk. C. C. N. Co
By Jas G Burleson Deputy

The State of Texas
County of Navo

I James G. Burleson Clerk of the County Court in and for the aforesaid County and State do hereby certify the foregoing to be a true and correct copy of the deed from W. C. Wallace & wife to W. J. Pettit dated Sept 13, 1879 as the same appears of record in Book "N" Pages 81 & 82 Navo County record of Deeds

Given under my hand and seal of office this March 10, 1886 at

Jas G. Burleson
Clerk C. C. Navo Co

2nd

W. C. Wallace

Deed to

W. J. Pettitt

Copy

Issued Mch 10, 1886

F-2

(12)

File 1164.

Trans Preempt

W. C. Wallace

To } Copy of Transfer

W. J. Pettit & Co

Filed Mch 15/87

R. C. Shelley

Chief Clk

State of Texas
County of Hays

Know all men by these presents that I W. J. Pettit of the County of Hays and State of Texas in consideration of Two Hundred dollars to me paid by L. T. Tucker of the aforesaid County and State have this day bargained sold transferred and by these presents do bargain sell and transfer unto the aforesaid L. T. Tucker the following tract of land lying on the waters of Perdenalis Creek it being a preemption surveyed and located by Ben Harden on the 3d day of October 1878 bounded as follows. Beginning at the S.W. corner of survey No 12 of 160 acres for W.H. Carrington Thence West 490 vrs cross the Perdenalis creek at 491 vrs made stone mound for the North West corner a live oak marked x brs S 2 W. 68½ vrs, thence S 672 vrs to stone mound for S.W. corner of this survey a double L.O. marked xx brs S 37½ West 35½ vrs thence E 590 vrs to the west prong of Dead Man Creek at 672 vrs a stone mound for the S.E. corner a live oak marked x brs S 44 West 37½ vrs. Thence N 672 vrs a stone mound two L.O.s each marked x brs 61 W. 106 vrs Thence W 87 vrs to the beginning Containing Eighty acres recorded Oct 31st 1878. To have and to hold all and singular the said land together with all the improvements and appurtenances thereunto belonging or in anywise appertaining thereto with all the rights and privileges that I have or may hereafter legally have to the said premises unto the said L. T. Tucker his heirs and assigns forever and I do hereby warrant and defend the title to the same as herein written against the claims of any and all persons legally claiming the same or any part thereof. In Testimony whereof I have hereunto set my name and affixed a scroll for seal this 31st.

ok

TRANS-P-1184

day of Oct 1879

W. J. Pettit
M. C. Pettit

State of Texas
County of Hays

Before me L. Smith Notary Public in and for the County of Hays personally appeared W. J. Pettit to me well known and acknowledged that he signed the above deed for the considerations and purposes therein written and M. C. Pettit wife of said W. J. Pettit who after being examined by me separate and apart from her husband and having the above deed fully explained to her acknowledged that she signed said of her own free will and accord and does not wish to retract the same

To certify which I have hereunto set my name and affixed my seal of Office this 31st day of October

L. S.

L. Smith, Notary Public

Filed for record April 23, 1880 at 2 o'clock P.M. and duly recorded April 23, 1880 at 6 o'clock P.M.

Ed J. L. Green
Clk C C Hays Co
By Jas G. Burleson Deputy

The State of Texas
County of Hays

I Jas G. Burleson Clerk of the County Court in and for the aforesaid County and State do hereby certify the foregoing to be a true and correct copy of the deed from W. J. Pettit & wife to L. T. Tucker dated Oct 31. 1879 as the same appears of record in Book 'N' pages 83 & 84 Hays County Record of Deeds

Given under my hand and seal of Office at San Marcos this March 10, 1886

Jas G Burleson
Clerk C C Hays Co

320

W. J. Pettit & Wf.

To Deed

L. T. Tucker

Copy

Issued Mch 10, 1886

(13)

File 1164.

Travis Preemptn

W. J. Pettit

Copy of

To Transfer

L. T. Tucker

Filed Mch 15/87

R. C. Shelley

Chief Clk

(14)

Hays

File 1164.

Travis Preemption.

W. C. Wallace

80 Acres

Act August 12th 1870.

See P-1787 for
Jo Senour's preemp
On Jo Senour P-1787 other-
-wise Correct on map of
Hays County Jany 31/89
C. McHill

Abandoned - See
proof within
June 1/86 Groom

This must not patent under
any circumstances until
Jo Senour (Tr P 1787) is
notified
abst 566 Cfr 4/86 Walsh

Mgl. 13856.

c Nov 26
c Jan 18

Content

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3. Proof of Abandonment
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4 Abandonment

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Bramlette

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8 Protest –

9 } Affidavits
10 } 10½

11 Affidavit of loss of deed

12 } Cert Copies of Transfers
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W. C. Roy
Antelope Spring
Wax Co

A. B. Vol. P

1164 Travis Pre

State of Texas }
County of Hays }

Know all men by these presents that I W. C. Wallace of the County of Hays and State of Texas in and for the consideration of Two Hundred Dollars to me paid by W J Pettitt of the aforesaid County and State have this day bargained sold and transfered and by these presents do bargain sell and transfer unto the aforesaid W. J Pettitt the following tract of Land lying on the waters of Pednalis Creek it being a premption surveyed and Cocatid by Ben Hardin on the 3d day of October 1878 Bounded as follows

Beginning at the S.W. corner of survey No. 12 of 160 acres in name of W H D Carrington. Thence W. 490 vs. cross W prong deadman Creek. at 491. vs. made Stone Mound for N.W. corner of this a L.O. Mked X brs S2 W. 68½ vs. Thence S 672, vs to Stone Mound, for S.W. corner of this Survey. a double L.O. Mked XX brs S37½ W. 35½ vs. Thence E at 590 vs. the W. prong of Deadman Creek. at 672 vs Stone Mound for the S.E. Corner. a L.O. Mked X brs. S.44. W. 27½ vs. Thence N, 672, vs to Stone Mound two L.Os each, Mked X brs S61. W. 106. vs. thence W. 81 vs to the Beginning, Containing Eighty acres. Recorded Oct. 31. 1878.

To have and to hold all and singular the said Land together with all the improvements and appurtenances thereunto belonging or in anywise appertaining thereto with all the rights and privileges that I have or may hereafter legally have to the said premises unto the said Pettitt his heirs and assigns forever and I do hereby warrant and defend the title to the same as herein written against the claims of any and

W. C. Wallace & wife
Deed to
W. J. Pettit

Filed for Record
April 23rd 1880
at 2 O'clock P. M.
Ed. J. L. Green,
Clk. C. C. H. Co.

Recorded in Book N
Pages. 81 & 82

J. F. Ellison Pre

1164 Travis
4/15/89

Fees charged to Ellison
25 dis

(15) File 1164.
Travis Preempt
W. C. Wallace

To/ Transfer
W. J. Pettit
Filed Apr 15/89
R C Shelley
Chufcell

Copy

all persons legaly claiming the same or any part thereof

In testimony whereof I have hereunto set my name and affixed a scawll for seal this 13th day of september 1879 W. C. Wallace (SEAL)

Ida Wallace

State of Texas
County of Hays } Before me S Smith Notary public in and for the aforesaid County and state personally appeared W. C. Wallace to me well known and whose name appears to the above deed and acknowledged that he signed and delivered the ~~the~~ said deed for the considerations and purposes therein written and Ida Wallace wife of said W. C. Wallace after being examined by me seperate and apart from her husband and having the above deed fully explained to her acknowledged that she signed the same of her own free will and accord and does not wish to retract the same

To certify which I have hereunto set my name and affixed my seal of office this 13th day of September 1879

S Smith
Notary public

PUBLIC
HAYS COUNTY

H-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 Deed of Conveyance — hereto attached
from W. C. Wallace & Wife to W. J. Pettit —
dated the 13th day of Septr A. D. 1879.
was filed for record the 23rd day of April — A. D. 1880 at 2 o'clock P. M.,
and duly recorded by me on the 23d day of April — 1880 at 5 o'clock
P. M., in Book "N" of Hays County Records for — Deeds — on pages
81 & 82,

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

15-1

H-3

State Texas }
County of Hays }

Know all men by these presents that I W. J. Pettit of the County of Hays and State of Texas in Consideration of Two Hundred Dollars to me paid by L. T. Tucker of the aforesaid County and state have this day bargaind sold transfered and by these presents do bargain sell and transfer unto the aforesaid L. T. Tucker the following tract of land lying on the waters of Perdinales Creek it being a Preemption surveyed and located by Ben Hardin on the 3d day of October 1878 bounded as follows Beginning at the S.W. Corner of survey No 12 of 160 acres in W. H. Carrington thence West 490 vrs crop the Perdinales Creek at 491 vrs made stone mound for the N.W. Corner a live oak marked X brs S. 2 W. 68½ vrs thence S. 672 vrs to stone mound for S.W. Corner of this survey a double L. O. marked XX brs S. 3 W. West 35½ vrs thence E. 590 vrs to the West prong of Deadman Creek at 672 vrs a stone mound for the S.E. Corner a live oak marked X brs S 44 West 27½ vrs thence N. 672 vrs to stone mound two L. Os. each marked X brs 61 W. 106 vrs thence W. 87 vrs to the beginning Containing Eighty acres Recorded Oct 31st 1878

To have and to hold all and singular the said land together with all the improvements and appertenances thereunto belonging or in anywise appertaining thereto with all the rights and privileges that I have or may hereafter legally have to the said to the said

N

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 Deed of Conveyance hereto attached

from W. J. Pettit & Wife to L. T. Tucker

dated the 31st day of October A. D. 1879.

was filed for record the 23d day of April A. D. 1880 at 2 o'clock P. M.,

and duly recorded by me on the 23d day of April 1880 at 6 o'clock

P M., in Book "N" of Hays County Records for Deeds on pages

83 & 84.

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

TRAVIS-P.1/64

premises unto the said L. F. Tucker his heirs and assigns forever and I do hereby warrant and defend the title to the same as herein written against the claims of any and all persons legally claiming the same or any part thereof

In testimony whereof I have hereunto set our name and affixed a scrolol for seal this 31st day of Oct 1879

W. J. Pettit (Seal)
M. C. Pettit (Seal)

State of Texas
County of Hays

Before me L Smith Notary public in and for the County of Hays personally appeared W. J. Pettit to me well known and acknowledged that he signed the above deed for the considerations and purposes therein written and M. C. pettit wife of said W. J. pettit who after being examined by seperate and apart from her husband and having the above deed fully explained to her acknowledged that she signed said of her own free will and accord and does not wish to retract the same

To certify which I have hereunto set my name and affixed my seal of office this 31st day of October 1879

L Smith
Notary public

i-2

2

W. J. Pettit & wife
Deed to L. T. Tucker

Filed for Record
April 23rd 1880
at 2 O'clock. P.M.
Ed. J. L. Green
Clk. C. C. H. Co.

Recorded in Book N
Pages. 83 & 84

1164
1787

Fees charged to Ellison
1.25 an

(16) File 1164.
Trans Preempt
W. J. Pettit
To/ Transfer
L. T. Tucker
Filed Apr 15/89
R C Shelley
Chief Clk

Copy

601—WARRANTY DEED WITH VENDOR'S LIEN. Jennings Bros., Steam Printers, Blank Book Makers and Stationers, Marshall, Texas.

THE STATE OF TEXAS, } Know all Men by these Presents:

County of Hays

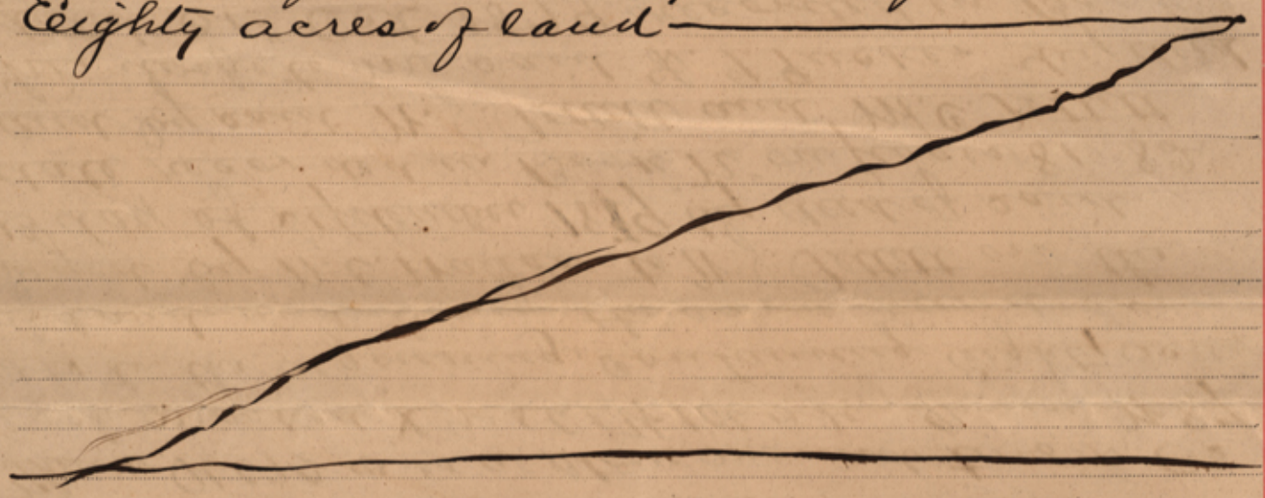
That L. L. P. Tucker, joined by my wife Tucker

of Hays county, and state of Texas for and in consideration of the sum of One Hundred and Fifty Dollars, to us in hand paid, the receipt whereof is hereby acknowledged, ~~and in further consideration of promissory note of~~ ~~of even date herewith and due~~ ~~with interest from at the rate of per cent. per annum, for the payment of which a lien is hereby retained upon the hereinafter described tract of land,~~ have bargained, sold, released and conveyed, and by these presents do bargain, sell, release, transfer and convey unto W. C. Roy

of Hays county, and state of TEXAS, his heirs and assigns forever, in fee simple, the following described tract or parcel of land, to-wit: Beginning at the S.W. corner of survey No. 12, of 160 acres in the name of W. H. Carrington Thence West 490 vrs cross the Pedinales Creek at 491 vrs. made stone mound for the North West corner a Live Oak marked X brs S 2° W 68½ vr. Thence S 672 vrs. to stone mound for S.W. corner of this survey a double L.O. marked XX brs S 37½ West 35½ vrs. Thence E 590 vrs. to the West prong of Dead Man Creek at 672 vrs. a stone mound for the S.E. corner a live oak marked X. brs S 44 West 27½ vrs. Thence N 672 vrs a stone mound two L. Os each marked X brs 61 W 106 vrs. Thence W 87 vrs to the beginning, containing Eighty acres of land, and being the same land conveyed by N. C. Wallace to W. J. Pettitt on the 13 day of September 1879 by deed of said date recorded in Book "N" on pages 81 & 82. and by said W. J. Pettitt and M. C. Pettitt his wife to me said L. P. Tucker by deed dated 31st Oct 1879 recorded in Book "N" on pages 83 & 84 and the record of

TRAVIS-P-116a

Said deeds are hereby referred to for a more definite description of said Eighty acres of land



together with all and singulnr the rights, members, hereditaments and improvements to the same belonging or in anywise incident or appertaining thereto, to have and to hold all and singular, the premises above mentioned unto the said W. C. Roy his heirs and assigns forever, and we do hereby bind ourselves our heirs and legal representatives, to forever warrant and defend, all and singular the title to the above mentioned premises unto the said W. C. Roy his heirs and assigns against every person or persons whomsoever lawfully claiming or to claim the same or any part thereof.

In Testimony Whereof, we hereunto set our hands this the 7th day of May A. D. 1885

L. T. Tucker.
S. F. Tucker

The State of Texas,
County of Hays } Before me, J. C. Rowe J. P. Ex officio Notary Public

on this day personally appeared L. T. Tucker known to me to be the person whose name is subscribed to the foregoing deed or instrument in writing, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office at Dripping Springs this 16th day of May A. D. 1885

J. C. Rowe J. P.
Ex officio Notary Public ~~County, Texas.~~
Hays County Tex

NOTARY PUBLIC COUNTY OF HAYS TEXAS

The State of Texas,
County of Hays } Before me, J. C. Rowe, A. J. P. ex officio Notary Public on this day personally appeared S. H. Tucker wife of L. T. Tucker known to me to be the person whose [illegible]ibed to the foregoing instrument, and having been examined by me privily [illegible]n her husband, and having the same fully explained to her, she, the said S. H. Tucker acknowledged such instrument to be her act and deed, and delared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

Given under my hand and seal of office this 16th day of May A. D. 1885.

J. C. Rowe, J. P.
Ex officio Notary Public ~~County~~, Texas.
Hays County Texas

The State of Texas,
County of Hays } I, Jas. G. Burleson Clerk of the County Court of Hays County, do hereby certify that the annexed deed or instrument of writing and certificate of acknowledgment were duly recorded my office in Record Book "T" page 354, 355 by me on the 30 day of May 1885 at 1 o'clock P M.

To Certify Which, I herto sign my rame and affix the seal of my office at San Marcos this, the 30 day of May A. D. 1885

Jas. G. Burleson Clerk.

~~Deputy.~~

2-2

(17) File 1164.
Travis Preempt
L. T. Tucker
Jos Tennefer
W. C. Roy
Filed Apr 15/89
R C Shelley
Chief Clk

Copy

Jennings Bros., Steam Printers & Stationers, Marshall, Tex.

WARRANTY DEED
WITH VENDOR'S LIEN.

Grantor L T Tucker & wife

Grantee W C Roy

Date May 7 1885

Property Conveyed 80 Acres land in Hays County

FILED FOR RECORD.
May 30 1885 at
12 o'clock, — M.
Jas G. Burleson
Clk. C. C. Hays Co.
Recorded in Book T p 352

2-3

LEGHORN ABSTRACT
FROM
GEO. D. BARNARD & CO.
ST. LOUIS.

1164

1787 Train P—
1690 " "

Patents

The State of Texas,
County of Hays.

I, Thos. J. Peel, Clerk of the District Court within and for the County of Hays and State of Texas, do hereby certify that the following styled and numbered suit, to wit: Jo Senour V. W. C. Roy, No. 1085, has this day been filed in the District Court in and for the County and State aforesaid. The said suit being brought for Tresspass and to try Title to a certain tract or parcel of land situated in Hays County Texas on the waters of the Pedernalles, a tributary of the Colorado River about 31 miles North 26° W. of San Marcos, same being file no. 167 for homestead Donation, bounded as follows:

Beginning at the S. E. Corner No. 12, the W. H. D. Carrington. Thence West 490 vs. cross West prong of Dead Mans creek at 591 vs. a stone md. a L. O. mkd × S. 2° W. 68½ vrs. Thence South 672 vrs. to a stone md a double L. O. mkd ×× S. 37½° W. 35½ Vrs. Thence East 590 vrs. — W. prong of Dead Mans creek, 672 vrs a stone md. a L. O. mkd × S. 44° W. 27½ vrs. Thence North 672 vrs two L. O. mkd × S. 61° W. 106 vrs. Thence West 81 vrs. to place of beginning, containing 80 acres.

Witness my hand and seal of office this the 6th day of May A. D. 1889.

Thos. J. Peel
Clerk D. C. Hays Co. Texas.

(18) File 1164.
Travis Preempt.
W. C. Wallace
Notice of
Sent
Filed May 7/89
R C Shelley
Chief Clk.

TRAD 13
P. 1164
3.5.56

The State of Texas
County of Hays

I W. C. Wallace do hereby Certify that on or about June A D 1877 I had a house built and other improvements made on a certain tract of land lying and being situated in Hays County and State aforesaid, on Dead Mans Creek, and that I did file upon the same land on the 14th day of March A D 1878, and that I remained in possession of said land until August or September A D 1879. When I sold all of my right title and interest in said land to one W. J. Veit for a valuable consideration, that at the time that I settled said land I did so in good faith intending to make it a Homestead and that I never had the least intention of abandoning said land under any circumstances whatever.

Witness my hand this 29th day of Aug 1890.

W. C. Wallace

Sworn to and Subscribed before me this 29th day of August A D 1890

J. C. Rowe
Notary Public
Hays County Texas.

(20) File 1164.
Travis Preemph
W. C. Wallace

Affidavit

Filed Aug 30/90.

COUNTY OF HAYS, TEX. PUBLIC

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No. 2. ~~Field Notes.~~

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No. 15. 16 & 17 Transfers
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18. Notice of Suit
5/14/89 Daniel

(19)

Hays County.

1164.

Travis

PRE-EMPTION.

W. C. Wallace

80 acres.

See Notice of suit within

Aug 12. 1870.

old wrapper inside

On Jo Senour P. 178

Otherwise Correct on

map of Hays County

May 1/89 C M Hill

May 20/89

13856.

1787

The State of Texas }
County of Hays } I James G. Storey
Clerk of the County Court in and for
Hays County, State aforesaid, do hereby
certify, that one L. Smith, before whom
a purported proof of settlement was
made by one L. T. Tucker, Lewis Maughn
and W. R. Elliott, to eighty acres of
land, situated in Hays County, on
Dead Man's Creek and originally sur-
veyed for W. E. Wallace on the 30th day
of October 1878, one the day of the date
of said purported proof to wit on
the 30th day of October 1881, was not
a Justice of the Peace and ex officio
Notary Public of Hays County, he
the said L. Smith having been defea-
ted for said office at the November
election 1880, and not having been
appointed to said office subsequently
to said election by the Commissioners
Court of Hays County. And I further
certify that the facts above stated are
shown by the records of my office.

Given under my hand and seal
of office at San Marcos this
18th day of June A.D. 1895

Jas G Storey
Clerk County Court
Hays County, Texas.

21 File 116x
Travis P.
W.C. Wallace
Affidavit
Filed June 19, 95.
H. Eyrod
Chfleck