James Henry Roberts's 50-Acre Tract

From the Thornton–Smith Survey Corner to Indian Territory, 1863–1911

This timeline traces a single 50-acre tract in Robertson County, Texas — how it came to be identified, where it physically sits, and how it connects to James Henry Roberts's departure for Indian Territory around the turn of the century. It draws on period tax rolls, an 1863 county survey map, modern GIS confirmation, and the U.S. Weather Bureau's contemporary report on the 1899 Brazos flood. A single detail from James Henry's own July 1900 deposition before the Commission to the Five Civilized Tribes is used here strictly to fix the timing and location of his move — the deposition's broader content is reserved for separate treatment.

1863 Robertson County survey map, showing the H. F. Thornton, William J. Smith, and Joseph Dillard tracts and their shared corner (detail).

1. The Land Before Roberts: The Thornton and Smith Surveys

The tract sits within two adjoining Republic-era headright surveys a few miles from Bremond, Robertson County, Texas: the **Howard F. Thornton** 640-acre survey, and the adjoining **William J. Smith** headright league. An 1863 Robertson County survey map shows Thornton's plat (labeled “H.F. Thornton, S.4”) positioned directly against both the William J. Smith tract (“1-250”) and Joseph Dillard's tract (“1-353”) — the same three-way corner later identified as the location of James Henry Roberts's tract. (The numbers on this map are original certificate numbers, not acreages or the county tax-roll abstract numbers used in later records — the two numbering systems are independent of each other.)

2. Locating James Henry Roberts's 50 Acres

1873 (possible match)

The Robertson County tax roll lists an entry for “Agt Jas H Roberts” — land assessed via an agent rather than in James Henry's own name — tied to original grantee Mary Peterson, Abstract 192. James Henry would have been about seventeen or eighteen that year; Texas law set the age of majority at twenty-one, so a minor's property interests were routinely assessed through an adult agent rather than the minor himself. This entry is flagged as a *possible*, not confirmed, match: research elsewhere in this project identified at least one other James H. Roberts active in Robertson County in this period, so the agent notation alone is not sufficient to confirm this specific record belongs to this James Henry.

1892

The tax roll lists J. H. Roberts holding 50 acres under original grantee William J. Smith, Abstract 336.

1893

The tax roll lists J. H. Roberts holding the same 50 acres, this time credited to original grantee H. F. Thornton, Certificate 352 — valued at $300, plus livestock (one horse or mule, $20; ten cattle, $50; two hogs, $10), for a total assessed value of $380 and total state and county tax of $4.31.

1894

J. H. Roberts does not appear on the surviving tax roll.

1895

The surviving roll is incomplete, covering only surnames through “M”; his presence or absence that year cannot be confirmed either way.

The survey credited to the tract flips between Smith (1892) and Thornton (1893) — best explained by the tract sitting on or very near the shared corner of the two surveys, a boundary location an assessor could reasonably file under either certificate from one year to the next. Plotting the historic survey lines against modern geography (GIS) confirms this directly: the upper branches of Walnut Creek run through the south-east corner of the Thornton survey — the same corner shared with the Smith and Dillard tracts.

3. The 1899 Brazos Flood

Between June 27 and July 15, 1899, the Brazos River produced what the U.S. Weather Bureau's contemporary report called the most extensive and destructive flood in the river's known history. Rainfall centered heavily over the Brazos drainage basin, with the rain gauge at **Hearne** — the same county as the Thornton and Smith surveys — overflowing at 24 inches; the observer's own estimate was 30 to 40 inches in under twenty-four hours. The flood's crest settled for two days (July 1–2) near the junction of the main Brazos and Little Brazos rivers in Robertson and Brazos counties, where the two rivers rose too fast for some residents to escape; 24 lives were lost in Robertson County, and the town of Calvert was cut off from outside communication for two days. Robertson County's agricultural damage was estimated at $320,000.

An important caveat: Bremond, and the Thornton/Smith survey corner itself, sit on upland prairie drained by the upper branches of Walnut Creek — a separate watershed feeding toward Mud Creek and the Navasota River system, not the Brazos/Little Brazos bottomland where the flood's documented catastrophic inundation and loss of life concentrated. No source located specifically documents flooding on Walnut Creek itself. Given the storm's regionally extreme rainfall, however, it is plausible that upper Walnut Creek experienced significant flash flooding of its own, even without the sustained river-stage inundation seen at Hearne and Calvert. This flood is offered here as the most plausible historical explanation for crop devastation prompting the family's departure, rather than as a documented fact specific to their tract.

4. Departure to Indian Territory

In a deposition given July 12, 1900, before the Commission to the Five Civilized Tribes, James Henry Roberts stated that he had been living about ten miles west of Purcell, Indian Territory, for seven or eight months prior — placing his arrival there at approximately **November–December 1899**. That is roughly five months after the June–July 1899 flood: a plausible interval for a farming family to see out the growing season, assess what could not be salvaged, settle what affairs they could, and relocate once the year's losses were clear.

5. The Tract's Later Disposition

The 50 acres did not pass cleanly to a new owner through James Henry himself. On **October 9, 1911**, ten of his children — J. H. Roberts, Julia Allison, Henry Roberts, Ida Allison, Elias Roberts, Cash Roberts, O. D. Roberts, William Roberts, John Roberts, and Mandie Roberts — jointly quitclaimed their interest in the tract to M. V. Labeaume, recorded in the Robertson County Deed Records, Volume 57, Page 477.

A quitclaim of this kind — from ten separate heirs, jointly, for what was likely a modest 50-acre tract — is a classic title-clearing maneuver rather than an ordinary sale. By 1911, whoever was working to establish clean ownership of the land (M. V. Labeaume, or someone he was acquiring from) evidently could not rely on a straightforward deed chain running back through James Henry Roberts. Rather than pursue a formal quiet-title lawsuit — slower, costlier, and requiring a court judgment — the simpler and cheaper route was to locate every person who might plausibly still hold an heir's interest in the tract and have them jointly sign away whatever claim they had. A quitclaim conveys only what the signer actually holds, if anything; it makes no promises about title. Its value here was in extinguishing risk, not in transferring confirmed ownership: buying out all ten of James Henry's children at once meant no single omitted heir could later resurface and assert a claim against the property.

The tract's location matches everything established in Section 2: the deed describing it ties its own corner to a boundary marker — “about 3 varas [from] a post oak tree of the H. F. Thornton survey” — language used only as a boundary reference, not as a claim that the tract is part of the Thornton survey itself. That is consistent with a tract sitting right at the Thornton–Smith–Dillard corner, on the upper branches of Walnut Creek, exactly where the 1892/1893 tax rolls and the GIS overlay place it.

That quitclaim later became entangled in Labeaume's own divorce and child-custody suit against his wife, E. Carrie Labeaume. The court's judgment in that case denied Labeaume's claim to the land outright — he “shall take nothing” as to the tract — despite the 1911 quitclaim already being on record, leaving the land's ultimate resolution after 1911 unclear from the documents gathered so far.

Taken together, the record traces a single 50-acre corner of Robertson County from its origin in two overlapping 1830s–40s headright surveys, through three decades in the hands of James Henry Roberts and his family, through the most destructive flood the Brazos Valley had ever seen, to a departure for Indian Territory within the year, and finally to a contested quitclaim a decade later that left its ownership unresolved in the sources reviewed here.

Sources and Notes

• James Henry Roberts, family tree profile: familytree-search.org.

• Modern GIS overlay of the historic Thornton, Smith, and Dillard survey boundaries: modern-thornton-smith-dillard-surveys.png.

• 1863 Robertson County survey map (Thornton/Smith/Dillard corner), 1873/1892/1893 Robertson County tax assessment rolls, and the U.S. Weather Bureau's July 1899 *Monthly Weather Review* special report on the Brazos flood, are all included among the primary source images and transcriptions in the Robertson County research folder: familytree-search.org/genealogy-resources/texas/robertson-county/.

• Judgment, M. V. Labeaume v. E. Carrie Labeaume (Robertson County, 1910s), quitclaim tract description and disposition: Judgment_Labeaume_v_Labeaume_1910s.pdf.

• Judgment, John Swofka v. Unknown Heirs of Sarah M. Smith, et al. (Robertson County, 1913) — background on the adjoining Howard F. Thornton and W. J. Smith survey titles: Judgment_Swofka_v_Unknown_Heirs_Smith_1913.pdf.

• Special Report on the Flood in the Brazos River Valley, Texas, June 27 to July 15, 1899, by I. M. Cline, Local Forecast Official and Section Director, *Monthly Weather Review*, July 1899, pp. 295–298.

• Deposition of James Henry Roberts before the Commission to the Five Civilized Tribes, July 12, 1900 — cited here solely for the residency and timing detail (arrival near Purcell, Indian Territory, approximately seven to eight months prior to the deposition date). The deposition's substantive content is addressed separately.