

3028

Shafter, Texas, Dec. 20, 1908.

Hon. J. T. Robinson, Land Commissioner,

Austin, Texas.

Sir;

I have been informed (not officialy) that the corrected field notes forwarded into your office, by me, of surveys No. 5 J. W. Spencer and sur. No. 13 Ralph Wright in Presidio County, Texas, on or near ~~XXX~~ where the town of Presidio is located have been rejected but for what reason I do not know, the original field notes of these surveys were evidently wrong; as can be seen by a glance at the map of Presidio County now in use in your office, which shows that the river is about one half a mile too far West, not connecting, about two miles up the river from said survey No. 5 and that it shows a large vacancy North and East; which does not exist but in a small part, all of which is caused by the erroneous surveys mentioned.

The land on which Survey No. 5 is located was first surveyed by Dr. W. L. Diffendofer, District Surveyor of El Paso Dec. 14, 1853 who established the N. W. corner, which corner was taken for the S. W. corner of survey No. 12, Ralph Wright, by Steven Archer Dis. surveyor of El Paso May 1, 1855, the surveys made by Dr. Diffendofer were two, 4 and 5 of 160 acres each, down the river from point of beginning, but which were afterwards changed and surveyed up the river, from former established corner; as Surveys Nos. 12 and 13 by Steven Archer and the land, formally covered by them was preempted by J. W. Spencer and Surveyed by J. C. Hubbell District Surveyor of El Paso Aug. 25, 1862.##

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As survey No. 5, 320 acres, covering 672 varas front, of the former surveys made by Dr. Diffendofer the course of which; (Diffendofer) on river front corresponds with my corrected field notes. The South line of survey No. 5 (by old field notes) does not reach the river bank or tied corner; as called for ~~by~~ more than 200 Varas, the corner and witness can be proved, by living witness and which, I, myself have seen, although now gone having been washed ^{away} by the river. You have a blue print on file in your office, which shows the correct location of the surveys, in question; as made from actual and careful surveys which properly connects the river and eliminates ~~to~~ a great measure the apparent vacancy that shows on map north and East of surveys 5 and 13.

If the errors shown on the map must be perpetuated, then the old field notes must be followed but I think that the tied corners on the river should hold and the distance made to correspond, otherwise Survey No. 5 will contain much more land than the field notes call for, to wit 320 acres.

Survey No. 13 is in the same condition for following down from the S. W. corner of survey No. 4 Larkin Landrum, (the corner of which there is no question) ^{as} and per old field notes, it would place the town of Presidio on the Mexican side of the river; that is, continuing the survey across surveys 12 and 5 by original notes, it is quiet evident that the survey made by Mr. Hubbell was made by guess and very bad guessing at that, here with I send copy of field notes of sur .

4 made By Diffendofer with sketch showing the difference of the two the field of which are on record in this office.

Respectfully Yours,

County Surveyor

L. H. Brooks # 3
Presidio Co

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#3

P. S.

In surveying surveys Nos. 12 and 13 Ralph Wright from the N. W. corner of survey No. 5 J. W. Spencer according to the old field notes it throws the N. W. corner of survey No. 13 on the Mexican side of the river by ~~XXXXXXX~~ a few hundred varas , and in correcting this survey, I commenced at the N. W. corner of survey No. 12 Ralph Wright for the S. W. corner of this survey and fixed the N. W. corner of this survey at the S. W. corner of survey No. 4 Larkin Landrum and ran back the required number of varas to make up the 160 acres that the survey calls for and in doing this I had to take about 300 varas from survey No. 13 Nancy Moore, of which survey I also made corrected field notes.

Let me know at your earliest convenience if these field notes have been approved or not.

Respectfully Yours,

G. H. Brooks
Co. Surveyor
Piedmont Co.

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counter 34488

Field notes of

Survey No. 4, 160 acres.

Variation $11^{\circ} 30'$ E.

Survey No. 4 nearly opposite the town of Presidio Mexico, made for J. W. Spencer assignee of Edwin P. Sims, being a part of the land to which he is entitled by virtue of 2d. class certificate No. 4 for 320 acres of land.

beginning at a stake on the bank of the Rio Grande at the lower ~~XXXXXXXXXXXX~~ mouth of the arroyo Cibulo which bears $N. 62 \frac{3}{4}^{\circ} W. 4346$ vs from the lower corner of survey No. 3 as made by R. A. Howard, a
onwood tree 10' ... bears

Thence E. 1900 varas to a stake and mound,

Thence South 475 varas to a stake and mound,

Thence West 1900 varas to a stake on the bank of the Rio Grande from which a willow tree 7 inches in dia. bears $N. 21^{\circ} E. 107$ varas, a mesquit 10 inches in dia. bears $N. 85^{\circ} E. 204$ varas,

Thence up the river with its meanders 475 varas to the place of beginning.

Surveyed Dec. 14, 1853.

W. L. Diffendofer

Bearings marked =

District Surveyor - El Paso Dis.

State of Texas,

County of Presidio,

I, G. H. Brooks, County Surveyor of Presidio County Texas, certify that the above is a true copy of the field notes on record in this office.

G. H. Brooks

County Surveyor, Presidio County.

Q4

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cord in this office.

Texas certify that the above is a true copy of the field notes on re-

I. G. H. Brooks County Surveyor of Presidio County

I. G. H. Brooks

County of Presidio

State of Texas

hearings marked \equiv

District Surveyor - El Paso Dis.

Surveyed Dec. 14, 1853.

W. L. Diffendolfer

beginning.

Thence up the river with its meanders 475 varas to the place of

a meaduit 10 inches in dia. bears N. 65. E. 304 varas,

from which a well for tree 7 inches in dia. bears N. 51 E. 107 varas,

thence West 1800 varas to a stake on the bank of the Rio Grande

Thence South 475 varas to a stake and mound,

Thence E. 1900 varas to a stake and mound,

From the lower corner of survey No. 3 as made by R. A. Howard,

beginning of a stake on the bank of the Rio Grande at the lower

County Clerk

380 acres of land.

which he is entitled by virtue of Sd. class certificate No. 4 for

of J. W. Spencer assaigee of Edwin P. Sims being a part of the land

Survey No. 4 nearly opposite the town of Presidio Mexico, made

Presidio

Sketch File No. 36

Field Notes of

160 acres

Descriptive:

Variation 11. 30' E.

counter 34490

Dated December 20, 1908