

3301

February 14, 1911.

Hon. J. T. Robison,
Commissioner General Land Office,
Austin, Texas.

RECEIVED
FEB 17 1911
Referred to Chief Clerk

My dear Mr. Robison:

I send you to-day in an other enclosure a Protest.

Further in reply to yours of January 4th, I wish further to state that in compliance with your suggestion of that date, I wrote Mr. George Williams at Spur, and I have an answer from him, telling me that he is by no means through with his work down there; and he does not think he will be able to do my work in Collingsworth County, which was more especially the correction of the surveys of the unpatented school lands that I own in that County. And in this connection, I wish to state that I have secured the services of the new surveyor of Collingsworth County to do this work for me, and he will begin it on April 1st. In this connection, too, I wish to state that I have employed Mr. George H. Chipman to correct the six unpatented surveys in Motley County and the two unpatented surveys in Hall County, and he is now doing this work in connection with Mr. Moore the County Surveyor of Motley County, according to instructions sent me from your office, which I forwarded them.

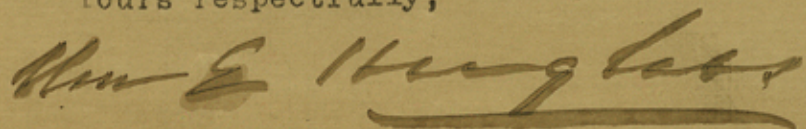
Mr. Chipman is the gentleman who wrote you in regard to being made State Surveyor, and about whom you wrote me, with your reply to Mr. Chipman. In this connection I wish to state that Mr. Chipman was entirely unknown to me and I had never met him

Robison 2d.

when I engaged him for this work. He is also (in connection with the County Surveyors) doing a great deal of work in Motley and Hall Counties towards correcting the surveys and straightening out the conflicts that appear to be extensive among the Continental Land and Cattle Company's lands. He has promised to submit all of his work to me with maps and a full report when it is done. If your office has had sufficient experience with Mr. Chipman's work as surveyor, I would be glad if you would let me know how you consider him and whether his work shows a competent and conscientious surveyor. The reason I ask this is that his new work, if adopted, will make great inovations on the Continental Land and Cattle Company's lands from the old locations and he tells me our Company must lose thereby may thousand acres from conflicts. I would be glad for any information you can give me as to his former work, and how you regard him.

One other point, as I personally own more than 9/10 of the stock of the Continental Land and Cattle Company, I have , at Mr. Chipman's suggestion signed some applications sent me applying for some vacant land he claims to find there. Since learning of the many conflicts down there, and the probable extent of them, I have wired and written Mr. Chipman to file nothing for me until I receive full report and map of his work. Some files may have already been made. • So in this connection, I would request you to suspend action upon all such files and applications until I can make a personal examination of Mr. Chipman's work, after which it is our intention to bring the same officially before you for your consideration and approval if found correct.

Yours respectfully,



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March 1, 1911.

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Referred to Comr.

Hon. J.T. Robison,
Commissioner General Land Office,
Austin, Texas.

Dear Sir:

Yours of February 20th received, and in reply I beg to say that if I correctly interpret your letter, I think you have fallen into an error both as to Mr. Chipman and myself. I allude to your criticisms of his advance notices to me as to vacant land.

My reasons for asking your opinion as to Mr. Chipman had no relation whatever to correcting the surveys of the Six Sections in Motley County and the two in Hall I am trying to get patents for. I understand that this work had to be done by an authorized State or regular County Surveyor, and under instructions from your office - I did not ask for Mr. Chipman any appointment as State Surveyor to do this or any other work. That suggestion originated with him and was made without my knowledge. On the contrary I sent for this work the instructions received from you with the further instruction to have the County Surveyors with him on this work, and to have it done by them as instructed by you. Now this is all there was of official work. This work was a mere bagatelle to what the Company employed Mr. Chipman to do.

That I beg to explain. More than twenty years ago the Continental Land and Cattle Company employed one Hedgecoke, formerly County Surveyor of Hall County, to survey out its lands (all patented. Some 200,000 Acres.) and to put iron pipes duly stamped

Robison 2d.

at all Section Corners- and to make us a map. He did this, found, or claimed to find, all our lands, and marked them on the ground, and we adjusted our fences to them.

It has since turned out that much of his work may be incorrect, in that he ignored or failed to recognize, as he should, some few well established block corners . Consequently there are several conflicts. Some, perhaps most of them, with our own lands. As to these we are without remedy, except small refund perhaps by cancellation of patents should we conclude this the proper thing.

It was to straighten out these conflicts and advise us what to do, that Mr. Chipman was employed. After he had looked into the matters, Mr. Chipman advised us that if we abandoned the Hedgecock System of Iron Pipes, the loss to our Company, in his opinion, would exceed 10,000 acres, perhaps much more. As Mr. Chipman was a stranger to us (and was employed because of his intimate acquaintance with the country as a surveyor, and because he was thought to be perhaps the most competent man available) I did not know just how much weight to give to his conclusions - So wrote you, thinking from your position, enough of his work might have passed through your office to enable you to form some opinion of it and of him, even if you did not know him personally.

I make this explanation in justice to Mr. Chipman and because it occurs to me that had you fully understood how he stood with the Company and with myself personally, and how he was acting for us in a private not an official capacity, you would have found no cause to criticize his advising me as to applications files, etc. on vacant land . In fact, I think Mr. Robison, these criticisms do both Mr. Chipman and myself an injustice.

Mr. Robison 3d.

As for the proper place to withdraw applications and files, you may be right. The place to withdraw them no doubt is in the county where they are made - though I really think they can be withdrawn from any place where they may be.

Howsoever, I care little about this vacant land business, that is a small matter compared to the general mix-up we are in as to conflicts, etc. Above all things I want no controversy or misunderstandings with your office, and to obviate this, I wish my position and Mr. Chipman's understood; so that we can hope for its advice and co-operation in our troubles.

Yours Very Truly
Wm E. Hoagland

Mr. Robison 4.

P.S.

I personally know what antagonism from the Land Office means. I had quite enough of that in my Caddo Lake case (with which you are somewhat familiar)

That the Commissioner of that office can with the aid of its own force, and State Surveyors - go back on all former rulings of prior Commissioners , and have a mere hacked timber line (not called for in the field notes by the original surveyor) prevail over natural boundaries after patent and recognition for 70 years I found out to my cost in that case.

However, with due respect, allow me to say that I do not think that is the Law. Land Office and Lower Courts to the contrary notwithstanding, and I believe the Supreme Court would so have held could we have gotten there.

Yours very respectfully,

Wm E H

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March 11, 1911.

Hon. J. T. Robison,
Commissioner General Land Office,
Austin, Texas.

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MAR 13 1911

Referred to Comr.

My dear Mr. Robison:

Yours of March 6th is received. I wrote Mr. George M. Williams at Spur, sometime ago, and found he was not available. He might probably consented to take up my work sometime, but at the time I wrote him, I also wrote S. M. Swenson & Sons, Bankers, in New York City, in regard to him, and they answered back, that he was employed by them and would be for a year. So, as the Swensons are old friends of mine, I do not feel like writing and urging Mr. Williams any further, and I dropped the matter.

I think quite well of Mr. George H. Chipman, and he is now at work for our Company in trying to straighten out the conflicts and at the same time, he will assist the County Surveyors in correcting the field notes, according to the instructions from your office, relative to the six surveys in Motley County and the two in Hall County, that I am trying to get patents for.

As for Collingsworth County, I have engaged for that work the new surveyor of that County, Mr. Smith, and have forwarded him your instructions, and he promises to begin work in April.

So, I shall wait for results from the parties mentioned.

Thanking you very much,

Yours very truly,

Wm E Hughes

47 1/2 Alley Co
Wm E Hughes' letters,
Dated fr. Feb. 14, 1911
To
March 11, 1911.

counter 32059

Thanking you very much,
Yours very truly,

I shall wait for results from the parties mentioned.

Wm E Hughes

Hon. V. T. Robinson,

Commissioner General Land Office,

Washington, Texas.

My dear Mr. Robinson:

Your of March 6th is received.

William H. Spur, sometime ago, and found he was not available.

the time I wrote him, I also wrote J. M. Johnson & Sons, bankers;

to New York City, in regard to him, and they answered back, that

George H. Williams was the man I wanted, and I dropped the matter.

I have since well of Mr. George H. Williams, and he is

now at work for our company in regard to acquisition out the

conflicts and at the same time, he will assist the County Surveyor

in recovering the field notes, according to the instructions from

the Surveyor of that County, Mr. Smith, and the Surveyor of

the County of that County, Mr. Smith, and the Surveyor of

MAR 11, 1911.

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MAR 18 1911

Referred to Comr.

Accounting Division