

W. D. TWICHELL,
SURVEYOR.

Texas Land Boundaries a Specialty.

AMARILLO, TEXAS,

April 21, 1903.

Hon. J. J. Terrell,
Austin, Texas.

977

Enclose your letter to Judge J. T. Ross, answering some remarks which I feel you should hear

Dear Sir: Copy.

Since our recent conversation it appears clear to me that you are not much concerned and hence I will omit forwarding a copy of my letter which you had extracts from. I wish to say that since I reported upon the Blum matter I have determined upon the ground the true position of several million acres of land. The field notes which I have returned to the General Land Office represent a very small per cent of the boundaries which my work fixed and yet the aggregate of notes returned would probably be considered a populist estimate unless you followed the record and made the estimate. In other words, I am in the surveying business and there are enough people who think I know the business to thrust much more (threefold) upon me than I can attend to at present under these conditions you will not expect I can recall all the incidents of the Crockett County Case in an instant and set out all the points hurriedly.

My field book shows I had a complete copy of all the field notes affecting the blocks in question and notes covering the university lands on the north and west, I also had private information showing work of locating party etc. That I had instructions to make such investigation as could throw light on conflict with Blum, that I made such investigation thoroughly, that Blum paid the full bill and that my report referred to the Blum matter, and the interest of the state was incidental. That I set out in my report such facts as came to light relative to the state's interest and such facts show that lands are being held in a position not authorized by the patents; That the lands are patented to known corners are being held to corners one mile farther west, that this

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act defrauds the state. In my 18 years experience I have not known such things ^{were} possible or proper. Under these circumstances I do not think I can be justly criticised for not making a resurvey in the interest of the state, for 13 blocks of land with no pay. Nor does it appear necessary that suit be brought for the whole to develop the law in this case. My report covers full information on a few surveys and any one of the sections will indicate the settlement of all. I did not submit the facts affecting the interest of the state for the speculative value to the state, in lands recovered, but in the interest of right and justice for the security against the injury which must follow such conduct and such injury is common.

In considering this case you appear to ignore my oft repeated statement that identified corners show that the lands are being held one mile west of where they were located and that such action defrauds the state; and insist that nothing can be done but permit this shift and sue for the necessary excess which you apparently assume will be distributed. I have stated that in order to reach a corner one mile too far west, the field notes have been corrected in Q. R. adding (as ~~far~~ I remember) 150 varas to each mile and the boundaries so located are held and doubtless the lands are being transferred and that this position will not conform to original corners. I make the above statements in the interest of no one, not even the state, but to set out clearly how I performed my duty in this matter. I have always thought a man should not steal one section from Texas and it is not clear to me yet how many will be proper. If it is necessary to introduce my ability as a factor in this case, fairness suggests I am entitled to representation in these matters. The part of

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my report touching the state's interest has no sketch to illustrate the conditions (the true position and the contended position) for I have had no opportunity to make such sketch.

The facts in the case are recorded in stone and topography and limitation can not perfect title against the state so it seems the case is in a good condition to keep but it may eventually injure many innocent people. A conclusion based on the assumption that the facts presented by me are not true, can not affect the facts themselves and I am in honor bound to verify my report. My report sets out the facts, the conclusions naturally follow. Since you have stated that Mr. Terrell, Mr. Hunnicutt and by inference no one can understand my report I mail a copy of this letter to Mr. Terrell, Judge Charles Rogan and Mr. Blum whom I infer has heard the same criticism.

The relative position of identified corners determine true position for surveys. In my opinion the plain facts unadorned with argument and explanation are sufficient to show to any fair minded man that lands are being held contrary to the patents. In discussing this matter with you "Identified Corner" has not appeared to be fully appreciated. "Identified Corner" is known, is definite, is fixed and can not be shifted for convenience in analysis, my report shows the relative position of identified corners. When you state the survey must be made so that each tract will contain 640 acres and the excess then shown, you absolutely ignore "identified corner" for there must be one narrow tier of surveys by the identified corners. There ~~must~~ is but one set of corners claimed by both sides in this case. We all go to the same piles of stone, the

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as to what corner each pile of stone is, and I permit the description in
difference being the original field notes to answer that question and Mr.
Powell will not. The things which you assume I do not know in this
case, can not answer the facts cited in this letter, for not set of con-
ditions can move a location from its identified corners, hence your so-
lution must assume I have not identified the corners, as reported.
These hurried remarks are intended to convey no personal criticism, but
to relate purely to the subject in hand.

Yours very truly,

W. D. Twichell

W.D. TWIGGELL
SURVEYOR
Texas Land Owners & Settlers
J. J. T. A

Copy of Letter
of
Dwight to

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Yours very truly,

1903

Prockett Co
State file

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