

May 26, 1944

Witt, Terrell, Lincoln, Jones and Riley
Attorneys at Law
15th Floor Amicable Building
Waco, Texas

Attention: Mr. O. F. Jones

Dear Mr. Jones:

I have examined the field notes of Section 23, PSL, Block 7, and the N/2 of Section 2, Certificate 6752, T. & P. Ry. Co., Block 77, Twp. 3, El Paso County, Texas.

These two surveys are partly in conflict with the B. H. Davis 640 acre survey, which was patented September 27, 1882 as Patent 507, Volume 2.

Since Mr. Spencer is unable to secure the services of a surveyor, I have agreed to compile field notes of these two tracts. These field notes will embrace only those parts of Section 23 and the N/2 of Section 2 clear from conflict with the B. H. Davis survey. The compiled field notes of Section 23 will embrace 381 acres. The field notes of the N/2 of Section 2 will embrace 154.8 acres.

Field notes will also be compiled for the S/2 of Section 2, T. & P. Ry. Co., Block 77, Twp. 3, and the S/2 of Section 14, T. & P. Ry. Co., Cert. 6837, Block 78, Twp. 2, also in El Paso County, Texas.

No additional money will be required to patent the four above described tracts. Patents will issue shortly.

Sincerely yours,

BASCOM GILES, COMMISSIONER
OF THE GENERAL LAND OFFICE

HUVR:IB
108165, 141542, 140897, 140923, Bex S40330.
cc - Mr. C. E. Patterson, Alpine, Texas.
cc - Mr. Lew Spencer, Alpine, Texas.

HUDSPETH Co. Sk. F. 34

counter 26997

D-229

989

RECEIVED

C. E. PATTERSON
ATTORNEY-AT-LAW
ALPINE, TEXAS

REFERRED TO MAP

January 19, 1944

General Land Office,

Austin, Texas.

Attn: Mr. Von Rosenberg

Dear Mr. Von Rosenberg:

In September I wrote you a letter for requirements for patenting certain lands in El Paso and Hudspeth Counties. At first, your requirement was corrected field notes on numerous surveys. However, after receiving a letter from Mr. Carter, Licensed State Land Surveyor, you sent me a wire which reads as follows:

"Corrected field notes required for Sections 23 and 24 Public School Block 7 partly in conflict with B. H. Davis patented survey. Field notes of other sections satisfactory."

I am interested in patenting Section 2~~B~~ Block 7, but am not interested in patenting Section 2~~4~~. I believe you will find that the State owns Section 24, and Mr. Spencer now has a grazing lease on same.

It is my understanding that Section 23 is in conflict on account of the B. H. Davis patented lands out of Section 2, Block 77.

I received a letter from Mr. Carter enclosing some field notes and also a general map of the Spencer lands, and under Mr. Carter's contention the Padre Mine which was supposed to have been in Section 2 is not included within the Spencer lands.

You will find enclosed herewith the letter from Carter, the field notes, and a map.

Very truly yours,

C. E. Patterson

RECEIVED

JAN 20 1944

REFERRED TO MAP

105119
110923
5-10330

HUDSPETH Co. SK.F. 34

E'

counter 26998

January 29, 1944

Mr. C. E. Patterson
Attorney at Law
Alpine, Texas

Dear Mr. Patterson:

Your letter of January 19, 1944 enclosing sketch, letter and certificate of location of the B. H. Davis Survey, El Paso County, by J. W. Carter, County Surveyor, El Paso County, has been received.

I have examined the field notes of the Davis Survey and find that it's location is plotted correctly on the El Paso County Map based on it's tie calls from the N. W. corner of the Jacob Kneiber Survey. The field notes of the Jacob Kneiber Survey have been examined and it is located correctly on the official map of El Paso County according to it's tie from the S. W. corner of Survey 291, S. A. & M. G. Ry. Co.

The tax records of the Comptroller's Department show that Charles Davis and the Lamar Davis Estate, in El Paso, Texas, own a total of 213½ acres of the Davis Survey. The land is listed as being in El Paso County, Texas. The owners of the balance of this section are unknown.

I suggest that you communicate with Mr. Davis, since he should know where this land is located. The owners of Sections 9 and 10, Public School, Block 10, Hudspeth County, Texas, should also be contacted, for they might have information that would substantiate Mr. Carter's findings.

This office must have more information before moving the location of the Davis Survey approximately 8 miles S. E. from it's locative calls.

Sincerely yours,

BASCOM GILES, COMMISSIONER
OF THE GENERAL LAND OFFICE

HUVr:as
Files - Bex. Sc. 5562-40330
Bex. 3rd Cl. 6923

HUDSPETH Co. SK. F. 34

Counter 26999

E²

0.22

989

J. W. CARTER
PROFESSIONAL ENGINEER
LICENSED STATE LAND SURVEYOR
ROOM 103 COUNTY COURT HOUSE
EL PASO, TEXAS
Jan. 13, 1944

Mr. C.E. Patterson
Alpine, Texas.

Dear Mr. Patterson:

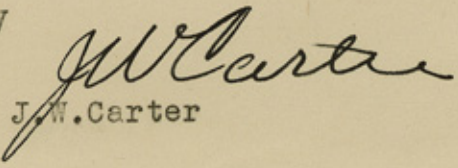
Yours of Jan. 10th received.

I am enclosing a certified copy of the Padre mine survey field notes with my certificate of its location. I believe this will satisfy the Land Office that it does not touch any of the Spencer land.

I am also enclosing two copies of the map I have prepared for Mr. Spencer. Also my bill covering all work to date.

I will be out of town until the first of February.

Yours very truly


J.W. Carter

RECEIVED

JAN 20 1944

REFERRED TO MAP

E3

HUDSPETH Co. SK.F. 34

counter 27000

D-229

989

No Plat

STATE OF TEXAS) Plat and Field
) Notes of a Sur-
 County of El Paso) vey of 640 acres
 of land made for
 B.H.Davis by virtue of the accompan-
 ing application made in accordance
 with an Act to provide for the sale
 of a portion of the Public Domain of
 the State of Texas and for the investment
 of the proceeds of such sale, approved
 July 14th., 1879 and the Act amendatory
 Thereto, approved March 11th., 1881.

Said survey is N. 55 made under said Act in El Paso County, Texas,
 and is situated in the Hueco Mountains about 30 miles N.46 $\frac{1}{2}$ $^{\circ}$ E. from
 the town of San Elizario.

Beginning 16272 Vrs. East and 12628 Vrs. North from the N.W.Cor.
 of the Jacob Kniber 320 acre survey, a large stone mound for the
 corner, from which S.E. Cor. of a stone house built by the Padre of
 San Elizario Brs. North.

Thence West 820.Vrs. to a large Spanish Dagger for the corner,
 from which another Spanish Dagger Brs. N.84 $\frac{1}{2}$ W. 24 Vrs., the west
 door of the Padre house Brs. N.24 $\frac{1}{2}$ $^{\circ}$ E. (inserted-Correct Bearing N.42 $\frac{1}{2}$ $^{\circ}$ E.)

Thence North, at 565 Vrs. a large mound of rocks, in all 1900.8 Vrs
 to a stake on top of the mountain;

Thence East 1900.8 Vrs. to a stake;

Thence South 1900.8 Vrs. to a mound of earth from which the
 Padre house Brs. N.50 $\frac{1}{2}$ $^{\circ}$ W.;

Thence West 1080.8 Vrs. to the place of beginning.

Surveyed June 2nd. 1882.

Maximo Duran) Chain
 Epeminio Candelario) Carriers

I, T.R.Owen Deputy Surveyor of El Paso County Texas, do hereby
 certify that the foregoing survey was made on the ground according
 to law, that the limits, boundaries and corners, with the marks,
 natural and artificial, are truly described in the foregoing plat
 and field notes.

T.R.Owen
 Deputy Surveyor El Paso County, Texas

I, J.W.Carter, County Surveyor of El Paso County, Texas, do
 hereby certify that the foregoing is a true and correct copy of
 field notes recorded in my office in book No. 1 on page 21
 Jan. 13th. 1944.

J.W.Carter *J.W. Carter*
 County Surveyor El Paso County, Texas

I, J.W.Carter, County Surveyor of El Paso County, Texas, do
 hereby certify that on Dec. 12th. 1943 I went on the ground to
 locate and identify the above described property.

The remains of the old house are very plain, and the rock
 mound mentioned as the beginning point is still in place, the
 daaggers mentioned at the S.W?Cor. are dead and lying on the
 ground, apparently dead many years. The stone mound North 565 Vrs
 North of S.W. Cor. is in place. The distances between corner
 are a little in excess of field notes and the bearings fit very
 close to the calls in the field notes.

I find this survey(known locally as the Padre Mine survey)
 to be located approximately on sections 9 and 10 Block 10 of the
 Public School Lands in Hudspeth County, Texas.
 This the 13th., day of Jan. 1944.

J.W.Carter *J.W. Carter*
 County Surveyor of El Paso County, Texas
 Licensed State Land Surveyor

RECEIVED

JAN 20 1944

REFERRED TO MAP

HUDSPETH Co. SE. F. 34

E4

counter 27001

By J.W. Carter

counter 27002
Hudspeth Co. Sta. File # 34

ES

RECEIVED
MAY 10 1952

Misses State Land Surveyor
County Clerk of El Paso County, Texas
J. M. Carter

Handwritten signature

I, J. M. Carter, County Clerk of El Paso County, Texas, do hereby certify that on Dec. 18th 1951 I went on the ground to Bascom Giles Com'r of El Paso County, Texas, to see the notes recorded in my office in book No. 1 on page 87 hereby certifying that the foregoing is a true and correct copy of the notes.

County Clerk of El Paso County, Texas
J. M. Carter

Deputy Surveyor El Paso County, Texas
B. H. Owen

~~File No. 140923
El Paso County
Bascom Giles Com'r
J. M. Carter
J. M. Carter
Bascom Giles Com'r
J. M. Carter~~

Report and correspondence re. B. H. Davis Survey transferred from 140923
7/15/52 VES.

File No. 34
Hudspeth County
Sketch File
Filed July 15 1952
Bascom Giles Com'r
V. E. Stegling File Clerk

Handwritten mark

1019 SM

Wherefore, approved March 11th, 1881.
J. M. Carter, 1888 and the Act amended to
of the process of such sale, approved
the State of Texas and for the investment
of a portion of the Public Domain of
with an act to provide for the sale
the application made in accordance
B. H. Davis of a portion of the account
of land made for
of 840 acres
Notes of a sub-
ject and filed

Handwritten mark

ppp