

1191  
Duplicate Original file  
lost, see slip within

File 2692 - 1191

Bexas Strip Class

Tom Green 2354 County

H & T. C. Ry Co.

Sections 21 and 22

See P-41330 for 21 & 22

Block 20 Certificate No. <sup>42/</sup>5413

Section 21 correct on  
map of Tom Green Co. for 640  
ak. 7-12-28 McDonald

Patent Sec. 21 to Org  
7/12/28 McDonald

Patented July 18, 1888

10-67-10640  
Patent 10640

Registered

Mgl. \_\_\_\_\_

CONTENTS

No. 1 & 2 copy of Field Notes 7/12/28

No. 3. off ownership 7/12/28

No. \_\_\_\_\_

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No. \_\_\_\_\_

11 05 1928  
Neill, Smith & Neill,  
San Angelo, Tex.

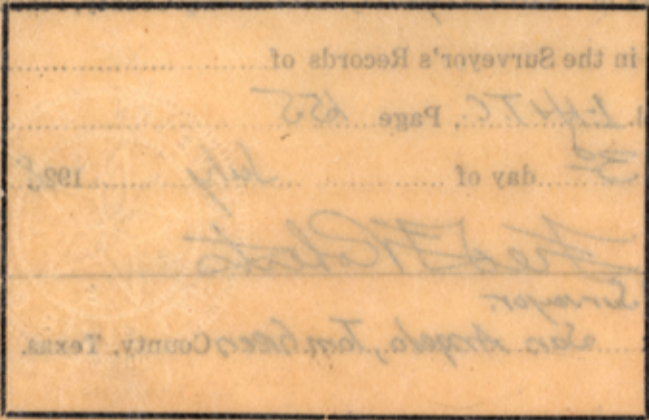
①

Tom Green Co

Plat of Survey No. ....

The State of Texas

SURVEY



Bexar District  
Four Green County

No. 21  
BLK. 20

CORRECTED

FIELD NOTES of a survey of 640

acres of land made for The Houston  
Texas Central Railway Co.

Said survey is No. 21 Block 20

in name of H. & T. C. Rylo.

Variation

25

San Angelo

situated in Bexar County, about 2 1/2 miles S33W from county site, beginning at

W. corner Surv. 20 NE cor this survey

Thence S. 900 w. cross at. course E. - 1900 w. stake  
for corner

Thence W. 1400 w. cross same course NE. 1900 w.  
stake for corner

Thence N. 1900 w. stake for cor  
E. - 1900 w. to sq.

San Antonio Creek

Bearings marked X to the place of beginning

Surveyed July 13<sup>th</sup> 1873  
M. J. Doyle Deputy

B. F. Hoffman  
E. S. Randall  
Chain Carriers

I, M. J. Doyle, a licensed Surveyor of Bexar District, 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 they are recorded in my office in Book

Page .....  
This, ..... day of ....., 192.....

M. J. Doyle  
Licensed Land Surveyor of San Angelo, Texas

XE I. L. C. Navarro, Dist. Surv. Bexar Dist. do hereby certify that I have examined the foregoing plat & field notes and find them correct, and that they are recorded in my office in Book B-119, Page 31. I. C. Navarro, District Surveyor, Bexar Dist.

I, Fred Roberts Licensed Land Surveyor  
County Clerk of San Angelo, Tom Green County, Texas,

hereby certify that the foregoing Field Notes are recorded in the Surveyor's Records of.....

Tom Green County, Texas, in Vol. 1-H.T.C., Page 155

Given under my hand and seal of office, this, the 30 day of July 1928

Fred Roberts

Licensed Land Surveyor,

County Clerk San Angelo, Tom Green County, Texas.

situated in \_\_\_\_\_ County, about \_\_\_\_\_ miles \_\_\_\_\_ from corner, beginning at \_\_\_\_\_  
\_\_\_\_\_

LAND OFFICE

S. F. NO. \_\_\_\_\_

FIELD NOTES

Filed ..... 192.....

Commissioner.

Clerk.

Approved ..... 192.....

Commissioner.

PROBANDY PRINTING CO. SAN ANGELO

This, \_\_\_\_\_ day of \_\_\_\_\_, 1928,  
I, \_\_\_\_\_, Licensed Land Surveyor of \_\_\_\_\_ 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 they are recorded in my office in Book \_\_\_\_\_  
Page \_\_\_\_\_  
Surveyed \_\_\_\_\_  
Bearings marked \_\_\_\_\_  
Chain \_\_\_\_\_  
Corners \_\_\_\_\_

BEXAR-S-2692

XE

THE STATE OF TEXAS  
COUNTY OF TOM GREEN

I, J.A. SIMPSON, County Surveyor of Tom Green  
County, Texas, do hereby officially certify

that the foregoing ONE pages constitute a true and correct copy  
of the original field notes of Survey No. ~~TWENTY TWO (22)~~ <sup>21</sup> BLOCK NO.  
TWENTY (20) of the HOUSTON & TEXAS CENTRAL RAILWAY COMPANY SURVEYS  
as located for said railway company under and by virtue of Certificate  
No. 42/5413 as the same appears of record in Vol.  
1 pp. 156 of the records of said surveyor's office  
of which I am the custodian

IN TESTIMONY WHEREOF, I have hereunto set my official signature  
and affixed my seal of office, this the 11<sup>th</sup> day of July 1928  
at the City of San Angelo, Texas

..... *J.A. Simpson* .....  
County Surveyor, Tom Green County, Texas

*Handwritten notes:*  
T. J. Simpson  
Field Notes  
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# 100

XE<sup>2</sup>

(1)

File No. 2692  
Bexar Scrup  
Tom Green County  
1st School Copy co  
Copy Field Notes # 21

Filed filed July 12 1928  
J. T. Robison Com'r.  
H. F. McDonald  
File Clerk

Locate on map of  
Tom Green Co. for  
640 acres  
7-12-28  
McDonald

Dated 7/18/28  
with

County Surveyor, Tom Green County, Texas

.....  
*H. F. McDonald*  
.....

at the City of San Angelo, Texas

and affixed my seal of office, this the 11<sup>th</sup> day of July 1928

IN TESTIMONY WHEREOF, I have hereunto set my official signature

of which I am the custodian

1 By 122 of the records of said surveyor's office

No. 42/2222 as the same appears of record in Vol.

is located for said railway company under and by virtue of Certificate

Twenty (20) of the HOUSTON & TEXAS CENTRAL RAILWAY COMPANY SURVEYS

of the original field notes of survey No. THIRTYEIGHT (38) BLOCK NO. 1

that the foregoing one page is a true and correct copy

COUNTY OF TOM GREEN County, Texas, do hereby officially certify  
I, J. A. SIMPSON, County Surveyor of Tom Green  
THE STATE OF TEXAS

KE

BEXAR SCRIP 2692

Under this heading O'Henry has written a very interesting story. Numberless inquiries in the last ten years have come to this office regarding the facts upon which the story was based, and various articles on the subject have been contributed to the newspapers. I wonder if it would be amiss for me to tell the story of Bexar Scrip 2692 as reflected by the records of the Land Office?

Certificate No.42/5413 was issued to the H & T C Railway Company on January 9, 1873. This certificate is one of thousands issued on that date. The number "42" belongs to the stub book, and the number "5413" to the certificate in its ordinary series. On January 13th, four days after its issuance, M. J. Doyle laid the certificate on a tract of land in what is now the southwestern part of Tom Green County. At the time he located three blocks,- 19, 20 and 21. This certificate was applied to Section 21 in Block 20. The certificates covering the various sections in Blocks 19, 20 and 21 were returned to the office in the latter part of January, 1873, and a separate file for each certificate containing it and the field notes thereunder was made. The file wrapper is an envelop open at each end with the number of the file according to the district on its face, and the description of the land, which in this particular case contained the field notes of Section 21 and its alternate school section 22, and the certificate.

For convenience in filing the State was divided in an early day into filing districts. The Bexar district was the largest, and Fannin the next. To ascertain whether or not a certificate is located one must go to the index, and he will find opposite the certificate the filing district and the number of the file. The certificate is the controlling factor in the description, because that is the basis of the grant, if it cannot be appropriately termed the grant itself.

As the law required railroad companies to alienate their lands within fifteen years after the issuance of patent, the practice grew up among the companies not to take out patents until they sold the land. In 1863 Captain Walsh, then Commissioner, had all the unpatented files collected and patents issued and notice given to the companies of issuance.

Under this heading O'Henry has written a very interesting story. Numerous inquiries in the last ten years have come to this office regarding the facts upon which the story was based, and various articles on the subject have been contributed to the newspapers. I

wonder if it would be possible for me to tell the story of O'Henry's life as reflected by the records of the Land Office.

Certificate No. 423413 was issued to the H & T C Railway

Company on January 9, 1873. This certificate is one of thousands issued on that date. The number "42" belongs to the stub book, and the number "3413" to the certificate in its ordinary series. On January 13th,

four days after its issuance, M. J. Doyle laid the certificate on a tract of land in what is now the southwestern part of Tom Green County.

At the time he located three blocks, - 19, 20 and 21. This certificate was applied to Section 21 in Block 20. The certificates covering the various sections in Blocks 19, 20 and 21 were returned to the office

in the latter part of January, 1873, and a separate file for each certificate containing it and the field notes thereon was made.

The file wrapper is an envelop open at each end with the number of the file according to the district on its face, and the description of the land, which in this particular case contained the field notes

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BEYAR-5-2692

the companies were compelled to take out the patents because of the severe penalties accumulating monthly against them.

It appears that Bexar Scrip 2692 and Bexar Scrip 2693 were not in the files when Blocks 19, 20 and 21 were patented, and were, therefore, overlooked. A slip in place of them showing that they were lost is in the file relating to 2692. There is a memorandum by me made March 4, 1928, stating "this file appears to have been out in 1883".

In 1928 the law firm of Hill, Smith and Neel wrote the Department asking for a copy of the patent to Section 21, Block 20. Going to the map we found Section 21 labeled Bexar Scrip 2692. It was first entered on the map by the original surveyor, M. J. Doyle, who, after making these surveys, became an employee of the Land Office. The records of the Land Office showing the issuance and return of the certificate and the delineation of the land on the official map under the file number, and the owner having furnished a copy of the field notes from the records of Tom Green County, the Land Office patented it July 12, 1928. A duplicate file was made up and now serves in place of the original.

The loss of a file could in no way affect adversely the rights of the owner of the land unless it contained papers not of record in the county where the land is situated. The certificate was merged into the land when the survey was made, and could not have been located elsewhere, and no rights could have been acquired by its loss or withdrawal from the Land Office. The preservation of the files of the Land Office is extremely important, and the loss of one might cause someone to lose the rightful ownership of a tract of land that can be only in cases where the transfers were not recorded in the county. During the last thirty years the Land Office does not file deeds unless they are recorded properly.

I am not writing to disparage O'Henry in the least, as his stories are all very interesting to me, and some of them instructive. There are those, however, who make inquiries with apparent thought in the background that one might profit by purloining files from the Land Office.

Austin Texas  
December 4, 1933

J. H. Walker



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It appears that Bexar Scrip 2892 and Bexar Scrip 2893 were not in the files when Blocks 19, 20 and 21 were patented, and were

overlooked at the time of their issuance. There is a memorandum by me

dated March 4, 1928, stating "This file appears to have been out in

2  
For File  
Bexar Scrip 2892  
Bexar Scrip 2893

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ment asking for a copy of the patent to Section 21, Block 20. Going to the map we found Section 21 labeled Bexar Scrip 2892. It was first

entered on the map by the original surveyor, W. J. Doyle, who, after making these surveys, became an employee of the Land Office. The

records of the Land Office showing the issuance and return of the cer-

tificates and the destination of the land on the official map under

the name of the life number, and the owner having furnished a copy of the

field notes from the records of Tom Green County, the Land Office

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Austin Texas

December 4, 1928

J. H. Walker

THE STATE OF TEXAS  
COUNTY OF TOM GREEN

Before me, the undersigned authority, on this day personally appeared S.N. ALLEN, who, after being by me duly sworn, upon oath deposes and says: That he is the lawful owner and holder of under a chain of conveyances duly recorded down from the Houston & Texas Central Railway Company a certain tract of land in Tom Green County, Texas, known and described as all of SECTION No. TWENTY-ONE (21) in BLOCK NO. TWENTY (20) of the HOUSTON & TEXAS CENTRAL RAILWAY COMPANY surveys, and as such owner is entitled to have delivery made to him by the Commissioner of the General Land Office of patent thereto from the State of Texas to said Houston & Texas Central Railway Company

*S. N. Allen*  
.....

Sworn to and subscribed before me this the 30 day of June 1928

*J. H. J. Witt*  
.....

Notary Public, Tom Green County, Texas

*Handwritten notes:*  
To transfer to  
S. N. Allen  
for the amount of  
\$100.00  
paid to the  
Houston & Texas  
Central Railway  
Company  
for the  
land described  
in the  
above  
instrument  
dated  
June 20, 1928  
J. H. J. Witt  
Notary Public  
Tom Green County, Texas  
1928

F  
B.S 2692

3

Affidavit of  
S N Allen as to  
Ownership of Sec.  
Twenty-one (21) in  
Block Twenty (20)  
O & T. C. Ry Co in  
Tom Green County Texas

Filed 7/27/28  
J. Robinson  
Comms  
Aulstun

NOTARY PUBLIC, TOM GREEN COUNTY, TEXAS

*J. Robinson*

Subscribed and sworn to before me this 28th day of July 1928

*S. N. Allen*

Notary Public, County

of the State of Texas do hereby certify that the foregoing is a true and correct copy of the original as the same appears from the records of the County of Tom Green, Texas.

Witness my hand and the seal of the County of Tom Green, Texas, this 28th day of July 1928.

Notary Public, County of Tom Green, Texas

THE STATE OF TEXAS  
COUNTY OF TOM GREEN

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Austin, Texas  
December 4, 1933

J. H. Walker

u. Bexar - 5 - 2692

Transcript of Commissioner's

Letter

Faded, illegible text, likely a transcript of a letter or official communication. The text is too light to read accurately but appears to be a formal document.