

December 5, 1935

Sleeper, Boynton & Kendall,
Waco, Texas

Gentlemen:

Hudspeth
Acknowledgment is made of your letter of November 26th asking for information concerning certain surveys in the vicinity of Hudspeth-Culberson county line shown on a large working sketch recently made by this department for you. First, you asked about sections 1 and 2 blk 2 TM Ry Co and request copies of patents of the surveys affected by conflict in this vicinity.

I am wondering if the copies of the patents would be of as much value to you as copies of the various field notes of the different surveys. I have thought it well to mention field notes on file in order that you may then state whether you wish copies of these field notes or of the patents, or of both. I shall mention the file designation numbers as they appear in this office and should you desire copies, will you please mention these file numbers?

Section 1 TM Ry Co (Bex S-42355 - the first set of field notes for section 1 were made by G N Marshall, deputy surveyor, September 4, 1882. They were cancelled and the set of corrected field notes by R J Owen, deputy surveyor, dated February 18, 1904 were filed and patented. A subsequent set of field notes apparently to correct the abstract, made by R S Dod, licensed land surveyor, October 1920 with sketch thereon, were filed in this office on March 31, 1921.

Section 2 TM Ry Co (Bex^S-135131) - the original set of field notes is by G N Marshall, deputy surveyor, dated Sept 4, 1882, which were cancelled by corrected field notes by R J Owen, deputy surveyor, dated February 18, 1904, which latter field notes were patented November 2, 1934.

Section 6 blk 1 GC&SF Ry Co (Bex S-35096)- shows to have been surveyed and field notes made by A Q Wingo, district surveyor, on October 26, 1880. From the above it will be seen that according to date of survey, section 6 is superior to TM Ry Co surveys 1 and 2 blk 2. On the working sketch sent you, sec-

tion 6 is shown dotted, that is, as being inferior to sections 1 and 2. The draftsman, in compiling the sketch, erred in believing that the court decree held #6 inferior to Nos 1 and 2, this court decree being in Cause #10275 Lizzie E Williams et al VS Frank B Cotton et al January 13, 1914; copy of this decree is enclosed.

For your information I shall state that there are field notes on file for surveys in blk GB, being Confederate school surveys, as follows:

W J Cathey survey #9 (Bex S-46655), original field notes by S A Thompson, December 4, 1882 were cancelled by corrected field notes by T R Owen, deputy surveyor, resurveyed September 9, 1885, the latter patented.

E W Bolton survey 10 (Bex S-46659)- original field notes by S A Thompson of December 4, 1882 are patented.

Sara Langston survey #11 (Bex S-46658)- original field notes by S A Thompson dated December 4, 1882, cancelled by corrected field notes by T R Owen; resurveyed September 9, 1885, the latter field notes being patented.

J E Dooley survey #12 (Bex S-46657)- original field notes by S A Thompson dated December 4, 1882, cancelled by corrected field notes by T R Owen dated September 9, 1885, the latter being patented.

Mary Ann Wiley Survey #13 (Bex S-46654)- original field notes by S A Thompson dated December 4, 1882 were cancelled on corrected field notes by T R Owen dated September 9, 1885. The latter are patented.

Mrs Susanah Rice survey #14 (Bex S-46666) - original field notes made by S A Thompson dated January 22, 1883, are patented.

Arminda Greer survey #15 (Bex S-46667) - original field notes by S A Thompson dated January 22, 1883 are patented.

Martha C Medlin survey #16 (Bex S-46665)- original field notes are by S A Thompson dated January 22, 1883; they are patented.

Henry Stinnett survey #17 (Bex S-46664) - original field notes are by S A Thompson, dated January 22, 1883 and they are patented. This survey lies immediately West of and adjoining the Martha C Medlin survey #16.

You also inquired about section 10 blk 2 GC&SF Ry Co (Bex S-35101). These field notes show to have been made by A Q Wingo and are dated October 28, 1880. The original field notes have been altered considerably to conform to surveyors' certificates of correction filed here on March 23rd and March 31, 1894. These field notes as corrected were patented.

The W/2 of section 38 H&TC Ry Co blk 5 (F-135128) was sold by the State to the West Pyle Cattle Company; no field notes are on file for this W/2. The first set of field notes for section 38 show to have been made by J W Tays, deputy surveyor, and are dated May 28, 1875; they were cancelled by subsequent field notes signed by W S Mabry, State surveyor, and are dated March 27, 1889. (Bex S-10540).

You also asked for information relative to conflict indicated on the working sketch with surveys 334-335-340 and 341 D. Taylor. The sketch shows conflict with the C R Rottke (Min 864) and Geo G Kirtley (Min 865) mineral patents; copies of these patents will be enclosed herewith; also, I am enclosing a blue print of a sketch showing these two surveys. For your information I am enclosing gratis, a photostatic copy of a sketch made up in this office in 1925 from the meagre information on file, attempting to show the location of the surveys litigated in the cause mentioned above.

The cross lines on this sketch indicate portions of the various surveys, which are free of conflict with superior surveys. The acreages given are arbitrary or approximate, being merely graphic computations from the sketch referred to. It is possible that this sketch may be more confusing than helpful, but I am sending it for what it is worth to you.

You will note from this sketch that section 6 blk 1 is shown in a different position from that on the working sketch sent you. The hooked lines with arrows indicate that section 6 may possibly be in a more Northerly position. As stated in my recent letter, section 6 is shown as indicated on the working

sketch because the system of which it is a part would be difficult of delineation in such a manner as to clearly show the field notes calls, unless this were done. If section 6 had been shown in the ~~Lower~~ position, then surveys to the South and West would appear in a more Northerly position, conflicting a great many more surveys than are thus shown. It may be that the open space immediately North of GC&SF Ry Co blk 2 is closed out on the ground, and that there is more conflict to the Eastward.

In this connection, I shall refer you to the blue print of a sketch by Mr Dod which I sent you with the working sketches. If you will specify which field notes you wish copies of, as well as patents, I shall be glad to give you such copies as soon as they can be prepared.

Any further information which is available here, I shall be glad to send you upon request.

Very truly yours,

Commissioner

Blucher:eb
Bex S-46655
(Court decree)
encs

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Husspeth Co Sk's
Letter to Sleeper, Boynton & Kendall.

Dated 12-5-35