

JOHN F. BAKER  
SURVEYOR  
FORT WORTH, TEXAS

December 5, 1958.

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RECEIVED  
DEC 18 1958  
GENERAL LAND OFFICE

Commissioner of the  
General Land Office,  
Austin 14, Texas.

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Dear Sir:

This report is written to accompany applications to purchase the excesses in the John Daly and John H. Traylor (H. T. & B. RR Company No. 2) Surveys, situated about 10 miles north 80 degrees west from the court house in Hood County, Texas.

The problem is to determine a ground position for the John Daly and John H. Traylor Surveys, and ascertain the amount of the excess, if any, within the surveys.

These surveys were a part of the Jarvis Ranch of about 28,000 acres in Hood and Erath Counties, purchased by Jarvis from the Erath Cattle Company in 1898. In 1918 and 1919 our office did extensive surveying for Mr. Jarvis to determine the location of his exterior boundaries. In 1920 the pasture fences were located and the areas of the pastures determined. From 1920 to 1942 lines were run for fencing on survey and record title lines. In 1942 the east portion of the ranch, embracing the surveys covered by the applications, was resurveyed and investigated preliminary to a sale by the Jarvis Estate. In 1943 additional surveying was done in connection with a sale embracing the Irwin, Williams (large and small surveys) Ybarbo, Vail, Foster, Buckle, Kessler, Martin, Davids, Lafferty, Foster, Logan, James, Kimball #36, and Kimball #39 Surveys.

The results of the previous surveying, along with some just completed, have been correlated, and the findings pertinent to the location of the surveys in question are indicated on the map filed herewith.

The Hasborough, Kimball #40 and #39, the Vail, Buckle, Kessler, Irwin, and Martin Surveys appear to have been located by Geo. B. Erath in May of 1851. The Hasborough and Kimball Surveys call to adjoin, with common lines, corners, and witness trees. The Vail Survey builds east from Kimball #39, and the Buckle, Irwin and Martin build east from the Vail, each from the other in the order named.



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On June 25, 1871, McCamant located the John Daly Survey, calling for the east corners of the Martin Survey. In December of 1871 he located the H. T. & B. RR Company Surveys No. 1 and No. 2, calling for the southeast corner of No. 2 to be the northeast corner of the Daly, and for the south line of both surveys to adjoin the north line of said Daly Survey. On June 24, 1871, McCamant located the A. S. Lafferty Survey, building east from E. Davids and calling to adjoin the south line of the Irwin Survey. The next day, June 25th, he located the S. Burton Survey, calling to adjoin the east line of the Lafferty and reciting a passing call for the southeast corner of the W. R. Martin Survey. These locations by McCamant would require that he find the W. R. Martin Survey.

In December of 1877 R. T. Miller located the A. Payton and G. W. Fitzhugh Surveys, calling for their west lines to be common with the east line of the John Daly Survey, and marking the corners on the ground. In August of 1882, surveyor Ira Millington resurveyed the S. A. Bradley Survey, using the same line as set up by the Fitzhugh and Payton Surveys as the east line of the John Daly Survey.

On May 12, 1883, Millington located the D. H. Goforth Survey, adjoining the east portion of the south line of the John Daly Survey. Millington's field notes and sketch reflect that the east line of the John Daly Survey was actually 410 varas west of the west line of the Fitzhugh and Peyton Surveys, as these surveys were found marked on the ground. Millington later surveyed, or resurveyed, the Goforth, S. F. Ellis, P. H. Richards, Martin Palmer, A. M. Leffel and J. M. Zachary Surveys.

In connection with his investigations in this area, Mr. Millington, on July 16, 1887, wrote the Land Commissioner explaining his locations. This explanation was filed with corrected field notes for the P. H. Richards Survey, (P-4217) in Hood County. Mr. Millington states, "I ran the south line of said Daly Survey. Beginning at the southeast corner of W. R. Martin Survey. Thence East 2887 varas and this did not reach the A. Peyton Survey. There being 412 varas between them." The Land Office appears to have accepted the position of the John Daly Survey by Millington, issuing patents on the adjoining surveys as located by him.



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As you will note from our map, we find quite large excesses in the work by George B. Erath where his corners can be identified. We found that while some of his crossing calls on streams could be satisfied, many of them could not.

In searching for corners of surveys, by Erath, east of the Vail Survey we looked:

(1) At called distances east from the southeast corner of the Vail Survey;

(2) At distances where the corners would be if Erath's excess was consistent - that is about 110 varas per mile;

(3) At distances from the streams indicated by the crossing calls in the field notes. We found this quite confusing, as there were often more streams than recited in the field notes. We found only the corners shown on the attached map.

We find an old stone mound which we take for the southeast corner of the Wm. Williams (large) Survey. The patented field notes were signed by Ira Millington, but according to his certificate, and his statement relative to the J. M. Ybarbo Survey, the only lines he ran were the northwest line, and the west line. Mr. Millington stated that he established the northwest corner of the large Williams Survey south 71 degrees west 2800 varas from the original northwest corner of the J. Rozelle Survey. He also found the northwest corner of the E. Irwin Survey and the southeast corner of the J. McDaniel Survey. In resurveying the Ybarbo for patenting, Millington used the northwest corner of the Irwin as the southwest corner of the Williams (as recited in the Williams field notes) and as the southeast corner of the Ybarbo Survey. We direct your attention to Mr. Millington's statement and explanation filed with the field notes of the J. M. Ybarbo Survey (1-1379).

In 1898 when the Erath Cattle Company conveyed to Jarvis, considerable surveying was done and many corners were found and others marked. The conveyance included H. T. & B. #2 but not H. T. & B. #1. The surveyor appears to have established the corners of H. T. & B. #1 by course and distance from the southeast corner



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of the large Williams Survey, calling for rock mounds, which we find. The calls in the deed make a connection, along survey lines, from the southeast corner of said Williams Survey to the southeast, northeast, and northwest corners of the Rozelle Survey; and continuing along the north line of the Williams to its northwest corner; and then to the southwest corner of the Ybarbo and southeast corner of the McDaniel Surveys. The calls in the deed reflect the same relationship between surveys as reported by Millington, and as you can see by the map we find the same to be true, with small excesses in some of the lines.

From the facts and information available to us at this time, and with the thought of trying to give effect to the calls in the patented field notes, we offer the following as to our determination of a ground location of the John Daly and the H. T. & B. RR Company Surveys #1 and #2:

(1) That the west line of the Daly Survey and the east line of the Martin Survey are a common line;

(2) That the large excesses in the locations by Erath, where the corners can be identified, bears out the position for the southeast corner of the W. R. Martin Survey as reported by Ira Millington;

(3) The Land Office accepted Millington's position for the east line of the Martin and for the Daly and H. T. & B. RR Company Surveys when the junior surveys adjoining them (made by Millington) were patented;

(4) We find an excess of 8 varas between the southwest corner of the S. F. Ellis Survey and the south line of the J. M. Zachary Survey. There is an old rock mound 1900 varas south of the south line of the Zachary, and 3818 varas east of the rock mound we consider the original southeast corner of the large Williams Survey. We have used this mound as the northeast corner of the John Daly Survey and the southeast corner of the H. T. & B. RR Company Survey #2;

(5) There is an old rock mound 1900 varas east of the southeast corner of said Williams, and we use it as the corner between H. T. & B. Surveys #1 and #2, because it has been used as such in conveyances in the two surveys, and occupation is in accord with it;



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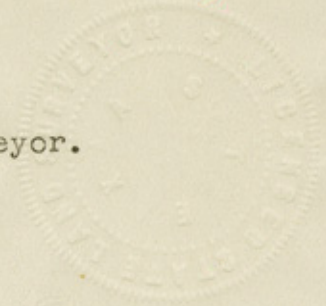
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(6) We have considered that the John Daly and H. T. & B. RR Company Surveys, all located by McCamant in 1871, could be treated as a system and have given the Daly Survey the same excess of 18 varas determined for H. T. & B. #2. This is in reasonable accord with the excess found in Millington's north line of the large Williams Survey.

We have prepared field notes for the John Daly and H. T. & B. RR Company #2 Surveys located as outlined above and submit them for your consideration.

Respectfully yours,

John F. Baker,  
Licensed State Land Surveyor.



Dec 21 1958  
By John F. Baker  
Secy H. T. & B. Co.  
of John Daly and  
Report of Survey  
See 15/19 24 5 -  
BA [Signature]  
BILL VITCOBY, Com.  
FILED Dec 18 1958  
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File No. 25  
HOOD County  
Sketch File  
Filed Dec. 18 19 58  
BILL ALLCORN, Com'r  
By W. E. Baker

See Rolled Sk. 2 -  
Report of survey  
of John Daly and  
Sec. 2, H.T. & B. Ry. Co.  
By John F. Baker  
Dec. 5, 1958

Countdown Counter 26628



Licensed State Land Surveyor,  
John F. Baker,

*John F. Baker*

Respectfully yours,

submit them for your consideration.

H. T. & B. BE COMPANY AS SURVEY LOCATED AS OUTLINED ABOVE AND  
WE HAVE PREPARED FIELD NOTES FOR THE JOHN DALY SURVEY

LINE OF THE LARGE WILLIAMS SURVEY.

REASONABLE ACCORD WITH THE EXCESS FOUND IN WILLINGTON, A NORTH  
EXCESS OF 18 ACRES DETERMINED FOR H. T. & B. #5. THIS IS IN  
CREATED AS A SYSTEM AND HAVE GIVEN THE DALY SURVEY THE SAME  
COMPANY SURVEY, ALL LOCATED BY McCORMACK IN 1881, CONTIGUOUS

(c) WE HAVE CONSIDERED THAT THE JOHN DALY SURVEY H. T. & B. BE

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