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Reports of Surveyor, & Mr.  
E. von Rosenberg -

Dated Oct. 4, 1913,  
Filed Oct, 7, 1913,

Hall Co

counter 24824



Childress, Texas, Oct. 4, 1913.

*Referred to  
Gen. Land Office  
for attention  
Oct. 7/1913.  
Ernest Rosenberg*

Mr. Ernest von. Rosenberg,

Austin, Texas.

Dear Mr. von. Rosenberg:

I take the liberty of enclosing you, herewith, certain field notes and a sketch. I will be pleased to explain to you these papers, and will respectfully ask you to advise me in the premises.

There has been great confusion, for more than twenty years, over the locations of the various surveys delineated upon the sketch.

The surveys in question are Nos. 55, 56, 67 and 68, F. P. Knott, situated in the N. E. part of Cottle County, Texas, on North Pease River. These said surveys all belong to the Continental Land and Cattle Company, Col. Wm. E. Hughes, President; Also Survey, No. 57, said Knott, belonging to Frank Glover; Also Survey, No. 18, in Block 1, J. Peitevent, belonging to said Glover, which Survey you have lately corrected and made full; Mr. Glover making good the amount of principal and interest on that portion of said survey, No. 18, not included in the original award by the Commissioner; Also Surveys, Nos. 19 and 21, belonging to said Continental Land and Cattle Company; Also Surveys, Nos. 20 and 22, said Block 1, belonging to E. T. Davis.

Said Survey, No. 20, is fractional being made so by reason of conflict with Survey, No. 1, H. T. and B. R. R. Co. The files in the General Land Office show this Survey, No. 20, short by reason of conflict with the F. P. Knott lands, Surveys, Nos. 67 and 68, which you will remember we decided to be not correct, as said Survey, No. 20, is senior to the said Knott land. You advised me to secure corrected field notes of said Survey, No. 20, recognizing said Survey, No. 1, as superior to Survey, No. 20.

I have done this and the corrected field notes are in the hands of Mr. E. T. Davis.

If you will observe the official maps on file in your office you will note the conflict of these Knotts Surveys, with the series of preemption surveys on the north of them. If, too, you will observe the large map filed by myself, in your office, you will realize the confusion in the former locations of these various surveys.

You will remember, I think, that we went carefully over the files in your office regarding these locations and you then determined that we had all erroneously based the locations of these Knott lands upon the same grant of Knott Surveys on the south of North Pease River, while the files of your office show, beyond all question, that these Knott Surveys must be based upon the adjacent Peitevent lands; the N. E. Cr. of Survey, No. 20, I believe, being the initial beginning point. You advised me to make a corrected survey of these Knott lands, blotting out the vacant tracts that I had previously located. (See large map.)

Well! I have done this, following your suggestions very closely.

You will note that the Continental Land and Cattle Company, who own the greater portion of these lands, fully agree to this corrected survey. So, too, do Mr. Davis and Mr. Glover. There is not the slightest objection anywhere to this adjustment. Everybody is satisfied with it.

I checked all this work thoroly in the field and there is no error in it. Of course the Peitevent lands I have made to extend further into the river than any other survey, since the original, has placed them. You will remember the reason for this as we discussed the matter fully. The red parallel lines on the original map of this work, filed in your office, show that the intent of the original locator was to make a narrow river of uniform width when measured on meridian lines. The width of this uniform channel is determined at the Tom Ball Corner to be 20 vs. This said corner is susceptible of complete identification to-day.

I believe my resurvey of these various grants of land is the best possible by reason of the fact that every foot of this territory is covered, save 11.20 acres on the north of Survey, No. 57, F. P. Knott.; that there are no vested rights trespassed upon and that most of the conflicts among these various surveys is relieved. There is, however, a small conflict with Block H, W. and N. W. R. R. Co. remaining and which can not be relieved.

The reason that I did not cover that vacant tract with Survey, No. 57, F. P. Knott, was that said Survey is full according to the field notes on file in your office. I believe that I was not warrented to go beyond the legal boundaries, of said 57, thereby increasing the area, therefore, I hold said tract of 11.20 acres to be unsurveyed public domain.

*note Mr. E. T. Davis  
4-1-1914*

*d*



Mr. Frank Glover has made an application for a survey of this vacant tract and I have made the field notes to the same. These papers are enclosed herewith.

Unfortunately Mr. J. W. Carroll, County Surveyor of Cottle County, refuses to acknowledge this corrected survey and to sign and record the field notes in his office.

I had arranged to take him into the field with me to assist in doing this work so that he would be in position to approve it. However, just as we were on the eve of commencing the field work Mr. Carroll wrote me that he could not be with me at that time but that he would be at liberty later. As I had every thing arranged I went on with the work. After completing it and making the field notes and sketch I forwarded them to him, asking him to go over the work in the field then sign, record the field notes in his office and forward them to the General Land Office. I offered him \$25.00 for this work, stating to him that if he considered this amount insufficient to notify me, I would place the matter before Col. Hughes and secure for him the amount demanded.

Mr. Carroll seemed very angry because I had failed to wait for him to assist me in the field work, and he refuses to have anything to do with the matter. I believe, however, that if you should determine that this corrected survey is the best adjustment that can be made, and write Mr. Carroll to that effect and advising him that, after checking the field work, you would be pleased to have him sign, record and forward the papers to you he would do so. As I have stated to him we wish him to fix his charges for this work and I will place the matter before Col. Hughes and will guarantee that he will receive his pay at once. Of course we shall expect him to remain within the bounds of reason in his charges.

Now Mr. von. Rosenberg, as I stated in the beginning I trust that you will kindly advise me in this matter just as soon as convenient.

After having finished with the enclosed papers kindly return them all to me. I am reserving no copies.

Very truly yours,

*Geo. H. Chipman.*

*Wrote J. B. Grundy  
& Stelline Thomas in regard to this matter  
& sent him all the papers, see letter to him of 4-1-1914  
herewith. S. von Rosenberg*

*(See letter Book #1118  
page 177)*



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Hull Co. sh. File

Reports of Sur

Sur.

Dated Oct. 4, 1913.

Filed Oct 7, 1913.

I am receiving no copies. After having finished with the enclosed papers kindly return them all to me. I am receiving no copies.

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Very truly yours,

*[Handwritten signature]*

*[Faint handwritten notes, possibly bleed-through from the reverse side]*

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10/4/13 - 10/7/13



One objection raised by Mr Von Rosenberg, is that the field notes  
 of the Thomson lands call to 'pass' the corners of the S.P.R.R. lands.  
 In regard to this matter you will kindly note that truly and  
 legally the said Thomson lands begin 588ms S. of the south  
 block line of said S.P.R.R. lands and that in running E. and  
 building up said Block R. the lines do pass the said corners  
 but of course not on the same latitude and that they could not  
 tie to the S.P. lands, without changing their courses which  
 is not legally possible. The South Block line of these S.P.  
 lands is well marked in the ground throughout Childress  
 County and to this point in Hall County. I have investigated  
 thoroughly this matter and have identified more than a dozen  
 of the original corners beyond all question. I find that no  
 where, except on the 100<sup>th</sup> Meridian, do they coincide with the  
 pipe line which determines the S.P. line of the W.G.V. R.  
 lands and which is a so called corrected survey of these  
 W.G.V. lands. The S.P.R.R. lands bear no relation whatever  
 to the said W.G.V. lands nor do they, in any way depend  
 upon them for location. The said S.P. lands are well fastened  
 to the ground and are completely independent of every thing  
 else for location.



SF 5543

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