

23007

File

4076

Milam

PRE-EMPTION.

W. J. Kitcherside
Abit. 1075.

160 acres

See 1256 Mil Pre for
Act of abandonment
of that claim 7/10/88.

On McLaughlin P. 4961
otherwise according
to H. B. Dillard's sketch
& letter to Frank Powell
Correction map of
Boysie County Aug
13/90 C. M. Hill
Aug 21/90

marked pld on map

Mgl.

Abit 16.

1/2 May 13/90

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708 - Letters of Explanat adn

8/13/90 - Liddart

9 Letters of Explanat

10 Cert of Occupancy

P. 3585 pld, unless there

Patent to R. B. Case

8/13/90 - Liddart

Patent to R. B. Case

Patent to R. B. Case

By H. M. Dillard

Mar. 15/90

copy of 1/20/90

AFFIDAVIT FOR PRE-EMPTION.

THE STATE OF TEXAS,

COUNTY OF BOSQUE.

Before me, J. A. Cooney Clerk of the Co. Court of Bosque
County, this day personally appeared N. J. Ketchum
to me known, who after being by me duly sworn, upon his oath deposes and says: that he is now a
bona fide settler upon 160 acres of Land, that he believes to be of
the public vacant lands of the State of Texas; that he is improving said land for a Homestead, and
has no other; and further that he is a Married man
and makes this Affidavit for the purpose of obtaining a Home. Said Land is situated in Bosque
County, about 7 miles S. E. from Meridian, on the waters of Cedron Creek:
beginning at J. F. Ketchum's S. W. cor. Thence
S. to South Allen's line &c. &c.
and more particularly described by the accompanying field notes. N. J. Ketchum

Given under my hand and the seal of the Co. Court of Bosque
County, at office, in the Town of Meridian, this 28th
day of January A. D. 1872

J. A. Cooney

Clerk Co. Court, Bosque County, Texas.

By J. M. Cooney Deputy.

File 4070

Milam Pre-empt
No. 1 West side
Affidavit

Filed 11/8/80

J. C. Robinson
Chf. Clk

M. Stuckard, Stationer and Printer, Galveston.

By J. M. Galloway Deputy

C. C. B. Co.

of Galveston

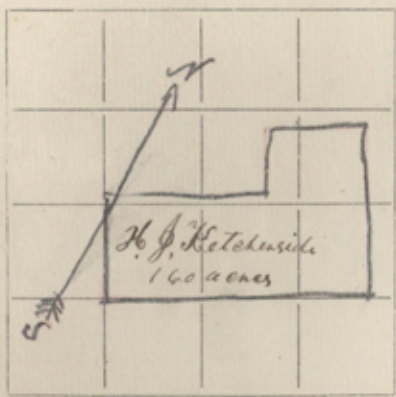
the 28th day of January 1872

ISSUED

Affidavit for Pre-emption.

J. C. Robinson

Do.



Scale, $\frac{1}{200}$ Varas to the Inch.
 with a Variation, of $10\frac{1}{2}$ Degrees

The State of Texas, }
 COUNTY OF BOSQUE.

Survey No. _____

Field Notes of a Survey of 160 acres

of land made for H. J. Ketchenside
 it being _____ the land to which he is
 entitled by virtue of his certificate of occupancy
 issued by the County Clerk of

Bosque county on the 28th day of January 1882
 said land is situated on the waters of Bedman
 Creek about $\frac{6}{7}$ ^{564 E} of Meridian

Beginning at the N E cor of J. F. Ketchenside, 80 acre
 SW pile of rocks for the NW cor on the South
 line of S. W. Peoples SW Thence N60 E 828 N to Peoples
 S E corner pile of rocks Thence N30 W 520 N a corner in
 a branch on the East line of said Peoples Survey
 Thence N60 E 543 N to the N E corner from which a cedar
 18 inches in diameter bears S 90 E 101 N marked +
 Thence S 90 E 852 N to the S E corner pile of rocks on the
 North line of Garrett Allen Survey Thence S 60 W 1581 N
 to J. F. Ketchenside S E cor pile of rocks for the SW cor
 of this SW Thence N30 W 532 N to the place of beginning

James Clark }
 B. M. Welch } c

Surveyed May 12th 1882

I, S. J. Siddall County Surveyor of Bosque County Texas
 do hereby certify that the foregoing Survey was made according to law
 and that it was actually made on the ground and that the # filed
 notes are recorded in my office in Book 6 page 98

S. J. Siddall
 County Surveyor of Bosque County Texas

H. J. Ketchenside's Post office address Meridian Texas

4/4 ill 4076
Milam. Pra-empt

H. J. Kottch side

Field Notes

160 acres

Filed 11/8/89

Det Robinson

Chf all

On P-4961, other-
wise according to
sketch & statement
of H. Mc Dillard
Correct on map
of Bosque County
Aug 13/90

H. J. Kottch
Mc Hill

P. 4961 no obstacle

Patented Feb. 10, 1892

Dawson

of May 15/93
H. J. Kottch

The State of Texas } I hereby make application to the County Surveyor of
County of Basque } Basque County to survey me 160 acres of land by virtue
of my certificate of occupancy issued by the County
Clerk of Basque County on the 28th Jan 1882 said land is situated on
the waters of Cedron Creek about 7 Miles East from Meridian
Beginning at the S E cor of J. F. Hetcherside 80 acre sur then run so
as to include 160 acres this Jan 28th 1882

H. J. Hetcherside
marks

I S. J. Siddall County Surveyor of Basque County Texas do hereby certify
that the foregoing application is a true copy of the original application
as recorded in my office in the Surveyors file Book page 188

S. J. Siddall

County Surveyor of Basque County Texas

of Hill 4076

Milam Iowa - empty

W. J. Ketchum side

application

Filed 11/8/82

D. H. Roberson

Chy. Ill.

4076 mil P

Proof of Settlement under Homestead Act.

The State of Texas,
County of Bosque

Before me, the undersigned ~~Clerk~~ ^{a Notary Public} in and for the County aforesaid, this day came and personally appeared R. B. Ascue a resident citizen of said County, who being by me duly sworn, declares that he is a bona fide settler upon 160 acres of vacant public land, situated in said County, and surveyed for H. J. Ketcherside on the 17th day of May 1882 by S. J. Siddall a Surveyor of said County; that he ^{and those under whom he claims} has occupied and improved the same as a Homestead for a period of three consecutive years, beginning on the 17th day of May 1882 that he is married and that he makes affidavit for the purpose of obtaining a title to the same for a Homestead, under an Act supplementary to "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 J. B. Powell and J. E. McMeans two credible resident citizens of said County, to me well known, who being duly sworn, depose and say that R. B. Ascue ^{and those under whom he claims} the person first above named in this Affidavit; has actually settled upon and cultivated as a Homestead, the land surveyed for him on the 17th day of May 1882 by the Surveyor aforesaid, for the period of three years, and they nor either of them have any interest in the said land.

R. B. Ascue
J. B. Powell
J. E. McMeans

SWORN TO and subscribed before me, and I hereby certify that J. B. Powell and J. E. McMeans are credible and trustworthy citizens of said County.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of said ^{Notary} County, at office, this 2nd day of July 1887

Jas M. Robinson
Clerk Notary Public Bosque Co. Tex

④ File #076.
Milam Prompt
H. J. Kitcherside
Cert of
Occupancy
Filed July 6/87
R. B. Ascue
Kuscek

JENNINGS BROS. PRINTERS AND BLANK BOOK MAKERS, MARSH, L. TEXAS.

PROOF OF
SETTLEMENT OF LAND

R. B. Ascue
Settler.



P-4076 - Milam

66-01-4
48-61-9

THE STATE OF TEXAS,

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF Bosque

That J. H. J. Ketcherside

of the County of Bosque and State aforesaid, in consideration of the sum of

Fifty. 00/100

DOLLARS,

to me in hand paid by A. B. Pawell, J. C. Ayer

and Eva Ayer

have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto the said

A. B. Pawell, J. C. Ayer, Eva Ayer

of the County of Bosque and State of Texas all that certain

piece or parcel of land lying & being situated
 in Bosque County Texas as well known as
 the Prescription Claim of J. H. Ketcherside
 and described as follows to wit: 160 acres.
 Beginning at the N.E. corner of J. F. Ketcherside
 80 acre survey a pile of rocks for N.W. corner
 of this survey thence N60°E 828 rs to the S.E. corner
 of S.W. Peoples Survey a pile of rocks thence N30°W
 920 rs a corner in a branch on the East line
 of said Peoples Sur thence N60°E 543 rs
 to the N.E. corner from which a cedar marked
 X bears S30°E 101 rs about 18 inches in diameter
 thence S30°E 852 rs to the S.E. corner a pile of
 rocks on the North line of Jarrett Allen Survey
 from which a live oak marked X bears N60½°E
 1321 rs thence S60°W 1371 rs to J. F. Ketcherside
 S.E. corner a pile of rocks thence N30°W
 532 rs to the place of Beginning being surveyed
 for me the said J. H. Ketcherside Nov. 17th 1882.
 by S. J. Siddall Co Surveyor Bosque Co Tex

TO HAVE AND TO HOLD the above described Premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said A. D. Powell, J. C. Ayer & Coa Ayer heirs and assigns, forever. And D. do hereby bind my

heirs, executors and administrators, to WARRANT AND FOREVER DEFEND, all and singular, the said premises unto the said A. D. Powell, J. C. Ayer & Coa Ayer heirs and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

WITNESS my hand at Meridian this 3rd day of November A. D. 1882

H. J. Ketchum

Signed, Sealed and Delivered in Presence of

THE STATE OF TEXAS, }
County of Tasque } BEFORE ME T. A. Coe
Clerk of the County Court
in and for Tasque County, Texas, on this day personally appeared

H. J. Ketchum
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 3rd day of November A. D. 1882

T. A. Coe
Clerk of the County Court
Tasque

731
Folio
Page
- 2

THE STATE OF TEXAS,

County of

Brewster

I,

P. A. Collins

Clerk of the

County Court of said County, do hereby certify that the above instrument of writing, dated on the

30

day of *November* 188*2*, with its certificate of authentication, was filed for record in my office, this

30th

day of

November

A. D. 188*2*, at

11

o'clock

2

M., and duly recorded the

31st

day of

November

A. D. 188*2*, at

12

o'clock

M., in the records of said

County, in volume

1

on pages

567

WITNESS my hand and the seal of the County Court of said County, at office in

Meridian

the day and year last above written.

P. A. Collins

Clerk C. C.

Brewster

County.

⑤ File 4076.
Milam Preempt
N. J. Ketcherside
To } Trumper
A. B. Powell
J. C. Dyer
& Eva Dyer.
Filed July 6/87
R. A. Walker
Trustee

acetal

2442

WARRANTY DEED.

N. J. Ketcherside

- TO -

Powell & Ayer
Evans

FILED FOR RECORD

November
3rd

1887

at 11 o'clock and minutes A.M.

Recorded Nov 3rd 1887

in Gasque County Record

of Acers Book

Page 569

R. A. Walker Clerk.

Deputy.

acetal
Lus Pava
P-4076 Milam

The State of Texas,

County of Bosque.

Know all Men by these Presents,

That we A. B. Powell, J. C. Dyer and Eva Dyer joined
by her husband J. H. Dyer
of the County of Bosque County of Texas in the State aforesaid, for and in consideration of
One Hundred and Sixty DOLLARS, to us in hand paid by
R. B. Ascue

have granted, sold and conveyed, and by these presents do grant, sell and convey unto the said R. B. Ascue
of the town of Meriden County of Bosque
in the state of Texas, all that certain lot, tract or parcel of land, to wit:

The following piece or parcel of land lying and being situated in Bosque County
Texas, and known as the Preemptive claim of H. J. Ketcherside and
described as follows to wit: 160 acres, Beginning at the N.E. corner of J. F. Ketcherside 80
acres survey a pile of rocks for N. W. corner of this survey; Thence N 60 E 828 varas
to the S. E. corner of S. W. Peoples survey a pile of rocks; Thence N 30 W 320 varas
a corner in a branch on the East line of said Peoples survey; Thence N 60 E
543 varas to the N. E. corner from which a Cedar marked X bears S 50 E 101 vrs
about 18 inches in diameter; Thence S 30 E 852 varas to the S. E. corner a pile of
rocks on the North line of Jarrett Allen survey from which a Live Oak marked X
bears N 60 1/2 E 13 vrs; Thence S. 60 W 1371 vrs to J. F. Ketchersides S. E. corner a
pile of rocks; Thence N 30 W 532 vrs to the place of beginning being surveyed for
the said J. F. Ketcherside May 17th 1882, by S. J. Sidall County Surveyor Bosque County
Texas

To Have and to Hold, the above described premises, together with all and singular the rights and appurtenances
thereto in anywise belonging, unto the said R. B. Ascue - his
heirs or assigns forever. And we do hereby bind ourselves our heirs executors and administrators to warrant and forever
defend all and singular the said premises unto the said R. B. Ascue - his
heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

Witness our hand & this 28th day of March A. D. 1887

Witnesses at request of Grantor.

J. H. Dyer
Eva Dyer
John Dyer
A. B. Powell

THE STATE OF TEXAS.

COUNTY OF BOSQUE.

BEFORE ME, JAMES M. ROBERTSON, Notary Public within and for said County and State,

on this day personally appeared J. H. Dyer, John Dyer and A. B. Powell
known to me _____ to be the person whose name are subscribed to the foregoing instrument,
and acknowledged to me that they executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office, this 28th day of March A. D. 1887

James M. Robertson
Notary Public, Bosque Co., Texas.

THE STATE OF TEXAS,

COUNTY OF BOSQUE.

BEFORE ME, JAMES M. ROBERTSON, Notary Public within and for said County and state,

on this day personally appeared Eva Dyer wife of J. H. Dyer
known to me _____ to be the person whose name is subscribed to the foregoing instrument; and having been
examined by me privily and apart from her husband, and having the same fully explained to her, she, the said Eva Dyer
acknowledged such instrument to be her act and deed, and declared that she had willingly signed the same for the purposes and considerations therein expressed, and that
she did not wish to retract it.

Given under my hand and seal of office, this 28th day of March A. D. 1887

James M. Robertson
Notary Public, Bosque County, Texas.

6 Free 4076.
Milam County
J.H. Dyer et al
To & Transfer
R.B. Asene
Filed July 6/87
R. B. Asene
Clerk

J.H. Dyer et al
to } DEED. 160 ac
R. B. Asene
General County
acceded

Filed for Record, the _____ day of _____

o'clock _____ M.

188, at _____

Clerk _____ Court, _____ County.

By _____ Deputy Clerk.

withd - 0-4076

FROM
JAMES M. ROBERTSON,
Real Estate Agent, Surveyor and Conveyancer,
Meridian, Bosque Co., Texas.



THE STATE OF TEXAS.

574)

A. R. BARRY, Co. Judge.
H. C. COOKE, Co. Clerk.
F. P. SMITH, Dist. Clerk.
JNO. METCALF, Sheriff.
JOHN DYER, Tax Collector.
M. G. CASH, Tax Assessor.
H. S. DILLARD, Co. Attorney.
W. S. POWELL, Co. Treasurer.
J. N. WEEKS, Co. Surveyor.

CO. COMMISSIONERS:
JOHN HARVEY,
C. W. SMITH,
W. G. FEAGIN,
Y. GRIMLAND.



Bosque Co.

Meridian Tex Aug 7th 1890.

Commissioner Hall. I do not know what better to do than send you a letter written to me by Mr. A. M. Sillard which will explain better than I can do, it what he did on the ground to establish H. J. Ketcherside survey. I want to get a patent on this survey which you say conflicts Atwell No 1. It appears to me that this letter should be conclusive evidence as to the correctness of Sillard's survey on ground. Sillard did not make the original survey for the Ketchersides, but he found the corners, as they were made by the old County Surveyor Siddall, I being one of the Chain carriers. The corners of the Atwell Survey, were made to correspond with these corners of the Ketcherside. If you can now Patent I will send the fee

Respy
Frank Powell.

71 File 4076

Milam Preemption

H. J. Ketcherside

Exp letter from
Frank Powell

Filed Aug 13/90

H. J. Ketcherside
CHIEF CLERK

950
700
250

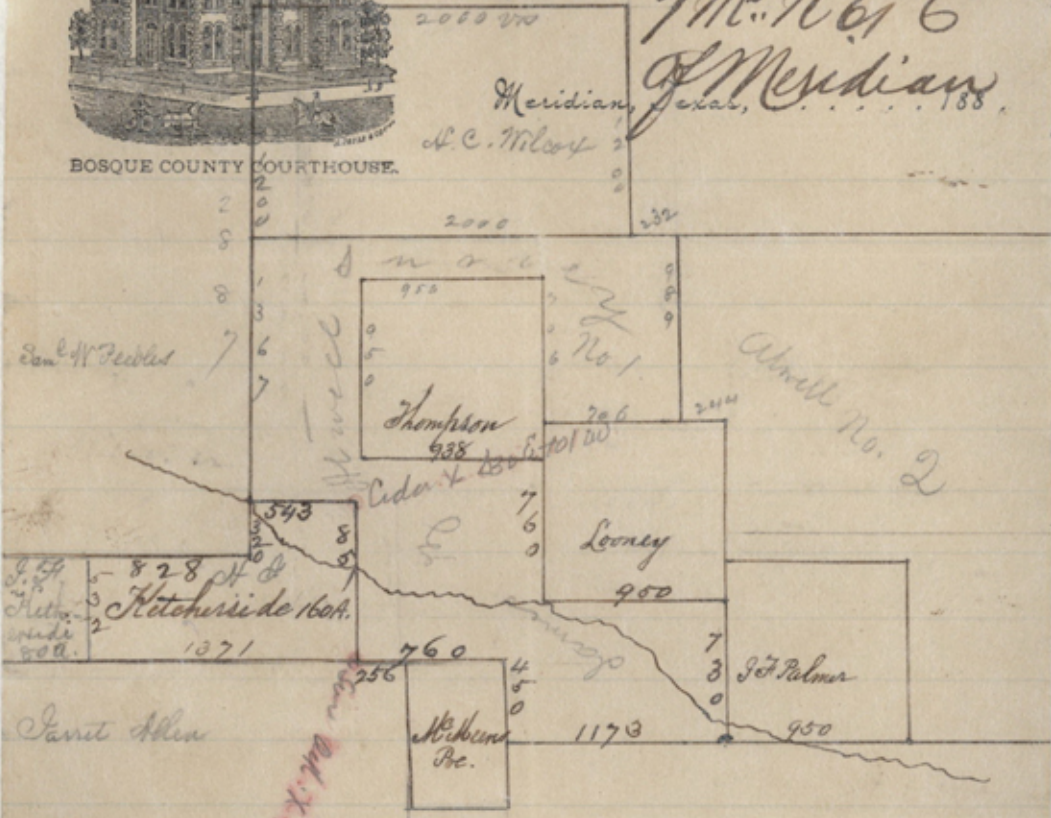


BOSQUE COUNTY COURTHOUSE.

Sketch OFFICE OF
H. S. BILLARD,
County Attorney, Bosque County.

7m. N 61° E
Meridian, Texas, 1888

2000 W
Meridian
H.C. Wilcox



I Certify that the
Witnesses marked in red, ^{were} standing
on the ground June 28 1890

H. S. Billard
Special Deputy
for Survey of the Land
No. 1

Red diagonal line with handwritten text: *Witnesses marked in red*

(1)



BOSQUE COUNTY COURTHOUSE.

OFFICE OF
H. S. DILLARD,
County Attorney, Bosque County.

Meridian, Texas, 188 .

Mr Frank Powell

My Dear Sir. Replying to
Your verbal Com: by Snyder, I have
to say, that I have done every thing
that could be done under an intelligent
Official demand to secure your Patent
on the H. S. Fitcherside Preemption
Survey. I certify as special deputy
appointed by Co: Surveyor of Bosque Co:
to locate on the ground & return proper
field notes of the Jas & Atwell No. 1,
that I ran S 30° E - 136700. from the S.W.
Cor. of the H. C. Wilcox on E. line of San^t
Pablo to corner in the branch - that I
then ran N 60° E - 54300. to pile of rock
made as a corner of the H. S. Fitcherside
160 acre Survey from which I found a

(2)

Cedar marked X bearing S 30° E &
101 vrs. distant. Then ran S 30° E
857 vrs. to a pile of rock from
which I found a Live O. banded
& bearing N 62° E - 80 vrs distant
These are the identical witness
trees called for by Siddall when
he located your N. J. Kitcherside
I certified that I found these
witness trees standing at the time
I made the Atwell Survey No 1.

For you. Upon the field notes
I sent up a Patent from the
Com: of the D. L. C. was issued for
the Atwell No 1. One of these
Calls is N 60° E - from Corner in
the branch on E. line of Public 543
vrs. to Corner tied by Cedar X tree
The Next Call is S 30° E - 857 vrs.

to Cor. on N. line Jarrett Allen tied
by L O X tree. Now these patents
Calls imply that something
is S & West of these 2 lines 543
varas wide & 857 varas deep. What
is it? Evidently the vacant space



BOSQUE COUNTY COURTHOUSE.

OFFICE OF
H. S. DILLARD,
County Attorney, Bosque County.

(3)

Meridian, Texas, 188 .

we are covering for the Mitcherside
Presumption. This is inexorable
logic & to require farther evidence
is simply superciliousness.
Now as to a possible conflict
between the 2 Mitchersides, I
have this to say. Since you sold
the 80 acre J. F. Mitcherside I have
put in a witness tree at N.E. Cor.
where the pile of rocks was put by
Addall & it is called for in the
Deed made. From this I ran the
N. line of the Mitcherside to a
Survey I find it 800000. to the S.E.
Cor. of the Saml. W. Peablers. This is only
a rock pile but it is known of all
men as the Peablers S.E. Corner. If

there is any thing else I can
do to satisfy that "immaculate
State Troop" - a Corps of Skitchies
let me know & by dam I'll
do it.

Respect Yrs
C. H. McDillard
Special Deputy
for the Atlat Survey No. 1.

of file 11076
Mearns Fire engine
H. J. Yetcherside
- Capt. Kitter - order
Filed Aug 13/90
CHIEF CLERK
C. H. McDillard



BOSQUE COUNTY COURTHOUSE.

H. S. DILLARD,

ATTORNEY AT LAW

AND PRESENT

COUNTY ATTORNEY.

MERIDIAN, TEX.

18

Com^r Gen^l Land Office at
Austin Tex

Replying to yours of Sept. 15th 1890
in relation to the A. D. Fitcherside Be.
Empt. Survey of Bosque Co. will
state that the discrepancy is only ap-
parent but needs an explanation
J. H. Dyer is the husband of Eva
Dyer & it was considered best by Acue
that as the husband he should sign
the transfer - also state that Jno
Dyer & J. C. Dyer are identical
- my Christian name being Jno. C.
Dyer but rarely using the C.
myself. These are facts to which
I hereby certify to in presence of
W. S. Powell John Dyer
W. S. Powell

H. S. DILLARD
COUNTY ATTORNEY
MEMPHIS TENN.

9 File 4076
William Preemption
H. J. Ketcherside

Letter of Expla.

Filed Oct 29th 1890



General Land Office.

P-3585-
1-4076

Austin, Tex., 188

According to notes in this office of Allens N B line is 3731 rs, Bildertacks
N B line is 2590 rs, W H Shaw calls to begin 1000 rs from Bildertacks
Cor (supposed to mean Bildertacks's N W cor) Thence runs N 60 E
1700 rs ^{thirty} placing Shaws SE cor 110 rs N 60 E from Allens N W
Cor, ^{R. M. Allister now} R. M. Welch calls at his SW cor ^{calls} for Allens N W cor, hence Welch
must conflict 110 rs with Shaw. Welch takes up 1700 rs of
Allens N B line, ^{J. J.} Kitcherside 850 rs, H J Kitcherside 1371 rs,
Atwell 256 rs, making Allens line 4177 rs long, an
excess of 446 rs, and if the Welch does not conflict with
Shaw the excess will be 110 rs greater. So it will be
seen that there is not room between Welch & the At-
well survey for the two Kitcherside surveys without
a conflict. The W M Vaughan P. 4961 is also on both
the Kitcherside preemptions as well as the J J Gysart
P-1256. The Surveyor ought to find on the ground
the corners & lines of all the above named surveys
& certify to their true position, length of lines &c.

Aug 4th 88

C. M. Hill



Form 1, for use of the Office of the Surveyor General

U. S. DEPARTMENT OF THE INTERIOR

Department of the Interior
Office of the Surveyor General

1888

1888

[Faint handwritten notes in the left margin, including "1888" and "1888"]

MILAM PRE- 4076

Draftson's Statement

[Handwritten signature]

If it be true that the N B
line of Allen + S B line
of Peeples cant be found
though it seems that
Jas M Robertson who
made the J F Kitcherside
survey did then find the
Peeples S B line) it might
be possible to find the
E + W B lines of the Allen
+ certify to the true dist.
between said lines +
the same might be done
in the Bilderbact. Where
no lines or corners of
adjacent surveys can be
found, then they should
be established by course
+ distance from some known corners of the surveys
to which they connect. S B, S Hill