

File 332

Houston Preemption

H-Ord 223-5

Mrs E. J. Brooks

124 1/10 129 7/2 Acres

Act. August 12<sup>th</sup> 1870

Correct and map of Houston County for 124 1/10 acres. April 16/81 E. W. Pappas.

Correct for patenting to H. F. Brooks ass<sup>ne</sup> for 124 1/10 acres. May 11/81

Wash

Decomm

Patented May 11/81

252 acts

N<sup>o</sup> 247 - vol 12

mkd pld

Comm g. quantity given in Commission

Line 15/81

mm

Mgl. 8506

Mk'd pld Reg

c Oct. 10  
R. O. W. H.

Contents.

No. 1. Affidavit & Designation

" 2. Field Notes

" 3. \_\_\_\_\_

August " 4. 12<sup>th</sup> 1875

Robinson

3 transfers Nov 15/80  
Walters

4 cert of occup any

5 final notice Oct  
mch 12/81  
Walters

6 cert of occup any  
may 7/81  
Walters

B. F. Duran

Crockett

A. B. Vol.

210 Crockett

No.

The State of Texas, } Before the undersigned  
 County of Houston. } Authority, personally ap-  
 peared Mrs. E. J. Brooks by <sup>Wm F. Brooks</sup>  
 applicant, and W. W. Carkey and  
 W. W. Carkey witnesses, to me well  
 known, who being duly sworn, according to  
 law, declare that Mrs. E. J. Brooks is  
 bona fide settled upon vacant public do-  
 main, the same described in the ac-  
 companying 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 not a Homestead

E. J. Brooks by W. F. Brooks Agent  
 W. W. Carkey  
 W. W. Carkey

Sworn to and subscribed before  
 me this 25<sup>th</sup> day of August 1873

In Testimony Whereof, I have hereunto  
 affixed my Official Seal and Signature,  
 R. J. Blair Ck. By H. B. Brown Dpy Ck  
 D. C. H. Co. Texas

No.

Designation.

To the Surveyor of Houston County;  
 By Virtue of the accompanying affidavits  
 No. made in accordance with the  
 Section of 'An Act to regulate the Disposal  
 of the Public Lands in the State of Texas';

'Ade 302

Houston Preemption

Mrs E. J. Brooks

129 1/2 Ave

Affidavit & Designation

Filed August 19th 1875

Filed at 3 PM August 1875

Wauville Co  
Surveyor & Co

act Aug 12/75

affidavit for  
Survey

approved August 12 1870, I hereby apply  
for a Survey of the following premises, in-  
cluding my improvements; viz., Beginning  
at B. F. Keers N W Corner on county line  
thence South with Keers line to his offset  
Corner, thence East with Keers line  
to 870 to his Corner, thence South  
with Keers & Dailys line to Stokes  
Corner - thence N 70° W with Stokes  
line to his N E Corner - thence  
with Stokes west line 1344  
to Caskey line - thence North  
with Caskey line to Salmons  
line - thence East and North with  
Salmons line to place of beginning  
E. J. Brooks by W. F. Brooks

W. F. Brooks

The State of Texas } Survey No.  
Houston County } 3

Field Notes of a Survey of 129<sup>1/2</sup>  
Acres of Land Made for

W. F. Brooks by virtue of his pre-  
emption affidavit. No

Said Survey is Situated in Houston  
County on Waters of Elk Head Creek 16<sup>mi</sup>  
Miles North 5<sup>mi</sup> from the Iron of Correll  
Beginning at W. W. Caskey's S. W. Corner  
on N. line of B. Parkers

Thence N. with Caskey line 950 rs to his N. W. Cor.

Thence E. with Caskey line 950 rs. to his N. E. Cor.

Thence N. with Mrs. A. Bowman line 950 rs to  
her N. W. Corner

Thence E. with her line at 950 rs Parker Cor. at  
1039. rs. Corner on <sup>2.</sup> Pennington line -

Thence N. at 442 rs. County line -

Thence S. 81° W. with County line 1157 rs to Grices  
Corner.

Thence S. 96° 50' W. with Grices line to his S. E. Cor

Thence S. 81° W. with Grices line 950 rs to Cor on  
Parkers East line -

Thence S. with Parkers line 35 rs. to Corner

Thence N. with Parkers line 32 rs. Cor.

Thence S. 7° E. at 1023. rs. place of Beginning  
Surveyed June 17<sup>th</sup> 1845.

Jan Dillard } C. } Mark Miller  
J. F. Brooks } C. } Co Surveyed

The State of Texas }  
County of Houston } I hereby Certify that the  
foregoing Survey was made according  
to Law. and that the Maps Lines and

Corners are correctly described there  
and that the foregoing field notes are  
duly recorded, in Book B of Preemption  
Claims on Page -  
August 9<sup>th</sup> 1878 Mark Miller

File 302

Houston Preemption

Also E. J. Brooks

129 1/2 acres

field notes.

Filed August 12<sup>th</sup> 1878

J. J. [Signature]

Corrected by correct field notes

Oct 15  
E. J. Brooks

Book B

The State of Texas I know all men by their  
Houston County I present that J. E. Brooks  
of the County of Houston and State of Texas.  
For and in consideration of the sum of  
One Hundred Dollars. To me paid by  
W. H. Brooks, also of the County of Houston  
and State of Texas. The receipt whereof is  
truly fully acknowledged. Have bar-  
gained, sold, transferred, alieneed and conveyed  
and do by these presents, Bargain, sell, transfer,  
alien, and convey unto W. H. Brooks his  
heirs and assigns a certain tract or par-  
cel of land containing 129 $\frac{1}{2}$  Acres and the  
same being my Preemption. Situated in  
Houston County Texas on the waters of  
Calkhoast Creek about 15 miles N<sup>W</sup> from  
the Town of Crockett. and bounded by lines  
as follows. To wit) Beginning at W. H. Costley's  
S<sup>W</sup> corner on the North line of B. Parker  
Thence North with said Costley's line at 950<sup>00</sup>  
Corner. - Thence East with said Costley's line  
at 950<sup>00</sup> to his N<sup>E</sup> corner. - Thence North with  
Mrs A. B. Bowman's line at 950<sup>00</sup> to her N<sup>W</sup> corner  
Thence East with her line at 950<sup>00</sup> past her  
Corner at 1039<sup>00</sup> to Corner on Pennington's line,  
Thence North at 442<sup>00</sup> County line,  
Thence S 81<sup>00</sup> W with said County line 1157<sup>00</sup>  
to Guice's corner. - Thence South with Guice  
line at 965<sup>00</sup> his S<sup>E</sup> corner. - Thence S 81<sup>00</sup> W

with Guies line at 950<sup>00</sup> to corner - on  
Parkers East line - Thence South with Parkers  
line 35<sup>00</sup> to corner - Thence West with Poolers  
line at 32<sup>00</sup> to corner - Thence 37<sup>00</sup> E at 1033<sup>00</sup>  
to the place of Beginning - To have and  
to hold all & singular the rights, members,  
Hereditaments and appurtenances thereto,  
belonging or in anywise incident or appertaining  
together with all & singular the above  
described premises, unto the said W. H. Brooks  
his heirs, executors, administrators, or assigns  
forever, and I the said E. J. Brooks will  
forever warrant and defend the right and title  
to the same, to the said W. H. Brooks his heirs  
and assigns - Against the claims or claims of  
any & all persons lawfully claiming or to  
claim the same or any thereof -

In testimony whereof I have hereunto  
signed my name this the 12 day of  
November A. D. 1880,  
Witness  
Elyah Brooks L. S. & C.

The State of Texas  
Houston County } Before me  
W. D. Whiffin Notary public of Houston  
County personally appeared Elyah Brooks  
to me well known who in my presence  
signed the foregoing deed or instrument  
of writing bearing date 12th November 1880  
and the said Elyah Brooks acknowledged  
the same to be her act and deed  
for the uses purposes therein contained

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Houston Preemption

E. J. Brooks

P. Y. Transfer

W. L. Brooks

filed nos 13/80

Rhoads & Tucker  
Chf Clerk

and forward

give notes my hand

and sent of office

This 12<sup>th</sup> day of November 1850

W. L. Brooks

Chf Clerk

Texas



The State of Texas Survey No  
Houston County 3 The corrected field notes of a survey  
of ~~136 1/2~~<sup>124 1/2</sup> Acre of land made for E. J. Brooks by virtue of  
her Preemption Affidavit No - Said Survey is situated in  
Houston County on the waters of Elkhart creek about ~~1/2~~<sup>15 1/4</sup> miles N 57  
from the Town of Crockett. - Beginning at W W <sup>Castley's</sup> N 1/2 corner  
a Black Mt. X bro N 45 1/2 W 3 1/2 + a Hickory mt. X bro 35 1/2 E 5 1/2 - Thence East with said  
Leestups N 1/2 line at 950 1/2 his N.E. corner. a Post Oak bro 387 1/2 W 4 1/2 - Thence North  
with Mr N Boroman's N 1/2 line at 950 1/2 her N 1/2 corner. a Post Oak bro 380 1/2 W 4 1/2 - Thence East with  
her N 1/2 line at 950 1/2 her N.E. corner a Hickory bro. N 43 1/2 W 4 1/2 - Thence South with her E 1/2  
line at 420 1/2 to J D Mathews. corner. in a Pond a Red Oak 20 in mt. X bro N 30 1/2 E 25 1/2 + a Post Oak  
10 in mt. X bro N 35 1/2 E 22 1/2 - Thence East with said Mathews line at 170 1/2 to R Pennington's S W corner  
a Post Oak 14 in mt. X bro 351 1/2 E 2 1/2 - Do 9 in mt. X bro 333 1/2 E 5 1/2 - Thence North with his N 1/2 line at  
860 1/2 - made corner on Houston + Anderson County line a Post Oak 12 in mt. X bro West 4 1/2 + a Black 14 in mt.  
X bro 365 1/2 E 12 1/2 - Thence S 81 1/2 W with said County line at 1207 1/2 to B J H Guice's N.E. corner. a Post Oak  
18 in mt. X bro 360 1/2 E 10 1/2 + a Black 6 in mt. X bro N 5 1/2 W 9 1/2 - Thence South with his E 1/2 line at  
965 1/2 his S.E. corner a Post Oak 8 in mt. X bro 55 1/2 W 5 1/2 + a Black 10 in mt. X bro 586 1/2 E 10 1/2  
Thence S 81 1/2 W with his S 1/2 line at 950 1/2 his S W corner on J Postles E 1/2 line a Black 6 in mt. X  
bro. 520 1/2 E 5 1/2 + a Hickory 4 in mt. X bro N 2 1/2 E 4 1/2 - Thence South with said Postles line at 56 1/2  
to his S.E. corner. a Hickory 24 in mt. X bro N 44 1/2 E 4 1/2 + a Black 8 in mt. X bro N 69 1/2 W 6 1/2  
Thence S 63 1/2 E at 68 1/2 to the place of Beginning. - Corrected March the 1<sup>st</sup> A D 1881 -

William Hanson's claim  
W. M. Castley's man

B. F. Duvren  
Co. Surveyor, Houston, Co., Texas

The State of Texas I B F Duvren Co Surveyor of Houston County - Herby certify that the  
County of Houston 3 foregoing survey has been corrected by me according to law and that the limits  
boundaries & corners together with the marks both natural and artificial are correctly described  
in said field notes & that they are duly Recorded in Book 6 of Preemption claims on Page 57.  
Given under my hand at Office in Crockett Houston Co Texas this the 3<sup>rd</sup> day of March A D 1881 -

B. F. Duvren  
Co. S. H. Co., T

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Houston Preemption

E. J. Brooks

~~124<sup>7</sup>/<sub>10</sub>~~ 126<sup>7</sup>/<sub>10</sub> acres

field notes

Field nch 12/87

Rhoads Hickey  
Chick

Correct and map of Houston  
County for 124<sup>7</sup>/<sub>10</sub> acres.  
April 16/81 C. W. Peffer.

Patented May 11/81

Peffer's

Contains only 124<sup>7</sup>/<sub>10</sub> acres

april 15/81

Peffer

## PROOF OF SETTLEMENT UNDER HOMESTEAD ACT.

**The State of Texas,** }

COUNTY OF Houston }

BEFORE ME, the undersigned, County Clerk in and for the County aforesaid, this day came and personally appeared Mr E. J. Brooks a resident citizen of said County, who being by me duly sworn, declares that he is a *bona fide* settler upon 129 acres of vacant public land, situated in said County, and surveyed for Mr E J Brooks on the 12<sup>th</sup> day of January 1878, by Mark Miller Surveyor of said County; that he has occupied and improved the same as a Homestead for a period of three consecutive years, beginning on the 1<sup>st</sup> day of Januy 1877, that he is a widow woman and that he makes this affidavit for the purpose of obtaining a title to the same for a Homestead, under "An Act for the Benefit of actual Occupants of the Public Lands," approved May 26th, 1873, and Acts prior thereto; and that he has not a Homestead other than the above.

And also at the same time came and personally appeared W W Cuskey and W. F. Brooks two credible resident citizens of said County, to me well known, who being duly sworn, depose and say that Mr E J Brooks the person first above named in this Affidavit, has actually settled upon and cultivated as a Homestead, the land surveyed for her him on the 12<sup>th</sup> day of January 1878, by the surveyor aforesaid, for the period of three years, and they nor either of them have any interest in the said land.

E J Brooks

W F Brooks

W W Cuskey

Sworn to and subscribed before me, and I hereby certify that W. F. Brooks and W W Cuskey are credible and trustworthy citizens of said County.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of said County, at office, this 8 day of February 1878

O C Aldrich  
Clerk of County Court Houston Co.

Proof of Settlement  
OF LAND.

Settler.

*E. J. Brooks*

5  
File 332  
Newiston Prospect  
E. J. Brooks  
Cert of occupancy  
Filed mch 12/81  
Rhoads Hinkley  
Chf Clerk

# PROOF OF SETTLEMENT UNDER HOMESTEAD ACT.

The State of Texas,

COUNTY OF Austin

BEFORE ME, the undersigned, County Clerk in and for the County aforesaid, this day came and personally appeared Mr. E. J. Brooks a resident citizen of said County, who being by me duly sworn, declares that he is a bona fide settler upon 124 3/4 acres of vacant public land, situated in said County, and surveyed for E. J. Brooks on the 12<sup>th</sup> day of January 1875, by Mark Miller County

Surveyor of said County; that he has occupied and improved the same as a Homestead for a period of three consecutive years, beginning on the 1<sup>st</sup> day of Dec<sup>r</sup> 1877, that he is a farm sole and that he makes this affidavit for the purpose of obtaining a title to the same for a Homestead, under "An Act for the Benefit of actual Occupants of the Public Lands," approved May 26th, 1873, and Acts prior thereto; and that he has not a Homestead other than the above.

And also at the same time came and personally appeared W. M. Caskey and W. D. Hinson two credible resident citizens of said County, to me well known, who being duly sworn, depose and say that E. J. Brooks the person first above named in this Affidavit, has actually settled upon and cultivated as a Homestead, the land surveyed for her on the 12<sup>th</sup> day of January 1875, by the surveyor aforesaid, for the period of three years, and they nor either of them have any interest in the said land.

E. J. Brooks

W. M. Caskey

W. D. Hinson

Sworn to and subscribed before me, and I hereby certify that W. M. Caskey and W. D. Hinson are credible and trustworthy citizens of said County.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of said County, at office, this 4<sup>th</sup> day of May 1881

J. C. Aldrich  
Clerk of County Court Austin Co.

By Albert Aldrich Depy

Proof of Settlement  
OF LAND.

Settler.

*E. J. Brooks*

b/ File 332

Houston Prompter

E. J. Brooks

Cert of occupancy

Dated May 7/81

Rhoads Hickers  
Clerk