

December 28, 1948

Mr. Jack Chapman
Martin Bros. Box Co.
Oakland, Oregon

Dear Jack:

As requested by you I inspected the closing corner to Section 24 and 25, T 24 S, R 4 W, WM., as set by O. F. Thiel, 1896, and the corner 23.42 chains north, which he calls the corner of "19-24-25-30, which is a cedar post marked and witnessed as described by the surveyor general, except the NW and NE witness trees were blazed but not marked." This inspection was made December 17, 1948, in company with yourself and Wayland Oiler.

Since returning to Roseburg I have made a study of the copy of the official notes of the Gordon survey of 1855, the Byars survey of 1871, the Wheeler survey of 1883, and the Thiel survey of 1896. From this study I find that Gordon in 1855 surveyed the south boundary of T 24 S R 4 W WM, running East, and from the Township corner ran North along the east boundary of Sec. 36 to the northeast corner thereof.

He started the subdivisions of T 24 S, R 4 W, by starting at the corner to Secs. 36-35-1-2 on the north boundary of the Township and running south between Secs. 1-2, 11-12, 13-14, 23-24, 25-26 and 35-36. He ran a random line east between Secs. 25-36, at 80 chains intersecting the North and South line at the corner.

Byars, in 1871 commenced at the southwest corner of T 24 S, R 3 W, WM., and ran east on the south boundary of T 27 S, R 3 W, and then partially subdivided the township, working downstream along the Calapooia Valley to the corner of Section 28-29-32-33. Then he went to the corner of Secs. 31-32 on the south boundary of the township and ran north to the corner of secs. 29-30-31-32. Then he ran random lines and true lines both east and west for the lines between Secs. 29-32 and Secs. 30-31.

He then ran north between Secs. 29-30 and established the corner to Secs. 19-20-29-30. Then he ran north between Secs. 19-20, 80.00 chains to the corner of Secs. 17-18-19 and 20 which was on the north bank of a

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small creek. He then ran east on a random line intersecting line "98 lks. north of post corner to Secs. 20-21-28-29" and returned N 69° 18' W on the true line. In running west between Secs. 19-30 he found that the corner of 24-25-19-30 on the range line had not been set. He set a post in a mound of rock as a temporary point and established the $\frac{1}{4}$ Sec. corner. This was the end of his survey.

Wheeler in 1883, began at the corner to Secs. 25-30-31-36, T 24 S, R 3 and 4 W, and ran north along the west boundary setting the section and $\frac{1}{4}$ section corners to the north end of this range line. He then went to the southeast corner of the township, check the south and east boundaries of Section 36, and found them practically correct. He started at the Sec. corner to 35-36 on the south boundary and proceeded to subdivide the township in the normal manner, not duplicating the Byars survey. He then says "The corner to Secs. 19-20-29 and 30 having been destroyed by fire, I run north between Secs. 29 and 30 following old blazed lines and at 80.00 chains from the corner to Secs. 29-30-31 and 32, marked a hemlock, 24 ins. in diam., for the corner to Secs. 19-20-29 and 30."

In 1928 I ran from the Sec. corner of 20-21-28 and 29, west and 1 intersected 5 chains south of this corner. At that time the corner tree and all four witness trees were broken off and rotting but readily identified by blazes and scribe marks. I renewed this corner at that time. It was located on top of a small spur sloping north and about 5 5 chains south of a small cree, apparently the location of the Byars corner set in 1871.

Wheeler continued north from this corner setting the section and $\frac{1}{4}$ section corners and running random and true lines east and west.

Thiel, in 1896, subdivided the east tier of Sections in T 24 S, R 4 W. At the closing corner between Secs. 24-25 we found the witness trees as described by Thiel and a rock of similiar dimensions, although not marked. I set this rock in its true position.

At the corner 23.42 chains north of this closing corner which Thiel calls the corner to Secs. 19-24-25 and 30 I note the following:

A Fir, 18 ins. diam., bears N 17° E 74 lks. dist., blazed and scribed. This tree had been chopped out and was scribed. Some figures were legible but not enough to determine the original markings.

A Fir, 30 ins. diam., bears S 53° E 11 lks. dia. The conditions existing on this tree were similiar to that described above.

A rotted Fir stump (level with the ground) bears S 40° W 42 lks. dist.

A Fir 20 ins. diam., bears N 15° W 60 lks. dist., which is alive and healthy. Evidences of a blaze are lacking on the surface of the tree.

These latter two trees whould be those on which Thiel states the marks were "effaced or corrected".

It is a strange coincidence that, except for the tree in the northeast quadrant, the trees fit those described by Wheeler for the corner of Secs. 13-19-18 and 24. The northeast tree being correct for distance but 21° (amount of variation) out for bearing. The scribing on these trees was of the proper age for the Wheeler survey.

Apparently Wheeler made no attempt to locate the temporary Sec. corner to 24-25-19 and 30, set by Byars 12 years earlier. Thiel in retracing the range line north in 1896, from the Sec. cor of 13-24-18 and 19, noted that no $\frac{1}{4}$ sec. corners, as set by Wheeler in 1883, could be found.

Conclusions: - -

I have not made a sufficient investigation to determine the status of this corner, 23.42 chains north of Thiels closing corner to Secs. 24 and 25.

Comparing the notes of Wheeler, 1883, and Thiel 1896, along the range line T 24 S, Rs. 3 and 4 W., I am inclined to the belief that Wheeler did not run the range line but set the section corners which he described west from the corners along the line one mile east.

At the time I made the survey of the line between Secs. 19 and 30 and reset Wheeler's corners to Secs. 19-20-29 and 30, I talked to "Grandma" Rhone, then over 90 years old and often quite childish. When contacted she seemed to be in better than usual physical and mental condition and stated that her husband (then deceased) had burned out and destroyed the Byars corner because it was not where he wanted it and had had Wheeler replace it. At the time they were homesteading an adjoining 80 acres. Investigation at the land office showed that the patent had been issued a few months after the date of the Wheeler survey.

An examination of the map prepared by Weyerhaeuser Timber Co. and Martin Bros. Box Co., October 1946, shows that none of the Wheeler corners were found in the NW $\frac{1}{4}$ of T 24 S, R 3 W, except a few along the west and north boundaries of the township (surveyed by Currin, 1882) and on the east boundaries of Sections 4, 9 and 16. From this I conclude that the survey of this area by Wheeler was either entirely fraudulent and his notes a fabrication or that his survey was very careless and erroneous in which case they may be later be found in a different area than that wherein a search has been made. If the latter is true the discovery of one corner may be the key which will lead to the discovery of others.

Very truly yours,

BEN B. IRVING
County Surveyor

BBI/cll

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