

- 13^a

Grosby &
Lubbock
Report by
W. D. Twichell

GENERAL LAND OFFICE
AUSTIN, TEXAS



Counter 20036

W. D. TW CHELL,
.....Surveyor.....

Texas Land Boundaries a Specialty

Amarillo, Texas, November 21st 1903.

Hon. John J. Terrell,
Austin Texas,

Dear Sir:-

As instructed in your favor of Oct. 24th I have gone upon the ground in Crosby County and made a careful search for the true position from which to locate block C and other blocks calling to connect with the southeast corner of survey 37 block 28 as their controlling corner.

On November 11th I went to the northwest corner of survey 141 H. & G. N. R. R. Co. block 2 same being a rock monument containing 15 large sand stone, one stone about 6x5x8 inches, marked (very old) "N W 141" and another stone 30x20x4 marked "N W 141 (old), whence a cotton wood tree standing 50 varas above head of canon bears N $44^{\circ} 30'$ W 153 varas. A line extended from this monument west 340 varas falls on the south bank of a slight ravine where there is no trace of a stone monument 3'x3'. I extend a line (determined by meridian to be) S $88^{\circ} 11' 24''$ E (magnetic variation of line $9^{\circ} 40'$ E at 3 P. M.) from the above monument and at 344 varas a large old pile of stone bears north 5 varas, at 460 varas bluff of White River, at 922 to 1027 varas cross White River (course south) at 1917 $\frac{1}{2}$ varas a pile of stone, find no other pile of stone in this vicinity. Return to rock monument the northwest corner of said survey 141 and extended a line with magnetic variation $10^{\circ} 10'$ E (determined by subsequent comparison with true meridian to be S $1^{\circ} 43' 36''$ W) at

1905 varas a pile of stone on the south bank of a spring draw
bears west 5 varas,

at 3810 varas a pile of stone bears east 2 varas,

at 5200 varas cross Sand Creek,

at 5719 varas a monument made of 6 large shelly rock. My working

Counter 20037

sketch does not show these corners, so I can only presume from their apparent age and no other corners being near that they were placed by Spiller in 1900.

November 12th 1903. M. H. Dunn and W. G. Graham chain carriers.

begin at the rock monument at the northwest corner of said survey 141 Thence extended a line with magnetic variation $10^{\circ} 25' E$ (determined by comparison with true meridian observed in western elongation at this point, azimuth $1^{\circ} 27' 24''$, to be $N 1^{\circ} 28' 36'' E$).

at 108 to 158 varas cross canon,

at 1037 varas cross rocky draw, course east,

at 1796 varas cross spur canon, course east,

at 1905 varas old rock monument $3' \times 3'$ under fence, the northwest corner of survey 143 block 2.

Thence $S 89^{\circ} 15' 34'' E$ with old fence line = angle right $89^{\circ} 15' 50''$

at 240 varas cap rock of west bluff of White River,

at 500 varas mouth of draw,

at 513 to 620 varas cross White River. (This crossing of White River practically fits the call in the original field notes of survey 5 block 28 to cross White River at 500 varas, as shown in surveyor's records at ~~Gamma~~- Nocal's for creek crossings or stone mounds in block 28 are given on working sketch).

at 1421 varas cross short ravine, course south,

at 1485 varas pass south front of dug out,

at 1553 varas cross Waddells Creek, bold stream of water, course S. W.

at 1720 varas recross same stream course northwest,

at 1901 varas a large rock monument on ledge of rock ^{near} top of bluff

Thence continue $S 89^{\circ} 15' 34'' E$

at 850 varas cross Waddells Creek running water, course southeast

at 1140 varas cross dry draw, course northwest,

at 1906 varas old stake and pile of stone under fence, whence Waddells creek bears north 285 varas. (From a point 40 varas east of this

corner Waddells Creek bears north 255 varas, hence this

W. D. T. MICHELL,
.....Surveyor.....

Texas Land Boundaries a Specialty

(3)

Amarillo, Texas,

position practically fits the call in the east line of survey 4 to cross Waddell's Creek at 250 varas as shown by surveyor's records at Emma).

These crossings show that G. M. Williams is wrong in stating that this line will not cross Waddell's Creek.

Thence $\S 89^{\circ} 17'$ E (with old fence line) at

1920 varas an old stake and pile of stone under fence.

Thence continue $\S 89^{\circ} 17'$ E (with old fence line)

at 1321 varas cross prong of Pete \S Hollow, about 250 varas south of dam at 1920 varas old pile of stone under fence, and at end of fence from south.

Thence N $89^{\circ} 59'$ E along fence,

at 465 varas cross draw course south,

at 1134 varas cross Pete \S Hollow course southeast,

at 1914 varas old pile of 26 stone thoroughly weather stained on top and bleached on bottom, apparently very old. (No natural stone near corner). From the topography of the country it is impossible for the west line of surveys 1 and 2 to cross any branch of Waddell's Creek as called in the field notes.

Beginning at the stone monument 3'x 3' the northwest corner of survey 143 block 2.

Thence N $88^{\circ} 57' 24''$ W =(angle right from northwest 141_ $89^{\circ} 34'$)

at 1615 varas cross spur canon from the south,

at 1832 varas cross Brokenborough Creek,

at 1900 1/2 varas a large pile of stone one set upright, under fence

Thence angle right $89^{\circ} 33' 34''$ with line reading magnetic variation $10^{\circ} 58'$ E

at 3 A. M. 11/13/03 course N $0^{\circ} 36' 6''$ E (as compared with meridian on

#8^a

November 13

Counter 20039

W. D. TWICHELL,
.....Surveyor.....

Texas Land Boundaries a Specialty

(4)

Amarillo, Texas,

at 407 varas cross prong of Brokenborough Creek
at 1680 varas cross main Brokenborough Creek,
at 1780 varas cross prong of Brokenborough Creek,
at 1900 varas a point whence large clump of cotton woods on creek
bear N $21^{\circ} 30'$ to N $28^{\circ} 20'$ W about 400 varas, none marked,
and 3 large stones set in ground bear north 33 and west 23 vrs.
(from the 3 stone a 14" cottonwood with a number of irregular
scars and hacks bears N 14° W 390 varas).
None of the above ~~corners~~^{trees} can be identified as the original as
described in the Crosby County records which calls for an 11"
cotton wood to bear N 10° W.

November 13" 1903.

Thence continue N $0^{\circ} 36' 6"$ E 3800 varas to stake on side of hill
for the northwest corner of survey 21 block 28.

Thence angle right 90° - S $99^{\circ} 23' 54"$ E (magnetic variation of line
 $10^{\circ} 33'$ E at 11 A. M.)

at 1110 varas west bluff of White River,
at 1342 to 1381 varas cross White River,
at 1782 to 1860 varas cross creek,
at 2685 and 2920 varas cross old trail,
at 3822 varas an old sand stone 18x15x5 lying $2 \frac{3}{4}$ varas north
of fence and in line with fence which begins one mile south
and extends south. Make careful search covering ground
XXX 600 varas north and 600 varas west from this corner and
fail to find another stone corner.

Begin at stake on side of hill for the northwest corner of survey 21
block 28.

H3³

Counter 20040

W. D. TWICHELL,

.....Surveyor.....

Texas Land Boundaries a Specialty

(5)

Amarillo, Texas,

Thence continue N $0^{\circ} 36' 6''$ E

at 686 varas a ^{36"}36" cottonwood with old mark X lying in water hole just above forks of draw bears angle left 90° 710 varas. It was impossible to determine how far this tree had moved since it had fallen but it is most probably lying about 20 feet northeast from where it originally stood. The distance to it, its position in forks of draw, no other marked cotton wood being near identifies this tree as the one designated at "A" in G. M. Williams report, and which he finds to be 320 varas too far north to fit the crossing of White River at the lower end of Deweys Lake. While discussing this tree with Capt. L. C. Wise who was at the time, chief draughtsman he informed me that he (Capt. Wise) marked the tree which G. M. Williams found at "A" and that Mr. Geo. Spiller did not mark any corners in block 28. Since Capt. Wise made locations in this vicinity shortly after block 28 was located he should be correctly informed upon the points he mentioned. Since this tree does not fit the call for Deweys Lake, and it does not stand on or near the bank of White River, and since the draw upon which it stands could not be mistaken for White River, it cannot be identified as the tree called for by the locating surveyor, and further, since the tree has fallen and ^{dit}has been moved by water an infinite distance, it can not now be used as a beginning. The mark on the tree lies 17 varas east of a direct line estimated from the northwest corner of survey 143 block 2 as connected to by G. M. Williams and his southeast corner of survey 37 block 28. From the above it appears that this tree is not a correct beginning from which to locate block 28.

H34

Counter 20041

Amarillo, Texas,

Continuing same distance N $0^{\circ} 36' 6''$ E

at 1145 varas perpendicular bluff,
at 1180 varas cross cottonwood "A" creek,
at 1385 to 1425 varas cross White River,
at 1670 varas point on east bank of river,
at 1900 varas a point on side of east bluff of White River about
150 varas east of water, for the northeast corner of survey
27 block 28.

The original field notes call for a stake on the bank of White River at this point.

November 14th 1903.

Thence continuing north $0^{\circ} 36' 6''$ east

at 15 varas top of cap rock,
at 94 varas cross east and west fence between Dasset and Mc Neil
ranches,
at 350 varas cross ravine at head of spur canon,
at 1901 1/2 varas a very old monument containing 22 stones all
thoroughly weather stained on top and bleached on under side, lying
in a compact mass and bedded in turf on southwest slope of hill
2 varas from base. Whence a very old 24" cottonwood marked plainly
x (old) on side facing the pile of stone, bears S $71^{\circ} 7'$ W 244 vrs.
(There are no cottonwood trees which could fit the original calls
for bearings at this corner except the trees which are almost
constant along White River. The bearings given by G. M. Williams at
his northeast corner of survey 33 necessarily refer to the cottonwood
trees along the river, as no marks were given and no marks were
found, the special trees he ~~xxxx~~ refers to cannot be identified,

W. D. TWICHELL,
.....Surveyor.....

Texas Land Boundaries a Specialty

(7)

Amarillo, Texas,

hence I found G. M. Williams description of this corner had no value).

Thence from old pile of stone at the northeast corner of survey 33 block 28
angle left $90^{\circ} = N 89^{\circ} 23' 54'' W$

at 280 varas cross sandy ravine course south,

at 1515 to 1605 varas cross White River, at 1832 vrs. cross N. & S fence

at 1900 varas a point whence White River bears north 150 varas.

Thence continue $N 89^{\circ} 23' 54'' W$

at 400 varas cross draw course northeast,

at 490 varas cross old trail,

at 649 varas a dressed sand stone set in ground $8'' \times 8''$ at top
and marked CUC 1878 bears north 58 varas. (This stone is evi-
dently C. U. Connellee's southeast corner of survey 37 set at
the date cut in stone. The river is now 434 to 454 varas north
from this corner stone).

at 823 varas G. M. Williams southeast corner of survey 37 block
28 bears north 608 varas, same being a sand stone set in ground
 $5'' \times 12''$ on top marked SEC 37 and 4 pits, whence a $24''$ cotton
wood marked \diamond bears $S 5^{\circ} 36' W$ (true course) 236 varas. White
River is 330 varas north from this point and in a position
which indicates no recent change in river bed. The lower end
of Deweys Lake is about 180 varas above this point. The firm
natural soil on both sides of G. M. Williams line bears no trace
of a lake.

at 835 varas a pile of stone on the south bank of a ravine, known
as the adobe corner bears north 339 varas, White River is 600 vara
north from this corner and the lower end of Deweys lake as
identified by Robert Lynn who has been familiar with Deweys lake

H36

Counter 20043

Amarillo, Texas,

since 1886, is about 160 varas west of where this line strikes. The made soil above the lower end of Deweys Lake and the vegetation in the lake bed, verify Mr. Lynn's statement. The river bed is several feet below the bottom of the lake which is now practically level with the valley extending one half mile below.

at 1059 varas a pile of small stone very old, bears north 302 varas. The south bank of Deweys Lake is 763 varas north from this pile of stone and the line north strikes about 60 varas west of the lower end of Deweys Lake. (This last named corner was probably placed by John Summerfield and O. W. Williams when making connection to the bottle corner and Summerfield monument at the head of White River and on to the Quitequa corner in Briscoe County).

None of the four corners mentioned appear to fit Deweys Lake perfectly.

G. M. Williams line crosses the flat valley (which extends a half a mile below the lake) on the east bank of a slight drain running due south, the west bank of this drain is as distinct as the other which Mr. Williams concluded was the high ^{water} mark for the lake. He probably selected high water to assist the position of the cottonwood at "A". The firm natural soil extends below this position about 100 varas and then the valley is sandy and covered with weeds and it is quite possible that the lower end of the valley has at some time been a lake. This condition may have assisted C. U. Connellee in drawing his conclusion, for the river bed can easily shift where his line crosses, about 180 varas above G. M. Williams crossing, the soil suddenly changes to what appears to be a black muck, and the natural grasses are displaced by blood weed 8 feet high, covering what I have shown on sketch as Deweys Lake.

Since the locating surveyor does not describe the southeast corner of survey ~~37~~ block 28 except by his call to cross ~~xxxxxxx~~ White River at the southern

H37

end of Deweys Lake it appears from the numerous results obtained by practical surveyors, in attempting to locate this corner by its call for the lake, that the crossing described is not of a permanent nature, or else it is not sufficiently well defined to be determined with certainty. It therefore appears that a reasonably prudent surveyor can not determine the southeast corner of survey 37 block 28 with practical precision, from the original surveyor's call to cross White River at the southern end of Deweys Lake.

at 1100 varas cross ravine, course northeast,

at 1900 varas the southwest corner of survey 37 block 28.

Thence angle right $90^{\circ} = N 0^{\circ} 36' 6'' E$

at 1510 varas cross draw, course northeast,

at 1900 varas the northwest corner of said survey 37.

Thence continuing $N 0^{\circ} 36' 6'' E$

at 77 varas cross White River. (This point is called to be on bank of river in original notes.)

at 1800 varas a point 510 varas east of White River.

November 15th 1903.

Thence $N 55^{\circ} 45' 20'' W =$ angle left $56^{\circ} 21' 20''$ at 422 varas a point.

Thence $N 53^{\circ} 41' W =$ angle right $2^{\circ} 4' 20''$

at 1157 to 1185 varas cross White River,

at 1200 varas a point (camp)

Thence angle right $53^{\circ} 41'$ (determine the meridian, azimuth to Polaris in western elongation is angle left $1^{\circ} 27' 24''$ from line). Thence north

at 950 varas cross White River

at 1052 varas a point on the north line of survey 43 whence river bears west 150 varas.

Thence continue north at

967 varas point of staked plains bluff

at 1900 a point in the north line of survey 46 whence river bears west 400 varas, and a north and south fence bears west 725 varas. I examined all cottonwoods between points H and G as shown on map and

W. D. TWICHELL,

.....Surveyor.....

Texas Land Boundaries a Specialty

(10)

I find a 14" cotton wood marked X at "A" the mark appearing to be recent (about 3 years old), at "B" I find a forked cotton wood 14" and 18" marked S the mark appearing to be recent (about 2 years old).

Amarillo, Texas,

From Mr. Geo. Spiller's field book I learned that he began on **Sept** 1st 1873 at the northwest corner of survey 141 block 2 and followed the traverse line shown on map (using magnetic bearings) in making a connection to the initial monument on the Canadian. The true position of Deweys Lake is indicated very closely by this traverse but it does not show the crossing of White River at the southern end of Deweys Lake and it indicates that an error must have been made in constructing block 28 from block 2 placing the southeast corner of survey 37 at a point 650 varas south from the southern end of Deweys Lake.

I found no settlers in block 28, except J. C. Mc Neil and Julian Bassett whose ranches (I am reliably informed) cover the entire block. The Bassett ranch (-N-) extends northwest reaching a line three miles west of the Eastland county school land and extending several miles north of same. Mr. Bassett showed me a map of the ranch which showed all fences are placed course and distance from the northwest corner of survey 141 as identified by ^{Geo.} Spiller, and my investigation upon the ground indicates that the fencing on both J. C. Mc Neil and Julian Bassett's ranches fit, with reasonable precision, the surveys if constructed from Geo. Spiller's corner at the northwest corner of survey 141 block 2.

From all the facts recited above taken together with G. M. William's report it appears that the southeast corner of survey 37 block 28 can not be located from Deweys Lake with certainty and precision, and any position which is assumed from the lake can not be verified by other calls in the block. The calls for various surveys to corner on White River, as at the northwest corners of survey 37, 28, and 21, appear to fit most accurately when the surveys are constructed from the true northwest corner of survey 141 block 2 and this position is greatly strengthened by the crossing of White River on the south

Amarillo, Texas,

line of survey 5 block 28 (where the locating surveyor must have been accurately informed for his track remains at the northwest corner of survey 143 block 2) and the crossing of Waddells Creek on the west line of survey 3 block 28. This together with the very old rock monuments at the southeast corners of surveys 1, 6, 29, and 38 block 28. Conforming with the position claimed by present owners and fitting the call to begin 3 miles east of the northeast corner of survey 144 block 2, furnish evidence which, in my opinion, makes the beginning call for survey 1 control the position of block 28; and from all the facts found upon the ground, nothing is sufficiently identified to determine the position of the block except course and distance from the old rock monument 3' x 3' at the northwest corner of survey 143 block 2.

The frequent changes of the magnetic needle in block 2 and block 28 make this method of determining course unsafe and unsatisfactory. For example, a line lying $1^{\circ} 43' 36''$ to the right of true meridian along the west line of survey 141 block 2 read magnetic $10^{\circ} 10' E$; and a line on the west boundary of survey 6 block 28 lying $0^{\circ} 36' 6''$ to the right of true meridian read magnetic $10^{\circ} 58' E$ when it should have read $11^{\circ} 17' E$ if the declination was uniform. True meridian was read at both these points, also on survey 43 block 28 and the course calculated from the angles, coincides with the course as compared with true meridian at the three points mentioned, hence my alignment and angles are true throughout. On the north line of survey 20 block 28 the declination is $10^{\circ} 33' E$ instead of $10^{\circ} 58' E$. On survey 43 the true declination is $10^{\circ} 40' E$ and the survey lines lying $36' 6'' E$ would read $11^{\circ} 16'$. These examples show that the needle changes $43'$ in different positions on block 28 alone, making a possible difference in course of 23.77 varas in one mile.

Amarillo, Texas,

Mr. N. KL Smith at Plainview states that Spiller's recent connection to the sardine can corner at the northeast corner of survey 1 I. & G. N. block 1, extends in a straight line for 8 miles along a fence and the declination near the west end of this line is $9^{\circ} 40'$ E. Incidentally I ascertained that the portion of this fence which I saw extends $N 89^{\circ} 15' W$. From this it appears that the true magnetic declination in the vicinity of I. & G. N. block 1 is $10^{\circ} 25'$ E.

In considering the question of course for block C it does not appear practical to extend either of these ^{three} lines which were indicated by the stone corners found in block 2. The stone corners found in block 28 indicate, four courses all considerably east of true north. The true declination of the needle for this locality at the time block 28 was located was doubtless unknown and the change in declination from 1873 until now can not be estimated with certainty. Such corners as can be found do not indicate a constant declination or a constant course and for any certain course no declination will remain constant.

There being an uncertainty caused by the various declinations and an un-^{annual}certainty is always caused by ^Achange in declination, a logical determination may be reached by presuming that the locating surveyor ran the course called ~~called~~ for in his field notes (that is true north &c) and by presuming that the true declination for the ~~given~~ place and time was 12° as determined with the locating surveyor's compass. I submit all of the above to assist in determining this important point, hoping you may be able to consider the facts given, together with the light which may be thrown upon, courses in this vicinity generally as disclosed by your records, and instruct me fully as to course to be used, place to begin and method of constructing surveys lying north and west of survey 141 block 2 and including block C- C2- D 7 &c.

W. D. TWICHELL,

.....Surveyor.....

Texas Land Boundaries a Specialty

(13)

Amarillo, Texas,

For the correct position of block R. G. and X in Lubbock County in your favor of August 29th you refer me to the southwest corner of survey/L. I. and Mc. Co, block A on the Yellow House Canon. I noticed that nothing^{is} called to ~~be~~ be at that corner on the working sketch sent. In examining the record I find this corner is described as a stake 5 1/2 miles south and 39 miles west of the southeast corner of survey 37 block 28 as located by Geo. Spiller 9/19/77 and that in going east from this corner he crossed North Fork at 1550 varas, and in surveying west on the north line of survey 1 he crossed north fork at ~~1200~~¹²⁰⁰, and he crossed Yellow House fork at 500 varas surveying south on the west line of survey 1. this place^{is} Yellow House Fork 1400 varas north of the southwest corner of survey 1 block A while the large stone mound placed by E. L. Gage, for the southeast corner of survey 79 at the mouth of Yellow House Canon (the following year) is called to be 54 varas south of this creek and 197 varas west from the forks of the creek. From the creek calls it does not appear possible for Spiller's stake and Gage's stone mound to be in the same place, and for this reason I will appreciate full instructions as to this corner so I will be able to determine with certainty the true southwest corner of survey 1 block A. Spiller also calls for a stake at the northeast corner of survey 1 and the northwest corner of survey 3 block 0, which were surveyed before 79. Judging from G. M. Williams solution Spiller is mistaken in his call for North Fork on the north line of survey 1 block A and he is mistaken again in his call for Yellow House on the west line of the survey. Nothing else appears to be on the ground to indicate where Spiller located the southwest corner of survey 1. Knowing the character of these creeks it does not appear that a surveyor could be mistaken in these creeks. The point which perplexes me is if Spiller's southwest of 1 block A can not be located definitely

H3¹²

Counter 20049

W. D. TWICHELL
.....Surveyor.....

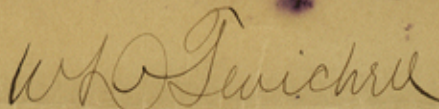
Texas Land Boundaries a Specialty

(14)

Amarillo, Texas,

by his three creek crossings, then should it be located from Powell's subsequent pile of stone or by course and distance from the southeast corner of survey 37 block 28 as Spiller calls?

I, W. D. Twichell, State Surveyor, do hereby certify that the above report is true and correct.



State Surveyor.

H3¹³

Counter 20050

W. D. TWICHELL,
.....Surveyor.....

Texas Land Boundaries a Specialty

(Copy for Hon. John J. Terrell)

Amarillo, Texas, December 26th 1903.

Stanton and Peoples, and Mr. G. M. Hunt,
Lubbock, Texas,

Dear Sirs:-

Inclosed I hand you a copy of the letter in reply to my report on block 28 and the only point I can gather from this letter of instruction is that block C must be located from the southeast corner of survey 37 block 28, and that that corner is not known. The letter also asks for a connecting line from a corner in block 28 or from 141 block 2 to the southwest corner of #1 L. I. & M. Co. in Lubbock. From the general tone of the letter I infer that we would not be safe in going to the expense of connecting from 141 block 2 since the primary position of block 28 is assumed to be most important. So I hope we can determine that point with additional information which you will be able to give, viz. have the various positions which the settlers now hold on all surveys northwest of 141 to and including block C been determined by attempts to survey from 141 block 2 or from block 28?. While I was upon the ground I had no opportunity to inquire into this point but the incidental information which I gathered was that Mr. Hunt, Capt. Holt, and Uncle Henry Knight all measured from 141 block 2 and failed to identify the southeast corner of 37 block 28, and hence did not use it as a beginning. Please let me know if I am correct in this. N. K. Smith has informed me that he has placed the fences for the ranches in block 28 and that he measured course and distance from the corner of 141 as identified by Geo. Spiller. The General Land Office has a report of a survey made by Jones and he began at Knight's northwest corner of 141. So I believe that the difference in position held by present land owners is caused by the two beginnings at the northwest corner of 141, the different "variations used" and the different results from measurements. Please let me know if I

H 3¹⁴

Counter 20051

W. D. TWICHELL,
.....Surveyor.....

Texas Land Boundaries a Specialty

(2)

Amarillo, Texas,

am correct in this. It seems clear from what I heard upon the ground that Mr. Knight lost about a half a mile in connecting to the blottle corner in Hale, and that the north part of block C was surveyed by him without knowing his measurement was wrong and hence his surveys in block C lap. If we can supply the Commissioner with reliable information upon the points mentioned he will be able to protect the settlers, as far as the facts will permit, in their present position.

Our search for the southeast corner of 37 block 28 indicates clearly that each time a surveyor has attempted to begin at that corner he has put in a point from the call for Dewey's Lake and each surveyor begins at a different place, and if a surveyor should ^{now} go to the southern end of Dewey's Lake as indicated by the lake, and verified by credible parole testimony he would fall on a different point, from any used by previous surveyors, and at a point where there is no indication of an original corner or a corner placed by subsequent surveyors. These facts prove theoretically and practically that the position of survey 37 can not be determined by the call for the southern end of Dewey's Lake. The probable cause for the different positions found from Dewey's Lake, is the fact that the lake bed proper and the valley generally are nearly level, and hence a small amount of water or a slight cut in the river bed would materially affect the position of the southern end of Dewey's Lake.

Under these conditions it appears we have no alternative except to return to the northwest corner of 141 for a beginning, and in this we are sorely discouraged for the time set by ~~the~~ Mr. Terrell's chief clerk and chief draughtsman is after " all attempts to establish the original northwest corner of section 21 and southeast corner of 37 block 28 with reasonable certainty and precision have failed". Infinite quantities can hardly be

113¹⁵

Counter 20052

W. D. TWICHELL,

.....Surveyor.....

Texas Land Boundaries a Specialty

(3)

Amarillo, Texas,

adjusted to fit plain finite results like the practical question before us. "All attempts" offers no hope that attempts can cease, but I hope and am convinced that Mr. Terrell has no intention of making this a fixed rule for establishing lost and obliterated corners, for it is not certain that lost and obliterated corners will have any practical value in the dim vistas of eternity.

The record does not show that anything was placed at the southwest corner of survey 37 block 28 by the locating surveyor and hence nothing found upon the ground can now be identified at that corner as placed by the locating surveyor. My report shows that various practical surveyors place the corner at as various points when attempting to run from the lake, and my report further shows that from the conditions the corner will continue to vary. The courts of our state properly hold that such conditions should not control the position of a survey. If it is true that recent surveyors have all gone to the northwest corner of survey 141 to begin and all settlers have sought their position from 141 then a further potent reason is added, to establish block 28 from its call to begin on block 2. The connection required to the southwest of #1 L. I. & M. Co., cannot be undertaken with certainty until the point to connect to on the east is decided and I hope it can be omitted, for I am convinced that your answer will show that no
is certain
settler^A as to the numerous corners about his premises, to which I am requested to connect and this connection now added to my former instructions more than cancels all profit to me.

You will see from the above that the time when we can begin the work remains uncertain, and you will agree that no work should begin until block 28 is fixed with certainty. I note with pleasure that you have arranged for full party and teams and I prefer to use one or two teams at the price

H3¹⁶

Counter 20053

W. D. TWICHELL,

.....Surveyor.....

Texas Land Boundaries a Specialty

(4)

Amarillo, Texas,

you quote rather than bring my own. I regret this necessary delay for if we are able to proceed with the work we can not hope to begin before the middle of January and then my party would be exposed to the severest weather. I would much prefer, now, to arrange the preliminaries this winter and do the actual work in the early spring.

I do not fully understand what lands are surveyed under act of Feb. 23 1900, and I must inquire of you whether compensation can be had for surveying this land. I am wondering how this can be done until the questions we have discussed are determined.

It seems every one is doing all in his power to push this work to completion. I suggested in the beginning that this problem is difficult. It is best to handle it with greatest care and ability. Time to properly attend to preliminaries is well spent.

Yours truly

W. D. Twichell

A carbon of this letter is forwarded to Hon. John J. Terrell for his information.

H 8¹⁷

Counter 20054

W. D. TWICHELL,
.....Surveyor.....

Texas Land Boundaries a Specialty

472

Amarillo, Texas, Dec. 12" 1903.

Hon. John J. Terrell,

Austin, Texas.

Dear sir-,

The parties in Lubbock have not been able to make up the full amount originally agreed upon, owing to low price of cattle etc. but they hope to have it ready by the time I receive detail instructions upon the report inclosed.

Mr. J.W. Boyle at Emma, wishes to have me survey the Morris County school land, and he reports that a great number of owners lying between block 28 and block C are anxious to have me locate their lands. Since it appears better for all parties, including the state, to make a general survey from block 28 west to and including block C, I hope you can instruct me to make such survey and return corrected field notes for all blocks included between block 28 and block C. Some nonresidents and some settlers who are not able to pay now, may prevent ^{me} from placing four corners to all surveys in the intervening blocks, hence I hope you will permit me to return corrected field notes when two corners for each survey in a block are marked this to include the lands between blocks C and 28.

The time of year, cold weather and short days make it practically impossible for me to perform this work at the price offered in the summer, but the great necessity for it together with the earnest effort made by the people have induced me to complete the work.

Yours respectfully,

W. D. Twichell

1-1843


H3¹⁸

Counter 20055

W. D. TWICHELL,

.....Surveyor.....

Texas Land Boundaries a Specialty

 Amarillo, Texas, December 26th 1903.

Hon. John J. Terrell,

Austin, Texas,

Dear Sir:-

Your favor of Dec. 23d is received and I have writted to slaton and Peoples and Mr. G. M. Hunt, sending copy of ^{your} letter to explain delay and with a hope that Mr. Hunt can furnish sufficient data as to the position of settlers &c to enable you to instruct me in such a way that all rights of settlers considered together with the facts can have full and careful consideration. It seems the positions of settlers are so numerous that they have concluded, none of their positions are correct and they are now seeking a joint survey that will forever determine every dispute. I inclose carbon of my letter to slaton and Peoples and Mr. Hunt, as it shows what I have gathered on the points and you will understand what is being done.

I am unable to determine how I can connect an unknown corner in block 28 with the unknown southwest of #1 L. I. & M. Co; and I am reasonably certain that another trip will not throw light on either point. Mr. G. M. Williams data indicates that the creek crossings can not be made to fit the calls in survey # 1, and other surveyors have told me they do not, hence there is little hope from that source, and since it is impractical to locate it from block 28 and block 28 is yet undetermined, I can not see that any information would be gained except to find where a few settlers along the line hoped they were, and those would be only a small proportion of the total number interested and they would not correctly indicate where the others are located. Hence a statement from Mr. Hunt as to what beginnings were used in the attempt to reach a correct position will be more general and will be perfectly reliable.

H8¹⁹

Counter 20056

W. D. TWICHELL,

.....Surveyor.....

Texas Land Boundaries a Specialty

Amarillo, Texas,

What I learned generally indicates the people are very much discouraged over the constantly varying positions and the usual impression is that many must be in the wrong position, and all are very probably in the wrong position.

Please let me know if there are any known corners southeast from the # 1 L. I. & M. Co. which could be referred to directly or collaterally to assist in locating or verifying its southwest corner.

The people have done and are doing everything possible on their part to complete a thorough and reliable survey regardless of personal interest, they are in no sense party to the cause of their uncertainty, and are earnestly seeking the homes they blot from the state.

Yours respectfully

W. D. Twichell

H3²⁰

Counter 20057