

206 Archway
Austin, Texas
June 10, 1937

Col. W. T. Johnson
348 Gunter Hotel
San Antonio, Texas

Dear Sir:

In accordance with your recent request, made to me, personally, I have made a careful examination of the corrected fieldnotes and sketches, by Mr. J. P. Dod, of certain surveys in Block G. B. and adjacent blocks on the Culberson-Jeff Davis County line, as well as the General Land Office records affecting this area.

My investigation showed that it was necessary to start at the beginning, as there was no working sketch available giving the data necessary to pass on these fieldnotes. It required several days to locate, assemble and study the data bearing on this area. In order that you may be fully advised as to what papers and correspondence have been received in the Land Office, I list it below.

Letter from you to the Commissioner, dated March 13, 1934, enclosing the following instruments from Mr. J. P. Dod:

1. J. P. Dod Letter, dated March 4, 1934, which is explanatory of surveying done by him.
2. Sketch showing surveys in area under consideration.
3. Corrected fieldnotes of Surveys 46-48-53-57-66-67-68-70-72, Block 5, H. & T. C. Ry. Co.
4. Corrected fieldnotes of Surveys, Part of 14 & 15,, 18-19 - Part of 20 & 21, 22-23-24 and part of 25, Block G. B.
5. Corrected fieldnotes of Surveys 931 & 932, Mrs. C. A. Stephens and Surveys 933 and part of 934, Mrs. Sallie Daniel.
6. Part of Sec. 2, Blk. 1, G. C. & S.F. Ry. Co.

Letter from J. P. Dod to General Land Office, dated Feb. 21, 1935, enclosing certificate of correction reciting volume and page of surveyor's record, Culberson & Jeff Davis Counties, showing where above recited fieldnotes are recorded.

Letter from Mr. Guy S. McFarland, Chandler Bldg., San Antonio, dated Jan. 17, 1936, to General Land Office, enclosing blueprint of the Dod re-survey. He states among other things, "It appears that an effort is being made now to have another survey made of the same area in order to determine the boundaries of certain surveys therein." On April 1st, 1937, corrected fieldnotes for

the following surveys were left in the General Land Office.

In Block G. B. - South part #9; North part and South part #10; West part #11; South part #12; Southwest part of #13; East Central part, East Southern part and Northwest part of #14; Northeast part, South part and West part of #15; Survey # 16; North part, West part and Southeast part of #17; Survey #18; Survey #19; South part and West part of #20; East part and West part of #21; Survey #22; Survey #23; East part and West part of #25.

In Block 5, H. & T. C. Ry. Co. - Surveys 46-48-53.

In Block 1, G. C. & S. F. Ry. Co. -East part & West part #2.

West part of #934, Mrs. Sallie Daniel.

A blue-print map showing above mentioned surveys was brought to the General Land Office on May 18th, 1937.

Under date of April 3rd, 1937, Mr. Zimmerman, Vice-President of Wm. Cameron & Co., Inc., Waco, Texas, wrote the General Land Office, apparently at the instance of, or as an agent for, W.W. Cameron, Margaret C. Bolton, and Flora M. Baird, who own lands in the vicinity of yours, requesting that no action be taken on any field notes involving above mentioned ownership until they have completed their survey.

In order that a thorough investigation could be made, Mr. Shirriffs, Chief Draftsman, of the General Land Office, kindly permitted me to refer to all information on file and I accordingly made reference to the following papers:

1. Above mentioned instruments.
2. Capt. R. S. Dod's sketch and report of surveys in Block G-25, Block G. B. and adjacent Blocks in Jeff Davis County, filed Feb. 12, 1914.
3. Capt. R. S. Dod's sketch dated May, 1915, of "Certain sections of land in El Paso County now Culberson County, filed July 23, 1915, and examined and approved on Sept. 9, 1915.
4. Capt. R. S. Dod's Report of Re-survey of Sections 436-438-440-610 and adjacent surveys in Culberson and Jeff Davis Counties, dated June 14th, 1915, and received in the General Land Office June 16, 1915.
5. Capt. R. S. Dod's letter of explanation in reference to surveys in Block 5, H. & T. C. Ry. Co., dated November 10th, 1915, and received in the General Land Office Nov. 13, 1915.
6. Capt. R. S. Dod's Report of Survey on Lands in Blocks 1 & 2, G. C. & S. F. Ry. Co., Block 2, Tex-Mex-Ry. Co.,

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and Block 5, H. & T. C. Ry. Co., filed in the General Land Office on November 3rd, 1920.

7. Tracing working sketch, Culberson & Jeff Davis Counties, dated Sept. 5, 1914.
8. Ditto of same area, undated.
9. Blue-print working sketch, Culberson County, dated April 1925, B. Showing Block G. B. as affected by Court Decree-Lizzie Williams, et al. vs. Frank B. Cotton, et al. No. 10275 in Bexar Scrip 46655.
10. Blue-print working sketch, Culberson County, dated Nov. 14, 1935, Clark.
11. J. P. Dod's maps and statement mentioned above. Reference also was made to the fieldnotes of all surveys involved and those affecting the area covered by them. I prepared a pencil sketch of all of Block G. B. beginning at Section 337, on which the old stage stand at Van Horn Wells stood, and extending southward.

Finally, I made a working sketch showing Block G. B. and the surveys conflicting therewith, and related Mr. J. P. Dod's work thereto.

From my investigation it appears that certain differences in the work by Capt. R. S. Dod and Mr. J. P. Dod exist, according to the present Land Office records. While these differences are not great, still, they should be explained or corrected in view of the fact that Wm. Cameron & Co., Inc., Waco, Texas, are, in a way, apparently protesting the accuracy of Mr. Dod's work.

The system of surveys comprising Block G. B., was made by S.A. Thompson in the latter part of 1882 and the early part of 1883, building from North to South for surveys 1 through 25. Surveys 3, 4 and 5 connect with corners of Sec. 337, John F. Torrey & Co. Using the field notes of Surveys 3, 4 7 and 8, and Mr. J. P. Dod's connection from S.E. Cor. #337, I find that he has correctly placed the N. W. Corner of #11, Sarah Langston. Thompson's distance from the South line of #337 to the North line of #15, Block G. B. is $1713 + 1900 + 3800 = 7413$ Vrs. Deducting Dod's distance of 5729 Vrs. leaves 1684 vrs; or taking Dod's connection 2781 vrs. $+ 1097$ vrs. = 1684 vrs., for the North-South length of what is left of the Sarah Langston, Mr. Dod makes this distance 1691 vrs. This is due, no doubt, to the fact that his blue-print map shows 2788 vrs. while his statement calls for 2781 vrs. for the distance from McCombs' Monument to the North line of Sur. 4, Block 1, G. C. & S. F. Ry. Co. The difference is small, but if a controversy lies before you, it might be well to have any correction made if your surveyor finds that necessary.

Capt. R. S. Dod in 1920 made the connection from McCombs' Monument to the N. W. Corner of Sec. 37, Block 5, E. 2703 vrs. and N. 850 vrs. J. P. Dod makes it E. 2968 vrs. and N. 983 vrs. (computed from the S. W. corner of Sec. 38, Block 5.) Capt. Dod found it to be 525 vrs. from the East line of Sec. 4, Block 1, to the West line of Block 5, - Mr. J. P. Dod, 780 vrs. These differences agree within

10 vrs., but an explanation as to there occurrence should be made. Mr. J. P. Dod places the S. E. Corner of Survey 932, Mrs. C. A. Stephens 953 vrs. South of the N. W. Cor. of Sec. 71, Block 5, which places excess in said Survey 932. Why was this done? It would seem that 932 is not entitled to excess. Surveys 931-2-3-4 have no original ~~marked corners.~~

Examination of the corrected fieldnotes sent the General Land Office, April 1st, 1937, discloses the following:

Calls for adjoiner in many instances are omitted. If these fieldnotes are to be incorporated in new patents, then this is an important item to consider. Certain fieldnotes are not connected to any permanent or well known land-mark. Such connections could be made by giving distances, for example, North & East to McCombs' Monument, or some other object.

✓ Survey 9, Block G. B., W. J. Cathey (S-46655).

No call is made for the T. & P. Reservation line, Fieldnotes, otherwise correct.

Survey 10, E. W. Bolton, Block G. B., (S-46659). ✓

I find no explanation as to the reason for the neck of land extending from the mid west part of the survey, 950 vrs., East and West by 64 vrs. North and South. The corners of Sec. 2, Block 2, G. C. & S. F. Ry. Co., on the ground may place it there, but it would be in Sec. 2, Block 2, and not Sec. 1, Block 2. If the above be true, then explanation from the surveyor is desired. Said No. 2 is 1409 vs. North and South. Subtracting 516 vrs. leaves 893 vrs., which equal 828 vrs. \div 64 vrs. = 892 vrs., lacking 1 vara. Therefore, unless ground conditions warrant a difference, the west boundary of this part of No. 10 should be a straight line 1498 vrs. long. Otherwise fieldnotes for tract 1 are correct. So are those for tract 2. One set of fieldnotes, however, must be prepared incorporating both tracts therein. This is a requirement of the General Land Office. This requirement will also apply to any of the fieldnotes referred to below, where a survey shows to exist in more than one tract. As an example, let one tract begin at a corner, designated as the beginning corner of tract 1, (containing - acres of land), and continue on around to this beginning corner. The fieldnotes should then continue, -"Thence, (giving courses and distances) to beginning corner of tract 2, (containing - acres of land), a point or object designated by description, and recite courses and distances of tract 2. If there are additional tracts, they should be tied up to the preceding tract as in the first instance.

Survey 11, Sarah Langston, Block G. B., (S.-46658) ✓

Fieldnotes correct.

Survey 12, J. E. Dooley, Block G. B., (S-46657). ✓

Fieldnotes correct.

Survey 13, Block G. B., Mary Ann Wiley, (S- 46654).

Fieldnotes are correct.

Survey 14, Block G. B., Mrs. Susanah Rice, (S-46666).

Distance of 780 vrs. east and west does not agree with R. S. Dod's distance. There are two tracts free of conflict. The first is 169 vrs. by 1097 vrs. being the N. W. part, and the fieldnotes are found to be correct. The second is the S. W. part, Survey 16, Blk.1, is 1935 vrs. North and South. Hence, it appears that its length along the East line of No. 4, Block 1, is 1309 vrs. instead of 1344 vrs. and the east line will be 2112 vrs. instead of 2147 vrs. (1344 + 803). This second tract will comprise tract A. & B. by Mr. Dod, as there is no legal reason for treating them separately. Other distances are correct.

Survey 15, Block G. B., Mrs. Aminda Greer. (S-46667).

There are three tracts, free of conflict, in this survey, fieldnotes for all three should be incorporated in one set as suggested above. Distances given are correct.

Survey 16, Block G. B., Martha C. Medlin. (S-46665).

Distances given are correct except along the North and South lines of Sec. 10, Block 2, which I compute to be 1031 vrs. instead of 1026 vrs. Section 7 & 8 are 1900 vrs. East and West. Section 10 begins 235 vrs. East of the N. W. Corner of Section 8, and runs East 4432. The East line of No. 7 is 164 vrs. East of the West line of 16. If the facts on the ground make this different, explanation from the surveyor is desired.

Survey 17, Block G. B., Henry Stinnett (S-46664).

There are three tracts free of conflict. I find distances correct for each except for the East-West distance for the small tract at the Southeast Corner. I make this area, 326 vrs. by 279 vrs. from the fieldnotes of Surveys 9-10-12-13- and Henry Stinnett No. 17. The ground facts may change that conclusion. If so, explanation as to this should be furnished.

Survey 18, Block G. B., L. M. Head. (S-48304).

Fieldnotes as submitted are correct, if the 780 vrs. distance is correct.

Survey 19, Block G. B., S. L. Birdwell. (S-48300).

Fieldnotes as submitted are correct.

Survey 20, Block G. B., T. R. Carter. (S-48301).

Fieldnotes for two tracts are submitted. The area of both

tracts should be embraced in one set of fieldnotes, if you wish them filed in the Land Office. The dimensions of the tract will be 1900 vrs. East and West, and 2703 vrs. North and South.

Survey 21, Block G. B., J. T. Weaver. (S-48305).

The original fieldnotes conflict with Sec. 12, Block 1, when the latter is platted in from Survey 13 and its connection to the S. W. Corner of Sec. 9, Block 1, and possibly with other surveys on the West. The surveyor, Mr. Dod, has not shown in his statement or explanation, what these connections are to corners on the West. Hence, I cannot pass on these fieldnotes at this time. Capt. Dod submitted to the Land Office "A Report of Progress on re-surveying of Sections 436 - 438-440- & 610 and adjacent surveys in Culberson and Jeff Davis Counties." He also submitted a sketch of this work on July 23, 1915, which is endorsed "Examined and approved Sept. 9, 1915." There is also a report by Capt. Dod entitled "Report of Progress on Re-Survey in Block G-25, Block G.B., and Adjacent Blocks in Jeff Davis County," dated Feb. 9th, 1914 and received in the Land Office on Feb. 12, 1914, and sketch filed and approved Feb. 12, 1914. The latter shows Block 5, surveys around Chispa and extends to the westward as far as Section 437, G. C. & S. F. Ry. Co., and southward from the latter. From these reports and sketches and work already done by Mr. J. P. Dod, I believe he can furnish a sketch, and report giving the connections necessary and sufficient to determine positions of boundaries of the J. T. Weaver Survey, No. 21, J. N. Harris Survey, No. 25, and Mrs. Sallie Daniel Surveys, 934 and 933, as compared with the Land Office records.

Survey 22, Block G. B., Elizabeth Gray. (S-48306).

The fieldnotes already on file, which are patented appear to be correct, hence corrected fieldnotes appear unnecessary.

Survey 23, Block G. B., John Ramsey. (S-48303).

Fieldnotes as submitted are correct, if the 780 vrs. distance is correct.

Survey 25, Block G. B., J. N. Harris. (S-48307).

As in the case of Survey 21, above, connections to surveys on the West are lacking, consequently I cannot pass on the corrected fieldnotes until that data is received.

Survey 934, Mrs. Sallie Daniel. (S-50291; sold in F-145065).

According to Capt. R. S. Dod's sketch, filed and approved Feb. 12, 1914, his distances for this survey differ from those mentioned in the J. P. Dod fieldnotes. These former fieldnotes would appear, possibly, to have been computed, in part from some long connections, and that may account for these differences. Until a sketch and report giving connections to surveys on the West are furnished, I shall not be

able to pass on the corrected fieldnotes submitted.

Survey 46, Block 5, H. & T. C. Ry. Co., (S-10544, F-92238).

Fieldnotes as submitted, are correct. ✓

Survey 48, Block 5, H. & T. C. Ry. Co., (S-10545; F-145050; F-145051).

This section was sold in two parts, the East 1/2 and the West 1/2, hence separate fieldnotes for each 1/2 are required. Each should recite all adjoinder calls. ✓

Survey 53, Block 5, H. & T. C. Ry. Co. (S-10546).

The fieldnotes, as submitted, are correct. This section was patented on Mabry's fieldnotes, dated March 29th, 1889. If the Dod fieldnotes change the position from that given by Mabry, then they could not be used as a basis for issuing a new patent. ✓

Survey 2, Block 1, G. C. & S. F. Ry. Co. (S-35093; F-145033).

Fieldnotes are submitted for two tracts comprising this section. The General Land Office will not split out a portion of a survey if the remaining portion is less than 80 acres. As one set of fieldnotes calls for 19.5 acres, it could be split out, but not the other. The section as a whole could be patented, however, in which case fieldnotes for the whole will be required. The fieldnotes as submitted are correct as to distances. ✓

The corrected fieldnotes referred to below were received in the General Land Office on March 15, 1934.

Surveys 57-66-67-68-70-72, Block 5, H. & T. C. Ry. Co.

Fieldnotes appear correct. Numbers 57 and 67 were patented on the Mabry fieldnotes. If the corrected fieldnotes by Dod give these sections different positions from those fixed by Mabry, they could not be filed or new patents issued.

Surveys 46-48--53, Block 5, H. & T. C. Ry. Co.

These fieldnotes may be returned, as duplicates received April 1, 1937, can be used.

Surveys 18-19-22-23, Block G. B.

These fieldnotes may be returned, as corrected fieldnotes therefore were received in the General Land Office on April 1, 1937, and are referred to above.

Survey 24, Block G. B., John Bradford. (S-48302).

These fieldnotes received March 15, 1934 are correct if the 780 vrs. distance is correct.

Survey 931, Mrs. C. A. Stephens, (S-50286).

The patented fieldnotes call for a distance of 3800 vrs. North and South. Explanation as to why the surveyor made this distance 3980 vrs. or correction, is required.

Survey 932, Mrs. C. A. Stephens. (Sold in F-145064).

Same explanation as to the distance of 3980 vrs. North and South, or correction, is required.

Survey 933, Mrs. Sallie Daniel. (S-50291).

The patented fieldnotes call for 4490 vrs, while the surveyor in the corrected fieldnotes calls for 4670 vrs. Why was this survey given excess, North and South?

East Part of 934, Mrs. Sallie Daniel. (Sold in F-145065).

Same explanation as to excess distance North and South is desired. This area may be split out for a sale on payment of necessary fees, etc, if that is desired, when excess is properly explained.

East Part of Survey 14, Susannah Rice. (S-46666).

This survey was patented as a whole. Hence fieldnotes for a portion may not be filed in the Land Office. These fieldnotes are identical with those filed April 1, 1937.

Southwest Part of Survey 15, Arminda Greer. (S-46667).

These fieldnotes, same as those received April 1, 1937, cover only a portion of a patented survey, free of conflict, hence will not be accepted by the Land Office.

East Part of Survey 20, T. R. Carter. (S-48301).

Fieldnotes cover only a part of survey free of conflict, already patented; hence may not be filed.

East Part of Survey 21, J. F. Weaver. (S-48305).

Fieldnotes cover only a part of survey free of conflict, already patented; hence may not be filed.

East Part of Survey 25, J. N. Harris. (S-48307).

Fieldnotes cover only a part of survey free of conflict, al-

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ready patented; hence may not be filed.

East 1/2, Survey 429, Block 4, H. & T. C. Ry. Co. (S-73131/2).

Fieldnotes cover only a part of survey free of conflict, already patented; hence may not be filed in Land Office.

From the official map of Jeff Davis County, it appears that part of each of the following surveys lie in that County, consequently the fieldnotes must also be recorded in that County: No. 934, Mrs. Sallie Daniel; No. 25, J. N. Harris; No. 22, Elizabeth Gray; No. 23, John Ramsey.

On April 26th, this year, the Land Office wrote you stating that they would hold up action on your fieldnotes until Wm. Cameron & Company had had an opportunity to complete their survey of these lands, in accordance with their request of April 3rd, this year.

For the above reason it might be well to hold up the recording of fieldnotes until a later date, but I believe it would be wise to have the necessary corrections and map and report, showing connections desired, prepared and submitted. Mr. Dod's work appears correct, with the exception of a few details, and I believe that when the examining Draftsman makes his examination upon the present record, he will agree with me. However, until Cameron & Company submit their data, I shall not be in a position to know what their contentions will be.

After the fieldnotes have been approved, it will be necessary to see that they are properly recorded, and any required filing fees will have to be paid. If new patents are desired there will be additional recording and patenting fees, aside from the payments due on the land, if any.

Yours Truly

Carl F. K. von Blucher.

BPKB/Lm

File No. 21

Culberson County

Letter regarding surveys
in Culb. + Jeff Davis Co.
Cfk. Blucher to Col. W. T. Johnson

Filed 6/25/1937

BASCOM GILES, Com'r

French
File Clerk

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