

1935
(Letters & Ect, from Lipscomb & Lipscomb Attached)

1950 By W.O. Work

Sketch showing Serreys owned by the heirs of

U.T. White in Chambers & Jefferson Co.

Jefferson County Rolled Sketch "20"

JEFFERSON COUNTY No. 20

W.O. Work's sketch - accompanying letter
of 5-3-35 from Lipscomb & Lipscomb
Denton, Texas

942

LAW OFFICES
LIPSCOMB & LIPSCOMB
BEAUMONT, TEXAS

A. D. LIPSCOMB

SAMUEL C. LIPSCOMB

April 2, 1935

RECEIVED

APR 3 1935

Hon. J. H. Walker
Commissioner of the General Land Office
Austin, Texas

REFERRED TO MAP

Dear Sir:

There has been some uncertainty about the relative locations of the tier of surveys at the southwest corner of Jefferson County. The county map made by Geo. White, county surveyor, in 1923, omits one of the C. Black (assignee of P. P. Allen) 320 acre surveys and gives its location to the S. McLaughlin, and gives the John Lambert the location which properly belongs to the S. McLaughlin. The proper location of the John Lambert 320 acre survey (now reduced by erosion to 305.36 acres) is over that space on the Gulf Shore front that is shown on White's county map in the name of T. J. Cronea (C. T. & M. C. Ry. Co. Survey #2).

I herewith enclose a portion of a map made by W. O. Work, licensed land surveyor, showing the correct locations of these surveys.

The district court has recently tried out a case between W. L. Moody, owner of C. T. & M.C. Ry. Co. Survey No. 2 (or Cronea Survey), and

White 5-10-35
Blancher

counter 91427

J. T. White et al., owning the John Lambert, and the decree gives all of the space shown on the enclosed map in the name of John Lambert to C. T. & M. C. Ry. Co. Survey.

Being interested in having the John Lambert stricken from the tax rolls, I have taken the matter up with the Comptroller and he suggests that I send you the data for correction. I herewith enclose you the excerpt from the map made by Work and also certified copy of the decree of court. The correction of the Geo. White map of Jefferson County will not be complete until it is made to conform to this, putting in the additional Charles Black (assignee of P. P. Allen) Survey that is shown by this map. Both of the Black (or Allen) surveys are on our county assessment rolls, one rendered by A. W. Middleton and the other by the Cade Estate.

If you do not require the certified copy of the decree for your file, I would thank you to return it.

Yours very truly,

A. D. Lipscomb
A. D. LIPSCOMB

White
4/18/35
[Signature]
ADL:mn
Encs.

counter 71628

J. T. White et al., owning the John Lambert, and
the decree gives all of the space shown on the
enclosed map in the name of John Lambert to G. T.
M. C. Ry. Co. Survey.
Being interested in having the John Lambert
striken from the tax rolls, I have taken the matter
up with the Commissioner and he suggests that I send
you the data for correction. I herewith enclose
you the excerpt from the map made by Work and also
certified copy of the decree of court. The cor-
rection of the Geo. White map of Jefferson County
will not be complete until it is made to conform
to this, putting in the additional Charles Black
(assignee of E. P. Allen) Survey that is shown by
this map. Both of the Black (or Allen) surveys
are on our county assessment rolls, one rendered by
A. W. Middleton and the other by the Cade Estate.
If you do not require the certified copy of
the decree for your file, I would thank you to
return it.

Yours very truly,

Keep With
Jefferson County Rolled Sketch "20"
Letters & Ect, from Lipscomb & Lipscomb
1935

counter 41629

605

LAW OFFICES
LIPSCOMB & LIPSCOMB
BEAUMONT, TEXAS

A. D. LIPSCOMB

SAMUEL C. LIPSCOMB

May 3, 1935

RECEIVED

MAY 6 - 1935

Hon. J. H. Walker, Commissioner
General Land Office
Austin, Texas

REFERRED TO MAP

Dear Sir:

We acknowledge receipt of your letter of May 2nd, in which you say: "For your information I shall state in this immediate vicinity the official map of Jefferson County shows surveys from west to east in this order: P. P. Allen, Stanton McLaughlin, John Lambert, C. T. & M. C. Ry. Co. #2 (Thos. J. Cronea), J. Howe."

In regard to the above I beg to say that I have gone over the field notes with extreme care in preparation of a boundary suit between W. L. Moody Jr. and J. T. White, Jr. et al, Moody claiming the the C. T. & M. C. Ry Co. #2, otherwise the Thos. J. Cronea Survey, and White claiming the John Lambert. These field notes obtained from your office and also from the county surveyor's office show the surveys in Jefferson County in the following order: First a small portion of the James Earl, which is situated principally in Chambers County; next the Chas. Black Survey, as assignee of P. P. Allen; next the Alex Horn; next the T. B. Clubb; next there is a second Chas. Black Survey, as assignee of P. P. Allen;

*See letter to A. D. Lipscomb
dated 4-18-35. 9/2 in Jeff 3-8.*

counter 9286

J.H. Walker #2

next the Stanton McLaughlin Survey; next the John Lambert Survey; next the John Howe. The space covered by the C. T. & M. C. Ry. Co. #2, or Thos. J. Cronea, is shown by the field notes clearly to cover the space also covered by the John Lambert and this is clear with this exception: The C. T. & M. C. Ry. Co. #2 calls to run from the S. W. corner of the last named John Howe Survey to the S. E. corner of the John Lambert, meaning of course the S. E. corner of the McLaughlin. This is manifest because the John Lambert and the John Howe are adjoining Surveys and there would be no space for the C. T. & M. C. Ry. Co. #2 between them. It is manifest that the maker of the C. T. & M. C. field notes mistook the Stanton McLaughlin Survey for the John Lambert.

In order to understand the situation along there it is necessary to know that there are two surveys made for Chas. Black as assignee of P. P. Allen. There are two John Howe Surveys in that tier and one G. B. Black Survey. The confusion in your office arises from the fact that you overlooked the existence of two surveys made for Chas. Black, as assignee of P. P. Allen. Both of those surveys are on the tax rolls here. One of them is rendered by Arch Middleton and the other by the Cade Estate.

J.H. Walker #3

I am very anxious to have this matter straightened out so that there will be no confusion in the tax records upon it.

In one of your letters you mention the necessity for a survey. The map which I formerly sent you was made by Mr. W.O. Work, county surveyor of Chambers County, who is also a licensed state land surveyor, and his map was based on actual surveying made by him, after checking over the field notes of all the various surveys herein mentioned, copies of which he had from your office at the time, as I understand. They concur exactly with my findings based on calls of the various field notes which I have checked over with extreme care and to which I have applied the skill that comes from forty years of land law practice, involving many boundary disputes.

In my opinion Work is one of the best surveyors that I know of and I hope that his report on this matter will be accepted. I am sending you a full copy of his map which in respect of these matters is complete. It shows the John Lambert covers the same space as that covered by part of the C. T. & M. C. Ry. Co. #2, and that there are only 212 acres remaining outside of the conflict with the C. T. & M. C.

counter 71622

J. H. Walker #4

It seems to me clearly the records should show that this space was covered both by the John Lambert Survey and by the later conflicting Cronea Survey, otherwise called the C. T. & M. C. Ry. Co. #2.

As a matter of fact this very point was ^{previously} involved in and settled by a decree in an old case between Cade as claiming the John Lambert and Cronea as claiming C. T. & M.C. Ry. Co. #2. I send you herewith a memorandum copy from an abstract, showing this old judgment.

Yours very truly,

A. D. Lipscomb
A. D. LIPSCOMB

ADL:mn

counter 71623

C. T. CADE ET AL

DECREE

vs.

No. 1685

Recorded Vol. 1, p129

T. J. CRONEA

May 21, 1897

This day came on to be heard defendant's motion for survey of plaintiffs' premises in controversy, and plaintiffs' objections and exceptions thereto and also plaintiffs' motion, therefor in the event of the overruling of their exceptions to defendant's said motion and the court having heard and considered the same, it is ordered that plaintiffs' exceptions be and are hereby overruled and to which ruling plaintiffs except, it is further ordered that defendant's motion be and hereby is granted and it is further ordered that plaintiffs' motion as prayed for be and hereby is granted, and it is further ordered by the court that A. B. Doucett County Surveyor of Jefferson County, Texas be and he is hereby appointed surveyor to survey the said plaintiffs' land in controversy and that he survey the same as in plaintiffs' motion prayed for, that is to say, to wit:

Beginning at the S. E. cor. of the Martin Dunman league Survey at a cor. made of concrete thereon and cor. on the dividing line of Galveston, and Chambers Counties on the Gulf shore as established by Sur. of the County Surveyor of said Chambers County under order of the commissioners court of the County of Chambers and report of such Survey made on the 1st day of Sept. 1886, after having identified the said S. E. cor. of said Dunman Survey, by said report and survey of same and

thence run E. the connecting line of the C. Wilcox Sur. of 320 acres therewith and

thence run up the Gulf shore E. the base front as per calls and distances of the said Willcox Survey and of the two James Earl Surveys, the 2 P. P. Allen Surveys, the A. Horn, T. B. Clubb and S. McLaughlin Surveys of 320 acres each, and to the S. E. corner of the John Lambert Survey according to its calls for course and distance; said Lambert survey being the land in controversy and

thence survey the boundaries of said Lambert Survey as per its calls and distances. It is further ordered that the said surveyor A. B. Doucette make this survey as soon as may be and his report make in writing and under oath to the next term of this court and showing in addition to the foregoing whether or not the defendant T. J. Cronea or any one for or under him is in the possession of the said lands in controversy or was at the time of the institution of this suit on the 1st day of October, 1896, or at any time afterwards giving his source of information thereof. It is further ordered that the clerk of this court do issue a certified copy hereof and deliver the same to the said A. B. Doucette for his guidance and duties in the premises.

counters 71627

C. T. CADE ET AL

Recorded Vol. 1, page 269

v.

No. 1685

T. J. CRONEA

Minutes 58th Dist, Ct.

December 13, 1897. This day, on regular call of the docket, came on to be heard the report of survey made by the surveyor, A. B. Doucett, heretofore appointed by this court to survey and locate the lands in controversy, and it appearing to the court that said report of survey is responsive to the order of this court, and that the survey was correctly made, and there being no objection made or filed thereto, it is therefore ordered that said report of such survey be and is in all things hereby approved and constituted a part of the record evidence of this cause.

Thereupon came on to be heard said cause for trial and both the plaintiffs and the defendant by their attorneys, appeared and announced ready for trial, and the matters of fact, as well as of law were submitted to the court, and the court having heard and considered the pleadings, evidence and argument of counsel found and in open court announced in favor of plaintiff for the land in plaintiffs' petition, and in said report described.

It is therefore ordered, adjudged and decreed by the court that the plaintiffs, William Cade, Martha Caffery, joined by her husband, Donaldson Caffery, C. T. Dade, Kate C. Taylor (widow) and John Taylor, Mary Taylor, Robert Taylor and Louisa Taylor, by their guardian, Lucian Minor, and the firm of Cade & Company, composed of said individual parties plaintiff, do have and recover of and from the defendant, T. J. Cronea, the land described in plaintiffs' petition, and in said report of survey described, to wit:

Situated in Jefferson County, State of Texas, and being 320 acres of land granted to John Lambert by the State of Texas, in Letter Patent No. 139 in Volume 6, dated 1st of October, 1839, and bounded viz:

Beginning at the S. E. corner of a survey of 320 acres, made for Stanton McLoughlin, a stake, and 6048 varas N. 67 deg. E. from the concrete corner on the S.E. corner of the Martin

