

Leonce B. Cole

District and County Clerk
Sterling City, Texas.

In re Block 7, H. & T. C. Ry Co., Sterling Co., Waco of

RECEIVED

SEP 17 1912

Referred to Map

J. T. Robison, Commissioner,

Austin, Texas.

Dear Sir:

The records of field notes here show the original survey of Blocks Nos. 5, 6 and 7, Houston & Texas Central Railway Company surveys to have been made by M. J. Doyle in January 1873, and from what data I have at hand, it appears that the odd surveys were patented to the rail-way company describing same as per the original field notes.

I understand that in the year 1884 or thereabouts, Stephen Turner made a re-survey of these blocks, but that for some reason, the field notes of his re-survey were never filed in the General Land Office. The reason given here by various persons is that on account of Turner's refusal to pay (or the railway company's refusal) the District Surveyor of Tom Green County his fees for recording field notes, that the same were never recorded. It is also stated here by sundry persons that the General Land Office does recognize surveys made on the ground which are in accordance with Turner's survey, kindly advise me if this is true?

counter 37115

*See sketch in SF. 9975 or 6
9-25-12. Rosenberg*

*Ans'd 10-22-1912
Rosenberg*

The re-survey by Capt. S. Turner of Waco of Block 29430 W & N.W. of Sec 38 in the N.W. corner of Sterling Co. Tex. Geo. M. Williams was instructed to return said plat 29430 and his work has been approved by this office.

not no. in office of Williams

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If it is true that the General Land Office recognizes surveys based on Stephen Turner's work, which is not of record, and apparently not recognized or authorized, is it not somewhat out of the ordinary? If this is -out of the ordinary, there is probably some good reason for it, and I would appreciate any information you may be able to give me in the matter. If there is a plat and field notes ^{of Turner's survey} in the General Land Office, I would be pleased to have a copy of it, and will remit whatever the fee may be therefor, upon advice.

I have been doing some work in Block 7, and find some corners alleged to be Turner's corners, however have no record to prove them with. Again while the original work is not plain upon the ground, it does seem to me that Mr. Turner's work is not consistent with it, however -have not yet done enough work to be sure in this.

To settle a question raised in the matter, will you kindly advise me which, in your opinion, would control, the corners located by retracing the foot-steps of the original surveyor, and upon which the patents were issued, or the corners set in by Stephen Turner, in the event the two surveys are not found to be consistent upon the ground. In my mind, there can be no doubt, but that the original corners will control, if they can be located, but there are contentions by others to the contrary.

Will appreciate any advice and light you may be able to give me on the subject. Thanking you for an early reply, I am,

Yours very truly,

A. M. Stouhau
Deputy Surveyor, Sterling County.

counter 37116

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GENERAL LAND OFFICE
STATE OF TEXAS
AUSTIN

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

10/22/12

L.B. $\frac{1069}{666}$

Mr. H. W. Stoneham,
Deputy Surveyor Sterling Co.,
Sterling City, Texas.

Dear Sir:-

Your favor of the 16th ult., and of the 11th inst have been received but our reply was delayed on account of the absence of the Chief Draftsman.

In regard to the original survey of Blocks Nos. 5, 6, and 7, H. & T. C. Ry. Co., in Sterling, Tom Green and Irion Counties (formerly Bexar territory) made January, 1873 by M. J. Doyle, Deputy Surveyor Bexar Land District, will say that according to the statement of our Chief Draftsman, Mr. E. von Rosenberg, who has been an employee of this office since December 21, 1876, and who had an acquaintance with Capt. M. J. Doyle covering a period of fifty years, including the time Doyle was employed as a draftsman in the General Land Office, Doyle did not measure a line nor establish a single corner in any of the above mentioned blocks. They were simply a projection, made in the office, or while in camp near Fort Concho. He simply had a copy of the General Land Office map at that time in use, showing all the territory to be vacant unappropriated land, and his original plat accompanying the field notes, is on file in this office. Hence, when Capt. Turner in his resurvey of these above mentioned blocks resurveyed same, it is presumed he conformed to the original intent of the locator Doyle and this office is recognizing the Turner corners in the northern portion of said Blocks 5, 6 and 7, being that portion in the southern part of Sterling County. For your information see rough pencil copy and plat of corrected field notes of Surveys No. 85 and 86, Block 5, H. & T. C. Ry. Co., in the N W corner of Tom Green County, based on the Turner corners, the corrected field notes of said Surveys 85 and 86 are in the hand writing of the H. & T. C. Ry. Co.'s draftsman, dated October 26, 1886, signed, approved and recorded by H. B. Tarver, Surveyor Tom Green County, and recorded in Book E, No. 1, pages 36 and 37. The patents were issued on both of said field notes. There are no maps nor field notes by Capt. Turner on file in this office. Blocks 29 and 30, Waco & North Wester R. R. Co., in the N W corner of Sterling County, as resurveyed by Capt. Turner are not recognized by this office. The resurvey by State Surveyor Geo. M. Williams of said two blocks

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counter 37117



GENERAL LAND OFFICE
STATE OF TEXAS
AUSTIN

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

No. 2.

are on file and approved and so recognized by
this office.

Yours truly,

E von R/Nolen

Acting Commissioner.

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counter 37118

4061

RECEIVED

OCT 15 1912

Referred to Map

Sterling City, Texas.
October eleventh, nineteen twelve.

Hon. J. T. Robison,
Austin, Texas.

Dear Sir:

Some time since, during September, I addressed an enquiry to your department relative a survey made by Stephen Turner of the several Houston & Texas Central Railway Company blocks in this county, to know whether or not such a survey had been made and reported to your office, and also as to what weight was now given to surveys based on this unreported work (supposed unreported and unapproved) of Turner?

As it is the general impression that Turner's work is accepted, or rather that surveys based on his work, ^{are} accepted by your department; and in view of the fact that we have little else to work from, I am desirous of knowing in just what light his work, or surveys based on his work, are viewed by the General Land Office, or what weight is given to his survey. Would like to have copy of his sketch filed in the General Land Office if possible.

Will appreciate it if you can find your way clear to give me your conclusions and holdings in this Turner survey, at as early a date as convenient, - and would also appreciate your answer to the questions propounded or proposition submitted in my former letter on this subject.

Yours very truly,
H. W. Stouckham
Deputy Surveyor, Sterling County, Texas

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Answer
10-22-1912
Robison

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counter 37119

Deputy Surveyor, Sterling County, Texas

Yours very truly,

Programme of procedure submitted in my former letter on this subject as convenient, - and will do so appropriate your answer to the questions your conclusions and holdings in this Turner survey, as as early a date will appropriate if it you can find your way clear to give me General Land Office if possible.

Given to his survey. Would like to have copy of his sketch filed in the or his work, are altered by the General Land Office, or what weight is I am desirous of knowing in just what right his work, or survey be made settlement, and in view of the fact that we have little else to work from,

10-16-1912 8.4
Sterling Co
Sketch files

Letter from
Stoneham
Depty. Co. Sur.
and answer

HW Stoneham Correspondence

Reference has been made to Bk 7, H.C. 3-24-34
Holding in Survey
See papers of
filed 3-24-34
I addressed an enquiry
to the
of the
of his
work
is
accepted
by
your
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10-22-12. counter 37/20

Hon. J. I. Robinson,

Austin, Texas.

October eleventh, nineteen twelve.
Sterling City, Texas.