

Vol. 970
page 489

ANDREWS & PRESLER
ATTORNEYS-AT-LAW
STAMFORD, TEXAS

753
W. T. ANDREWS
J. M. PRESLER

Oct. 4, 1909.

Hon. J. T. Robison, Com. Genrl. Land Office,
Austin, Texas.

Dear Sir:

Enclosed I hand you by registered mail the report of George M. Williams State Surveyor of a resurvey of Block one of the H. & G. N. R.R. Co. surveys in nickens and Kent Counties. I believe you will find this report and blue print map evidence a very careful survey of this work and established according to the original location, or at least conforms to the resurvey made by Mr. L. C. Wise, and that Mr. Williams has found unmistakable evidence on the ground of the retracing of the work, all of which is embodied in his report.

Please file this when you have examined it if you can approve it and let us have your certificate of approval.

RECEIVED

OCT 6 1909

Referred to Map

Yours truly

RECEIVED
OCT 6 1909
Referred to Map

W. T. Andrews
x filed same day.

counter 20892 ✓


Recd Oct 6/09-




Hon. J. J. Terrell, Commissioner of the General Land Office,
Austin, Texas.


Dear Sir:

I have made out corrected field notes of nearly all of the surveys in Block 1, H. & G. N. R.R. Co. as resurveyed by me. The corrected field notes in duplicate will be sent to your office together with a blue print.

The resurvey made by me is based on the work done by L. C. Wise in May 1882. I identified on the ground thirty two (32) of the corners established by Wise: as follows:- The N.E. corner of 13, the N.E. corner of 15, the N.W. of 25, N.E. of 47, N.E. of 49, N.W. of 53, N.W. of 57, N.W. of 58, N.W. of 104, N.W. of 131, N.W. of 142, N.W. of 143, N.W. of 178, N.^E of 189, N.E. of 180, N.W. of 206, N.E. of 299, N.W. of 317, N.W. of 323, N.W. of 330, N.W. of 331, N.W. of 356, N.W. of 367, N.W. of 368, N.W. of 387, N.E. of 390, N.W. of 400, N.W. of 401, N.W. of 403, N.W. of 404, N.W. of 407, and the N.W. of 408.

At N.E. Cor. of 13 I found an old stone md. whence the stumps and dead remains of a small clump of small china trees brs. S. 8 E. 102 vs. This corner was further identified by a run from N.E. corner of 15. At the N.E. corner of 15 I find an old stone Md. whence a cedar 8" brs. N.13 E. 83 1/2 vs. mkd  old marks, a clump of cedar brush around a cedar stump brs. N. 3/4 E. 65 1/2 vs.

At the N.W. corner of sec. 25 is an old stone md. whence a cottonwood 36 " brs. N. 39 W. 191.3 vs. mkd  old marks, a Hackberry 10" brs. N. 66 1/2 W. 10 vs. mkd  old.- both are the old bearings At N.E. Cor. 47 is an old stone md. whence a double Cottonwood 12" in a ravine brs. N. 48 1/2 E. 135 vs. one prong mkd  old

The N.E. corner of 49 is old stone md. whence a mesq. snag or high stump 8" brs. N. 1/2 E. 53 vs. mkd  old bearing tree. The N.W. cor. of 53 is an old stone md. near head of a deep ravine. The China bearing has washed away. This cor. was found and identified by a run from the N.E. Cor. of 49. The N.W. cor. of 57 was a point on S. bank of Marble Banks Creek whence a dead Hackberry 6" (down)

brs. S. 73 1/2 W. 47 vs. mkd $\overline{\overline{\overline{X}}}$ old mks. a Hackberry 8" vrs. S. 75 3/4 W. 49 vs. mkd $\overline{\overline{\overline{X}}}$ old marks, these are the old bearings I made a stone md. for this corner. The N.W. Cor. of 58 was a point whence a Hackberry 5" brs. S. 13 1/2 W. 39 vs. mkd $\overline{\overline{\overline{X}}}$ old marks. I had to cut into this tree to find the marks. I set a stone marked N.W. 58 for this corner. The N.W. corner of 104 was a stone md. and the remains of an old stake (I set a large Red stone mkd N.W. 104 for renewal of this corner. The Hackberry has washed away. This corner has been kept up and is a well known traditional corner. This corner was further identified by a run from N.W. cor. 143 and by the further fact that it is 195 vs. south of Red Mud Creek as called to be in Wise's field notes.



The N.W. corner of 131 was a point whence a Willow 12" in clump of three Willows brs. S. 55 1/2 E. 180 vs. mkd $\overline{\overline{\overline{X}}}$ (old marks) a WildChina 8" brs. S. 57 1/2 E. 247 vs. both are old bearings. I set a larger stone mkd S.W. 154 for this corner.

At N.W. cor. of 142 in an old md. of Gypsum The Cottonwood bearings have washed away. The N.W. cor. of 143 is a md. of Gypsum on top of bluff bank of Red Mud Creek. The Cottonwood bearings are gone. This is a well known traditional corner and is verified by corners of pre-emptions that were surveyed from it.


The N.W. Cor. of 178 is an old stone md. whence a Cottonwood 24" brs. N. 50 3/4 E. 284 vs. mkd. $\overline{\overline{\overline{X}}}$ old marks. The N.E. cor. 189 is an old stone md. whence a Double Cottonwood each 28" brs. S. 58 E. 353 and 354 vs. mkd $\overline{\overline{\overline{X}}}$ old mks. these are the old bearings.

The N.E. cor. of 180 is an old stone md. 20 vs. N. of an old road. The Cottonwood bearing has washed away. The N.W. corner of 206 was a point whence a forked Cottonwood 30" mkd $\overline{\overline{\overline{X}}}$ (ole marks) brs. S. 79 1/2 E. 252 vs. this is the old bearing.


The N.E. cor. of 299 was a stone md. whence the stump of a lone post Oak about 18" vrs. N. 29 1/2 W. 251 vs. The W. end of Soldier Md. brs. N. 13 1/2 E. The E. end of Soldier Md. brs. N. 41 E. The N.W. cor. of 319 was a point whence a Cottonwood 24" brs. S. 84 E. 340 vs. a Cottonwood 15" brs. S. 76 1/2 E. 393.6 vs. both

mkd.  old marks. I set a stone at this corner. The N.W. corner of 323 is an old stone md. whence Soldier Md. brs. S. 84 E. cor. is 1090 vs. W. of old McKenzie trail. The N.W. cor. of 330 is an iron pipe set by L. C. Wise a few years since, whence a double Cottonwood 10" and 14" (the larger one mkd.  is cut down but shows the old marks brs. N. 23 1/2 W. 229.


The N.E. corner of 330 is an old stone md. whence a Cottonwood 28" brs. S. 20 1/4 W. 248.6 vs. shows part of old marks the bark has slipped off.

The N.W. Cor. of 356 is a large stone md. (old) whence a Cottonwood 24" brs. N. 14 1/2 E. 46.2 vs. mkd.  (old marks)

The N.W. Cor. of 367 is an old stone md. whence the W. end of a prominent Mtn. of the plains brs N. 71 W. the W. end of an other prominent Mtn. of the plains brs. N. 54 1/2 W. These bearings fit old calls. This cor. was further identified by a run from the N.W. cor. of 387 which has a living bearing.

The N.W. cor. of 387 is an old stone Md. whence a Cottonwood 20" brs. S. 18 1/2 E. 259 vs. mkd.  old marks. this is a Wise bearing tree.

The N.E. cor. 390 is an old stone md. whence Hay Stack Mtn. brs. N. 45 vs. W. This corner was further identified by running N. to N.W. cor. of 400 which has a living bearing standing.

The N.W. cor. of 400 is a stone whence a Post Oak 10" brs. S. 57 1/2 W. 84 vs. a Post Oak stump brs. N. 59 1/2 W. 16 vs. the tree is marked  (old marks) The N.W. corner of 401 is an old stone md. (large) whence Hay Stack Mtn. brs. N. 45 3/4 W. McKenzie Peak brs. N. 82 1/2 E.

The N.W. cor. of 403 is an old stone md. 50 vs. N. of a road whence a point of hill brs. S. 3 3/4 E. Hay Stack Mtn. brs. S. 88 1/2 W. The N.E. cor. of 403 is an old stone Md. (large) whence a Double Cottonwood (one prong has been cut off) brs. N. 28 1/4 E. 297 vs. a small ravine is 69 vs. N.W.- Hackberry is gone. The N.W. cor. of 407 is an old stone md. the bearing has washed away.

this corner was found correct by a run from N.W. cor. 408.

The N.W. cor. of 408 is an old stone md. whence McKenzie Peak hrs. S. 69 1/2 E. The Cottonwood is gone. This corner was found correct by a run from N.E. cor. 403.

The N.E. cor. of 367 is an old stone Md. the bearings here have washed away. This corner was further identified by a run from N.W. cor. 367 and the calls for Cottonwood Creek which fit field notes. There is considerable local attractions all over block 1. It is more pronounced in the west and N.W. parts of the block.

Major Wise did his work with a needle instrument at a uniform variation and as the needle changed course, his lines changed to correspond. The effect of this was a succession of broken courses. His work on the ground is divided into two systems. One system covering Duck Creek Valley and Cottonwood Creek. The other on Red Mud and upper Dockum Creek. These two systems do not fit and it is easy to explain why they do not.

From the N.W. corner of 24 he ran up the Duck Creek Country to N.E. corner of 391. He there turned west and ran to N.W. cor. 391. Thence N. to N. line of the block. Thence E. to N.E. cor. 407. From N.W. cor. 404 he ran the block line S. & W. to S.W. cor. of 387. Thence East to N.E. cor. 367. Thence S. 45 E. to S.W. cor. 369. Thence E. to N.W. cor. 355. He did not tie to his line of work on Duck Creek Valley. The needle did not change very much on the Duck Creek System of work. From the lower Red Mud country he carried his work up that stream or near it to near its head. Thence North to the old Dockum place. As he left the lower Red Mud country and ran N. the needle gradually changed, deflecting to the East and variation became less. The effect of this was (as the same variation was used all the time) to deflect his lines to the west, hence when he got to the upper Dockum country his work was over 400 yrs. too far west to correspond with his Duck & Cottonwood Creek system of work. I had to do my work with a transit, and discard the needle altogether. I do not think that Wise connected his work on Dockum Creek with his N.W. cor. of 367. The N.W. cor.

of 363, I have established by a course and distance run from the N.E. cor. of sec. 329, known as the "Old Dockum Corner" For course I used line connecting the N.W. and N.E. corners of sec. 330. The N.E. & N.W. corners of 359 are mapped. 1900.8 vs. from the N.E. and N.W. corners of 330 at right angle from N. line 330. From the N.W. cor. of 363, an old stone md. and stake mkd. N.W. 363 brs. S. 34.2 vs. and west 70 vs. and from said old stone md. & stake an other old stone Md. brs. west 340 vs. this last stone md. is said to be 5 miles east from the original N.W. cor. of 141 Block 2 H & G N R.R. Co. (The old stone md. mkd N.W. 141 is 950 vs. west of Cat Fish Creek. The N.E. cor. of 366. I place 124 vs. S. $0^{\circ} 31' W$ of S.W. cor. 387, thus placing the S. line of Block A. 2 miles N. of the Dockum corners (N.E. & N.W. corners 330) A strict construction of this block A would place its S. line on line with ;S.W. cor. of 387 but to avoid a conglict with the Lee Co. School Land league No. 1, I thought it best to tie the S. line of this block to the Dockum corners.

X
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The E. line of Block A I place on line with W. line of Sec. 387 as established by Wise in 1882 and parallel with Block 1 on the east. This is in accordance with the decission of the courts in the Austin case. Austin attempted to pull Block A. West placing its S.E. corner on line N. of the N.E. cor. of Sec. 330 thus creating a vacant strip between Block 1 and A. The Espuela Land and Cattle Co. rerecovered in the court decission and it was decreed that Block A. should tie to Section 387 as patented. The work done on block A-H. T. & B. R.R. Co. is transit work and was correctly done on the ground. I have established the outer corners of block A and show on the map its true connection with Lee Co. School Land league No. 1 as it was surveyed by Col. John A. Green and subdivided and is so recognized on the ground as connecting or tieing from the old N.W. cor. 141 Block 2 H & G. N. R.R. Co. The work done by C. V. Connellee in 1882 would place this league in that position. The Burleson Co. School Land league is shown conforming to its calls for Bl. No. 1 H & G. N. R.R. Co. I have established the N. line of this league. It will conglict with sections 1, a

2
77 S.W. 830
107 S.W. 1138

V⁵

and 3 A. B & M. about 76 varas more or less and conflicts seriously with the F. R. Herrington survey. From N.W. cor. 408 the original S.W. corner of the W.L. Browning pre-emption brs. E. 620.5 vs. and N. 127.4 vs. No 408 conflicts with the N.W. Stegall sur. 76 varas.

From the N.E. cor. 408 the original S.W. cor. of the J.A. Browning sur. brs. S. 76 vs. and west 383.3 vs. and original S.E. cor. of said Browning sur. brs. S. 76 vs. and E. 581.2 vs. From the original S.E. cor. of the J.A. Browning an old stone md. brs. E. 213.5 vs. The W.W. Stegall survey conflicts with sections 407 & 408 76 vrs. and the C.V. Connellee surveys conflict with Block 1 about 76 vs. except the extreme S.E. part of No. 7 where the conflict with sec. 397 is greater.

The D. H. Harkey survey conflicts with sections 394, 395 and 397. From N.^WE. cor. of sec. 395 the original S.E. corner of the J. A. Askins survey brs. N. $89^{\circ} 55'$ E. 893.3 vs. and N. $0^{\circ} 25'$ W. 51.6 vs.

The following surveys have not been sectionized. 354 to 358 inclusive 367 to 372 inclusive 382 to 387 inclusive/

The E. part of Bl. 1 was surveyed from a base line carried N. $0^{\circ} 25'$ W. from Wises' N.W. cor. of sec. 53 to N.E. cor. 345 - (16 miles). This is a transit line and passes - 5875.5 vs. E. of the Wise N.W. cor. 131. The course of this line was determined by first measuring 5875.5 vs. E. from N.W. cor. 131 to a point. I then ran from N.W. cor. 53 so as to strike this point. This base line was made to govern the entire E. line of the Block 1. And the map correctly shows the block lines as well as the inner lines as surveyed on the ground. In the survey of the tier of sections from 143 to 160 inclusive I distributed the excess equally as far as practicable. As some of the school sections are not owned by the Spur Company. The N.E. cor. of sec. 150 was established on line brought S. from Wises' old N.W. cor. 206 and the excess west to the old N.W. cor. of 143 was distributed equally 1970 vrs. to the section except section 148 which is 1972.4 vs. this was caused by slight error in measurement and was not discovered in time to correct it, and I counted it in as it is but slight any way. I connected the

N.E. cor. of 151 with the old N.W. cor. of 143 by a straight transit line. This gave me the course S. $89^{\circ} 55'$ W. . I connected Wises' old N.W. cor. of sec. 317 with the N.W. cor. of 322 by a transit line. This gave me the course S. $89^{\circ} 40'$ W. I connected Wise's old N.E. cor. 180 with his old N.E. cor. 330 by a straight line. This gave a course N. $1^{\circ} 6'$ W. I have had to made several tiers of sections anguler in order to fit up the block to the Wise work. The map shows all of these. It shows all courses and distances, all irregularities just as it was worked out on the ground. The courses are not needle courses but true courses. I have made no changes for what is known as curvature. I got true course of line, connecting the old N.W. cor. 317 and the N.W. cor. 322. The right angle to this gave the course N. $0^{\circ} 20'$ W. and I based all other courses on this making no allowence for curvature as I did not consider it necessary. The block is some what complicated. And I will not go any further into details. The map is very full and complete and I think your draughts man will fully understand it. The C. C. Gay school land strip survey conflicts with sections 379 & 396 - 151.4 vs. at N.E. cor. 396 and 111.8 vs. at S.E. cor. 379. From N.E. cor. of 396 an old stone md. made for S.E.c or. of the Silliman survey brs. N. 37.8 vs. and W. 85.9 vs. This corner of Silliman corresponds with the S.E.c or. of the G. A. Askins sur. for the S.W. cor. of the Sillman sur. The Silliman is now claimed to be further S. about 123 vs. but there is no corners, nothing but fences. Block 1 conflicts with the G.S. Callaway Block A. S/ I identified on the ground the S.W. cor. (original) of sec. 1 Block A.S. an old stone md. in a valley or flat whence a knoll brs. S 58 E. about 1/2 mile (bushes are gone). The S. end of a Red bluff brs. S. 84 E. about 1 mile. This corner is 395.3 vs. S. $0^{\circ} 25'$ E. and 736 vs. S. $89^{\circ} 35'$ W. from N.E.c or. ~~335~~²³⁵ The original S.E.c or. of sec. 1 block A. S. which is N.W. corner of sec. 1 Block A.B. in name of R. M. Thomson. is an old stone md. on top of a hill E. of a deep hollow whence McKenzie Peak brs. N. 43 W. The N. end of Croton Peak brs. N. 52 W. The S.W. cor. of No. 1 Bl. A.S. brs. S. 89° W. 1963 vs. from this corner. The original S.W. cor of sec. 17 Bl. A.S.

was identified. It is a md. of Gypsum whence a point near head of a ravine brs. N. ^{N25° E 125'} ~~252125~~ vs. The Cottonwood is gone but there is some evidence of remain of a Cottonwood near above point, a Red bluff brs. N. 18 1/2 W. - 1995 vs. N. 1' W. of this cor. I found the original N.W. cor. of 17 an old stone md. wh. point of a Red bluff brs. S. 27 W. a clump of cedars brs. S. 17 W. about 1 mile from the S.W. cor. 17 the N.E. cor. of sec. 307 vs. brs. N. 0° 25' W. 291 vs. and N. 89° 55' E. 891 vs. from N.W. cor. 17 Block 1, E. line Block 1 is E. 911.3 vs. From the S.E. cor. of 85 an old earth md. and pills brs. N. 0° 25' W. 217 vs. and N. 89° 35' E. 564 vs. This is Spillers' N.W. cor. of 15 and N.E. 16 Blok L. H. & T. C. R.R. Co. from said md. a Double Hackberry 12" & 18" on a drain brs. S. 56 E. 180 vs. mkd X (old marks)

The S. line of sections 1, 2, 3, 4, 5, 6, & 7 conform to the N/line of Block L - H. & T. C. R.R. Co. and N. Line of fractional surveys of Block G- W. & N.W. R.R. Co. as they were corrected a few years ago. The W. line of Block 1 as resurveyed by me and as shown on map does not conflict with settler surveys on the west but is corrected out of conflict where ever a conflict occurs. I thought this to be the best under all existing conditions. The W. line of sec. 37 passes over original N.E. cor. of the R.F. Self sur. The W. line of 38 passes over original N.E. cor. of the J.F. McKay sur. No. 3 and makes original N.E. cor. of the J.F. McKay sur. No. 2 an Ell corner for this section. The N.W. cor. of 66 is on the E. line of the J.B. Morrison sur. 1077.6 vs. N. of original N.E. coer. of the Henry Cravy sur. The S.W. cor. of 66 is on E. line of the Henry Cravy sur. 119.8 vs. N. 1° 22 1/2' W. from original S.E. cor. of H. Cravy sur. from S.W. cor. of sec. 67 which is on N. line of sur. No. 6 Block B. School lands as surveyed on ground by B.B. Hardin. From S.W. cor. of 67 to N.W. cor. of 143 there is no conflict with settler surveys. The S.W. corner of 179 as surveyed by me is the "Red Rock" corner which is original N.W. corner of the J. I. Green and S.E. corner of the J.F. Johnson sur. Sections 179 & 180 conflict slightly with the Johnson - Smith. Parrish and Baker surveys (preemptions) but were corrected out of conflict (see map) sections

216, 217, 252, 253, 290 & 291 do not conflict with adjacent surveys on the west. The S.E. cor. of sec. 216 is 13.8 vs. W. of original N.E. cor. of the R.A. Brooks sur. The S.E. corner of Section 253 is 475 vs. N 88° 54' E. and 112 vs. N. 1° 6' W. from the original N.E. cor. of the W. H. Green 80 a sur. and is 950.4 vs. N. 88° 54' E & 115 vs. N. 1° 6' W. from the original N.E. cor. of the J.I. Green 160 a sur. The J. E. Day sur. will contain more land than was surveyed to it when corrected out to Block 1. From the S.W. cor. of 326 the N.W. cor. of the J.E. Day sur. brs. S. 0° 43' W 44.6 vs. and S. 89° 37' W. 38.6 vs. From S.W. cor. 326 a cedar stake & old stone md. brs. S. 0° 43' E. 20.8 vs. and S. 89° 37' W. 117.6 vs. From the N.W. cor. of sec. 326 a set stone mkd D20 brs. N. 0° 43' W. 43.6 vs. and S. 89° 37' W. 82.5 vs. This looks like one of Twichell's corners. From N.W. cor. 327 a stone md. made by Orand brs. S. 64.6 vs. & West 423 1/2 vs. This is S.W. cor. of the G. N. Zumwalt sur. I think that with the above and foregoing statement together with the map you will be able to fully understand this resurvey.

Yours truly,

Geo. M. Williams

I, Geo. M. Williams

State Surveyor do hereby certify that the above and foregoing statement truly and correctly sets forth the facts in connection with my resurvey of Block 1 H & G. N. R.R. Co. Dickens & Kent Counties, Texas. And that the statement is true and correct.

Given under my hand at Dickens, Texas, this the 5th day of

January 1909.

Geo. M. Williams
State Surveyor.

Filed October 6th 1909.

J. Robinson
Commissioner

Sketch # "3#L"

Report of G. M. Williams
on H. & G. N. Ry Co. Bk. 1.
Dickens & Kent Cas.
See sketch in tube in
Large Chest.

10/4/09

DICKENS Co.

counter 20902

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