

1729

In re G.T.Jessup Application for survey.

Sheffield ,Texas, Feb. 25 1921

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

S.F. 12074

Dear Sir,

The date for the return of the Jessup field notes under his application, expired before I could reach Sheffield.

The survey at Rio Grande City and making my report took much more time than I had expected, and a bad spell of continued cloudy weather prevented any work in the field, so that it was impossible to do the work in the short time left.

I write in behalf of Mr. Jessup to ask you to authorize him to apply again for a survey of the tract of unsurveyed land he had applied for, so that he may renew his application and I can return the field notes of the survey.

I will be on the River at Mr. Parkers and at Noelke and Murphys for some ten days longer, so that if you will kindly write Mr. Jessup at Sheffield authorizing him to apply for a survey, I can record the papers at Stockton and forward them at once.

With this letter I send a report of progress on the survey which I would very much like to have you look over. To anyone on the ground the facts appeal very strongly. If you can kindly look over this report and let me know what your decision is under the premises, I can make the Jessup field notes in accordance with your instructions, record and return them and save a lot of time and useless recording of corrections.

This report is simply a report of progress and would not I think, require to be recorded as the object is not to establish a survey but to ask for instructions as to the proper method of construction of surveys under the facts reported, when the final survey was made it would be duly recorded and forwarded to you.

Respectfully

R. H. Dod

Licensed Land Surveyor

RECEIVED

MAR 3 1921

Referred to Map

*See Carbon of Letter of Instructions
not attached.*

San Antonio, Texas
Director of the Land Office

The date for the return of the Texas Field notes under his special
instructions before I could reach Shafter.
The survey at Kin County City and vicinity is being completed
and the field notes are being prepared. It is not possible to do the work in the short
time left.
I will in reply to Mr. Leasing to ask you to authorize him to reply again
for a review of the field notes prepared and to be applied to the same.

The date for the return of the Texas Field notes under his special
instructions before I could reach Shafter.
The survey at Kin County City and vicinity is being completed
and the field notes are being prepared. It is not possible to do the work in the short
time left.

The date for the return of the Texas Field notes under his special
instructions before I could reach Shafter.
The survey at Kin County City and vicinity is being completed
and the field notes are being prepared. It is not possible to do the work in the short
time left.

Sincerely,
W. B. Leasing



RECEIVED
MAR 8 1881
Returned to Map



General Land Office

State of Texas

Austin

March 4, 1921.

J. T. ROBISON, COMMISSIONER
J. H. WALKER, CHIEF CLERK

Capt. R. S. Dod,
Sheffield, Texas.

Dear Sir:

This office is in receipt of your letter of the 25th ultimo in reference to G. T. Jessup's application to purchase scrap land near Sheffield in Pecos county, also enclosing plat and report of your recent surveys of certain land on the Pecos River covering the surveys surrounding the Jessup scrap.

I have carefully examined this plat and report and find same to be correct in every particular except possibly the construction of survey 35 $\frac{1}{2}$, John M. Swisher, however, your construction of that survey would be satisfactory to this office provided the owner of same is satisfied. If not, then I am of the opinion that that survey should be located by its field notes calls so as to give it a most liberal construction in favor of its area; in other words, commence at the SE corner of 36 on the W bank of the Pecos River, as found by you, and following the field notes call of the Swisher in reverse order by giving the N line its field notes call of 4548.4 varas, thence S to the N line of 2 and E with the N line of 2 and 35, I&GN, to the river and from the river to the beginning. This construction would appear to make survey 35 $\frac{1}{2}$ conflict on the W with 2 $\frac{1}{2}$ and exclude the vacancy shown on your plat between 2 $\frac{1}{2}$ and 35 $\frac{1}{2}$, but leaving the vacancy W of 36 and E of 1 $\frac{1}{2}$ and 5, however, as above stated, if the owner of 35 $\frac{1}{2}$ is now satisfied with your construction of that survey, then the vacancy would exist as you show on this plat.

The time having expired under Mr. Jessup's letter of inquiry, it will be necessary for him to write a new letter of inquiry to this office, upon receipt of which same will have immediate attention so that you may be able to complete the work while you are there on the ground.

Yours truly,

Commissioner

Clark/s

Report of Progress in a
survey of certain lands on the Pecos river
near Sheffield, Texas
by R.S.Dod
Licensed Land Surveyor.

To the
Hon. J.T. Robison
Commissioner Gen Land Office
Austin, Texas

Dear Sir,

I would respectfully submit the following report of progress in a survey of certain lands in Pecos Co. and ask your instruction as to the final location of lines and corners under the facts reported.

The object of this survey was to determine the actual location of the Pecos River on the ground between the well known and identified N.E. cor sur 37, Block 1 I & G NRR Co. known as the Pecos spring survey, and the well known and identified original S.E. cor sur 32 same Block, known locally as the "Lancaster Corner", and the relative position of the river surveys on the ground.

The N.E. cor sur 37, or Pecos Spring corner, calls for a Hackberry bearing and although the old tree is gone, its location is well known by another hackberry standing near by where the old tree stood. The spring is only a short distance from the corner. It has been always recognized as the original corner and can easily be established by competent testimony.

The twin survey, made by the same man at the same time, on the east or left bank of the river, sur 46 calls to run west, to a point on west bank of the Pecos Hackberry 5" X bears W. 15 varas, mouth of Pecos spring bears N 45° W 14 vrs.

The same meander calls are given in both the surveys, but they failed to close by several hundred varas in easting on 37 and westing on 46.

The difference between the north line and the south line on 37 gives an easting of 1770 varas on the lower line, and the difference between the upper and lower lines on 46 give the same difference of 1770 varas westing on the upper line, consequently we would look for the error in the meander calls, and at once note the extraordinary call (for the Pecos) of N 81 1/2° E 1335 varas.

To test this we went to the Pecos Spring corner and meandered the river as follows;

S 44 1/2° E 37 vrs, S 59 1/2° E 266, S 60 45' E 571, N 80 45' E 175, S 32 5 45' E 200, N 75 50' E 423, N 48 45' E 168, S 23 E 410, S 26 1/4° W 231 varas, or South 950 varas and East 1647 varas to a point on the present right bank of the Pecos river. This is a perpendicular bank, some 10' to 12' high, at a curve or bend in the river, with the water immediately below it, and at this point the original field notes call for a rock marked "I R" and a small gum tree bearing.

On turning now to a report of Mr. O.W. Williams made as Co. Sur. of Pecos Co. and filed in the Gen. Land Office Apr. 7 1894, and marked File 25 B Pecos Co., a copy of which was kindly furnished me by the Gen. Land Office, we note that Mr. Williams states that he ran to "the marked cor at Pecos Sp. S.E. 535. Th. S 45 1/2° E 330 vs. S 58 1/2° E 1720 vs. N 15 W 190 vs to N.E. cor 36, a southing of 945 varas and an easting of 1651 varas. And on his plat, a part of the same report, he states at this point he found the original "IR" rock, but the bearing was gone, and he added a rock mound one rock marked XVQ1. This corner stood for some years and was well known in the country, is referred to as identified by Mr. Ratchford in one of his reports, as Co. Sur. of a run from Lancaster corner to Pecos Spring

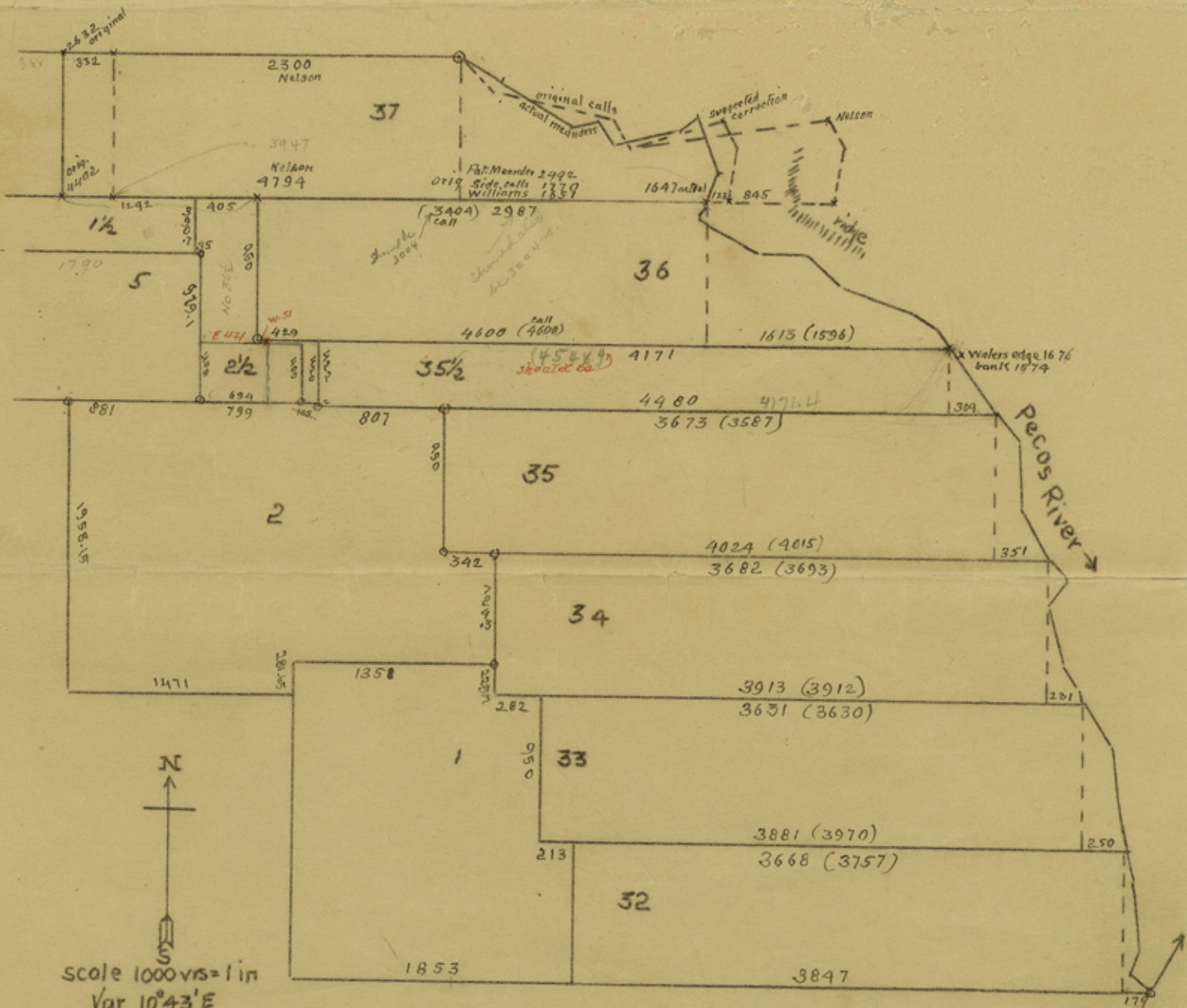
Mr. Turner, owner of the adjacent survey stated to me that the corner and some fence posts had been washed off

with the bank, a few years before we first

SKETCH
of certain Surveys on the Pecos River, Pecos Co. Texas,
and connections with adjacent Surveys,
made from actual survey on the ground, Feb. 1921,
by R.S. Dod,
Licensed Land Surveyor.

I, R.S. Dod, Licensed Land Surveyor, do hereby certify that the sketch below is true & correct, and that all courses, distances, lines, & corners are therein shown as found on the ground by actual survey made by me in the field according to law. Feb 1921

R.S. Dod
Lic. Land Sur.



G. T. JESSUP & SONS



SHEFFIELD, TEXAS

counter 33751

Pecos Co. sb. file #46

visited this point, but Williams survey, Ratchfords identification, the statements of Mr. Turner and others, show that the original corner did at one time exist not far east of the point on the bank reached by our meanders from Pecos Spring. The easting given by the difference of sides in the original survey is 1770 varas, 123 varas east of our point on the bank, and 119 east of Williams location of the original corner.

Some 200 to 250 varas east of our meander point on the river, the land begins to rise until it forms a ridge or back bone some 75 to 100 feet high, if Mr. Nelson who made the corrected field notes for survey 37 had gone on the ground he would have found that the location, 845 varas east of our meander point, would require the Pecos river to climb a hill some 100' high, of course a physical impossibility, and that the error in the original field notes requiring correction was in the original meanders not in the side lines.

Mr. Nelson must have accepted the original meanders, with their glaringly erroneous call of 1335 varas, and altered the side lines, in his office, to force a closure without ever going on the ground, for a simple inspection of the country shows the impossibility of his attempted correction, and Williams finding of the original S.E. cor sur 37, shows Nelson's calls to be in error some 800 vs east.

On the other side of the river Will Bonnell made corrected field notes corresponding to Nelsons, accepting the meander calls and changing the side lines, but my experience in attempting to follow Mr. Bonnell leads me to think that he rarely went on the ground to make his own surveys, and one would hardly expect him to go on the ground to correct another mans work, if he had he would have seen where the original error lay.

Please note that Mr. Nelson is the same surveyor who attempted to correct the original fieldnotes of survey 545 in this same Block and placed the Pecos River some 1600 varas west of where it is and where the field notes of survey 56 on the east bank place it.

As this matter is one of great importance locally, and the only statement contradicting the facts as we find them, is the statement of Mr. Nelson that he went on the ground and made the survey on which he bases his correction of the field notes of survey 37, I would call your attention to the fact that in his report of the County line run by him between San Francisco and Barilla Spring, he states that he erected mounds or monuments at each mile and marked a rock with certain letters and figures. In the proceedings of the District Court of Reeves County, the evidence of the County surveyors of Brewster and Pecos Co.s was that they had searched for but never found any of these marked County line corners, their evidence and that of others showed that none of these corners had ever been seen. The Court decided that the line was unmarked and appointed a surveyor to run a line from San F. to Barilla, this was done but no single marked corner was found on or near the line between the two points. In other words the 90 odd rock monuments which Mr. Nelson says he placed on this line have disappeared entirely, they are either so far from the line that they can not be found or at any rate they are not where his report states that he set them. What I wish to draw attention to is that in three instances the line or marks which Mr. Nelson states he found or set at a certain place, can not be found there, and consequently one might expect similar errors in his other statements.

I have sketched on ~~the~~ map our run from Pecos Spring, the original meander calls and also where the correction of the call 1335 would throw the original lines if made to fit the side line calls as given in Kuechlers fieldnotes.

These facts would seem to fix the N.E. cor of sur 36 some 123 varas, more or less, east of the point on present river bank reached by our meander line from Pecos Spring at 950 varas south.

From this point we ran south 950 vrs and turned east and ran 1612 varas to the river. The bank on the west is here a dirt bank some 8' to 10' high, across the river some 120 varas is another dirt bank and a few large willows, said locally to indicate an area five or six

The river then runs along the foot of a lime stone bluff 30' to 50' high. I was told that 30 years ago there was barely room for a wagon to drive between the bluff and the river bank, now the space is too narrow.

The river channel seems to have been confined for a long time between these dirt banks. Erosion on both banks can be noted, but no serious change. The river can not go east without climbing a 30' wall of solid rock, so that the original corner of sur 36 must be some where in or west of the present river bed. If you attempt to follow the Nelson meanders for 37 and then original on down to 36 you must climb the rock bluff and go some way up the hill back of it to reach S.E. cor 36.

This rock bluff continues down the river south east until about east of N.E. cor sur 33.

The call for easting between N.E. & S.E. 36 is 1596 varas, allowing 123 vrs as extreme easting from our point near N.E. 36, we have at S.E. 36, $1612 - 123 = 1489$, taking Williams location of N.E. 36 as given above, we have $1612 - 4 = 1608$.

At the S.E. cor sur 36 Williams sur 35 1/2 Swisher begins. His field notes call to run from this point S 24 1/4 W 909, with the river, whereas the river now runs S 36 1/4 East, and has run south east for at least 35 years as evidenced by the bluff, the present river bed, the unbroken surface of the land back from the west bank, and the evidence of Jeff Smith, Holmes, Wiley and others as to the old road and general course of the river along the bluff.

Either this is simply a clerical error, in which case it can readily be corrected by making the calls for the south line the calls for the north line, inverting the survey as described, or it is an attempt to force the field notes to comply with Nelsons corrected field notes of 37 and get back off the mountain to the river valley.

Mr. Williams own field notes of his run show that he did not meander the river, and the fact that his plat does not conform to his field notes, seems to show that he tried to accomodate his survey to the Nelson work, and platted the river out on the mountain where Nelson had it and tried to get back to his connection between Pecos spring and Lancaster corner by running S.W. instead of the actual course of S.E.

However it happened there it is and to follow the Nelson-Williams calls puts the S.E. cor sur 35 1/2 in the hills over in Crockett County some 600 or 700 vrs from the actual river.

If we follow Williams actual run, not his map, we get from N.E. 37 to N.E. 36 all right, but after that he never touches the river till he reaches the S.E. cor sur 32. (Vide his statement of traverse run on file 25 B Pecos Co.)

From the N.E. 36 to S.E. 32 his traverse makes an easting of 3151 varas, we make it 2934, a difference of some 217 varas, by our meander of the river.

We ran from the Lancaster corner to the "IR" rock by a traverse and made a westing of 2960 varas. We now made a survey from the Lancaster corner up the river following the actual meanders, and checking on the "IR" rock made a westing of 2957.

Mr. Williams traverse gives him 5880 varas southing = five half miles and 830 varas left for 35 1/2. But we get only 5172, a difference of 408 varas leaving only 422 for the Swisher survey.

The comparison of Williams field notes with his map and with the facts as found on the ground, leave one absolutely at a loss with regard to the location of the Swisher survey by his field notes, except the one fixed starting point, the S.E. cor 36 and N.E. cor 35 1/2.

It is the breaking apart of the original chain of surveys makes it almost impossible to retrace the footprints of the original survey of the river surveys. The northing from the Lancaster corner to the Pecos spring corner shows that they put in an excess of some 80 varas to the survey between these points and this must be distributed pro rata to reach points on the river common to adjacent surveys which will give the distance called for on the side lines run out from the river.

If you pull two surveys apart, as 35 & 36 are pulled apart, you can not expect the measurements out to the back lines to give the same difference as when both lines are measured from the same point, the lower line will fall to the east and the bend it happens to strike will make at times a difference of a hundred varas. So each line when measured from the ~~29x~~ 950 vara point differs from what it would be, relative to the beginning, from the same distance measured from the 950 plus the excess.

The local tradition along the river of the making of the original survey is as before reported, that the surveyors ran from the Pontoon crossing down the river, and the facts developed on the survey of the river seem to confirm this.

It would seem probable that they quit meandering the river at the S.E. cor of 37 and ran south to the north line of 35 and put in the "IR" rock found near the old San Antonio Road, they ran another 1/2 mile and put in another rock, which Holmes tells me he and Lea found but supposed it was float, as it was not set in the ground, they ran on and put one in 344 varas from the river on nbl 33, at S.E. 32 they were near the river and the peculiar bend & called for a corner which they made and marked and which is there today.

We looked for the rock Holmes spoke of but did not find it. We went to our traverse point on the west end of the bridge and ran out to the course and distance for the rock on nbl 33, found traces of the old road but did not find the rock. We noticed that almost all the surface rock had been carried off to build the causeway at the bridge, and to build a stone dam at a windmill near by.

Under the accepted construction of these surveys, as I understand it, 32, 33, 34, & 35, each take 950 varas northing regardless of original calls, though I find no corrected field notes for the meanders or back lines.

We therefore started at the S.E. cor sur 32 and carefully meandered the river, as shown in the attached field notes and sketch.

I tried to keep track of any probable or material change in the river bed, and noted that from S.E. 32, which is at the east foot of a rock hillside, to a point near the west end of the bridge, the bank run by our meander line seems to be the extreme west bank of the river bed, from there on, after the first two calls, the river is an extreme east channel, along the lime bluff or a short distance west.

The stations for our meanders were taken sometimes on the high bank, and sometimes in the river bed, the lines sometimes cut across river bends, passing from 20 to 30 varas east of the actual bank, but in general the stations are points on the river bank and the meander line between follows fairly close to the actual course of the river.

There does not seem to have been any serious erosion or great change in the river along these lines and our meanders of the present river are probably not far from the location of the river at the time it was surveyed, consequently the back lines of surveys 32, 33, 34, 35, were figured from the calls of the original field notes, and found to fit fairly well with the location of the river. This method makes the length of the north line of 35 = 3673 varas, the original call being 3587, 86 varas excess, and we put in the N.W. cor sur 35 4684 varas west and 3800 varas north of the S.E. cor sur 32.

But here our chain of original surveys was broken and we had to go to the Pecos Spring corner and come south 1900 varas, which we did, then as recited above, ran 1613 east to a point on the river for S.E. 36 and ran west from that point 4600 varas as called for and made the S.W. cor sur ~~48~~ 36.

This leaves 422 varas between the south line of sur 36 and the north line of survey 35, and the S.W. cor sur 36 is 1236 varas west of the N.W. cor of 35.

It remained to locate the Swisher survey, and the only reasonable and practical method seemed to be to invert the calls to fit the actual river and place the south line where the field notes placed the north line. This we did and ran

*See entry of instruction from Judge Clark
of date 3-4-21 hereto attached.*

the north line of sur 35 1/2 4171 varas west from our S.E.cor sur 36, or 429 varas east of the S.W.cor 36, as above located.

We then ran south the 422 varas and east 807 varas to the N.W.cor sur 35, and on 4480 varas in all to the river at N.E.cor sur 35.

If the south line of sur 35 1/2 could be run 408 varas further south as called for in Williams field notes, the line would run 127 varas further east, (see meander runs) and we would have for the south line 4480 plus 127= 4607, the original call being 4548, which shows, I think, that our location of this survey is very close to that intended by the original surveyor, but warped by his error in the river call.

We have then definitely located original N.E.37,
and apparently approximately " N.E.36,

Definitely located the S.E.cor 32, from its original bearings,

and so located river corners and back lines of 33, 34, 35, that they fit fairly well the original calls out from the river,

and inserted sur 35 1/2 as nearly in accordance with its beginning point and original dimensions, as was possible owing to conflict with older survey 35.

It now remained to connect these corners of the river surveys with the corners of survey 5 Tex. & Mex. sur 1 1/2 Sheffield, and sur 2 1/2.

Survey 5 had been already resurveyed and reported and the corners and lines of the resurvey examined and approved. So also with sur 1 1/2 which ties to sur 5, and sur 2 1/2 also ties to 5 and runs course and distance from the S.E. cor of sur 5.

We went to the S.E.cor sur 5 as located and marked on our previous survey, and ran to our S.W.36 as above located and found S.E.5 to be 370 varas west and 420 varas south.

We found the N.W.cor sur 2 1/2 to be 370 west and 20 south from our S.W.36, and the N.E.cor sur 2 1/2 to be 105 varas west and 20 varas south of the N.W. cor sur 35 1/2 as above located, and the S.E.cor sur 2 1/2 to be 105 west and 2 varas north of the S.W.cor sur 35 1/2.

The N.E.cor sur 5 is 370 varas west and 579.1 varas north of the S.W.cor sur 36, and the S.E.cor sur 1 1/2 is 35 varas west of N.E.T, or 405 west of N.W. 36. The east line of survey 1 1/2 runs north 390.7 varas to a point in the south line of survey 37, as before reported on a former survey, and will be 405 varas west of the N.W.cor sur 36 in the south line of sur 37.

Sur 2 Tex & Mex, if I understand correctly your instructions in the matter, will run east from the S.E.cor of sur 5 to the west line of sur 35 1/2 thence south 2 varas to the S.W.cor 35 1/2, thence east 807 varas to the N.W.cor sur 35, thence south 950 varas to the S.W.cor sur 35, thence East 342 varas to N.W. 34, thence south 724.3 to N.E.cor sur same block as beginning at S.W. cor sur 32, thence with north line sur 1 west 1358 varas, thence south 281.65 vrs thence west 1471 varas, thence north 1958.15 varas to sbl 5, thence east 881 vrs including some 200 odd acres of excess between the east line of sur 2 by its original calls and the west lines of river surveys as above located.

The unoccupied land for which Mr. Jessup would make application, would under the above construction, begin at the N.W.cor sur 2 1/2 in the east line of sur 5 Tex & Mex. and run north 579.1 varas to N.E.5, thence west 35 varas to S.E. 1 1/2 thence North to the N.E.cor sur 1 1/2 in the south line of 37, thence East with sbl 37, 405 varas to N.W.36, thence south with wbl 36 950 varas to S.W.36, Thence east 429 varas to N.W.35 1/2, thence south 420 varas to nbl 2 Tex & Mex. Thence west 105 to S.E. 1 1/2, thence North 400 varas to N.E. 2 1/2, thence west 694 vrs to the beginning.

The above I think states the facts as found in a recent survey made so that I might submit the matter to your judgement, and I would ask you to kindly look over the above report and instruct me whether I shall make Mr. Jessup's sur-

survey under the construction of surveys outlined above as based on the facts above reported, or what changes if any, you think should be made.

Respectfully submitted,

A. L. Dod

Licensed Land Surveyor.

Will you kindly address me at Sheffield, as I will be in touch with that place for some ten days at least, and on receipt of your instructions can at once complete the survey.

Meanders of the Pecos River from S.E. cor sur 32 Block 1, I&GN.

N 50 15'W	215
N 43 20'E	138
N 8 W	21
N 2 30'W	315
N 8 35'W	120
N 16 00'W	268

N 16 00'W	152
N 3 15'W	206
N 6 50'W	300
N 13 30'W	54
N 31 00'W	288.3

N 31 00'W	97.7
N 34 20'W	182
N 11 00'W	403
N 31 40'WE	173
N 25 50'W	52
N 28 50'W	144.7

N 28 50'W	395.3
N 9 30'W	505
N 36 15'W	130

N 36 15'W	523.5
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N 36 15'W	150.5
N 64 00'W	184
N 73 15'W	499
N 45 00'W	320
N 47 00'W	48
N 89 35'W	278
N 58 00'W	136
N 64 20'W	311
N 57 00'W	22
N 26 15'E	143.

Meanders from Pecos Spring corner

S 44 30'E	37
S 59 30'E	266
S 60 45'E	571
N 80 45'E	175
S 32 45'E	200
N 75 50'E	423
N 48 45'E	168
S 23 00'E	410
S 26 15'W	231

~~279~~
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Report of R.S. Dod
on
Surveys in Pecos Co.
in vicinity of
Sheffield - From "Sonsaster"
Car" to "Pecos Springs Comb"
Received Mch 3, 1921

Sketch is on 4th page.

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