

FeedBack

Which Came First?

I just finished Chris Wickern's article "Whose Footsteps Are They?" [2010 Vol. 7 No. 3]. I enjoy the discussion points he puts forth. The cover photo was very true; I have a question about the location of the corner monument under the larger rock. Which came first—the monument or the rock? Was the monument set under the large rock? What evidence was given for Mr. Dopuch to even look under the larger rock for the monument?

*George Dale
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Via the Internet*

Wickern Replies to Dale

Thank you, Mr. Dale. I copied this letter to Paul Dopuch, the county surveyor who conducted that survey. Paul, like so many good cadastral surveyors I know, has a little bit of pit bull in him. He locks his jaw, knows it is there, and sets about moving heaven and earth to find it, or prove that it no longer exists. The photograph tells a story all by itself. You can see telltale signs of wire growing through an oak tree pointing to where someone knew (or thought they knew) where the corner was. Paul had found or reestablished the county surveyor's work from 1878(?), used the equipment shown in the photo, and created a really good search area. He found the boulder. How many of us would look under the boulder? As I recall, the boulder may have been moved there from road excavation during the late 1800s. —C.W.

Dopuch Taps In

Actually I was following in the footsteps of one of the best-ever county surveyors. In 1905, J.C. Danuser found "original" stump-and-downed original tree at this position. Both matched GLO. Danuser set this stone (verified by stone dimensions) and took new trees. One was a 5-inch post oak. Post oaks in Missouri grow about a tenth of an inch per year, so when I found a 16-inch post oak, I pulled the bearing and distance and came to the

boulder. Additional searching turned up evidence of another subsequent witness tree, and the state land surveyor later visited the site and claimed he found the tap root of the original witness tree (I could only come up with stump hole...tap root-schmap root, sometimes I wonder about him.) Relying upon the fact that you could take Danuser as gospel, I dug "under" the boulder and found the stone. It looked as though the boulders had been "pushed" here from the clearing above (as can be seen in the cover photo background). This was later verified by the landowner who said his father "pushed" the boulders when he cleared the land. Sad that another surveyor failed to find this subsequent stone and evidence. This other surveyor "reestablished" the quarter corner some 28 feet south at the midpoint (note the GPS on his rod in the background)... certainly *not* where it was.

This happens all too much. This same year I uncovered original evidence at two other locations where other surveyors had restored positions (erroneously) with Type A aluminum monuments. One monument was 90 feet away from the original evidence and the other was 62 feet (1 chain +/- ???) Both positions had Danuser evidence that others didn't find.

In 2009 we retraced six sections (in another part of the county) that Danuser surveyed in 1910–1911. His evidence was there in spite of the efforts of less adept subsequent surveyors to overlook what he restored (from the original GLO). His stuff can make many a modern day surveyor look foolish if they don't look for what he did. His measurements were some of the most accurate of any 1900s surveyor. Most of his quarter measurements are within 1–2 feet of my modern day new fangled gadgets. Surveyors like Danuser make me look good, but in all reality, he was the good one. Thanks for your interest.—P.D.

More Center of Section Recollections

Center of Section monuments have indeed often been the topic of

controversy. I recall being taught (35 years or so ago) those absolute rules and standards for establishment and retracement which require the center to be placed at the intersecting lines from opposite established quarter corners. But, in the words of Mr. Wattles, "*unless the contrary be shown.*"

Section 10 Township 11 South Range 3 West SBM in San Diego County, CA is my case in point. The center of section monument, a set stone, was set and described in the notes of the original survey due to the extremely rough terrain on the actual section lines (although the exterior was monumented years later by another government surveyor). Not only was it set by the original surveyor, but it even survived and has been accepted and perpetuated by numerous surveyors as the original (and therefore controlling) corner with quarter section lines drawn from that location to each of the exterior quarter corners as established. The effect is unusual section geometry and substantially less than 160-acre quarters. There are other sections in the same area with very odd configurations due to similar actions by Mr. Goldsworthy, the original surveyor in the 1870s.

I think this actually adds to the point of Wickern's article, which was well done.

*Ronald W. Wootton, LS
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Via the Internet*

Wickern Replies to Wootton

As written by C. Albert White in *History of the Rectangular System*, "The Act of March 3, 1853, 10 Stat. 244, is probably responsible for the partial surveys of townships and the problems which that practice has caused ever since.... The provision in Sec. 3 of the act states: "That none other than the township lines shall be surveyed when lands are *mineral* or are *deemed unfit for cultivation*; and no allowance shall be made for such lines as are not actually run and marked in the field, and where *necessary to run.*" Mineral lands were being excluded from the surveys in California as were

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lands 'deemed unfit for cultivation.' The deputy surveyors were being placed in the land classification business.... The surveyors were being paid by the mile and picked the gravy; they ran only those lines they found to be necessary in surveying the section lines. These partially subdivided townships with protracted outlying quarter-sections have caused many problems in the present-day resurveys."

The 'rules' for retracing an original survey are not a matter of looking up a procedure, applying the 'textbook solution', and setting it where the 'book' says it should be. These partial surveys lead to many centers of sections being set as a part of the original survey with portions of the Sections left un-surveyed and deemed to be unfit. Completion surveys conducted later may not have agreed with the position where an original monument was set. The problem was most likely dealt within the course of the completion survey.

Thorough investigation and research are needed to resolve these issues. "The contrary may be shown" is very apt when viewing rules for establishment. I'm not convinced it is appropriate for retracement and perpetuating what has been established. The original may have been set 'contrary' to usual practice of the day, but retracement is always about perpetuating what was originally established. Retracement demands the surveyor exercise professional judgment. Another well-known survey term is appropriate for retracement surveying. The technical term to apply the appropriate solution would be, "It depends."—*C. W.*

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