

1169
485

1113

Alpine Oct 27/15

Mr. J. H. Walker

Act Comr. Gen Land Office

Austin Tex

RECEIVED

OCT 29 1915

Referred to Map

Dear Sir,

Your favor of the 4th was waiting me on my return from the River.

There seems to be some mis-
understanding as to the surveys I
made in Crane & Mpton Co. in 1913.

Bkks 35 & 36 H + T C R R Co had already
been resurveyed & the work accepted be-
fore the Orient people bought, but the
corners of the resurvey were two
miles apart & the Orient people
wished to have intermediate cor-
ners put up on their lands & the
Land Office instructed me to do this
work and the field notes for the
patented lands owned by the Orient &

counter 38824

M

the alternate State Lands were returned
to the G.O. There was no resurvey
of the Blocks ever contemplated - as the
former resurvey had been accepted.
& there was no occasion to change it.

We held to the resurvey corners as
we found them.

I had no instructions or au-
thority from the owners to put in
any corners outside of the Orient's
holdings in these blocks.

The survey below Rankin
was never made - as it would have
required the survey of 3 or 4 blocks
to determine location of a few
scattered sections.

Respectfully

R. D. Dod

State Sur.

Cover

M

In looking over my letter files
I found the enclosed copy of a
letter to your office which I
think will explain matters
as it was following this that
the letter of instructions was is-
sued. The matter was under-
stood at the time as it was talked
over pretty thoroughly.

R.D.D.

Please return enclosure.

P.P. 2 after sending in my field notes
for survey in B.R. 35 + 36 I found
I had neglected field notes for some
of the alternates + I wrote Mr. W. R. + sent
them in later.



General Land Office.

State of Texas.

Austin.

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

July 1, 1913.

Mr. R. S. Dod, State Surveyor,
Alpine, Texas.

Dear Sir:-

In reply to your favor of the 25th ult., in regard to resurveying and establishing corners to surveys adjacent to Rankin on the Orient R. R. in Upton County, and all such surveys west to the Pecos River in Crane and Crockett Counties. This is to notify you under your appointment as State Surveyor to proceed and re-survey Blocks 1 and 3, M. K. & T. Ry. Co., and Blocks 35, 36 and 31, H. T. & B. Ry. Co., and the surveys between Blocks 1 and 3, M. K. & T. Ry. Co., and the N E line of Blocks 35 and 36, H. & T. C. Ry. Co., and the surveys south of Hurdle station on the Orient R. R. that have no block numbers, and the territory between Hurdle and Rankin stations, giving all connections.

In your resurvey and constructions of surveys you should be governed by the original corners and approved corners of such blocks that were resurveyed by former State Surveyor. All school surveys should be entitled to the excess by reason of the calls for adjacent surveys, etc. See General Laws, 21st Legislature, page 103 and 104, and 26th Legislature, page 330 and 331, Chapter 188.

Respectfully,

E von R/LSN

Commissioner.

*See letter to Capt R.S. Dod
10/4/15
1169
485*

M³

Counter 38827

R.S.Dod.
State Surveyor
Alpine, Texas

Alpine, Jun. 25 1913

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

Dear Sir,

Some two weeks ago Mr. George Pert, representing the Union Land Co., came to Alpine and we went over the proposition to resurvey the lands the Company owns in Upton and Crockett and Crane Co.s.

This matter has been under discussion for some time and I talked it over with you and notified these gentlemen that certain surveys below Rankin would involve the resurvey of several entire blocks before your Office could accept corrected field notes for the individual surveys.

They asked me to modify the contract in accordance with this decision and I also explained that I could not guarantee the acceptance of the work by the Gen. Land Office, but that under their instructions I would agree to put in the corners as instructed by your Office.

Mr. Pert said he would forward you the new contract, showing what lands were to be surveyed, and request my being instructed by your Office to do the work.

I have not since heard from the matter and thought possibly you were waiting to hear from me.

These gentlemen have arranged with me for the cost of the resurvey and I am satisfied with the arrangement.

I have the field notes kindly furnished me by your Office for Blk 1 M.K.&T and for the individual surveys Baxley, Hearne and Murphy and adjacent lands. I also have copies of field notes for the lands in the H.& T.C. blocks kindly furnished from your Office, so that all I will need will be your instruction as to the work.

The H.& T.C. lands have been resurveyed and it will simply be a matter of placing corners at mile distances between the two mile corners now on the ground.

The individual surveys depend on each other course and distance and their initial points are fixed by the R.T.Co. lines and the H&T.C. corners, and the position given the Baxley by the corrected survey already made.

The M.K.& T will depend on the original corner found by running out from the Pontoon crossing and the other original corners on or near the west line of the Block where they can be found.

If you have the matter under consideration and it is deemed advisable to order the survey made will you kindly let me know, as I am waiting to do this work before undertaking some other work waiting me, and if I know that it will be made I can arrange accordingly, and wait your convenience for explicit instructions.

Respectfully

M4

counter 38828

R.S. Dod.
State Surveyor
Alpine, Texas

Alpine, Jun. 25 1913

636

RECEIVED

JUN 28 1913

Referred to Comr.

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

Dear Sir,

Some two weeks ago Mr. George Pert, representing the Union Land Co., came to Alpine and we went over the proposition to resurvey the lands the Company owns in Upton and Crockett and Crane Co.s.

This matter has been under discussion for some time and I talked it over with you and notified these gentlemen that certain surveys below Rankin would involve the resurvey of several entire blocks before your Office could accept corrected field notes for the individual surveys.

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The M.K. & T will depend on the original corner found by running out from the soon crossing and the other original corners on or near the west line of the block where they can be found.

If you have the matter under consideration and it is deemed advisable to order the survey made will you kindly let me know, as I am waiting to do this work before undertaking some other work waiting me, and if I know that it will be made I can arrange accordingly, and wait your convenience for explicit instructions.

Respectfully

R. S. Dod

Rosenberg

M5

counter 38829

4/28

Make Certified Copies of F/m of following -

Scip	4242	Sec. 5	- BK 35 -
	4243	" 7	"
	4245	" 12	"
	4250	" 21	"
	4251	" 23	"
	4252	" 25	"
	4253	" 28	"
	4255	" 31	"
	4258	" 37	"
	4259	" 39	"
	4263	" 47	"
	4264	" 49	"
	4265	" 51	"
	4266	" 53	"
	4268	" 57	"
	4283	" 5	- BK. 36 -
	4287	" 13	"
	4288	" 15	"

For Capt R. S. Dod

18 Field notes \$18⁰⁰ Alpine, Texas -
Bexs, above shown

4/28/13 typed

Remit \$18⁰⁰

Mb

308

Alpine Texas April 10 1913

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

RECEIVED
APR 12 1913
Referred to Map

Dear Sir,

I have completed the work in Dawson Co. and having returned to Alpine am preparing my report, which I expect to have ready and forward to you in a few days.

I will then be ready to take up the work for the Orient Land Co. in Upton Co. if you will kindly send me what fieldnotes and instructions may be necessary.

My letter of Mar. 18 will show what lands they wish to have surveyed.

My report on the Dawson Co. survey will be a report of progress as there are certain legal questions involved which a surveyor could not determine.

I think we can present the facts developed by the survey so that a decision can be reached under the premisses.

Respectfully

R. S. Dod

State Sur.

M7

counter 38831

Alpine, Texas March 12 1913

388

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

Dear Sir,

Last August I had some correspondence with Mr. W. W. Colpitts, at that time Chf. Engr. K. C. M. & O Ry. relative to the probable cost of resurveying some lands in Upton Co. finally I agreed to put corners on the surveys for a certain sum, and advised him to communicate with you if he wanted the work done Officially. Mr. Colpitt left the Orient and I heard nothing more until receiving the contract from Mr. Draper, a copy of which is enclosed. Also a copy of my letter to Draper.

I have advised Mr. Draper to write you at once. If Mr. Draper makes the application then I would like instructions as to how much work will be necessary to make the survey valid.

With the H. & T. C. Block there is no trouble.

With the M. K. & T. Blk. There is a row of corners called for N & S about the west edge of the surveys colored. If I dont have to go out of this I can do very well, but if the whole block is to be resurveyed it is quite another matter.

When you have heard from Mr. Draper, will you kindly return the copy of contract to me at Alpine.

Respectfully

R. D. Dod

State Sur.

RECEIVED

MAR 18 1913

Referred to Map

counter 38832

M⁸

Hon J. T. Robinson
Comr Gen Land Office
Austin, Texas

Dear Sir,

If you decide to authorize the
Upton Co resurvey for Mr. Graper, will
you kindly send me field notes of
resurvey of the R+rc surveys marked
on the plat.

I have a working sketch of the other
blocks which was furnished when
I straightened their Pt. away.

Please excuse pencil as I am
writing on the train.

Respy
R. L. Dod

My address will be Sarrosa
until April - then I return to Alpine

M⁹

copy

Alpine , Texas , March 12 1913

Mr. W. R. Draper,
Kansas City, Mo.

Dear Sir,

I received your letter and the accompanying contracts. I must confess I was very much surprised, as I had not heard a word in regard to the matter for some months and supposed it was all off. However I think I will be able to take up the work shortly. I am now on my way to Dawson Co. where I expect to be until some time in April.

The clause in the contract with reference to the acceptance of the work by the Gen. Land Office, shows that you do not understand the Texas Law on this point. Where a resurvey or corrected survey is desired, the owners of the land apply to the commissioner of the gen. Land Office for a resurvey.

If you want the work to go on record in the Gen. Land Office, you will have to make application to the Commissioner telling him just what lands you want surveyed and asking for my appointment to that work (if you wish me to do it) and he will go over the matter and take such action as he thinks fit. Then whatever work I do is reported to him and is put on file in the Gen. Land Office.

The principal difficulty that I see, is that your sections are scattered over several blocks of land, and that the general rule of the Office has been not to accept a partial survey of any Block, but to require a resurvey of the entire Block.

In order to save time I have sent the contract and map to Mr. Robison at Austin, and suggest that you write him at once relative to the survey if you want it made.

Yours truly

M10

counter 38834

THIS MEMORANDUM AGREEMENT, made and entered into this _____ day of _____, 1913, by and between Arthur E. Stilwell, Henry D. Estabrook and Herbert Noble, as Trustees of the UNION LAND COMPANY, an unincorporated association, without personal liability on the part of the Trustees or shareholders, of the County of New York and State of New York, parties of the first part, and R. S. DOD, State Surveyor of the State of Texas, party of the second part, WITNESSETH:

That for and in consideration of the mutual covenants herein expressed, and the further consideration of Twelve Hundred Dollars (\$1,200.), payable to said Dod by said Trustees of the Union Land Company as hereinafter provided, the parties hereto agree as follows:

The Trustees of the Union Land Company hereby employ the said Dod, and the said Dod hereby agrees to render to said Trustees the following services: To survey and place suitable corner stakes or monuments at all corners of sections of land owned and held by and in the name of said Trustees of the Union Land Company in the counties of Crane, Upton and Crockett, in the State of Texas, as indicated in red on the map attached hereto and made part hereof, with the exception of such corners as are inaccessible on the Hearne Survey No. 4 and Survey 3, M.K. & T. R. R. Co., Block 1, in Upton County, and C. C. & S. F. Ry. Co. Survey No. 5, partially in Upton County and partially in Crockett County; provided, that in no case shall corners be left out or notes rendered so incomplete as to cause the General Land Office to reject the map and notes after surveys have been made and tendered to the General Land Office; and provided

further, that in the case of the sections last-above named, all corners shall be put in that can be, with a reasonable amount of work.

It is further agreed by said Dod that having made the surveys contemplated in this contract, a complete set of field notes and maps shall be rendered in duplicate by said Dod, one set for the General Land Office file at Austin and the other set for file of the Union Land Company.

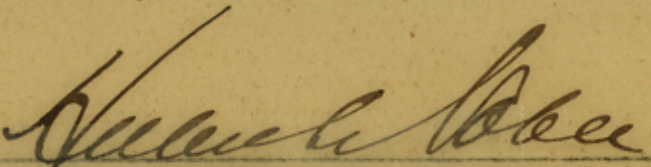
It is further agreed by said Dod that the total money consideration to be paid him for the above-described surveys is Twelve Hundred Dollars (\$1,200.), which the Trustees of the Union Land Company agree to advance to said Dod in instalments from time to time, as may be required and requisitioned by said Dod to carry on said work; provided, that in no case shall over One Thousand Dollars (\$1,000.) be paid said Dod prior to the completion of the surveys herein contemplated and the acceptance of the notes by the General Land Office.

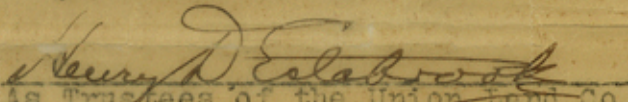
It is further agreed by said Dod that he will bear all expenses incident to the making of said surveys.

It is expressly understood and agreed by said Dod, that he, his heirs, executors, administrators, successors and assigns shall look only to the funds and property of the Union Land Company then in the hands of the said Trustees for the payment of any claims which he, she or they may make by virtue of this instrument, and for the payment of any damage, judgment or decree, or for any money that may otherwise become due and payable by reason of the failure on the part of said Trustees to keep and perform any of the provisions of this instrument, to the end that

neither of the said Trustees, nor the shareholders present or future of the Union Land Company shall in any respect or in any event be or become personally liable under any of the terms and conditions of this instrument, as provided by the Declaration of Trust and By-Laws of the Union Land Company, recorded in the Land Records of Upton County, State of Texas, Book 10, at pages 41 et seq., to which reference is hereby made.

IN WITNESS WHEREOF, Henry D. Estabrook and Herbert Noble have signed these presents as Trustees on behalf of the Trustees of the Union Land Company, and the said R. S. Dod has signed this instrument, the day and year first above written.




As Trustees of the Union Land Co.

- 9 -

Depton Co

Trustees Union Land Company

-with-

R. S. Dod.

Contract for Surveying.

Dated, *July 1, 1913.*

7/1/13

650

counter 38838

M14