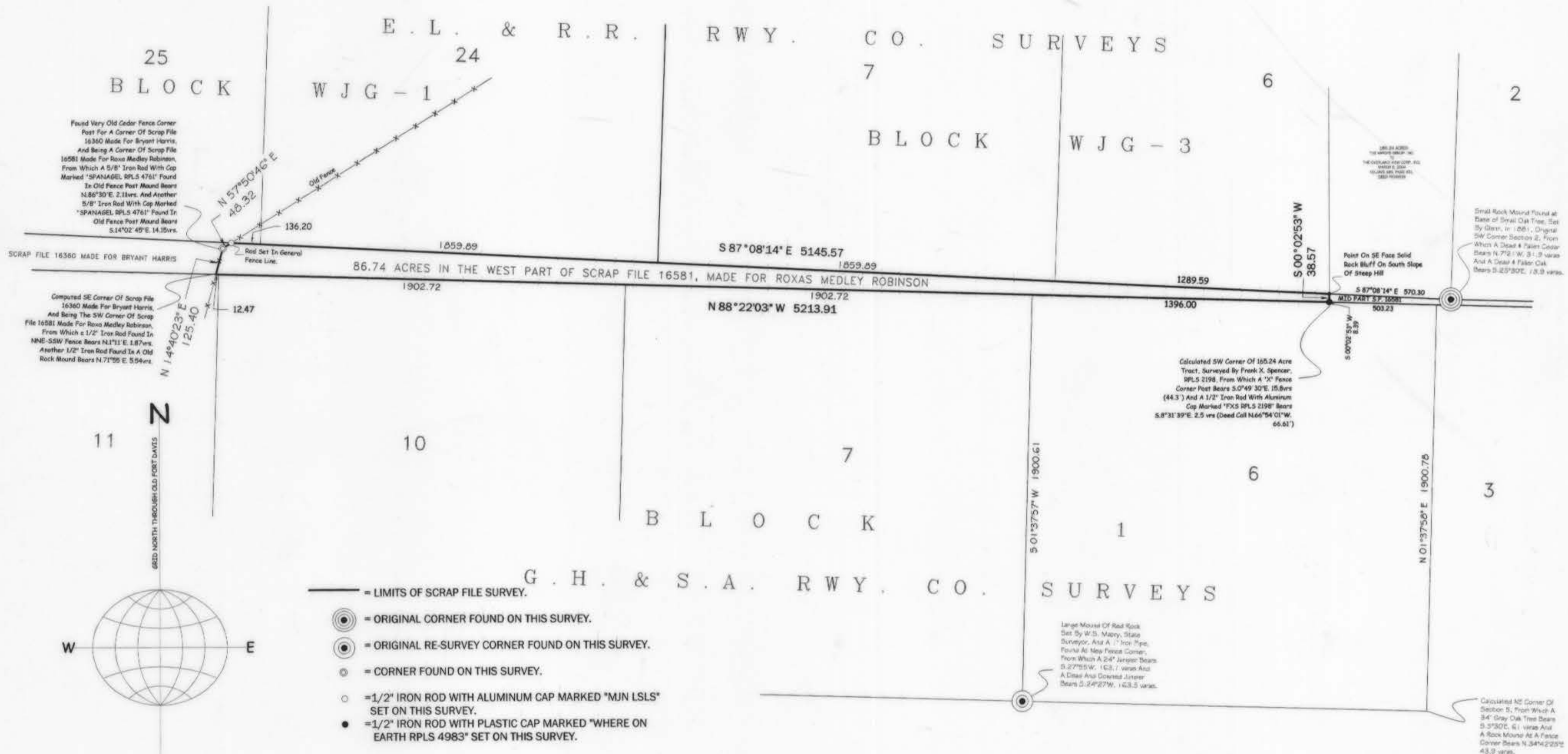


see Report: Rld. Sk. 46, shts. 5-21, small format
 File No. Rolled Sketch 46 sh. 1
Jeff Davis County
West Part SF-16581 - 86.74 acs.
 Date Filed: Nov. 1, 2006
 By Jerry Patterson, Commissioner
Douglas Howard

PLAT SHOWING SURVEY OF
 THE WEST PART OF SCRAP FILE 16581
 MADE FOR ROXA MEDLEY ROBISON
 LOCATED BETWEEN
 THE E.L. & R.R. RWY. CO. SURVEYS, BLOCKS WJG-1 & WJG-3
 AND
 G.H. & S.A. RWY. CO. SURVEY, BLOCK 1
 JEFF DAVIS COUNTY, TEXAS.
 SURVEYED: AUGUST 26, 2005



1000 0 1000 2000 3000 Feet
 Bearings are compared to the Texas Coordinate System Of 1983, Central Zone. Distances and area are compared to a true surface at an averaged elevation of 5000 feet (MSL) at Latitude N 30°35'00". The combined grid factor used .9996461.

- LIMITS OF SCRAP FILE SURVEY.
- ⊙ = ORIGINAL CORNER FOUND ON THIS SURVEY.
- ⊙ = ORIGINAL RE-SURVEY CORNER FOUND ON THIS SURVEY.
- ⊙ = CORNER FOUND ON THIS SURVEY.
- = 1/2" IRON ROD WITH ALUMINUM CAP MARKED "MJN LSLs" SET ON THIS SURVEY.
- = 1/2" IRON ROD WITH PLASTIC CAP MARKED "WHERE ON EARTH RPLS 4983" SET ON THIS SURVEY.

SEE PLAT SHOWING SCRAP FILES 16581 AND 16582 IN RELATIONSHIP TO FORT DAVIS AND SURROUNDING AREA.

I Michel J. Newton, Licensed State Land Surveyor, Of Andrews County, Texas, hereby certify that this plat correctly shows the results of an actual survey made by me upon the ground.

Michel J. Newton
 Michel J. Newton, Licensed State Land Surveyor



WHERE ON EARTH
 MAPPING & SURVEYING
 P.O. BOX 602
 ANDREWS, TEXAS 79714
 Project No. 1087803/HJGH

ROLLED SKETCH NO. 46 sh. 1
 COUNTY Jeff Davis

Counter 87213

BLOCK WJG3
E.L. & R.R. RWY. CO. SURVEY

PLAT SHOWING SURVEY OF
THE EAST PART OF SCRAP FILE 16581 MADE FOR
RICHARD A. CANINO AND WIFE, CAROL MOLLER CANINO
AND THE MID PART OF SCRAP FILE 16581 MADE FOR
THE OVERLAND VIEW CORPORATION, INC.
LOCATED BETWEEN THE
G.H. & S.A. RWY. CO. BLOCK 1,
AND THE
E.L. & R.R. RWY. CO. BLOCK WJG-3,
JEFF DAVIS COUNTY, TEXAS.
SURVEYED AUGUST 26, 2005

See Report: Rld. Sk. 46, shts. 5-21, small format
File No. Rolled Sketch 46, sht. 2

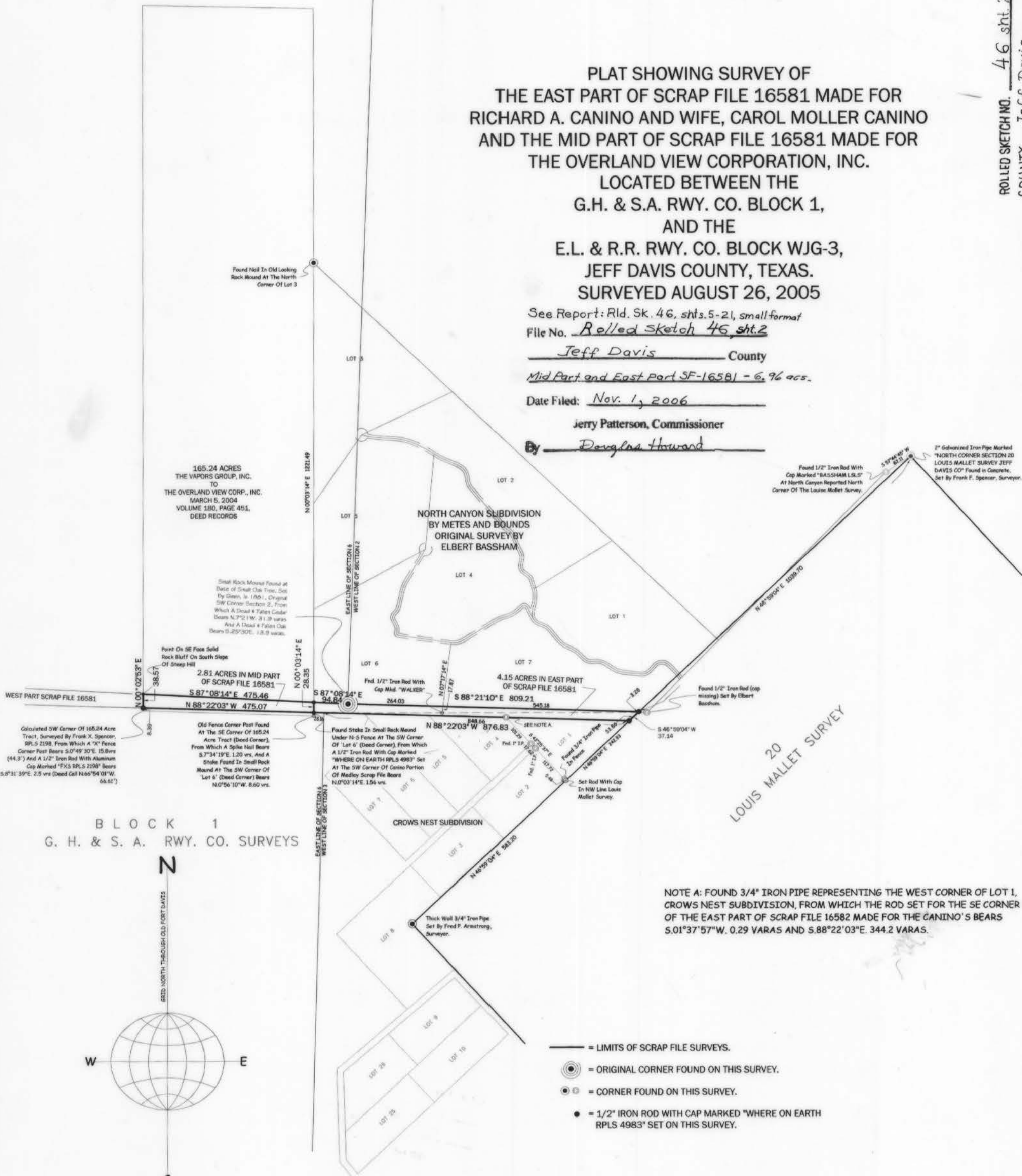
Jeff Davis County
Mid Part and East Part SF-16581 - 6.96 acs.

Date Filed: Nov. 1, 2006

Jerry Patterson, Commissioner

By Douglas Howard

ROLLED SKETCH NO. 46 sht. 2
COUNTY Jeff Davis



NOTE A: FOUND 3/4" IRON PIPE REPRESENTING THE WEST CORNER OF LOT 1, CROWS NEST SUBDIVISION, FROM WHICH THE ROD SET FOR THE SE CORNER OF THE EAST PART OF SCRAP FILE 16582 MADE FOR THE CANINO'S BEARS 5.01°37'57"W, 0.29 VARAS AND 5.88°22'03"E, 344.2 VARAS.

- = LIMITS OF SCRAP FILE SURVEYS.
- ⊙ = ORIGINAL CORNER FOUND ON THIS SURVEY.
- ⊙ ⊙ = CORNER FOUND ON THIS SURVEY.
- = 1/2" IRON ROD WITH CAP MARKED "WHERE ON EARTH RPLS 4983" SET ON THIS SURVEY.

Bearings are compared to the Texas Coordinate System Of 1983, Central Zone. Distances and area are compared to a true surface at an averaged elevation of 5000 feet (MSL) at Latitude N 30°35'00". The combined grid factor used .9996461.
SEE PLAT OF SCRAP FILES 16581 AND 16582 IN RELATIONSHIP TO FORT DAVIS AND SURROUNDING AREA.

I Michel J. Newton, Licensed State Land Surveyor, Of Andrews County, Texas, hereby certify that this plat correctly shows the results of an actual survey made by me upon the ground.
Michel J. Newton
Michel J. Newton, Licensed State Land Surveyor



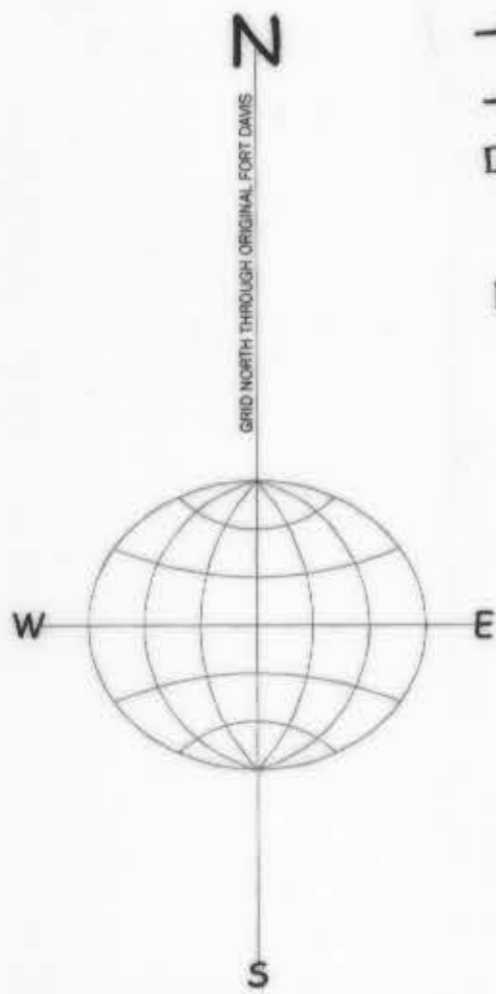
WHERE ON EARTH
MAPPING & SURVEYING
P.O. BOX 602
ANDREWS, TEXAS 79714

Project No. 1067NORTH CANYON

BLOCK WJG3
 E.L. & R.R. RWY. CO. SURVEY

PLAT SHOWING SURVEY OF
 SCRAP FILE 16582
 MADE FOR GEORGIE LEE KAHL
 LOCATED BETWEEN THE
 G.H. & S.A. RWY. CO. BLOCK 1
 AND THE
 E.L. & R.R. RWY. CO. BLOCKS WJG1 & WJG3,
 JEFF DAVIS COUNTY, TEXAS.
 SURVEYED AUGUST 26, 2005

See Report: Rld. SK. 46, shts. 5-21, small format
 File No. Rolled Sketch 46 Sht. 3
Jeff Davis County
SF-16582 - 22.26 acs.
 Date Filed: Nov. 1, 2006
 By Jerry Patterson, Commissioner
Douglas Howard



600 feet 0 216 varas 432 varas 648 varas

Bearings are compared to the Texas Coordinate System Of 1983, Central Zone. Distances and area are compared to a true surface at an averaged elevation of 5000 feet (MSL) at Latitude N 30°35'00". The combined grid factor used .9996461.

SEE PLAT SHOWING SCRAP FILES 16581 AND 16582 IN RELATIONSHIP TO FORT DAVIS AND SURROUNDING AREA.

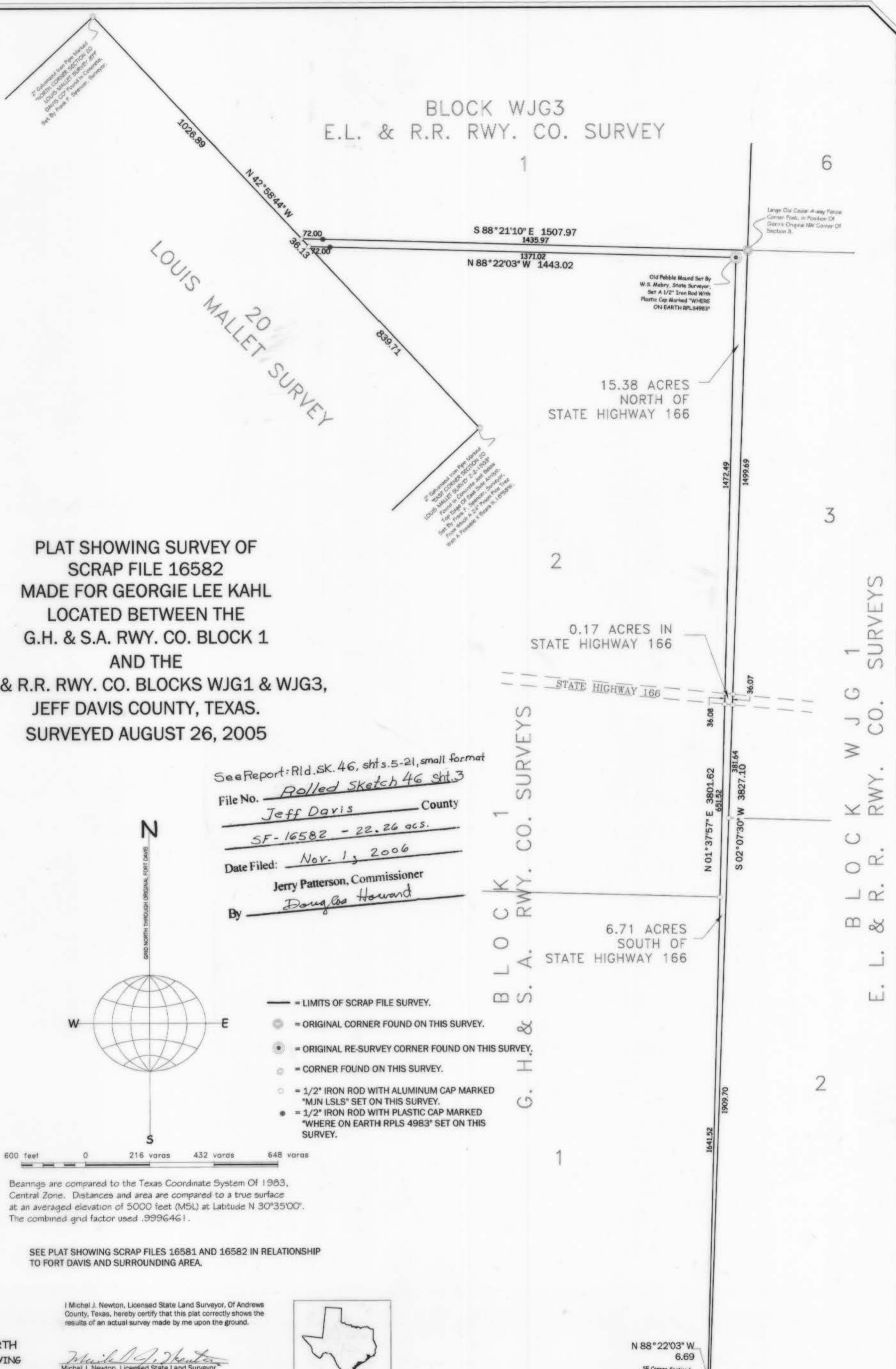
I Michel J. Newton, Licensed State Land Surveyor, Of Andrews County, Texas, hereby certify that this plat correctly shows the results of an actual survey made by me upon the ground.

Michel J. Newton
 Michel J. Newton, Licensed State Land Surveyor



WHERE ON EARTH
 MAPPING & SURVEYING
 P.O. BOX 602
 ANDREWS, TEXAS 79714
 Project No. 1067KALH

N 88°22'03" W
 6.69
 SE Corner Section 1,
 Block 1, G.H.S.A. Ry.
 North Line T. & P. Rwy. Co.
 As Per Paul McCombs Resurvey
 SW Corner Section 2,
 Block WJG-1, E.L. & R.R. Ry.



Counter 87215

SURVEYOR'S REPORT

**SURVEY OF
SCRAP FILE 16581
AND
SCRAP FILE 16582
LOCATED
ABOUT 15 MILES WEST OF FORT DAVIS,
JEFF DAVIS COUNTY, TEXAS**

**SURVEYS MADE
JUNE 2004 THROUGH AUGUST 2005**

PREPARED BY:

**Where On Earth
Mapping & Surveying
P.O. Box 602
Andrews, Texas 79714**

File No. Rolled Sketch 46
sht. 5 through sht. 21
Jeff Davis County
SF-16376 & SF-16376
SF-16581 & SF-16582 Surveyor's Report

Date Filed: Dec. 27, 2006

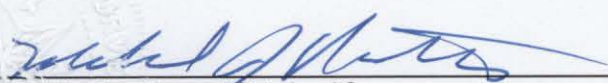
Jerry Patterson, Commissioner

By Douglas Howard

SURVEYOR'S CERTIFICATE

I, Michel J. Newton, Licensed State Land Surveyor of Andrews County, hereby certify that this document in whole correctly reports the results of an actual survey made upon the ground.

This the 22 day of December, 2006


Michel J. Newton, Licensed State Land Surveyor

AUTHORIZATION

In May of 2004, we were contacted by Lynne Baldwin, owner of Jeff Davis County Abstract and Title Company, located in Fort Davis, Texas, to set up a meeting with Tai Gearhart and her brother Bill Gearhart.

It was explained to us that a survey had been made of the neighbors' property lying Southerly of and adjacent to the South line of the Gearhart Ranch and a plat thereof was prepared by John August Spanagel, Registered Professional Land Surveyor No. 4761. His survey plat shows an area labeled as "PROBABLE VACANCY", lying Westerly and Southerly of Sections 841 and 842, T.C. Rwy. Co. Surveys. This land is within the boundaries of the Gearhart Ranch and not within the boundaries surveyed by Mr. Spanagel. The Gearharts naturally wanted to protect their interest and requested a meeting with a Licensed State Land Surveyor, through Ms. Baldwin.

Our preliminary research through the local records quickly raised questions about the B.F. Gearhart Scrap File Survey, prepared by W.F. Sowell, Licensed State Land Surveyor, made in the summer of 1977. Mr. Sowell had shown upon his plat that Sections 841 and 842 were split away from the senior block of surveys and held to a junior block of surveys. It is to be noted, Sections 841 and 842 were made by the same surveyor who surveyed Block WJG-1, the senior block. The junior block of surveys that Mr. Sowell held to was made 8 years after Block WJG-1.

We reported this information to the Gearharts and then received written authorization to proceed with research and any necessary ground survey work. Our work began in early June 2004 with detailed research at the General Land Office, in Austin, Texas. A working sketch was prepared and it then became evident that a vital key to the entire project was the original flagpole located within the original Fort Davis.

As our work progressed more problems arose. It was clear along with the inaccuracies of the B.F. Gearhart Scrap File, Mr. Sowell had error in his work of the Bryant Harris No. 2 Scrap File, located within the boundaries of the ranch surveyed by Mr. Spanagel. The error in Mr. Sowell's work is in professional judgment, not necessarily with his measurements.

It appears that Mr. Sowell was instructed by the Land Commissioner to place the Bryant Harris No. 2 over and through the original location of Section 34, Block WJG-1, therefore splitting Section 34 away from its original position, lying Westerly of and adjacent to Section 33, Block WJG-1. This created a vacancy within a system of surveys. Mr. Sowell's assumption that the T.C. Rwy. Co. Surveys 695 and 696 are adjacent to Block 2, G.H. & S.A. Rwy. Co. Survey, lying Westerly of Block WJG-1, is incorrect. The monuments that he found are apparently someone else's resurvey monuments that fit with the 1889 resurvey of the G.H. & S.A. Rwy. Co., Block 2, a survey that had not yet been made as of 1881. (An explanation of this will be entertained later in this report.)

After finishing our work for the Gearharts we were contacted by Roxa Medley Robinson about survey issues within her property. We then explained that in our course of surveying we discovered a potential vacancy through her land. In fact this vacancy is a narrow strip of land in the shape of an L being split by Section 20, Louis Mallet Survey. Mrs. Robinson's portion is lying West of said Section 20 and the portion lying East belongs to Mrs. Georgie Lee Kahl.

This report is now modified to benefit Scrap File 16581, a survey made for Roxa Medley Robinson, along with its divisions being the mid part, a survey made for The Overland View Corporation, Inc. and the East part, a survey made for Richard A. Canino and wife, Carol Meller Canino. Also for Scrap File 16581, a survey made for Georgie Lee Kahl.

Jeff Davis Rid. Sk. 46
Sht. 6



SURVEY CREW AND EQUIPMENT

The survey party consisted of myself, David M. Gregory, John Klassen and on occasion, J.N. Newton, Licensed State Land Surveyor, and Patrick Rios.

Our equipment is a Javad Legacy global positioning system as a base station and a Topcon Hiper+ global positioning system as a roving unit to locate monuments and derive from satellite observation the relative position to the North American Datum of 1983, Central Zone (NAD 83). Elevations are not of great importance; therefore a vertical datum will not be referenced.

Our mode of transportation is a Ford F-250, 'power stroke' diesel, and a lot of foot power and where practical a Yamaha Rhino.

When this project began, I worked for J.N. Newton & Associates, located in Seminole, Texas. The work for the Gearharts' and the 3J Ranch was performed under that employment, however, in January 2005, I left that employment and began my own surveying company called Where on Earth, Mapping & Surveying, located in Andrews, Texas.

A BREIF LOOK INTO HISTORY OF SURVEYS

Boundary re-tracement has unique forms in various regions of the State. Sometimes, today's surveyor must look at more recent surveys and rely upon these to place the oldest, or 'original surveys' on the ground. This is due to the fact that the original surveyor prepared his field notes in the office. He did this, however, from actual information of traverse or connecting lines to actual knowledge of a colleague's fieldwork. However, the fact remains, he did not go to the field himself. This form of surveying, "paper surveys" as they are also known, is commonly found in large railroad block surveys. This is not a fact for all large block surveys, for many surveyors did go to the field and applied their skills and knowledge, using the most affordable tools available to them. They not only left their families behind for months on end, they had to endure hardships as to finding water, food, shelter from storms, and at times attacks from the native inhabitants.¹

Today, surveyors have inculcated in them the logical fact: "follow the footsteps of the original surveyor". It is apparent that not all surveyors have followed this rule. The Texas Judicial System, from its beginning, has stated this in many landmark rulings.

Following the original footsteps can be very difficult, especially when the path has aged to 150 years, more or less. Does a path of significant age mean that the steps cannot be found? No, if the original surveyor left behind enough 'bread crumbs', anyone with the proper understanding could follow and if a few crumbs have been, so to say eaten by birds, the path can be found a few varas down.

These 'birds' come in various forms, such as natural effects; mainly rain causing flooding that either washes a marker completely away or even silts it over. Interference from man is the most common of all. For example, the surveys on the plains were marked with earth mounds. It was the duty of the surveyor to mark such a corner, however, the lack of timber and even rocks, left him no choice. He knew though, shortly after his arrival, civilization was not far behind and it was the settlers' responsibility to perpetuate such monuments. And the settlers did so, with post carried from their former homes or other material, however, by the time some arrived, these earth mounds had silted back into the pits they were formed from. Even in terrain that had plenty of rocks to build monuments, man replaced these with fence corner posts, disguising the originality.

How does one follow such a path today? The clues are in the original surveyors' field notes and sketches or maps filed of record. These filings are in both the local public records and in the Texas General Land Office. However, most original maps are only of record and in the custody of the Survey Division of the Land Office, while some trickle to the proper counties.

¹ See the book "One League to Each Wind" published by the Texas Society of Professional Surveyors.



Another key to paths is knowledge of the hierarchy of county division and their place in time. At times the records of a more recent county are found in a neighboring county and even could be the county prior to that one. Other keys are that of geology, botany, basic meteorological understanding, even understanding of gravity, along with many other disciplines.

Is extensive knowledge a prerequisite to being a good surveyor? No, as time has shown, man has increased in his knowledge, therefore demonstrating that no matter a surveyor's age, the quest of continuing education is a desire. Each project or survey area dictates what tool of knowledge is needed and then one increases and strengthens it.

FOLLOWING THE PATH

Who determines such paths? What are the determining factors? To answer these questions we need to look to history.

Civilization has been on the increase for millennia's. Progression moved to this continent over 500 years ago. With the Spanish conquistadors, came modern technology. Their quest of riches for the King, caused these early explorers and trail blazers to expand throughout the new land. As they expanded, they made maps for more explorations.

When these early maps are examined, a thought comes to mind that they are inaccurate. Compared to today's maps the early maps are out of proportion. The North-South (latitude) appears accurate, however the East-West (longitude) appears crushed. Modern technology of that day offered tools to locate latitude fairly precise, however, longitude is a measurement of time. Timepieces of that period were as modern as they could be and these included dead reckoning, and sundials. As the sun reached its apex in the sky, calibrations of the hourglass and other mechanical means were made for use during the twilight hours.

As the world comes closer together, men realize how important the measurement of time becomes. Time moves forward, therefore, inadequate technology needs improvement. Inventions of timepieces improved accuracies.

At the end of the 18th century, the inaccuracies of maps longitudes were causing much death and destruction of ocean fleets. Accuracies needed improvement and leading authorities determined that two arc seconds were needed for safe passage. Once this was achieved maps stretch in longitude.

In the early days of Texas, much of its Western lands remained virtually uncharted. When gold was discovered in California, people from the East were determined to get there across land. Lower, or more Southerly, routes were needed to combat the challenges of winter travel over the upper, or Northerly, routes. West Texas climate dictated a logical source for such routes.

The United States was forming its permanent boundaries between them and Mexico. In 1847, Major William H. Emory, Topographic Engineer, United States Calvary, was commissioned to perform surveys and monument that boundary. Before leaving Washington, Emory collected much data and an ephemeris in order to determine position from celestial bodies. He left for Panama, Central America, by ship and when he arrived he established an astronomical station, thereby locating the Eastern Coast. Traveling across land to the West coast of Panama, he established another astronomical station. He then traveled by ship to San Diego where he observes the heavens for the beginning position of the U.S./Mexican border on the West coast.

The next few months were full of hard work for him and his survey teams. By the time they reached the Gila, Emory was recalled back to Washington to answer bureaucratic questions. His survey teams proceeded onto the Rio Grande River, where the teams terminated their surveys and returned home.

By the early 1850s, Emory was ordered to complete his survey of the U.S./Mexican Border, this being the border of Texas and Mexico. He sent his teams ahead to begin at



the mouth of the Rio Grande and meet up with them around the Devils River, just in time to experience what was to become a very rough journey.

Major Emory made several expeditions through the Fort Davis area, at that time known as the Apache Mountains, on roads that had been established in 1849 by the military. He observed how great a distance it was between Fort Concho and Fort Bliss, and the difficulties that the military had in protecting travelers. Jefferson Davis, Secretary of War, received recommendations from Emory that a post should be established on the Limpia at Painted Comanche Camp. A year later in 1853, General Col. Joseph K.F. Mansfield recommended to Mr. Davis, that a post be established at the headwaters of the Limpia.

To be noted, Major Emory's map depicts the headwaters of the Limpia to be at the head of the canyon that Fort Davis is situated in front of today. At that time, a recorded exploration of the Limpia had not taken place.

In late autumn of 1854, George Washington Seawell, Commander Eighth U.S. Infantry, arrived at the canyon reported to be the headwaters of the Limpia. His orders were to establish a post at latitude N.30°26'23" and longitude W.103°36'45". Winter was fast approaching and the men needed shelter from the cold West Texas northerns. The original barracks comprised of pine floors and willow stick walls. This remained the case into the following year when Mansfield returned for an inspection of the fort.

Under Seawell's command was Captain Arthur T. Lee, a very talented gentleman. His watercolor paintings of the Davis area are remarkably accurate. One of his paintings is of the fort at its beginning. This painting depicts the position of the flagpole in relation to barrack 'G' and the surrounding hilltops. The flagpole later becomes a very important part for surveyors establishing boundaries.

After Mansfield's inspection, Seawell receives orders to build more permanent structures. An area of good stone was located and quarrying began immediately. The new barracks were constructed just behind (Easterly) of the stick barracks. Barracks A through G were laid out and constructed with the front and back walls in a due North-South position at the mouth of the canyon.

At the end of the Civil War, Fort Davis was rebuilt in its present location. The officers' quarters are located behind the original barracks and are constructed with the front and back walls running magnetic North. The captains' quarter is the center building of the row and the new flagpole position is in the center of the parade grounds.

The first surveys by Stevenson Archer, District Surveyor of El Paso and Presidio, are of three large land grants along the Rio Grande River. Section 1, begins at Presidio Del Norte and runs Northerly "about 43 miles" and then Westerly and then Southerly back to the river and on down the river to its place of beginning. Archer made several surveys from the Rio Grande up to the Fort Davis area in 1854. One of the surveys is of 640 acres around Fort Davis and is known as Survey 6, A.L. Lewis. This is the first parcel of land recognized today to be surveyed in present day Jeff Davis County.

The military established the fort on un-surveyed lands owned by the State of Texas. Texas entered the Union retaining ownership of her lands, the United States not wanting it for payment to settle her debts. Henry Skillman, a captain in the army and later a local businessman obtained from A.L. Lewis his un-located balance of Bounty Warrant No. 3500/3601, dated May 19, 1854. On March 17, 1855, Stevenson Archer makes a survey and prepares field notes of Survey 6, with its beginning call on the North bank of Limpia creek. A year later, on March 12, 1856, Archer corrects the field notes, still describing what appears to be the same land, however, with more detail of the beginning point. In these corrected field notes he makes reference not only to the creek but also to the fort with course and distance and recites the latitude and longitude given in the orders to Seawell. In the book "Jeff Davis County" by Lucy Miller Jacobson and Mildred Bloys Nored, page 47, a gentleman by the name John James of San Antonio is credited for purchasing Lewis' Warrant and surveying the land around the fort. Face value of the



original field notes of record reflect that it is Skillman that received first ownership and that it was Archer that actually surveyed the land.

Archer surveys and prepares field notes of Surveys 7 through 19, throughout the Presidio District, all within the year 1855. On December 20, 1855, he makes a survey and prepares field notes of Survey 20 being 640 acres of land made for Simeon Hart by virtue of Land Certificate No. 1512 issued on February 18, 1854 to H. Clay Davis, assignee of Louis Mallet. These notes begin on the East side of an arroyo at a pine tree and are witnessed by a live oak tree on the West side of arroyo. It is a square of one mile and is oriented 45° from North. The next corner called for is a rock mound on mountain, for the South corner. Skillman obtains ownership of this land at a later date, and the grove of trees located therein is known as 'Skillman's Grove'.

Next of importance is Survey 23. This is 320 acres of land located for Patrick Murphy, assignee of the heirs of Lois Fuentes by virtue of his Headright Certificate No. 3/59, issued on February 24, 1858. Anson Mills, Deputy Surveyor for El Paso and Presidio District, surveyed it on September 15, 1859. Rufus Doane, District Surveyor for El Paso and Presidio, approved and filed the field notes in the local records on December 15, 1859.

Referring to the book "Jeff Davis County", page 47, Anson Mills is credited for resurveying the military reservation in 1859. The book says that he arrived in El Paso in May of 1858 and then is appointed "district surveyor for the El Paso-Presidio District under Samuel Maverick", in which reviewing the original field notes of the area this is not accurate.

This book of history also says: "In his Fort Davis surveys, Mills used the flag pole of the post as his bench mark. This would cause considerable problems in later years when the exact location of said pole was unknown." This is true for at the Southwest corner of Survey 23, Mills gives a course to the flag pole.

Another survey by Mills that will be relied upon is that of Survey 148. It is of 160 acres of land located for Daniel Murphy, assignee of Pedro Guano, and is out of that Bounty Warrant issued on October 5, 1855, surveyed on September 15, 1859 and approved and filed in the local records by Rufus Doane.

The other surveys, prior to 1873, located adjacent to and in the area of Fort Davis are immaterial to our project. Therefore let us proceed in time.

THE TEXAS AND PACIFIC RAILWAY COMPANY

"Under an Act to adjust and define the rights of The Texas and Pacific Railway Company within the State of Texas, in order to encourage the speedy construction of a railway through the State to the Pacific Ocean", the Commissioner of the General Land Office issued 234 certificates to said Railway Co. In July 1873, L.E. Edwards, Deputy Surveyor, El Paso District, prepared field notes of 90 sections of land in Block 1 and 378 sections of land in Block 2. The odd numbered sections are the ownership of the Railway Co. and the even numbered sections for the Public School Fund, managed by the State of Texas. The field notes were approved and filed in the local records by the District Surveyor, J.W. Tays. Patents issued on many of these surveys shortly after being filed in the General Land Office.

Edwards begins the Northeast corner of Block 1 on a course of S.38°W. a distance of 6900 varas from the Southwest corner of Survey 6, A.L. Lewis. Sketch file 9 (counter no. 27920) of the Jeff Davis County Sketch Files has a map, with no date, depicting Blocks 1 and 2, and their relationship to Survey 6, A.L. Lewis. The meridian line is drawn through what appears to be the fort location. Waterways, creeks and drains along the North line of Block 2 are shown as called for in the field notes. There is a dashed meandering line from the Southwest corner of Survey 6, with consecutive numbering at each point of intersection, all the way to Barrel Springs. A squiggly line running in a Southeast direction is drawn through Sections 64, 82, 83, 97, 98, 121, 120, 132, 157, 158, 166, 167, 195, 196 and terminates in Section 201.

Early in the 20th century, Paul McCombs, State Surveyor, makes surveys and prepares field notes of all sections within Blocks 1 and 2. This is an undertaking by request from the current owners of the land. Some of the original survey patents were cancelled and patents re-issued on the corrected field notes by McCombs. However, Section 9, Block 2, although having corrected field notes, remains patented on the original by Edwards 1873 work.

THE HOUSTON AND TEXAS CENTRAL RAILWAY COMPANY

The Houston and Texas Central Railway Company received numerous certificates that they wanted located in the Fort Davis area. These certificates were issued under the same act as that of The Texas and Pacific Railway Company. L.E. Edwards prepared Field notes in December 1874.

The Southeast corner of Section 1, Block 3, is referenced by a rock mound and ties directly to a rock mound at the Southwest corner of the Barrel Spring survey, being West 7600 varas from said corner. Interestingly, at this time era, there are no field notes of record for Barrel Spring. Also from the Southeast corner of Section 1, Edwards gives a direct tie with course and distance to the Southwest corner of Survey 6, A.L. Lewis. Clearly, this is a computed tie.

Edwards field notes call only for stake and mound at all of the other corners of both Blocks 3 and 4, H. & T.C. Rwy. Co. Surveys. However, he gives passing calls crossing waterways, creeks, branches and the San Antonio-El Paso Road. In particular, Edwards gives a passing call of Muerto Spring branch along the East line of Section 19, Block 3. Section 18 is checkerboard to the Northeast of Section 17 and is one mile East of Section 19, leaving an area of 640 acres around El Muerto Spring and the stage station located therein.

On May 26, 1875, J.W. Tays, Deputy Surveyor of El Paso District, makes surveys and prepares field notes of Sections 1 and 2, by virtue of Certificate No. 50/7329 issued to The Houston and Texas Central Railway Company. These surveys are located on the El Paso Road at Barrel Springs. Tays begins Section 1 at a rock mound that he set for the Northeast corner of Section 9, Block 2, T. & P. Rwy. Co. Survey. He calls for rock mounds at all corners of Sections 1 and 2.

In February 1889, W.S. Mabry, State Surveyor, under the authority of the Land Commissioner, made a resurvey and prepared corrected field notes of Sections 1 and 2, H. & T.C. Rwy. Co., Barrel Spring Surveys and also Blocks 3 and 4. These corrected field notes cancel all surveys by Edwards.

Mabry only monuments the South corners of Sections 1 and 2 and also reports the location of the Barrel Spring Stage Stand ruins along with the actual location of the spring. He calls for a rock mound with live oak post set in ground for the Southeast corner of Section 1, Block 3, with a reference to the Southeast corner of Survey 6, A.L. Lewis and the Southwest corner of Section 1, Barrel Spring Survey, along with bearing references to peaks. As for Block 3, Mabry monuments most section corners with rock mounds.

GALVESTON, HARRISBURG & SAN ANTONIO RAILWAY COMPANY

As with the previous two railway companies, so the Galveston, Harrisburg & San Antonio Railway Company received Certificates under the Act of January 31, 1854, to encourage construction of railroads through Texas. Again L.E. Edwards was called upon to locate thirteen blocks of surveys. Block 1 lays North of the T. & P. Block 2, and is surrounded by Blocks WJG-1 and WJG-3, E.L. & R.R. Rwy. Co. Surveys, along the East, North and West. Block 2 lays Westerly of Block WJG-1, E.L. & R.R. Rwy. Co. Surveys. Edwards surveyed and prepared field notes and monumented several corners with rock mounds and the rest with stake and mound. Field notes bear the date of June 1, 1875 for Block 1 and June 2, 1875 for Block 2. Just East of and adjacent to Sections 21 and 22, an area of 1280 acres is left out and not included within Block 2. Section 1, Block 2, begins at a rock mound at the Northwest corner of Section 9, Block 2, T. & P. Rwy. Co. Survey



All of Edwards's field notes are cancelled and corrected field notes nullify any awards or patents that were issued upon his work. W.S. Mabry, State Surveyor, under the authority of the Land Commissioner, made surveys of and prepared the corrected field notes of Block 1, on January 31, 1889, while R.M. Kenney, State Surveyor, under the same authority made surveys of and prepared the corrected field notes of Blocks 2, 3, and 4, in April 1889, setting monuments at a number of corners.

On September 14, 1893, the District Court of Brewster County, Texas, in the case styled The State of Texas vs The Galveston Harrisburg and San Antonio Railway Company, cause number 101, ordered that 879,078 1/20 acres are returned to the ownership of the State of Texas. This acreage covers the thirteen blocks of surveys made by L.E. Edwards for the G.H. & S.A. Rwy. Co. through Brewster, Jeff Davis and Presidio Counties, Texas, along with lands in other counties within the state.

TEXAS AND NEW ORLEANS RAILROAD COMPANY

Under the same act of January 30, 1854, the T. & N.O. Rwy. Co. received certificate 30/601 for 640 acres of land and Frank R. Morrison had that and the school section of like 640 acres located. C.E. Miner, Deputy Surveyor of Presidio County, surveyed and prepared field notes of Sections 353 and 354 on January 2, 1878. W.S. Lempert, County Surveyor of Presidio County approved and filed them accordingly. Miner set a rock mound at the Southwest corner of Section 353 calling it a common corner to the Northwest corner of Section 13 and the Southeast corner of Section 14, Block 2, G.H. & S.A. Rwy. Co. Survey. This common corner is one that Mr. Edwards calls for a rock mound, too.

Patents issued on May 30, 1878, for Section 353 and on April 7, 1929 for Section 354, based upon Miner's field notes.

ADAM ADAMS, R.C. BEATTY & M.C. MOULTON SURVEYS

J.C. Kimzey obtained rights to duplicate Land Scrip No. 795 issued by the Commissioner of the General Land Office on January 9, 1875, to A.A.B. & M. Mr. Kimzey employed the services of Tho. O. Murphy, Deputy Surveyor of Presidio County, to make surveys and prepare field notes of Sections 335 and 336. Murphy fulfilled his contract on June 4, 1877 and then W.S. Lempert, County Surveyor of Presidio County, approved and filed accordingly.

Survey 335 is "situated at a place called El Muerto station on the Fort Davis & El Paso stage road". Murphy calls for a rock mound at the Northwest corner of Section 17 and the Northeast corner of Section 19, Block 3, H. & T.C. Rwy. Co. Survey, for the Southwest corner of Section 335. Mr. Edwards only calls for stake and mound, however in his notes Edwards makes several passing calls for Muerto Spring branch and the road, indicating that he was on the ground or at least had knowledge of the area.

Patents issued on July 2, 1877 for both Surveys 335 and 336, based upon Murphy's field notes.

EAST LINE & RED RIVER RAILWAY COMPANY

The E.L. & R.R. Rwy. Co. employed the services of W.J. Glenn, Deputy Surveyor of Presidio County, to locate their certificates issued by W.C. Walsh, Commissioner of the General Land Office, on May 6, 1881.

Of interest to this project is Block WJG-1, surveyed and field notes prepared in October 1881, by Glenn. Block WJG-1 consists of 56 sections of land, the majority is rectangular and some are odd shape to wrap around previous surveys. E.G. Gleim, Surveyor of Presidio County approved and filed Glenn's notes.

Glenn's map dated November 18, 1882, filed in the General Land Office as rolled sketch no. 1, Jeff Davis County, references the South line of Sections 33 and 34 common with the North line of Sections 1 and 2, Barrel Springs Surveys as surveyed by Tays. Glenn included on his map his report of a connecting line from the Southwest corner of Section 1, Barrel Springs, North-Northwesterly to an adobe mound on the Southern boundary line of New Mexico.



It appears that the Southwest corner of Section 1, Barrel Springs was a well-known monument and that Glenn had extensive knowledge of its true position.

Most of Block WJG-1 is covered in very rugged mountains with Mount Livermore being near the center of the block. Glenn set monuments in the easy country located in the Southeastern portion of the block. There is another monument on the South line of the block about mid-way as well as monuments marking the Western boundary of the block.

TEXAS CENTRAL RAILWAY COMPANY

There are several T.C. Rwy. Co. certificates located in the project area. We will review these in chronological order.

On August 2, 1881, two months prior to W.J. Glenn's surveys for the E.L. & R.R. Rwy. Co., J. Hoban, Deputy Surveyor of Presidio County, made a survey and prepared field notes of Sections 695 and 696, for Dennis-Finn, by virtue of Certificate 800, dated March 29, 1881, issued to the T.C. Rwy. Co. Patent issued for Section 695, on July 11, 1883, based upon Hoban's field notes. He begins at the Northwest corner of Section 695 giving a reference South and then East to the Southwest corner Section 1, Barrel Springs Survey for the H. & T.C. Rwy. Co. He does not call for any adjoinder with the G.H. & S.A. Rwy. Co. Surveys or the E.L. & R.R. Rwy. Co. Surveys.

Section 696 was subdivided and patented as follows: On April 8, 1913, J.W. Merrill, Surveyor of Jeff Davis County, surveyed 160 acres of land for W.T. Jones, assignee of W.E. Bell, of the NW/4 of Section 696 and patent issued based upon his field notes on October 2, 1918. Merrill's field notes call for the Northwest corner to be common to the Southwest corner of Section 841, made for the T.C. Rwy. Co. (to be reviewed later). He calls for rock mounds at the Northwest and Southwest corners of the NW/4. Next is the SW/4, which was surveyed on February 16, 1940, for Geo. L. Jones, of 160 acres of land. R.D. Swartz, County Surveyor of Jeff Davis County, made this survey and patent issued based upon his field notes on March 5, 1940. Swartz begins at the Southwest corner of Section 696 referring to a rock mound in the East line of Section 12, Block 2, G.H. & S.A. Rwy. Co. Survey, and is 250 varas North of the Southeast corner of said Section 12 (1889 resurvey by R.M. Kenny). He also calls for rock mounds at the other three corners of the survey. Last is the survey of the E/2 of Section 696. John Stovell, Licensed State Surveyor, made his survey and prepared field notes dated January 20, 1943. Patent issued base upon his field notes on February 5, 1943. He is beginning his survey at a rock mound (field notes read as "TM") at the Southeast corner of Section 696 in the West line of Section 31, Block WJG-1, E.L. & R.R. Rwy. Co. Survey. This beginning reference is in reverse of Glenn's adjoinder call of Sections 30 and 31, Block WJG-1. All corners were marked by rock mounds.

J.W. Spincer, employed the services of W.J. Glenn, Deputy Surveyor of Presidio County, to survey and prepare field notes of the un-located balance of Certificate 1087 issued to the T.C. Rwy. Co. on April 14, 1881. Glenn's field notes are dated November 3, 1882 and are for 277 1/2 acres of land each for Section 841 and 'School' Section 842. Patent issued based upon Glenn's field notes of Section 841 on July 10, 1883 and Section 842 on February 5, 1943. He calls for rock mounds at all corners and begins the Northwest corner of Section 841 at the Southwest corner of Section 36, Block WJG-1, E.L. & R.R. Rwy. Co. Survey, and the Northeast corner of Section 13, Block 2, G.H. & S.A. Rwy. Co. Survey- (original 1875 survey by L.E. Edwards). He also calls for the Southeast corner of Section 841 to be in the North line of Section 696, T.C. Rwy. Co.

CONNECTING LINES EVIDENTING ORIGINAL SURVEYS

In 1885, S.A. Thompson, County Surveyor of Presidio County, made several connecting surveys. One is a connecting line from the Southeast corner of A.L. Lewis Survey 6 to the Northeast corner of Section 31, Block 3, G.H. & S.A. Rwy. Co. Survey. Second is a connecting line from the Northwest corner of Section 27, Block 2, G.H. & S.A. Rwy. Co. Survey. Third is a line connecting the East corner of Survey 20, Louis Mallett to the Southeast corner of Section 3, Block WJG-1, E.L. & R.R. Rwy. Co. Survey. The fourth is a line connecting the Northeast corner of Survey 835, Tex Mex Rwy. Co. to the Northwest corner of Section 34, Block WJG-1, E.L. & R.R. Rwy. Co. Survey.



Thompson also prepared a map depicting all blocks of surveys and their relationship with each other. His map is filed as rolled sketch no. 19, Jeff Davis County, in the General Land Office.

FIELD RECOVERY

Our fieldwork began on June 1, 2004. The location of Survey 6, A.L. Lewis, being the first survey of Jeff Davis County, Texas, is a challenge. We started within the original Fort area locating what the archeologists for the National Historical Society, questioned as being the location of the original flagpole. By taking their sketches and measuring from the Northwest foundation corner of barrack "G" to the West and South we set a temporary stake and using GPS we gathered its geographic location.

Standing in a position of the suspected original flagpole of the 1850's, the new flagpole is on a line almost centered through the back and front doors of the captains' quarters. It appears that when troops returned to rebuild the fort, the engineer apparently used a compass to lay out the foundations. He must not have been aware that magnetic north and true north are two separate directions, therefore he did not allow for declination. It also appears; too, that he went about 7 ½ chains magnetic East from the original flag pole, through the center of the captains' quarter foundation layout, to the new location for the flag pole.

Taking the bearing of N.42°E. from the original flagpole location, we went to the North bank of Limpia Creek. Archer calls for the distance to be 1755 varas, and we find it to be 112.7 varas short. Using the North bank and the bearing of S.42°W with a distance of 1755 varas we fall at a place just South and East of the Southeast corner of the present hospital building. This place is reported as a find on the archeologist sketches and is unexplored as of date. There are large rocks, rusted cans and broken glass, giving us the impression of an old campfire pit. From this old campfire pit there is a leveled place under two large oak trees, just to the South, that would make a comfortable campsite with limited shelter.

Therefore the appearance of facts show to us that Archer would have traveled to the Fort and outfitted his crew. He knew from instructions that the entire fort was to be encompassed by this survey and the beginning point was to be where the road crossed Limpia Creek. To begin at the road crossing and place a survey of 640 acres of land around the existing fort, Archer had to skew the survey 6° Northeast. This placed the Southwest corner on the South side of a creek and the Northwest corner on top of a mountain.

We referenced a rock mound that has a brass disk stamped "TEXAS PARKS AND WILDLIFE DEPARTMENT", at the Southwest corner of Survey 6. The mound appears to be of sufficient age to be an original monument.

Anson Mills, Deputy Surveyor of El Paso District, monumented the Northwest corner of Survey 148, for Daniel Murphy, calling for it to be in the South line of Survey 6, A.L. Lewis.

Douglas A. Cody, Supervisory Cadastral Surveyor, surveyed Fort Davis National Historic Site in June of 1974. Cody, though surveying the site as if it were in the Public Land States, found a mound of rocks three feet high at the Northwest corner of Survey 148. He placed a ¾" iron pipe with a brass disk stamped "FT DAVIS NHS AP2 1974", and today we find that a new fence corner has been erected and scattered the mound.

We then computed a line projecting Easterly from the found rock mound at the Southwest corner of Survey 6 through the found rock mound at the Northwest corner of Survey 148, field note distance of 1900 varas (actually 1900.8 varas or 1 mile of 5280.0 feet) to establish the Southeast corner of Survey 6. Running Northerly at right angles field note distance to a point that was the North bank of Limpia Creek, we find that the position of the original flagpole is within tolerance of the called bearing and that the distance of 1755 varas still places us at the old campfire pit.

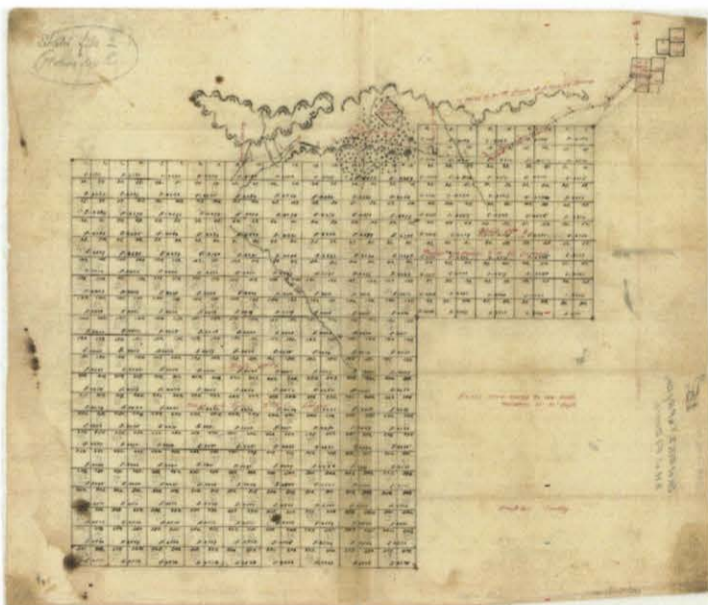


With the original position of Survey 6 in place we computed a search pattern for any ground evidence of Edwards survey of the T. & P. Rwy. Co. Surveys of Blocks 1 and 2. Keeping in mind that he only called for stake and mound at all corners.

At the Southwest corner of Section 10, Block 1, we found McCombs 1 1/4" iron pipe. From this pipe we found a large rock mound about 196 varas Easterly. We searched at the Northwest corner of said Section 10 and found McCombs 1 1/4" iron pipe. From that pipe we found a rock mound about 293 varas East-Southeasterly. In both instances we found Glenn's original rock mounds for Block WJG-1 between McCombs position and the Easterly rock mounds.

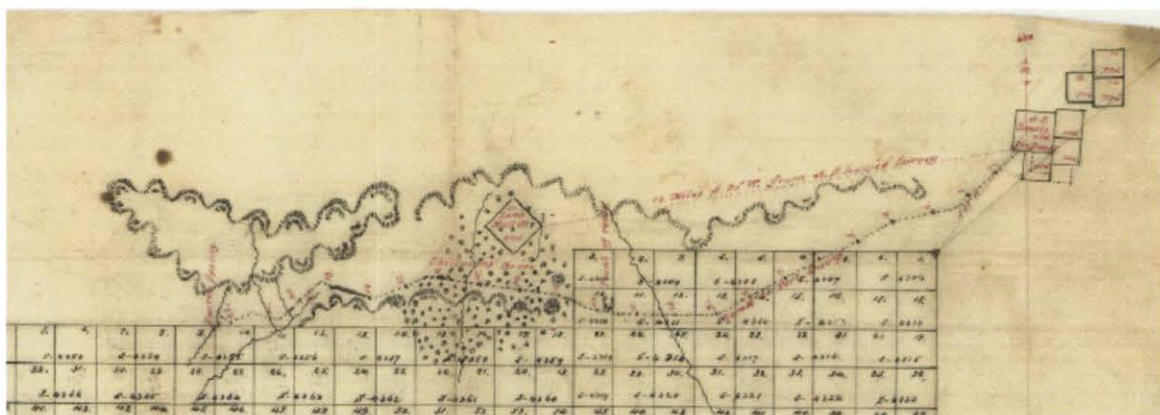
We used evidence from surveys made by Glenn of Block WJG-1 and the passing call of 50 varas North of a creek along the East line of Section 9, Block 2, T. & P. Rwy. Co. Survey, to establish the Northeast corner of said Section 9. From this point we computed the Southeast corner of Section 18, Block 1, T. & P. Rwy. Co. Survey, at 18 miles (1900.8 varas each) along a line passing through the very large old rock mound Easterly of McCombs' iron pipe at the Southwest corner of said Section 10. Then we computed the Northeast corner of said Block 1 at right angles 2 miles Northerly. The inverse from the computed position to the Southwest corner of said A.L. Lewis Survey 6 is N.34°24'50"E. 6243 varas, whereas the inverse from the Northeast corner to the initial survey point at the old Fort Davis is N.39°53'12"E. 6923.44 varas. Theta at the original flagpole is -1°50'03" and then applied to the grid bearing the true is N.38°03'09"E. This is within three minutes of the N.38°E. Edwards calls for and the distance is 23 varas longer. The East-West bearing of our construction of Blocks 1 and 2 is S.88°01'08"E. or true compared to the flagpole meridian is S.89°51'11"E. We also found that the bearing between found monuments of Edwards in Block 2, G.H. & S.A. Rwy. Co. Survey, is N.1°56'48"E. or true compared to the flagpole meridian is N.0°06'45"E. This gives us the impression that Edwards computed his reference to Fort Davis from the apparent initial survey point and not the Southwest corner of Survey 6. Even reading his original field notes of Section 1, Block 1, leaves questions in ones mind.

One of the ranch owners, "Charky" Van Eman, told us about some large rock mounds near his ranch headquarters. We found four rock mounds in a straight line running East-West, being 3789.5 varas Southerly of Edwards' North line of said Block 2, T. & P. Rwy. Co. Survey. It is evident that these mounds were constructed to brace an old fence.



The map shown to the left is found in the General Land Office, filed in Sketch File 9 (counter no. 27920). It appears to be a map generated by the Land Office. Note in the detail (lower) that a traverse line is shown from the actual Fort to Barrel Springs. Each leg of the traverse has a number indicating that they had knowledge or on hand information of actual fieldwork. The meridian is shown through the position of the Fort.





Though Edwards did not monument the section corners through Blocks 1 and 2, there is evidence that someone set monuments or staked fence lines prior to Thomson's connecting line surveys in 1885.

J.W. Tays set rock mounds at all corners of Barrel Springs surveys 1 & 2, and he begins his field notes at the Northeast corner of Section 9, Block 2, T. & P. Rwy. Co. Survey. Edwards gives a passing call of a creek at 50 varas South of the Northeast corner of Section 9. After a careful search, we could not find Tays rock mounds. We did find that Mabry's position of these surveys to be about 245 varas Westerly and 105 varas Southerly of the original position based upon Glenn's 1882 map. Notice Glenn's position of the Southwest corner of Section 1, Barrel Spring, that a red mark is made appearing to give recognition of a know position and the relativity of the creek coming from the spring. His report shown on the map, begins a connecting line from that corner, therefore he had knowledge of the original 1874 location of the Barrel Spring Surveys.



His report shown on the map, begins a connecting line from that corner, therefore he had knowledge of the original 1874 location of the Barrel Spring Surveys.

Knowing were the original position of the Southwest corner of Section 1, Barrel Springs Survey, we began to search for evidence of Edwards's 1875 survey of Block 2, G.H. & S.A. Rwy. Co. We could not find any of the rock mounds called for along the South line of said Block 2. It was decided that we backup to his 1874 survey of Block 3, H. & T.C. Rwy. Co.

Our working sketch revealed that Edwards ran, at least, the outer limits of Block 3, giving passing calls of the "San Antonio - El Paso" road, various creeks including a branch of Muerto Spring. His field notes of Section 1, Block 3, begins at the Southeast corner, calling for a large rock mound, and references a large rock mound found at the Southwest corner of Section 1, Barrel Spring Survey. This beginning call is exactly four miles West of the Barrel Spring Survey. He also gives passing calls of waterways along the North and East lines of said Section 1. When we overlay our working sketch onto the appropriate USGS topographical maps, we find that Edwards position is a little over a mile Northerly and about a quarter of a mile Westerly of Mabry's 1889 resurvey of said Block 3.

After an uneventful search for Edwards and Murphy around the Muerto Spring area we decided to return to the Southeast corner of Section 1, Block 3. We scaled the geographic coordinates from the USGS map and using a handheld GPS unit walked within 9 varas of a large rock mound. This position is within tolerance of the two waterways, one along the North line and the other along the East line of said Section 1, scaled from the USGS map. We believe this rock mound to be Edwards original corner.

As shown earlier of the Land Office sketch of Blocks 1 and 2, T. & P. Rwy. Co. Surveys, a connecting line more than likely continued from Barrel Spring to Muerto Spring. Edwards would have had knowledge of this survey and when returning to the field in



1874, he could have begun his work at the wrong traverse hub or station, unaware of his mistake. He knew that Block 3, H. & T.C. Rwy. Co. Surveys, should not interfere with Muerto Spring, for it had already been spoken for. Never the less, he knew where Muerto Spring by the fact of his passing calls of a branch from Muerto Spring. Therefore since he had knowledge of Muerto Spring and marked his survey by the large rock mound at the Southeast corner of Section 1, was he in error? No, he was the original locator and he was not in conflict with any senior surveys of that date.

After reviewing S.A. Thompson's map of his connecting lines from Fort Davis, following the general course of the existing road in 1885, we felt it necessary to locate and reference the rock mound at the Northeast corner of Section 31, Block 3, G.H. & S.A. Rwy. Co. Survey. At this place we found a scattered rock mound at a very old fence corner in a saddle between two mountains. The triple bars over an X with triple bars under on two individual dead cedar trees are as Thompson reports.



Using Edwards large rock mound found at the Southeast corner of Section 1, Block 3, H. & T.C. Rwy. Co. Survey and connecting an imaginary line to his original rock mound found at the Northeast corner of Section 31, Block 3, G.H. & S.A. Rwy. Co. Survey as a baseline we then set out in search of him through Block 2, G.H. & S.A. Rwy. Co. Survey.

At the Northeast corner of Section 19 we found Edwards's original monument, a scattered pebble mound on top of a ridge. This makes his original rock mound at the Northeast corner of Section 31, Block 3, G.H. & S.A. Rwy. Co. Survey, 11,333.03 varas North and 170.32 varas West of the Northeast corner of said Section 19. The terrain that Block 3, G.H. & S.A. Rwy. Co. Surveys encompass is very rough with large steep and rocky mountains. It appears that Edwards approached this survey much the same way Thompson did as indicated on Thompson's 1885 map shown above.

We also searched for his rock mound at the Northeast corner of Section 16. This area is covered by a couple of feet of silt and we did not find it. The rock mound called for at the Northeast corner of Section 24 has apparently been destroyed by construction of a ranch road. As the rock mounds called for at the North corners of Section 14, it appears to have been destroyed by earthwork. Last is the earth mound called for at the Northeast corner of Section 4, which he calls for a 4" live oak witness. At this place we found that the area does not have creeks or drains where live oaks are usually found. Many range fires have engulfed the area over the years and there is plenty of rock in the area. However, a few hundred feet Southwesterly on top of a large rock outcrop we found several holes ground by the natives, indicating that at some time there were a water source nearby so a remaining live oak from an ancient grove could have been there when Edwards was.

The next steps are to establish the T.C. Rwy. Co. Surveys 695 and 696. In the instructions from Dennis Finn, purchaser, the surveyor was to locate 640 acres that included a spring about 3 miles North of Barrel Spring. Referring to the USGS topographic map of the area we noted that there are several springs shown. By overlaying a working sketch showing the passing calls of creeks we could not find a match that would include a spring much less where two creeks would fit the passing calls. Therefore we must rely on junior surveys to verify the original position of these surveys.

Let us now look at Glenn's survey of Block WJG-1. We found several rock mound monuments set by him around Sections 1 through 4, along with the Southeast corner of Section 6, Block WJG-3. Other monuments that we recovered are as follows:

John A. Spanagel, Professional Land Surveyor, recently recovered the Southeast corner of Section 34. We have examined this monument and concur that it is the original rock mound set by Glenn in 1881.

After four trips up the West side of a steep mountain to search for the Northeast corner of Section 34, we determined that either Glenn's original mound has been destroyed or that he possibly traversed from the Northwest corner of Section 34 Easterly, up a canyon and due to the difficult terrain called for a rock mound on "West side of mountain". After our climb and knowing the terrain on the East side of this mountain we believe that Glenn traversed to this area from the West off of the well-established road and from the known connecting line.

At the Northwest corner Spanagel recovered the rock mound that Sowell claims to be Glenn's original Northwest corner of Section 34. Sowell says in his report, that he retraced Thompson's 1885 connecting line and found this mound buried and that he found a dead and down oak tree marked "X". We then followed the same principle of thought that Sowell did. To use Thompson's record of his connecting line from the Northwest corner of Section 48, to the Northwest corner of Section 34, Block WJG-1. We fell at a point about 50 varas North Northwesterly and found the top of a large stone in the ground. We then cleared the silt away and several stones appearing to be stacked emerged. Examining the area more thoroughly, we found several old cedar fence posts, two of which are still firm in the ground. Using the two posts in the ground and creating a line places an apparent fence line about 25 varas Southerly.

On our third trip to this particular corner we had the assistance of the landowners. Jimmie Martinez, relative to the owners and native of the area, has been ranching in this part of Texas most of his life. When we looked at the fence post, Martinez explained to us that there is about two feet of silt and that the top was not broken off as we thought. We excavated around to confirm what he had told us. We then went back to the area that Sowell says is the corner where we found a mound and started digging randomly finding what could be considered rock mounds buried by the silt. We do not believe that Sowell actually found Glenn's original mound.

In May through October 1969, W.C. Wilson, Jr., Licensed State Land Surveyor, made surveys of Block WJG-1, E.L. & R.R. Rwy. Co. Survey, and filed of record a map of his surveys in Book J, page 21, Field Note Records of Jeff Davis County, Texas. It is also filed in the General Land Office as Jeff Davis County rolled sketch no. 27. Mr. Wilson's map states that at the Northwest corner of Section 34, he found an old rock mound 30 varas South of a creek and gives a reference to Kenney's rock mound found at the Northeast corner of Section 6, Block 2, G.H. & S.A. Rwy. Co. Survey. He also references a 26" live oak tree on North bank of creek giving course and distance and a 30" live oak tree dead and downed giving only course. Both of which he says S.A. Thompson found in 1885. (In Thompson's connecting line description he reports only a 20" live oak on the West bank of creek.)

We found both, Kenney's rock mound at the Northeast corner of Section 6, Block 2, G.H. & S.A. Rwy. Co. Survey, and the rock mound that Mr. Wilson found at what he says is the Northwest corner of Section 34. We also found the two-witness trees that Kenney calls for. The Westerly tree is about 36" in diameter and is still living. This tree also bears a large X with a score over and under it. The Northerly tree is partially standing and is split from a lightning strike. It is a very large dead tree with an X with over and under score.

We returned for the fourth time on January 1, 2005, to re-examine the facts surrounding the Northwest corner of said Section 34. There is no doubt that Wilson, Sowell, Spanagel and we ourselves have located Kenny's original rock mound and witness tress found at the Northeast corner of said Section 6. It is still apparent that Sowell did not find the actual mound built by Glenn. As for Mr. Wilson's rock mound, we do not feel that the reference tree on the West side of creek is the same tree that Glenn calls for. Our reasoning is as follows: 1) It appears that someone in the distant past walked up and down the creek and found the only living live oak tree on the West side of the creek. 2)



The tree on the West side of creek is smaller than that marked by Kenny in 1889, eight years after Glenn, therefore why did Glenn not use this tree, it is closer and on the same side of the creek as the monument is. 3) We found a very large dead and downed live oak tree that appears to have died a few years ago, in the creek bottom. Its taproot still attached to the trunk. This tree would have been even more prominent and closer than Kenney's tree. Also there are signs of more trees closer and to the South. 4) Glenn calls for his mound to be in a flat. The mound that Mr. Wilson found and is using is just East of the East bank of a back drain to the main channel of the creek. 5) Mr. Wilson also says that he found Thompson's traverse hub to the Northeast. We measured to this point and found that the area is subjected to silting as the fence post we found. Mr. Wilson was there about 35 years ago. Yes the mound could have been washed away, however, the same would hold true 35 years ago, for Wilson was there 85 years after Thompson. More than likely, Thompson's traverse hub would have washed away many years ago.

Our next step is to determine an average bearing that could be used for reconstructing Glenn's work. We used eight bearings found between original monuments. This average is N.2°07'30"E.

The Southeast corner of Section 36, Block WJG-1 is computed on a bearing-bearing intersection from the found monument at the Southwest corner of Section 36 and the found monument at the Southeast corner of said Section 34. We used the average of N.2°07'30"E. and right angles. This method is used for most of Block WJG-1. We then prorated the distance from the Southeast corner of Section 34 to the Southeast corner of Section 36 to establish the Northeast corner of Section 34. The Northwest corner of Section 34 is located on a bearing-bearing intersection Westerly from the computed Northeast corner of Section 34 and Southerly from the monument found at the Southwest corner of Section 36. We found a 24" oak stump in grove of oak stumps on West bank of creek to be comparable to Glenn's witness tree. (See survey map.)

On Sowell's 1977 survey plat, he shows Surveys 841 and 842, T.C. Rwy. Co., originally surveyed by Glenn a few months after Block WJG-1, to adjoin the Northeast corner of Section 13, Block 2, G.H. & S.A. Rwy. Co. Survey, as monumented by Kenny's re-survey of 1889. Glenn calls for the Northwest corner of said Section 841 to begin at a rock mound at the Southwest corner of Section 36, Block WJG-1 and said Northeast corner of Section 13, Block 2. Glenn was unaware that the original 1875 location of said Block 2 was West and North, as respect to the 1889 re-survey; therefore his adjoinder call to Section 13 appears to be conjecture. Spanagel apparently viewed the same as we do, for his map depicts that Surveys 841 and 842 are adjacent to Block WJG-1. We have placed these surveys adjacent to the South line of said Section 36 and the West line of Section 30. The South line of said Section 36 is found deficient of the field note call, therefore the East-West dimension of Surveys 841 and 842 will have their prorated shortage while allowing field note call for the North-South dimension. The South line of these surveys does not reach the North line of Section 696, T.C. Rwy. Co., by some 261 varas.

We will now look at Surveys 353 and 354, T. & N.O. Rwy. Co. Miner reports, in his field notes, that he set rock mounds at all corners. Also, the rock mound at the Southwest corner is common to the Northeast corner of Section 14, Block 2, G.H. & S.A. Rwy. Co. Survey. Since his survey was made in the year 1878, Miner had to rely solely upon Edwards's original survey of Block 2, made three years prior. One of two things could have happened. First, Miner had knowledge of Edwards's original rock mound at the Northeast corner of Section 14 and placed his surveys relative to it. Second, Miner could not find Edwards position, therefore he placed his surveys relative to the original Barrel Spring survey made in 1874. Kenny referenced rock mounds set by J.R. Marimon, County Surveyor, along the East lines of Sections 28 and 29, Block 2. Marimon was the County Surveyor of Presidio County, Texas, in 1888. It appears that by the late 1880's, surveyors were using Thompson's information and discrediting Edwards's original position.

At the Northwest corner of Section 353 we found a large old rock mound on the East side of top of low hill and at the Northeast corner we found a scattered old rock mound. The Bearing between these monuments is skewed Northeasterly than the bearing that we

found Edwards. It appears that the first scenario is the case, Miner knew where Edwards's rock mound was and began surveying from there, however, his declination appears to be off about a half of a degree.

In June 2005 we returned to the field to locate Block 1, G.H. & S.A. Rwy. Co. Surveys. We were successful in recovering many of Mabry's rock mounds which includes his pebble mound at the Northeast corner of Section 2, Block 1. We briefly searched for clues as to Edwards original position without success. (Refer to updated map.)

CONCLUSION

Our surveys are quite extensive, as one can see from our survey map. We found many original corners, most already having been reported about by other surveyors. A few that other surveyors thought did not exist or did not have the opportunity to search and locate for themselves.

Many say that since the ties back to the Southwest and Southeast corners of Survey 6, A.L. Lewis, do not fit within reason, that that survey is irrelevant to the area of our project. We differ in this opinion. Studying the old maps of the T. & P. Rwy. Co., the H. & T.C. Rwy. Co. and the G.H. & S.A. Rwy. Co., the Fort is the key to a meridian used for all of these blocks. Careful analysis of today's evidence with archived evidence one can find a close approximation of what actually happened on the ground 130 years ago. We feel that with this survey, we have a good understanding of Western Jeff Davis County. This understanding supports our previous surveys in Western Brewster and Eastern Presidio Counties.

The facts remain that Edwards was on the ground and though his work from year to year do not connect as his map reflects, and that all of his field notes of the H. & T.C. Rwy. Co. and the G.H. & S.A. Rwy. Co., are cancelled by the Act of April 2, 1887, Chapter 115, Section 3, there are some surveys that still tie directly to his work. Keep in mind that Kenny and Mabry did not make their surveys until 1889, some fourteen years after Edwards.

After a meeting with officials of the Surveying Division and an attorney with the General Land Office, on April 18, 2005 we were instructed to prepare corrected field notes of the B.F. Gearhart No. 1 Survey for correction.

The B.F. Gearhart No. 1 Survey is corrected as one entire tract of land free of conflict with senior surveys. The B.F. Gearhart No. 1 Survey is currently patented for 318.68 acres of land, however the corrected position is of 301.86 acres of land, a shortage of 16.82 acres.

Section 34, Block WJG-1, is a survey that many different opinions have surfaced. Mr. Wilson says that he found the original rock mound at the Northwest corner. Mr. Sowell says he found it. John Stovell, in his field notes of the N/2 and SE/4 of Section 34 calls for, Glenn's position and Kenny's rock mound, uses the later as the Northwest corner. Apparently the land office upheld Stovell's position and caused Sowell to separate Section 34 from its original place. The facts say that Section 34 is still adjacent to Section 33.

There is a total of 418.15 acres of land within three tracts to be referred to as Corrected Field Notes of the Bryant Harris No. 2 Survey. This is in excess of 101.98 acres over the patent of 316.17 acres of land. The 3J Ranch has 184.78 acres of Tract 1 of the Bryant Harris No. 2. The McDannald Estate has 2.12 acres of said Tract 1, all of Tract 2, being 5.94 acres and all of Tract 3, being 225.31 acres of land.

As with the correction of the B.F. Gearhart No. 1 Survey, we have been instructed to prepare corrected field notes of the Bryant Harris No. 2 Survey, described in three tracts.

Mr. Spanagel is to be commended for a survey that reflects research and very good measurements. It appears he put much thought into his professional judgments, particularly in regard to record monumentation. We regret, though, that our professional opinions did not entirely agree, however, the facts still stand, without original monuments



found for Surveys 695 and 696, T.C. Rwy. Co., these surveys are to be placed by their reference to the original Barrel Spring Survey 1. We hope that this survey will encourage all surveyors to prepare well for their projects.

As to Scrap File 16581, application is made in the name of Roxa Medley Robinson of 93.70 acres of land. This area is a long narrow strip of land lying Southerly of Blocks WJG-1 and WJG-3, E.L. & R.R. Rwy. Co. Surveys, Northerly of Block 1, G.H. & S.A. Rwy. Co. Survey, East of Scrap File 16360, a survey made for Bryant Harris, and West of Section 20, Louis Mallet Survey.

The most Eastern portion of this land has subdivision on the North and South sides and is mostly within an area described as Lots 6 and 7, North Canyon Subdivision. North Canyon Subdivision is by metes and bounds descriptions and was originally surveyed by Elbert Basham. On the South side is the Crows Nest Subdivision surveyed and platted by Fred P. Armstrong. Lots 6 and 7, North Canyon and Lot 1, Crows Nest are now owned by Richard A. Canino and wife, Carol Meller Canino. They are to purchase 4.15 acres of the 93.70 acre tract.

The mid portion is an area of 2.81 acres that runs through the Southern portion of a 165.24 acre tract of land now owned by The Overland View Corporation, Inc. They are to purchase this portion of the 93.70 acre tract.

The remainder of Scrap File 16581 has an area of 86.74 acres of land and is the Western portion that will be purchased by Roxa Medley Robinson.

Scrap File 16582 is of 22.26 acres of land in the shape of an 'L' and is located along the East side of Block 1, G.H. & S.A. Rwy. Co. Surveys. The survey is made for Georie Lee Kahl who is the goodfaith claimant. There are 15.38 acre lying North of State Highway 166 and 6.71 acre South of said Highway. The highway right-of-way in use has 0.17 acres of land.

