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W. D. TWICHELL

P. O. BOX 776

SAN ANGELO, TEXAS

July 30, 1943.

RECEIVED

AUG 2 - 1943

REFERRED TO MAP

Hon. Bascom Giles.
Comr. Gen. Land. O.,
Austin, Texas.
Dear Sir:-

I have before me photostat of an erroneous instrument which was filed in your office March 3, 1937, as "Surveyors Statement", now in your Sketch File No. 9 Ward County. I corrected the statement involved by rewriting the entire instrument to assist attorneys in presenting facts involving a vacancy, which I afterwards determined by actual measurements, was impossible. The contents of this instrument as it appears in your Sketch File No. 9, Ward County, should not have been filed in your office because it is incorrect, misleading, incomplete as compiled by me, and contains statements which are not true.

I have before me carbon of my office copy of the statement which I compiled to correctly present the facts and circumstances involved, to attorneys before this erroneous instrument was filed. This instrument was witnessed by Naomi Kiser. I do not recall J.B. Webb.

This carbon copy of my true statement, changed the document which was afterwards filed, by eliminating incorrect statements, adding necessary true statements, and by transforming legal lore into surveyors expressions.

In my true statement Twichell has no T in the middle and no Twitchell under my signature. The true statement was not made as a surveyors report, to the General Land Office, but related to facts which attorneys attempted to compile for their personal assistance as made up from my answers to questions while reviewing his cause of action.

The attorney requested me to sign the statement as he prepared it; and as it now appears, verbatim, in your sketch file No. 9 and in any event to return his original statement to him. I did not sign his statement, but I did return his original statement to him and that is now of record, for it compares verbatim with his carbon which is in my files and which I definitely declined to endorse or approve.

My signature and witness were attached to my own correct statement. I do not sign statements with T inserted in middle of my name. The signatures as of record could have been traced verbatim from those which are subscribed to my true statement that I delivered to the interested parties.

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In any event this statement, now on file, should not be presented to the public as correct, or as a surveyors report interpreting the intention of surveyor etc when marking land lines thirty five years earlier.

Yours truly,

W D Twichell

W. D. Twichell.

WDT/mt.

D-328

W. D. TWICHELL
P. O. BOX 776
SAN ANGELO, TEXAS

W D Twichell

J B Webb
Naomi Kiser

*These signatures are transferred.
Care in selecting pens and
ink can produce identical
copies.*

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D-640

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W. D. TWICHELL

P. O. BOX 776

SAN ANGELO, TEXAS

August, 27, 1943.

Hon. Bascom Giles,

Austin, Texas.

Dear Sir:-

I have your letter of August 26th referring to my letter of July 30th in which was submitted facts and circumstances as gathered from my records and files showing that "Surveyors Statement" is not infact a Surveyors Statement or a Surveyors Report to the General Land Office; but it is a compilation by an attorney which is incorrect.

My letter also shows that I repudiated the statement as drawn; did not sign it; but I submitted instead correct information for the Attorney. The purpose of this service was not intended as a surveyors report for public use, so I have not submitted this instrument for public record.

Under these circumstances I approve your suggestion that you 'can attach my letter of July 30th and cancel this (erroneous) Statement'. as it now appears in your sketch File No. 9, Ward County.

Yours truly,

W.D. Twichell,

RECEIVED

WDT/mt.

AUG 30 1943

REFERRED TO MAP

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San Angelo, Texas
March 23, 1937

STATEMENT OF W. D. TWITCHELL, SURVEYOR

My name is W. D. Twitchell, and I reside at San Angelo, Texas. I am at this time seventy-three (73) years old, and I am the same identical W. D. Twitchell who made the surveys for the State of Texas of public school lands during the years 1900--1902, inclusive, by authority of special acts of the Texas Legislature and under the direction of the Commissioner of the General Land Office, Charles Rogan.

On January 17, 1902, I was at Monohans, Texas, in Ward County, engaged in locating and surveying public school land blocks numbered B-Eighteen (B18), B-Nineteen (B19) B-Twenty-nine (B29), etc. In approaching the northwest corner of Section One (1), Block B-Nineteen (B19), public school lands, I was tracing along the Texas Pacific Railroad line and passed over a red sandstone marker, which I identified as the southeast corner of Section One (1), Block A, Gunter-Munson-Maddox Brothers and Anderson Survey. I then proceeded southwesterly along said railroad on a bearing of south seventy-two degrees (72°) thirty minutes (30') west, four (4) miles. At the northeast corner of Section Fifty (50), Block N, Gunter-Munson-Maddox Brothers and Anderson Survey, I found a large red sandstone marking the said northeast corner of said Section Fifty (50). This point was and now is south seventeen degrees (17°) thirty minutes (30') east, thirty-six (36) varas from the center point of the main line of said railroad, as described in my field record sketch under index No. Q One (Q1). I then proceeded from this point south seventeen degrees (17°) thirty minutes (30') east, five (5) miles of one thousand nine hundred one (1901) varas each, to a point described on the aforesaid field record sketch as point Q-Six (Q6), which point is the southeast corner of Section Forty-six (46), Block N, Gunter-Munson-Maddox Brothers and Anderson

Survey. I then continued on the same course one thousand six hundred forty-six (1646) varas to a point in the north line of Section Thirteen (13), Block B-Nineteen (B19), public school land survey, thence north seventy-four degrees (74°) forty minutes (40') east at two hundred twenty-four (224) varas pass the northeast corner of said Section (13) and continuing on same bearing a total distance of two thousand one hundred twenty-five (2125) varas to the southwest corner of Section Twenty-six (26), Block B-Eighteen (B18), public school land survey, said point being described in the aforementioned field record sketch under index No. Q-Seven (Q7), thence south fifteen degrees (15°) twenty minutes (20') east, five (5) miles of one thousand nine hundred one (1901) varas each to the southeast corner of Section Three (3), Block B-Twenty-nine (B29), public school land survey, which point is described in the aforementioned field record sketch under index No. R-Four (R4), thence south seventy-four degrees (74°) forty minutes (40') west three (3) miles of one thousand nine hundred one (1901) varas each to the southeast corner of Section Eight (8), Block B-Twenty-nine (B29), public school land survey, which point is described on the aforementioned field record sketch under index No. U-Two (U2), thence continuing on the same course one thousand eight hundred forty-five (1845) varas to the south southwest corner of Section Nineteen (19), Block B-Twenty-nine (B29), public school land survey, thence north forty-nine degrees (49°) thirty-five minutes (35') west one hundred thirty-three (133) varas to the north southwest corner of said Section Nineteen (19), Block B-Twenty-nine (B29), public school land survey, whence the east corner of Section Two (2), Block Thirty-four (34), H. & T. C. Railway Company Survey, bears south forty-nine degrees (49°) thirty-five minutes (35') east, one hundred eleven (111) varas. From the aforesaid east corner of Section Two (2), Block Thirty-four (34), H. & T. C. Railway Company Survey, north forty-nine degrees (49°) thirty-five minutes (35') west, one thousand eight hundred eighty-five (1885) varas to point U-Four (U4) on said field record sketch,

same being the east corner of Section One (1), Block Thirty-four (34), H. & T. C. Railway Company Survey, thence north forty-nine degrees (49°) seventeen minutes ($17'$) west, one thousand nine hundred one (1901) varas to point U-Five (U5) on said field record sketch, same being the north corner of Section One (1), Block Thirty-four (34), H. & T. C. Railway Company Survey, and at this point I stopped field work survey, because funds were exhausted. In doing this field work, I had with me the field notes of M. J. Doyle, who surveyed Block Thirty-Four (34), H. & T. C. Railway Company Survey, in 1873, and I had with me, Neyland's map purporting to show Mr. Neyland's work in re-surveying Block Thirty-four (34), H. & T. C. Railway Company Survey, in 1888. This map showed various rock mounds marking corners and survey lines by Neyland, some of which I recovered. For example, I recovered the rock mounds shown at points U-Three (U3), U-Four (U4) and U-Five (U5) on the aforementioned field record sketch. However, I discovered by actual field survey that Neyland's bearings called for as between these mounds in his field notes, as well as his distances, were in hopeless conflict with the actual location of these mounds on the ground. For example, I discovered that the distance between the stone mound at the east corner of Section Two (2), Block Thirty-four (34), H. & T. C. Railway Company Survey, marked U-Three (U3) on my said field record sketch, and the stone mound at the north corner of Section Two (2), marked U-Four (U4) on my said field record sketch, was by actual measurement only one thousand eight hundred eighty-five (1885) varas, and the bearing between these two points was north forty-nine degrees (49°) thirty-five minutes ($35'$) west, whereas the distance between the said north corner of said Section Two (2), marked U-Four (U4) on my said field record sketch as aforesaid, and the stone mound at the north corner of Section One (1), Block B-Thirty-four (B34), H. & T. C. Railway Company Survey, marked U-Five (U5) on my said field record sketch, was one thousand nine hundred one (1901) varas, and the bearing between these two points was north forty-nine degrees (49°) seventeen minutes ($17'$) west.

My construction of Sections Twenty-four (24), Twenty-six (26), Twenty-seven (27), Twenty-eight (28), Twenty-nine (29) and Thirty (30), Block B-Nineteen (B19), public school land survey, was a result of work done in the office by projection, and not by actual field work. As stated before, when I arrived at said point U-Five (U5) on said field record sketch, same being a stone mound by Neyland marking the north corner of Section One (1), Block Thirty-four (34), H. & T. C. Railway Company Survey, I stopped my field work, because funds therefor were exhausted. I considered that I had sufficient data, as a result of my field work up to this point, to construct Section Fifteen (15), Block B-Twenty-nine (B29), and Sections Twenty-three (23) and Twenty-two (22), Block B-Nineteen (B19), public school land survey, and all sections lying to the eastward, but did not have sufficient data to construct sections Twenty-four (24), Twenty-six (26), Twenty-seven (27), Twenty-eight (28), Twenty-nine (29) and Thirty (30), Block B-Nineteen (B19), public school land survey, so as to connect to the Neyland monuments. However, through the insistence of the chief draftsman in the Land Department at Austin, the said Land Commissioner directed me to compute a position for said Sections Twenty-four (24), Twenty-six (26), Twenty-seven (27), Twenty-eight (28), Twenty-nine (29) and Thirty (30), Block B-Nineteen (B19), public school land survey. Although I felt reluctant to do this work by projection, on account of the discrepancies I had discovered between the actual bearings and distances of the stone mounds called for by Neyland in his notes, and as actually found by me on the ground, as above pointed out, I nevertheless proceeded to locate the last named sections in Block B-Nineteen (B19), by projection. In doing this, I started at said point U-Five (U5) in my said field record sketch, and projected the bearing north forty-nine degrees (49°) seventeen minutes (17') west, as previously determined to be the bearing between the said points U-Four (U4) and U-Five (U5) on my said field record sketch, and extended this line along said course for four (4) miles of one thousand nine hundred (1900) varas each,

as called for in the original field notes of M. J. Doyle, who surveyed Block Thirty-four (34), H. & T. C. Railway Company Survey, in 1873, thence upon the further projection of Doyle's line at a ninety degree (90°) angle on the course south forty degrees (40°) forty-three minutes ($43'$) west three (3) miles of one thousand nine hundred (1900) varas each, thence at a ninety degree (90°) angle on the course north forty-nine degrees (49°) seventeen minutes ($17'$) west, two thousand seven hundred fifty-seven (2757) varas to the northwest corner of Section Thirty (30), Block B-Nineteen (B19), public school land survey, thence on a line six (6) miles and thirty-six (36) varas south of and parallel to the Texas Pacific Railroad Company tracks, two thousand eight hundred fifty-two (2852) varas to the southeast corner of Section Six (6), Block Sixteen (16), University Survey, thence north seventeen degrees (17°) thirty minutes ($30'$) west to the northeast corner of said Section Six (6), Block Sixteen (16), University Survey, which point is five (5) miles and thirty-six (36) varas south of said Texas Pacific Railroad Company track line, thence on a course parallel to said railroad eight (8) miles to the aforementioned point Q-Six (Q6), as shown on my said field record sketch, which point is the southeast corner of Block N, Gunter-Munson-Maddox Brothers and Anderson Survey. In projecting these lines from said point U-Five (U5), I did so without regard to the subsequent Neyland monuments, which I knew from examination of the Neyland map were on the ground, but which I could not connect to for lack of funds to make a field survey. In other words, in writing my field notes on said Sections Twenty-four (24), Twenty-six (26), Twenty-seven (27), Twenty-eight (28), Twenty-nine (29) and Thirty (30), Block B-Nineteen (B19), public school land survey, I knew that the course and distances I called for in said notes could not conform to the Neyland monuments, because as I have previously pointed out, the Neyland monuments which I had checked did not correspond correctly with either Neyland's field notes or with Doyle's field notes as to course and distances. When I discovered

these discrepancies, I knew that the northwest line of Sections Thirty-seven (37), Thirty-eight (38) and Thirty-nine (39), Block Thirty-four (34), H. & T. C. Railway Company Survey, as marked by Neyland on the ground by stone mounds, would not conform to the location of said line as shown by the courses and distances called for by Doyle in his field notes, and I knew that the location of said line marked by Neyland on the ground by said mounds would not conform to the location of said line as shown by the projection of the courses and distances called for from said point U-Five (U5) on my said field record sketch, according to Neyland's field notes, and under the circumstances I made the best of what information I had at hand from my actual field work, and without regard for the succeeding Neyland monuments on the ground, I started at said point U-Five (U5) and located the northwest line of said Sections Thirty-seven (37), Thirty-eight (38) and Thirty-nine (39), Block Thirty-four (34), H. & T. C. Railway Company Survey, by beginning at point U-Five (U5), as shown on my said field record sketch, and following the courses and distances called for in the field notes of M. J. Doyle of 1873, to-wit: Four (4) miles of one thousand nine hundred (1900) varas each on a course from said point U-Five (U5), north forty-nine degrees (49°) seventeen minutes ($17'$) west to a point, being the north corner of Section Thirty-nine (39), Block Thirty-four (34), H. & T. C. Railway Company Survey, thence at an ninety degree (90°) angle on a course south forty degrees (40°) forty-three minutes ($43'$) west, three (3) miles of one thousand nine hundred varas each to a point being the northwest corner of Section Thirty-seven (37), Block Thirty-four (34), H. & T. C. Railway Company Survey. This projection of Doyle's courses and distances, as shown by his field notes taken from said point U-Five (U5) on my field record sketch, being the stone mound by Neyland, locating the north corner of Section One (1), Block Thirty-four (34), H. & T. C. Railway Company Survey, gave me my location of said northwest line of Sections Thirty-seven (37), Thirty-eight (38) and Thirty-nine (39), Block Thirty-four (34),

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H. & T. C. Railway Company Survey, and then by following the courses and distances from the northwest corner of said Section Thirty-seven (37), Block Thirty-four (34), H. & T. C. Railway Company Survey, as above set forth, I located the remainder of the boundary lines of Block B-Nineteen (B19), public school land survey, insofar as it affected said Sections Twenty-four (24), Twenty-six (26), Twenty-seven (27), Twenty-eight (28), Twenty-nine (29) and Thirty (30), Block B-Nineteen (B19), public school land survey, and then constructed the location of said sections and allocated to them the respective numbers of acres as shown by my field notes and maps covering this area on file in the office of the Commissioner of the General Land Office at Austin, Texas. In locating these boundary lines and in constructing the location of said section, I wholly disregarded the existence or non-existence of the stone mounds called for by Neyland.

W. D. Twitchell

W. D. TWITCHELL

WITNESSES:

J. B. Webb

Naomi Kiser

Sketch File No. ~~3~~

9

Ward County

Surveyors Statement
Transferred From MA. 30471

Filed April 26 1932

WM. H. McDONALD, Com'r

J. A. Parker File Clerk
1-25-38-J.H.

Descriptive: Statement
Transferred from Rejected
Mineral Application
REPORT
by W. D. TRICHELL

CANCELED
AUG 30th 1943
SEE LETTER
FROM W. D. TRICHELL
DATED JULY 30th 43
ATTACHED
William Phillips
File Clerk

~~MA. 30471~~

Surveyor's Statement

Filed April 26, 1937

Wm H Mc Donald

By J. A. Parker

CANCELED
AUG 30th 1943
SEE LETTER
FROM W. D. TRICHELL
DATED JULY 30th 43
ATTACHED

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