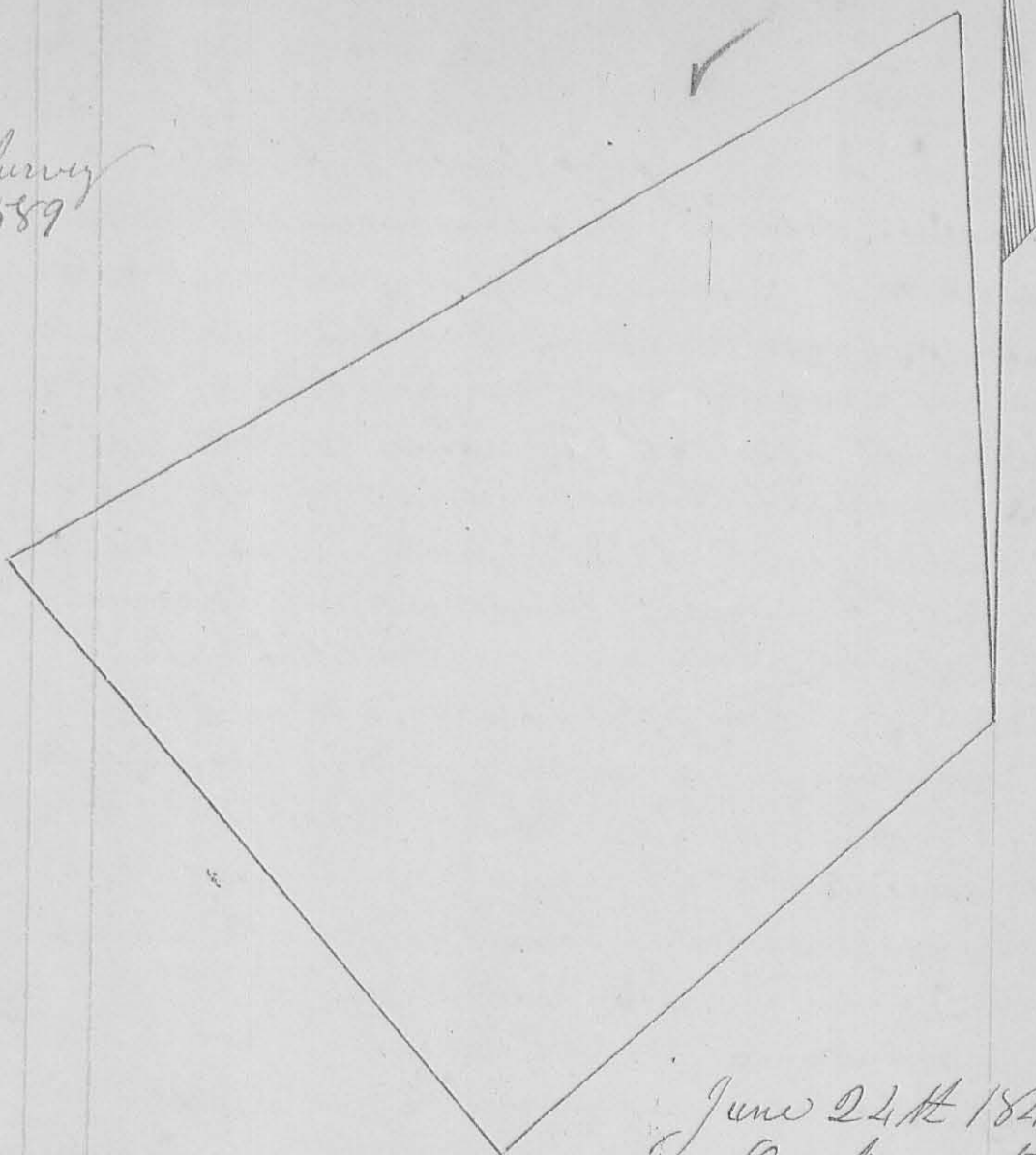


Survey
589

8528



June 24th 1847

On presentation of
 the following notice, to wit, "To Joseph S
 Cook, Ch Austin, Wm Whitcraft, & Thomas B
 Dillan, Robert Anttana, Jose H Garwood, and
 John Christain, Trustees of Lane township, Iowa
 Are hereby notified that the County Surveyor of Logan
 County will be on the premises on the 21st of
 next month to survey and establish the line & corners
 of the grave yard owned & held by the Society of
 Friends an Military Survey no 3154 on the waters
 of Dary formerly known by the name of Dary
 meeting

5th 29th 1847,

Asa Williams 3 Trustees
 Wm P Pickrell 3 of said lot

And also of the Service thereon acknowledge as follows
 to wit, "The Acknowledge the Service of the within"

My 29 1827

C. H. Austin
 James B. Dillon
 Joseph S. Carl
 Robt. Cullana
 W. J. Whitcraft
 J. H. Garwood

my 30th

I proceeded to take Evidence & make survey as follows
 having first found the Beginning Corner described in John and
 Mary Sharp's Deed of Conveyance to the Party Meeting (as
 "Beginning at a Sugar tree by a Spring about 30 poles South-
 East from John Sharp's dwelling house" but the point
 where ~~the~~ ^{some} Sugar tree stood being ascertained, John Sharp Esq
 Jesse Warner, Samuel Warner, John Marmen, and J. Sharp
 on behalf of Applicants, being first duly qualified,
 testified as follows

1 Question of Applicants to John Sharp Senior

is near which ~~the~~

Do you know where the Spring
 is near which the Sugar tree stood at the Beginning Corner of
 the Meeting house lot

Answer, About two feet from three Buck Eyes from 1 Stamp

2 Question of Same, Do you know where the Sugar tree stood
 which was marked as a Corner

Answer, I Do not

3 Question of Same, Did you Ever see any marked trees or
 bushes near the Spring

Answer, I think I have seen some bushes about ten
 feet S 15 W from the three Buck Eyes marked

4 Question of Same, Was the Spring on the Meeting house
 lot, Answer, I told them to take it in

1 Question

John ^{his} Sharp
 Mark

1 Question of Applicants to Jesse Warners

Do you know where the Spring is near which a Sugar tree
 stood at the Beginning Corner of the Meeting house lot

Answer, I think about ten feet West from the three
 Buck Eyes from one Stamp

2 Question of Same, Did you Ever see the Sugar tree
 which was marked as a Corner near the Spring and
 if so where and it stand

3 Question, Did you ever see a Sugar tree near the Spring ~~and if so~~ which was shown to you as a corner and if so where did it stand

Answer, I saw a Sugar tree about 6 poles from the three Buck Eyes in a west course

4 Question of Same, How long since it was shown to you and by whom was it shown to you?

Answer About 30 years ago it was shown to me by John and Gold Curt as their corner of the meeting house lot
Jesse Warner

1 Question of Applicants to Saml Warner

Do you know where the Spring is near which the Sugar tree at the corner of the meeting house lot

Answer I suppose it to be at or near the three Buck ^{Eyes}

2 Question of Same, Did you ever see a Sugar tree marked as a corner near the Spring and if so where was it

Answer, I believe I have seen a Sugar tree about 6 poles from the three Buck Eyes in a western direction

3 Question of Same, Did you ever hear it spoken of as a corner tree and if so of whom, Answer, I never did

This deposition was requested to be signed

1 Question of Applicants to John Warner

Did you ever see the Sugar tree which was marked as a corner of the meeting house lot near the Spring and if so where was it.

Answer, I was not present when the corners were made but I have seen it frequently and think it stood about 4 poles from the Buck Eyes in a western direction

2 Question of Same, Do you know where the Coal house used by the friends formerly stood and if so where was it

Answer, The Door in the East End of the house stood about 3 poles or links from the Buck Eyes,

3 Question of Same, About what time was the Coal house built, Was it intended to be on the meeting house lot, And were the lines and corner trees standing when it was built,

Answer, In about 1810 or 1811, And was intended to be
 on the meeting house lot - And I think the lines and corner
 trees were at that time standing

1 Question An Cross Examination to Same

Do you know that the Coal house was on the lot

Answer, Only by hearsay J Am Manner

1 Question to Jas Sharp & Applicants

Do you know where the Sugar tree
 Corner was near the Spring, And if so where was it.

Answer, I think it was West of the tree Buck Eyes
 of Sharp

Jas C. being first duly sworn anbediff of
 Jas S. Curl says in answer to 1 Question, Did you
 ever see a Beginning Corner to the meeting house lot, &
 if so state where it stood

Answer, I think it stood about 2 poles 14 links
 from the Buck Eyes in a North direction

2 Question by Same, Did the tree stand where a stone
 is now planted

Answer, Thereabouts as near as I can recollect,

3 Question, Was it marked for a corner of the meeting
 house lot, Answer, It was

4 Question, At what time did you see the marks
 on this tree, Answer, About 1817

5 Question, Do you know any thing about this cor-
 ner since that time

Answer, In Company with Jas S. Curl I bought
 to the stone above mentioned from Jas C. &
 and arrived from this corner

6 Question by Same, Did the Sugar at that time
 stand where the stone now stands,

Answer, As near as I can recollect, it does And
 I set by fence to it

Cross Examined by Applicants

1 Question, When was it that you fenced to this Cor-
 ner - Answer, In about 1828

2 Question of Same, How long did the fence remain there, Answer, Until I removed to Green Co

3 Question of Same, Was the stone put there while the fence stood, Answer, I do not know

4 Question of Same, Was there a Corner of your field or land ~~or was it any~~ where the stone stands, or was it only in the line of your land,

Answer, It was at the Corner,

5 Question of Same, Is there any land marks now standing, to show that the stone now stands where your man your Corner, And if so what is it

Answer, The track ran thru or four feet West of the place where the stone now stands,

6 Question of Same, Have you since sold and conveyed the land and if so to whom,

Answer, I have and it has been conveyed to Joseph S Curl by Joseph Curl Sr

7 Question of Same, Are you a son of Joseph Curl Sr

Answer, I am

8 Question of Same, In the area from Joseph Curl Sr to Joseph Curl Jr was this Corner of the Meeting house lot described as one of the Corners, Answer, It was

9 Question of Same, Did you receive any property, either real or personal from the Estate of Joseph Curl Sr, and if so how much,

Answer, I am at my Mother's death to receive an Equal share of which I have already received a part

Goel Curl

Exceptions taken to the Goel Curl's testimony of Applicant Charles Curl being first and only qualified on behalf of Joseph S Curl says in Answer to 1 Question What do you know about the Meeting house lot Answer, I recollect that a Sugar Supposia to be the Corner stood at or near the place where a stone now stands and was the Corner from which Jas S Curl and Goel Curl divided their land

2 Question by Same, Was the Sugar tree marked as a corner, Answer, I Can not tell,

~~3 Question by Same, Cross Examined by Applicant's~~
Question, When and by whom was the stump planted
Answer, Sometime during winter of 1826, L 7

2 Question by Same Was there any fence or other land marks there when the stump was planted
Answer, I do not think there was,

3 Question by Same, What has become of the Sugar tree which you say formerly stood there, and how long has it been gone
Answer, It blew up and is decayed and rotted away about 14 or 15 years ago

4 Question by Same, Are you a son of Joseph Carl yes
And how old are you, Answer, I am and am in my 28 year
Charles Carl,

In accordance with the evidence which seemed to correspond, to the greatest extent, with the conveyance for this lot, and particularly with Jesse Warners and John Marman's evidence, the latter of whom pointed out a place as being in very near the place where the Sugar stood, which place proved by course and distance to be S 59 E 30 poles from the house formerly occupied by John Sharp and to be N 77 W 4 poles 20 links from 3 Buck Eyes from one stump or rather root and also in consequence of this point being the following courses and distances from a large lime stem now standing as the South East Corner of said meeting house lot to wit, S 49 W 14 poles, then N 41 W 16 poles 17 links; the above mentioned large lime stem being placed at a point which was ascertained to be the South East Corner of the lot by the testimony of witnesses hereinafter recited, and the courses and distances from the lime stem to the place pointed out by John Marman being the calls of the deed for the lot reversed I planted a lime stem as the Beginning Corner of the

81

Meeting house lot 30 poles S 59° E from the house
formerly occupied by Jam Sharp, and 4 poles 22
links or 77 1/2 W from the Buck Eye from one end
and ran S 41° E 16 poles 17 links to a point in Ant-
trims line, where planted stone, witnessed by White
Oak 2 1/2 ft D, N 45° E 4 poles 1 link from stone
then N 29° E 14 poles to a point in Anttrims line, at
which place the following testimony was taken,

M Evans being first duly sworn Said in Answer
to 1 Question of Applicants, Do you know
where the stone called for in Anttrims line at the
S E or E Corner of the Meeting house lot was originally
made And if so where was it

Answer, I think there never was a stone planted, but
I think it was not more than one rod from where
the 14 poles come to from the first Corner called
for in Anttrims line, and would think as likely to
be exactly at the ~~same~~ distance as any other way from
it.

2 Question of Same, What means saw you of knowing
where this Corner was made

Answer, By seeing Jasua Garver a Surveyor when it
was first run off for the purpose of School house
lot, when Carried by Jam Sharp for that purpose

M Evans

Jasua Sharp having been sworn in Answer to
1 Question of Applicants, Do you know where the
South East or E Corner of the Meeting house lot in
Anttrims line was originally made And if so when was it -
Answer, I think the distance of 14 poles from the first
Corner named in Anttrims line is not 5 feet from the
place where the Corner was, and I am enabled to come
to this Conclusion by the old rowa marks, and that it is
2 poles S 2° E from a Buck 16 D - Jasua Sharp

Joseph Glascock being first sworn on part of Applicants, 1 Question, State Whether Joseph Curl for ever staked you the East or S E Corner of the Meeting house lot And if so when was it

Answer, Joseph Curl and Abraham B Dillon staked me the S E Corner of the Meeting house lot - And I think it was about 2 poles S 2 E from a Buck 16 2 D, which Conclusion I came to from the position large black stump immediately across the track of the road from where the Corner was pointed out to me

2 Question by Same, Who owned the land adjoining this Corner at the time it was pointed out to you

Answer, The Meeting house lot lay on one side, Mr Dillon owned on the other, And Mr J S Curl owned the farm adjoining the Meeting house lot on the North West,

3 Question by Same, Where you ever staked Curls N E Corner between him and land owned by Dillon And if so by whom and when is it

Answer, The Corner was staked to me by Jas S Curl and A B Dillon, And a stone now near to the remains of a bar post to be the Corner,

Cross Examination of J S Curl,

1 Question, When did I stake this Corner Answer by Same, When the land was run off ~~to me~~ by A B Dillon to me
Joseph Glascock

In accordance with this testimony I planted a large lime stump for the Corner witness'd by a Buck 15 2 D, or 3 3/4 W 53 links from stump, then ran N 3 2 W 15 poles 17 links to a point claimed by Applicants to be the Corner, and which was believed to be the Corner from the Correspondance of Courses and distances rather than a point referred to by the testimony following to wit

Jo S Curl on behalf of J S Curl

1 Question by J S Curl, State where the North East Corner of the Meeting house lot is, And when your Corner

at the same place was
Answer, I think the Iron-wood stood about 3 poles
18 links East of the present track of the road, and on
the bank of Channel of branch as then run

2 Question by Same, How did you know this to be
the Corner of the Meeting House lot

Answer, By my father, Isaac Dillan looking at the
Corner when the road was first run and Mr Dillan
saying that the road would be on the Meeting House
ground, and by seeing it measured from the Corner to
the Corner at the Spring,

3 Question by Same, What was the distance to the Spring
Answer, about 25 or 26 poles

Cross Examination of applicants

1 Question, Was there any marked trees at the
Corner the first time you saw it or any at any
after time,

Answer, Not the first time I saw it but I think
I did after, Joel Curb

According to the Course and distance from the last
stone set, I established the Corner in the West side of
side of the road, but as it would likely be removed by
improvements of the road did not plant any stone
but took witnesses as follows; to wit, a large stone
in natural position, 5 poles 1 link S 1 1/4 W from
Corner and a lime stone 12 1/2 links S 87 1/2 W from
Corner, then ran S 81 1/2 W 25 3/4 poles to the Begin-
ing containing 17 8/10 acres, The last Course and
distance given from calculation, Corner stone
planted in presence of Jesse Hanna, Isaac Sparks

Daniel Wilkiss, Thomas Dillan, Gas S Curb, and
Smith Seaman
John Clingerman }
John Airston } Clerks
M Hartman
C S Lee