

December 3, 1935

Mr. E. L. Stratton,
Licensed land surveyor,
Menton, Texas

Dear Sir:

Acknowledgment is made of your letter of November 25th which has only now been reached in its regular turn for attention. You asked for information from this department relative to the determining on the ground of the correct positions for the North and East lines of Loving county. Such information as is available here, I shall of course, be glad to give you, or to make such suggestions as may be asked for. As to the actual determination of the positions of the county lines on the ground, I believe such matters should follow instructions to you from the county court, in accordance with Chapters 4 and 6 Revised Civil statutes of 1925.

In looking up the description in the statute defining the various county boundaries, I find that Ector county calls to begin at the NW corner of Midland county, runs South 30 miles; West 30 miles; and North 30 miles to Andrews county line.

Winkler county begins at the NW corner of Ector county; runs South with its West line 30 miles; West 31 miles; North $27\frac{1}{2}$ miles to the South line of New Mexico; East 13 miles to the SE corner of New Mexico; North $2\frac{1}{2}$ miles with the East line of New Mexico to the SW corner of Andrews county; and with the South line of the latter East 18 miles to the place of beginning.

Loving county begins at the NW corner of Winkler county and calls to run South $27\frac{1}{2}$ miles with the West line of the latter; West to the Pecos river and up same with its meanders to the South line of New Mexico; thence East to the place of beginning.

It would seem that from the SE corner of New Mexico to the SW corner of Andrews county is practically 6 miles. This probably accounts for the shortage which you find in the East line of Loving county.

Under date of April 27, 1909 Judge J B Starley wrote this department from Barstow, Texas asking for information relative to the North line of Ward county. Under date of May 4, 1909 this department wrote Judge Starley as follows:

"Your favor of the 27th ult in regard to the establishing of boundary lines of Ward county received. I know of no reason why the boundary lines of that county should not be established in accordance with the provisions of articles 799 et seq., Revised statutes of 1895. Neither do I know of the refusal of this office to recognize a survey of those lines because lines had not been run out West from Callahan county. In fact, I doubt if any such absurd objection was ever raised. Such a connecting line is not at all necessary.

The corners of Midland county have been well established. The South line of that county may be produced West for the North line of Ward; and the Northwest corner of Ward may be established from the Southwest corner of Midland.

About three or four years ago a surveyor did try to file in this office field notes of a survey of the boundaries of Ward county; but they were refused because he had not been vested with legal authority to make the survey. It did not appear to this office that the county court of Ward county had proceeded under the statute cited above to order the survey by giving adjoining counties notice, etc.

Besides the field notes did not give connections with land surveys through which the lines passed, nor indicate that they had been correctly established. The whole thing had the appearance of a bungled job, and this office would have nothing to do with it."

I have quoted the above letter merely for your information, in order that you may know to what extent this department has written the Ward county authorities relative to their North county line.

There are field notes on file here for the North line of Ward county; they were filed under date of October 26, 1909 and the abstract was corrected in Volume 34 in accordance with the field notes of that line. This line was surveyed by Robert E Estes September 2nd to 26th, 1909. They indicate record as being in Book 2 page 224 Minutes of the Commissioners' court at Barstow.

The record indicates that the county courts of Reeves county (for Loving), Ector, and Ector county (for Crane) were cited in connection with the determination of the East and North lines of Ward county as run by Estes. Under these circumstances, it would appear quite possible that the line as marked by Estes would control. That, however, is a matter for your county court to investigate and determine.

In reference to blocks 22 and 75 Public School land, there are no subdivisional field notes on file in this office. If you can determine the block lines and establish connections to block corners, you could compute the approximate positions of the intermediate section lines.

Field notes in public school block C-24 were made by W D Twichell in 1902. I note that he calls for bearing trees at the NE corner on the State line and at a point on said State line 996 varas East of the NW corner.

If there is any further information that I can give you, I shall be glad to do so.

Very truly yours,

Commissioner

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LB 947/21

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