

1st, Mr. Bates testified it to be to the best of his knowledge (see testimony on file) that it is at his SW fence corner.

2nd, the distance from Daly's corner near granery to NW Cor. Sec. 10 is 2 miles and 138 feet, and if proportional measures were adopted, it would throw this corner north of the position testified by Mr. Bates ⁶⁹ 34 feet.

3rd, The lines running East and West practically corroborate Mr. Bates' testimony.

4th, If proportional measures were adopted it would throw the corner over 4 rods out of line with the existing corners East and West.

5th, The Secretary of Interior instructs that where the proportional measure would throw the corner greatly out of line (ie 4 rods) that the alignment is to be ~~examined~~ considered as showing the true original position nearer than the measurements ^{as given in the Government Field Notes} of the corners which are to be considered erroneous.

6th, As Mr. Bates testimony and the alignment practically agree and as the proportional measurements would throw this corner greatly out of line, I decide that the point testified to by Mr. Bates to be the original position of the SW cor. Sec. 10, T. 13, R. 34 E., and I have set a rock marked with 5 notches on South and 3 notches on the East and C S chiseled thereon at the point pointed out by Mr. Bates and corroborated by the alignment of the existing Sec. corners East and West and North and South.

7th, The ^{measurements} monuments as given by the Gov. field notes are very erroneous in regard to nearly all the sections in this vicinity, showing that very careless measurements were made, and that to find the measurements of this section more or less erroneous is no more to be expected. ^{than}

8th, The SE cor. and NE cor. of Sec. 10 are attested by the intersection old lines of blazes and the measurements show the east line of Sec. 10 to be in excess of a mile 144 feet, therefore it is reasonable to presume that the East line and the west line would be made practically of the same length. This would also be presumptive evidence that the measurements from the point testified by Mr. Bates to the NW cor. Sec. 10 would be practically correct as there is only 6 feet difference between this distance and the east line of Sec. 10, T. 13, R. 34 E. Notes and Maps on ^{file} record.
July 28, 1911.

Michael Spears
County Surveyor.