

Dec. 1955

Hon. J. Earl Rudder, Commissioner  
General Land Office  
Austin, Texas

Dear Sir:

Submitted herewith are field notes covering a 22.1 acre tract of unpatented land and 17 corrected field notes for deeds of acquittance. The attached map titled "Portion of Northwestern Menard County" represents my construction of the surveys in the area under consideration.

Six of the surveys shown on the attached map were first located by J. J. Giddings in 1847 in the northern portion of District 3 of the Fisher & Miller Colony (Surveys 1589, 1590, 1593, 1594, 1595 and 1596).

In 1876, Dennis Corwin located TWNGRR Block 2. The surveys in this block had their beginnings on, and adjoinders into, the northern corners of the Colony Surveys. No calls for natural objects or for marked bearing trees are given in the field notes of the surveys comprising Block 2.

GH&SARR Block B was also located by Corwin in 1876. The surveys in Block B call to begin on and adjoin the northern corners of surveys in Block 2. Just as in Block 2, no natural object calls or marked witnessed tree calls are given in the notes of Block B.

Brooks and Burleson Block C was located by L. C. Navarro in 1876 and Navarro also does not call for natural objects or witness trees. Block C was called to begin on the north line of Block B but the survey corners in Block C were not called to be common with the corners in Block B.

The last three mentioned blocks have always been treated as office surveys.

In 1889 Geo. M. Williams, State Surveyor, went into the area for the purpose of monumenting on the ground the surveys in GH&SARR Block B. Since Block B took its beginnings from Block 2 and Block 2 took its beginnings from the Colony Surveys, Williams did considerable work searching for the corners and bearings given in Giddings field notes. A study of his statement and sketch (F-15504 filed May 23, 1890) concerning this work reveals that: (1) he found numerous old corners pointed to by one or more marked bearing trees along an old line two miles south of the north line of the Colony Surveys; (2) he found several old marked lines, the line trees being marked identically and being of approximately the same age as line marks he had followed in Colony Surveys south of the San Saba River; (3) he failed to find any old landmarks for the Colony work in the area north of an east-west line through the south corners of Surveys 1596 and 1589; (4) he found that the old marked line was on a due east course from the west line of the Colony Surveys to the southwest corner of Survey 1596 (5 miles), but that in running easterly from the southwest corner of 1596, the marked line dipped to the south by varying degrees (for example, he found that along the marked south line of 1589 his course was S 87°54' E); and (5) he found that along this ten mile line the distances

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between the old corners were in excess of Giddings called distances and that the old corners were not evenly spaced. The distances he found ranged between 1940 varas for the south line of 1589 to 2007 varas for the south line of 1640 (three miles west of 1596).

Since Williams found no evidence of Giddings field work north of this base line, he concluded that the Colony Surveys lying north of the base line should be built called distance northerly from the southwest corner of 1596; that the east-west lines of the Colony should be parallel to the section of his base line which ran east and west; that the Colony Surveys and Blocks 2 and B should be allowed the east-west excess found between old corners along the old marked line; and that the first tier of surveys north of his base line should be allowed any north-south surplus arising from that construction. Consequently, on his map he indicates that the north line of the Colony is on an east-west course and that the southwest corner of Survey 6 Block 2 (called to be on north line of Colony) is 3800 varas (two miles) north of his southwest corner of 1596. The first section line south of the north line of the Colony Surveys was made parallel to his north line of the Colony Surveys and one mile south of same. On his map he shows that the combined east lines of Surveys 1595 and 1596 is 1931 varas, the west lines of Surveys 1589 and 1590 is 1973 varas, and the east lines of 1589 and 1590 is 2044 varas. Based on this construction of the north line of the Colony Surveys, Williams monumented the south line of GH&SARR Block B two miles north of and parallel to his platted north line of the Colony.

The six corners shown double circled in the southern portion of my map were either found by Williams or marked by him at old marked line intersections along the old marked line. The four corners shown double circled on the south line of Block B were made by Williams to mark the southern corners of the Block B Surveys. I identified these ten corners by their bearings and old rock mounds. On my orientation, the bearings between Williams original corners average  $0^{\circ}37'$  to the right of his call bearing and I find his distances to be approximately 6 varas per mile excessive.

Surveys 33, 34, 35 and 36 were originally located by John H. Dexter in 1876. Surveys 33 and 35 were patented on Dexter's notes. Surveys 36 and 34 were patented on resurveys made by D. W. Maddox in 1910 and 1911. As evidenced by his letter dated June 26, 1911 (F-63692), and his adjoinders in the field notes, Maddox intention was to monument 34 and 36 in accordance with Williams map and theory of construction. He adopted Williams bearings for the south corners of 34 and called the east and west lines of 34 to be identical in length with the dimensions shown on Williams map.

It is apparent that Maddox made a mistake when he measured from a Williams corner to set his corners of 36, because I found three of Maddox' corners for 36 at the points indicated by double quarter circles. These three corners were identified by the bearing trees marked as described in Maddox field notes.

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As a result of my field work many questions were raised as to the proper position of the survey lines called to run east and west lying between Geo. M. Williams Colony Base Line and his monumented south line of Block B. On November 15, 1955, these questions were discussed in your office. The results of this conference being that Surveyor Geo. M. Williams theory of construction was correct and should be adhered to and that the intervening survey lines between his Colony Base Line and the south line of Block B should be prorated. Therefore the survey corners were monumented and the attached corrected field notes were prepared on this basis in accordance with the recommendations of your office. Under this construction the south line of Block 2 falls north of Maddox monumented northern corners of Survey 36. The attached field notes cover the unpatented strip containing 22.1 acres created by this discrepancy.

Respectfully submitted,

*Byron L. Simpson*

Byron L. Simpson,  
Licensed State Land Surveyor



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File No. 28

MENARD County  
SKETCH FILE

Filed Feb. 1 19 56

J. EARL RUDDER, Com'r.

By V.E. Hitzung

Report of survey in NW  
pt. of Co-see Rolled.  
Sk. No. 10 - About 15 miles  
N. 68° W. of Menard  
By Byron L. Simpson  
Dec. 1955

cover the undateded strip containing SS. 1 area created by this discrepancy. Major monumented northern corners of Survey 30. The attached field notes from office. Under this construction the south line of Block 5 falls north of notes were prepared on this basis in accordance with the recommendations of therefore the survey corners were monumented and the attached corrected field between the Colony Base line and the south line of Block B should be crossed. was correct and should be adjusted so and that the intervening survey lines of this conference being that Governor Geo. W. Williams report of construction November 15, 1852. These directions were discussed in town office. The results M. Williams Colony Base line and his monumented south line of Block B. On position of the survey lines called for in east and west lying between Geo. as a result of no field work made directions were raised as to the proper

Respectfully submitted,

Byron L. Simpson,  
Licensed State Land Surveyor



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