

## DEPARTMENT OF THE INTERIOR,

General Land Office,

Washington, D.C., June 15, 1898.

## C I R C U L A R .

TO UNITED STATES SURVEYORS GENERAL,

Sir:

On page 224 of the 1894 Manual of Surveying Instructions, it is stated as follows:

"If it becomes necessary to retrace any of the exterior lines in order to properly close their lines of survey it must be done at the deputy's own expense as a legitimate contingent in executing the contract."

The construction to be put upon this paragraph is to the effect that deputies when closing their lines upon old work should not expect and will not be allowed compensation for running over the lines previously established, when it is done for the purpose of identifying and locating corners upon which they are instructed to close, or from which they are instructed to initiate their surveys.

The paragraph is not intended to disallow compensation for retracements made for the purpose of accounting for connections and closings upon previously surveyed lines, and for the purpose of vindicating the distances and bearings of those connecting and closing lines in cases where the absence of such showing would be considered by this office to indicate a failure on the part of the deputy to conform his work to the requirements of the Manual.

For example, suppose the deputy is required to establish the N., W. and S. boundaries of section 13, the range line having been previously established and accepted, and his latitudinal lines differ in length more than the limit allowed by the Manual; it will be the duty of the deputy to retrace the E. boundary of this section and note the alinement in order to explain this excess of difference.

In the same manner an excess of closing on this east boundary when running the latitudinal lines of said section will have to be accounted for by a remeasurement of the said boundary.

In cases of closings upon previous work in the interior of a township, the deputy often finds that his lines show an excess over limits of several chains in alinement and measurement on opposite sides of a section. His duty in such cases is to re-run the section boundaries adjoining his work to locate the error and re-set corners if found dilapidated or insufficiently witnessed. If no error in excess of limits is discovered, payment will not be allowed for the reason that the deputy's own work will thus inferentially be shown defective. He is not required to re-run lines beyond those of the adjoining section.

In another example: Suppose the deputy in subdividing a township, the N. boundary of which is already accepted, and the adjoining township on the north subdivided and accepted, finds the lengths of his closing lines in the north tier, and the distances on the north boundaries of the sections of this tier to be in excess of limits, he should retrace and remeasure the north boundary of township and report the measurements, re-establishing dilapidated and defective corner monuments at the time. If the line as re-run by him prove to be within limits, he will not be paid for the reurvey, but if the line be out of limits, he is entitled to compensation therefor.

Deputies will also be instructed that in any case of finding a misclosure, in connecting new surveys with accepted surveys, the presumption is in favor of the correctness of accepted work instead of the new lines being run, provided no evidence to the contrary exists. A single trial or random line by the last deputy cannot be held to discredit the connected system of work previously accepted under a previous contract. Hence a deputy must first retrace and examine those of his own lines liable to contain the error which caused said misclosure. If he then finds his own work accurate, and is willing to abide by the result of an inspection thereof, he is required to retrace the older line in which he suspects error, and justify his own work by showing the true condition.

This principle is the basis of the first paragraph on page 53 of the Manual, and is a condition precedent to the retracements treated of in this circular.

In cases where the deputy is subdividing a township, the boundaries of which are entirely or partly obliterated, and he cannot in closing thereon, identify or locate some of the corners, he should re-establish the line in accordance with the rules laid down in the Manual, pages 72, 73, and 74. Other cases treated of in these pages in which deputies will be governed by the directions given therein. It is not necessary to make suppositious cases of every variety of circumstances which the deputy is liable to encounter. It is sufficient to state that retracements and resurveys not specifically provided for in the deputy's special instructions, which are deemed by the deputy to be necessary to make a consistent showing of his work (this office to decide as to the necessity thereof when finally passing upon the work), and retracements and resurveys found necessary by reason of obliteration will be paid for, satisfactory evidence being required in all cases that they were necessary.

These retracements must be corroborated by the examiner before the deputy will be allowed compensation, and retracements thus made, as well as resurveys, will be noted in the data furnished by Surveyors General to the examiners when starting for the field inspection, and the latter will be required to examine each mile or portion of a mile of such retracements in order to verify the work done by the deputy for which he asks compensation.

When the special instructions accompanying the contract specify that certain lines of old surveys are to be re-established, resurveyed, or retraced, if certain conditions be met with, and such work is performed in compliance therewith, there will be no question as to the compensation therefor.

You are further directed to notify deputies that retracements made for the purpose of accounting for connections and closings

made on lines of old surveys, and to justify the length and bearing of connection and closing lines, where the absence of such would indicate failure to conform to the requirements of the Manual, will be paid for at the minimum rate per mile named in their contracts for the class of lines retraced (base lines, standard lines, and guide meridians, being classed as township lines, as the Manual does not require that such lines when retraced be doubly chained in any instance), provided the reestablishments, resurveys and retracements stated in his notes are corroborated by the field examiner.

For reestablishments and resurveys (those which involve the establishments of corners), the deputy will be paid at the rates per mile named in his contract for the class and character of lines re-established or resurveyed.

In restoring lost or obliterated corners the deputy will, when it is applicable, follow the pamphlet of instructions for "Restoration of Lost or Obliterated Corners and Subdivision of sections", issued by the General Land Office October 16, 1888, a copy of which accompanies the Manual now in his possession.

Notes of reestablishments, resurveys, and retracements will be full notes in every particular, and they will be incorporated in a book by themselves. The title page thereof will clearly state as usual, the surveys made, when and by whom, and under what authority. Following the index will be an affidavit by the deputy explanatory of the lines so reestablished, resurveyed, or retraced, and setting forth the absolute necessity therefor. Following this affidavit will be the usual preliminary oaths of assistants covering the retracements or resurveys. Then will follow the notes of said surveys.

In all cases of retracements and resurveys the deputy will append a table of latitudes and departures showing that the exterior lines limiting his work close within allowable limits of error.

Following the notes, the usual final oath of the deputy and his assistants will be inserted. They will cover the resurveys only.

(Signed) Binger Hermann,  
Commissioner.

J.I.P.

A.M.

DEPARTMENT OF THE INTERIOR,

June 15, 1898.

The foregoing instructions are hereby approved and authority is hereby given the Commissioner of the General Land Office to direct the surveyors general to attach the same to the special instructions to deputy surveyors accompanying each contract for the survey of the public lands, the same to form a part of such special instructions.

(Signed). G. N. Bliss.

Secretary.