

H. W. STONEHAM
COUNTY SURVEYOR MITCHELL CO.
COLORADO, TEXAS.

RECEIVED

OCT 28 1909

Referred to Map

2386
Letter Register
shows receipt
of letter & map
under this date

Colorado, Texas, October 26th 1909

J. T. Robison, Commissioner,
Austin, Texas.

Dear Sir:

I am sending you, in this mail, under separate cover, a sketch of the survey of Township 1 North, Block No. 28, Texas & Pacific Railway Company surveys in Mitchell County, Texas.

In a letter dated April 4th 1907, to the then Land Commissioner, I laid before him, the facts concerning the two townships of Block No. 28, and the survey which was recently made of the township was made in strict accordance with the plan outlined in his letter to me dated April 11th 1907.

First all outside lines of the block were run, and courses and distances carefully made and noted, all corners along the West line of Block 27, described in the original field notes of a permanent nature were found and identified, and strictly adhered to, and are shown on the sketch herewith sent you. No corners of a permanent nature were found along the North line of the block, the original corners were nothing but stakes, and have been destroyed by prairie fires long since, if they ever did, in fact, exist and were placed, which I doubt.

In constructing the first tier of sections along the East line of the block, the "Rocky Ridge" called for in the original field notes of Section No. 2 was found upon the ground at a point 2500 varas S. 77 W. from the North-east corner of Block No. 28 (which corner we found intact and identified), and a large stone mound which was set, I understand by Capt. Jas. L. Shepherd, was found 150 varas N. 77 E. from this ridge as the North-west corner of Section No. 1; this corner has been recognized as correct and adhered to in making a re-survey of Block 26, H. & T. C. Ry Co., a few years since. A careful inspection of the sketch which is herewith sent you, compared with the original field notes, will convince the most skeptic that the corners located all along the North line of the block are as nearly correctly situate relative the creeks and ridges called for in the original notes as they can consistently be located, likewise the West line of the block, the center line and the West line of Block 27 are correct beyond question.

The Mt. Pisgah called for in the field notes of the S. Line of Section 44, in which distances are given, if it ever existed is no more, as this mount, or its location as called for would be where the track of the Texas & Pacific Railway now is, however indications on the surface do not tend to suggest that such a mount or peak ever existed.

On the center line of the township, four miles North of the Old Center Line of the block, we found and identified the two half mile corners which are shown on the sketch, further than this there was not even a suspicion of an original corner inside the block.

counter 3674

H. W. STONEHAM
COUNTY SURVEYOR MITCHELL CO.
COLORADO, TEXAS.

J. T. R. -2-

The corners which I have placed have been located at the intersections of lines connecting corners on opposite sides of the block both ways, and the distribution of the excess has been as nearly equal as it has been possible to make it, natural objects called for in original field notes, and original corners found on the ground have prevented an absolutely equitable distribution of the excess.

The West line of township 1 north, runs 10' further to the West than the west line of township 1 south, as will be noted by comparison with the sketch of the southern township sent you in January 1908.

The West line of Township 1 North runs two degrees and ten minutes further to the West than its east line, the course of the West line is N. 25 40' W., (Magnetic) and its East line N. 23 30' W., (Mag)

The amount and value of the excess involved, as well as the situation of the improvements located near lines, has duly impressed me with the gravity of the situation, and the responsibility resting upon my shoulders in making this survey, and according to my understanding of the laws in such cases, giving due consideration to all parties concerned, I have placed the corners and runs my lines, and I believe that the weight of the evidence will sustain me, and, I fully believe the work entitled to your stamp of approval.

Relative the petition of F. P. Murphy et al., against my work, I wish to state that Mr. Murphy and several others who have signed the petition, in fact, about seven out of every eight, I am informed, are not, directly or indirectly interested in the lands which are being surveyed, but reside in the block adjacent thereto, i.e. Block 29, and no conflict has been made with any part of that block, and it is not so claimed by them.

I wish further to state, would upon oath if necessary, that not a single residence, well, barn, out-house, wind-mill or other improvements are found to be differently located than was intended upon their erection, in other words they are not changed in location on account of the survey, ~~and~~ except fences and some lanes, and in some places a strip of tilled soil, and were these fences and lanes which they claim to be correct, correct, they would not be consistent within themselves, in other words were you to accept anyone of their fence as correct, except those on the outside boundaries of the block, all the balance, would according to the base be wrong, etc.,

I think that really their kick is being made, in the main, on account of their excessive ignorance of facts, and circumstances, and believe that whenever they know the true situation they will not be as rank as they now are. Our random lines made in locating were cut out through the timber from end to end and in some places did seem to cut them pretty badly, but these were not our final lines, and consequently, I don't believe their ire will be so great when they view their final location and their effect.

H. W. STONEHAM
COUNTY SURVEYOR MITCHELL CO.
COLORADO. TEXAS.

J T. R. -3-

Relative the "Rocky Ridge" to which is tied in this survey the North-west corner of Section 1, I desire to state that this is one of the most prominent objects called for in the original field notes, and that the N. W. corner of Section 1 was located from this ridge by a number of surveys and has always been recognized, and J. J. Handley the owner of the surveys 1, 12 and 13, has had his lands fenced in accordance with this corner and the ridge for something over fifteen years, and ~~to~~ ignore this ridge ^{would} cause even greater consternation on the people who are now complaining than that they now feel, and would cause endless lawsuits, and whether the people residing in the block who now complain know it or not, I do know that to fail to recognize the "rocky ridge" and the corners tied to it would move lots of houses wells, etc., and even whole farms from one section onto another and cause endless litigation, *and the effect of their complaint the pulling of a house down on their heads.*

I do not like in this case to ask you to hurry any in acting upon this matter, but on account of our county being almost bankrupt (the people in it, I mean) occasioned by the extended drouth and the effect of the panic, a number of the land owners in this block who were instrumental in having this survey made, are in dire straits for money and unless they can secure loans for which they have applied will in many cases have their homes taken from them, on account of not being able to pay or secure money for the purpose.

In other words the loan companies all in this country compel the borrower to patent his land that their lien may be the first and your department compels field notes before patent, so they are where unless their field notes are approved and patent granted they cant get their loans, and these are times with us when one dollar is worth four or five even. Again, I am myself in pretty hard shape financially ~~myself~~, and ~~many~~ if them cant pay me for my work until they have secured the field notes and patents, and with some of them it is serious enough to be even a question of meat and bread, and the credit system seems to be tighter than Dick's hat-band on everyone. Some have secured parts of their loans and have been paying interest for a year or two on two and three thousand dollars at 10% which they cant get until they have their patents. One fellow's time limit to pay off a vendors' lien note or have it foreclosed ran out to-day, and he was in the office nearly distracted because he could not hurry up the approval of this work, so he could straighten out his finances and get clear of worry. I am not overdrawing the situation an iota, the situation is really serious, and one deserving of consideration at your hands. However I do not state the circumstances to you for the purpose of influencing you to approve the field notes or the work unless you believe it correct in ~~in~~ substance.

I have not on hand any blue printpaper or cloth, would you mind sending me a blue print copy of this map with your approval and signature on it-- that is- if you approve it, and a letter stating your approval fully, in order that I may get my pay as early as possible, I would like for you to wire me, at my expense upon your approval, and specially request it, if you will be that kind, for it will ease my mind considerably and others too.

Yours very truly,

counter 31696

H. W. Stoneham
Surveyor Mitchell Co. Texas

Mitchell County

*HW Stonehams explanation of BIK 28
Tsp 1 N. (see SK 8)*

Recd
Filed October 28th, 1909. 193

J. H. Walker, Comm.

File Clerk

Descriptive:

...the people who are now complaining that they now feel, and
...and the most prominent objects called for in the original field notes;
...relative the "Rocky Ridge" to which is tied in this survey.

...I am not sure that I can become Jones for which they have applied
...I am not sure that I can become Jones for which they have applied
...I am not sure that I can become Jones for which they have applied

...I have not on hand any fine print copy of this map with your approval
...I have not on hand any fine print copy of this map with your approval
...I have not on hand any fine print copy of this map with your approval

County 31697

H. W. STONEHAM
COUNTY CLERK, MITCHELL CO.

T. T. B. - 3-