

File 239 <sup>76</sup>

Sacagdoches Peim  
Feb 7 1876

G. T. Benz

160 ac

Act Aug. 12 1870

Card of Occupancy

Correct and map of Cherokee  
County. Febr. 3/75 G. W. Pfeiffer  
& edited by Ed.

M. R. King

Correct for patenting  
Feb 27 75  
Patented February 8<sup>th</sup>  
1873  
Stapp

No 307 - Vol 2

2586,

E. C. June 28/72  
E. W. P.

1. Affidavit
  2. Field notes
  3. Card of Occupancy
- Nov 23/74 Jackson  
Mch 6/79 Bacon

H. J. Guinn  
20 Dec 1895

4. B. ...  
5. ...  
6. ...

Condition furnished Surveyor  
Jan 3. 73 Beck

No. 9

State of Texas  
Cherokee County

Before the undersigned authority Personally appeared S. F. Bengo applicant and W. C. McElyea and S. A. Glass witnesses, to me well known, who being duly sworn, according to law declare that S. F. Bengo is bona fide settled upon vacant public domain, the same described in accompanying file, under "An Act to regulate the Disposal of the Public Lands of the State of Texas," approved August 12<sup>th</sup> 1870. and that he has not a homestead.

S. F. Bengo  
S. A. Glass  
W. C. McElyea

Sworn to and subscribed before me this  
16<sup>th</sup> day of December A. D. 1870

In testimony whereof I  
have herunto affixed my official seal  
and signature

J. L. Byrns C. D. C.

Resignation

No. 9  
To the County Surveyor of Cherokee  
County

By virtue of the accompanying

affidavits No 9 made in accordance  
with the Section of "An Act to reg-  
ulate the disposal of the Public Lands in  
in the State of Texas approved August  
12<sup>th</sup> 1870.

I hereby apply for a survey of the  
following premises, including my improv-  
ments; Viz. Beginning at the S. W. corner  
of the H. C. Evans survey No. 146. Thence East  
with the S. B. line of said Evans survey to  
a stake on said line. Thence South  $\frac{1}{2}$  West  
and North as to include 160 acres on  
the vacancy situated about 10 miles W. W.  
of the town of Rust Texas S. J. Benze

C-2

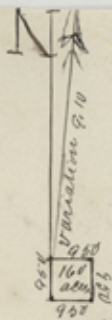
File 239  
Henry duane  
S. J. Benge  
Supt  
Department  
Recd May 11/72

Application of  
S. J. Benge for  
Presumption Ues  
acres of Land

Filed in my office  
in Book this Deem  
on the 1<sup>st</sup> 1871

Jas. P. Gilson  
C. Surveyor

Recorded in Book II  
of Presumptions, on page  
204. Jan 3<sup>rd</sup> 1872  
James P. Gilson  
C. Surveyor  
Chester Co



scale, 4000 varas to the inch

The State of Texas  
 County of Cherokee  
 Survey No. 12

Fields of a Survey 100  
 acres of land made Feb.

7. 1872 S. F. Bengo including his im-  
 provements by virtue of his affidavit  
 No. 9. Sworn to <sup>and</sup> subscribed before W.  
 L. Byrd Clerk of the District Court of  
 Cherokee County. Situated in the County  
 of Cherokee on the waters of the Neches  
 river about  $8\frac{3}{4}$  miles North <sup>55°</sup> West of the  
 Town of Rust

Beginning at a Stake the S. W. Corner  
 of H. C. Evans Survey No. 146 from which  
 a Post oak 24 d. in dia. bears S. 3° W.  
 20 vrs. A Hickory 10 d. in dia. bears N.  
 82½ E. 15½ vrs.

Thence E. 950 with the S. B. line of said  
 survey No. 146 a Stake from which a  
 Blackjack 10 d. in dia. bears S. 67° 8  
 vrs. Another 12 d. in dia. bears ~~S. 67° E. 8~~  
~~vrs.~~ 45° E. 5½ vrs.

Thence S. 950. vrs. to a Stake from which  
 a Oak 18 d. in dia. bears S. 71 W. 4 vrs. A Red  
 oak 10 d. in dia. bears S. 49. E. 8 vrs.

Thence W. 930 to a Stake on the E. B. line  
 of Survey No. 489 from which a Red oak

30 d. in dia bears S. 22 1/2 E. 15 1/2 ars. A  
Kickory 10 d. in dia bears S. 47 W. 9 ars.  
Thence N. 950 ars with the E. B. line of  
said survey by 489 to the beginning  
J. Summy James P. Gibson C. S. C. C.  
J. A. Glass

J. James P. Gibson County  
Surveyor of Cherokee County - do hereby  
certify that the survey described in  
the foregoing deed and field notes was  
made by me on the 7<sup>th</sup> day of February  
1872; that the same was made accord-  
ing to law; that the boundaries, lines and  
corners of the same together with the  
marks natural and artificial are  
truly described therein and that said  
field notes are recorded in Book D,  
on Page 218 in my office in the  
Town of Rusk.

James P. Gibson  
County Surveyor of  
Cherokee County - TEX.

File 239

Acroyd. Incept

February 160 ac

G. F. Beuge

Filed May 7/72

Patented February 5<sup>th</sup>  
1875  
Stark

66 June 23/72  
E. W. P.

The State of Texas, Before me the undersigned  
Cherokee County, 3 District Clerk in, and for  
the County aforesaid this day came, and person-  
ally appeared S. J. Benge a resident Citizen  
of said County, who being by me duly sworn, de-  
clares that he is a bona fide settler upon  
160 acres of vacant public land situated  
in said County and surveyed for S. J. Benge  
on the 7<sup>th</sup> day of February 1872 by James P.  
Gibson, then, Surveyor of said County; that  
he has occupied and improved the same  
as a homestead for a period of three conse-  
cutive years, beginning on the 1<sup>st</sup> day of  
January 1870, that he is a married man  
and that he makes this affidavit for the purp-  
ose of obtaining a title to the same for a homestead  
under "an act to regulate the disposal of the  
public lands of the State of Texas" approved  
August 12<sup>th</sup> 1870, and that he has not a home-  
stead other than the above, and also at the  
same time came and personally appeared  
John P. McElyea, and S. A. Glass two cred-  
ible resident Citizens of said County to me  
well known who being duly sworn depose  
and say that S. J. Benge the person first  
above named in this affidavit, has actually  
settled upon and cultivated as a homestead  
the land surveyed for him on the 7<sup>th</sup> day of  
Feb'y 1872 by the surveyor aforesaid, for the

period of three years, and they or either of  
them have any interest in said land

J. T. Benge

S. A. Glass

John P. McElyea

Sworn to and subscribed before me, and I  
hereby certify that S. A. Glass and John  
P. McElyea are credible and trustworthy  
citizens of said county

In testimony whereof, I have  
hereunto set my hand and  
affixed the seal of said county  
this the 14<sup>th</sup> day of November 1874

W. L. Byrd

Clerk District Court Cherokee Co

40

3 File 239

Nacogdoches County

County of C. C. C. C.

J. T. Benge

Filed Nov 23/74  
R. H. Fisher,  
Chy. C. C.

22.50

10.