The State of Texas }
No. 201 vs
Francis Smith } This Cause is upon Motion of both parties Consolidated with Cause No. 200 vs The State of Texas vs Francis Smith, The State of Texas Nos. 200 and 201 vs Francis Smith

On this the 14th day of November A.D. 1898, the above entitled Cause Coming onto be heard. Came the parties Plaintiff and defendant by their respective attorneys and announced ready for trial, no Jury having been demanded all matters as well of fact as of law were Submitted to the Court; and it appearing to the Court that there is a conflict between the plaintiff and the defendant as to the correct construction to be placed on the field notes of the Jesus Cardenas 11 League Grant situated in LaSalle and Dimmit Counties, Texas. and that according to the Construction of Defendant Said Grant would Cover and include within its boundaries all of the following Surveys, to wit:

Abst. No.	Cert. No.	Sur. No.	Original Grantee.	Patentee.	No acres
1201	2593	7	G.C.&S.F.R.R.Co	William Cassin	640
1202	2597	5	Do	William Cassin	640
1268	426	9	Garrett Jesse	William Cassin	1280
1299	1391	1	James M. Whitson	William Cassin	1280
1300	543	10	J.C. Whitley	D. & A. Oppenheimer William Cassin	1280
1318	1636	11	T.C. R.R. Co	F.M. McCaleb	567

as well as certain land patented to the International & Great Northern R.R. Co. except a portion of Surveys Nos. 5 and 7 in the name of G.C.&S.F. R.R. Co. herein-before described; and that according to

the Contention of Plaintiff and the Land Office Construction of the field Notes of Said Grant. the Same does not include any of the Surveys hereinbefore named. and by actual Survey of Said Grant according to its field Notes and the meandering of the Nueces River Said Grant Contains — according to the Contention of Plaintiff, by actual measurement Thirty one Thousand five hundred and thirty three acres, of which the defendant Francis Smith owns 21.658 acres of land. 11.760 — acres of which are Situated in Dimmit County and 9898 acres in La Salle County. And it further appearing to the Court that to assess and Collect taxes of Defendant on said Jesus Cardinas Grant in excess of the actual acreage owned by defendant in said Grant on the hypothesis that Said Grant Contains eleven leagues of land, whereas fact it only Contains 31533 acres. of which the defendant is the owner of twenty one thousand six hundred and fifty eight acres. Eleven thousand seven hundred and sixty acres, being in Dimmit County and nine thousand eight hundred and ninety eight acres in La Salle County, is illegal;

It is further, ordered, adjudged and decreed by the Court, after hearing the pleadings, evidence and arguments of Counsel, that for the purpose of Taxation and without adjudicating the title of Plaintiff or defendant, or anyone claiming by through or under them, to any land outside of the boundaries herein defined, and with

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the boundaries as claimed by defendant
1st That the boundaries of the Jesus Cardenas Grant be and the same are hereby established as follows to-wit:
Beginning at the N.E. Corner of said Jesus Cardenas Grant. as established by A.L. Hector. from which a Cat Claw 8" dia. brs S. 64 W. 15 vs. an Elm 10" in dia. brs. N. 56½ W. 13 vs. an Elm 12 in dia. brs. N. 84 E 6 vs. and a Cat Claw S. 42 E 4 vs. thence South 20 degrees W. mag. 10.000 vs. thence in a westerly direction about 28.660 varas to the furthest South Corner of the Blas Reyes 11 League Grant; Thence north 20 degrees E Mag. with lower line of said Blas Reyes Grant 10.000 varas to Nueces River. and thence down said river with its meanders to the place of beginning
2nd. That the actual area of said Jesus Cardenas Grant is 31,533 acres. of which the defendant Francis Smith owns 21.658 acres 11,760 acres being in Dimmit County and 9898 acres in La Salle County.
3rd That the Defendant and his vendors have since they acquired the six several surveys hereinbefore & hereinafter described regarded the same as part of said Cardenas Grant. did not pay the taxes due thereon as such separate Surveys but paid taxes on their portion of the said Cardenas Grant rated at its full area of Eleven Leagues. and that the defendant is therefore entitled to a credit against the taxes herein sued for of the amount of taxes. the defendant and his vendors have heretofore paid on the shortage of the

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said Cordenas Grant. being the difference between the full Eleven Leagues and the actual area as above found; and that the Plaintiff and defendant having agreed upon and adjusted said Credit, have found and agreed that there is due and owing by the defendant to the Plaintiff the sum of Ten Dollars balance upon account of said Taxes due for Wherefore it is ordered adjudged and decreed by the Court that the Plaintiff the State of Texas, have Judgment for the sum of Ten Dollars which shall be Considered and is hereby adjudged a full settlement and Satisfaction of all Taxes due by the said Francis Smith on the lands described in this decree situated in Dimmit County to the State of Texas - or County of Dimmit, including Taxes for the year 1897 for the Statutory Clerks and Attorney fees and for Cost of Suit, And it appearing to the Court that the said debt and Judgment aforesaid is due for taxes upon the - lands hereinafter described and that Plaintiff has a tax lien thereon to secure the Same, it is further ordered adjudged, and decreed that the Plaintiff the State of Texas, do have and recover Judgment against Francis Smith the Defendant for a foreclosure of the Said tax lien securing the payment of said Judgment aforesaid upon the following described real estate to wit:

11,760 acres of the Jesus Cordenas Eleven League Grant being that portion of said

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Grant owned by the Defendant and lying in said County of Dimmit as aforesaid. And all of each of the following named and tabulated Surveys situate, lying and being in the aforesaid County of Dimmit to wit:

Abs. No.	Cert No.	Sur. No.	Original Grantee	Patentee	No. acres
1201	2593	7	G.C.&S.F.R.R.Co.	Wm Cossin	640
1202	2597	5	Do	William Cossin	640
1268	426	9	Garrett Jesse	William Cossin	1280
1299	1391	1	Whitson James M.	William Cossin	1280
1300	543	10	Whitely J.C.	D.A. Oppenheimer & William Cossin	1280
1318	1636	11	T.C.R.R.Co.	F.M. McCaleb	557

That an order of Sale issue, said land be sold as under execution and in Stotisfaction of the said Judgment and Cost aforesaid and due return made thereof as the law directs, and that the Sheriff place the purchaser of said land in possession thereof within thirty days.

It is further ordered that the Plaintiff take nothing by their suit against the New York & Texas Land Company Limited and that it be dismissed herein with Costs.

The State of Texas }
County of Dimmit } I Jos. E. Dickens Clerk of the District Court in and for said County of Texas do hereby Certify that the foregoing is a true and Correct Copy of the Decree in the above Numbered and Styled Cause and entered of records in the Minutes of said Court at its November Term A.D. 1898. and entered of Record in Minute Book No. 2 on pages Nos. 300-301 302 & 303.

Given under my hand and Seal of Office this May 13th 1899

Jos. E. Dickens
Dist. Clk. Dimmit Co. Texas

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Dimmit Co Sketch. Files
21 — No 21

Decree of Court
The State of Texas
Vs
Francis Smith

Filed in General
Land Office May
20th 1899
Charles Rogan
Comr.

Fees — $3.00 pd. F. Ho

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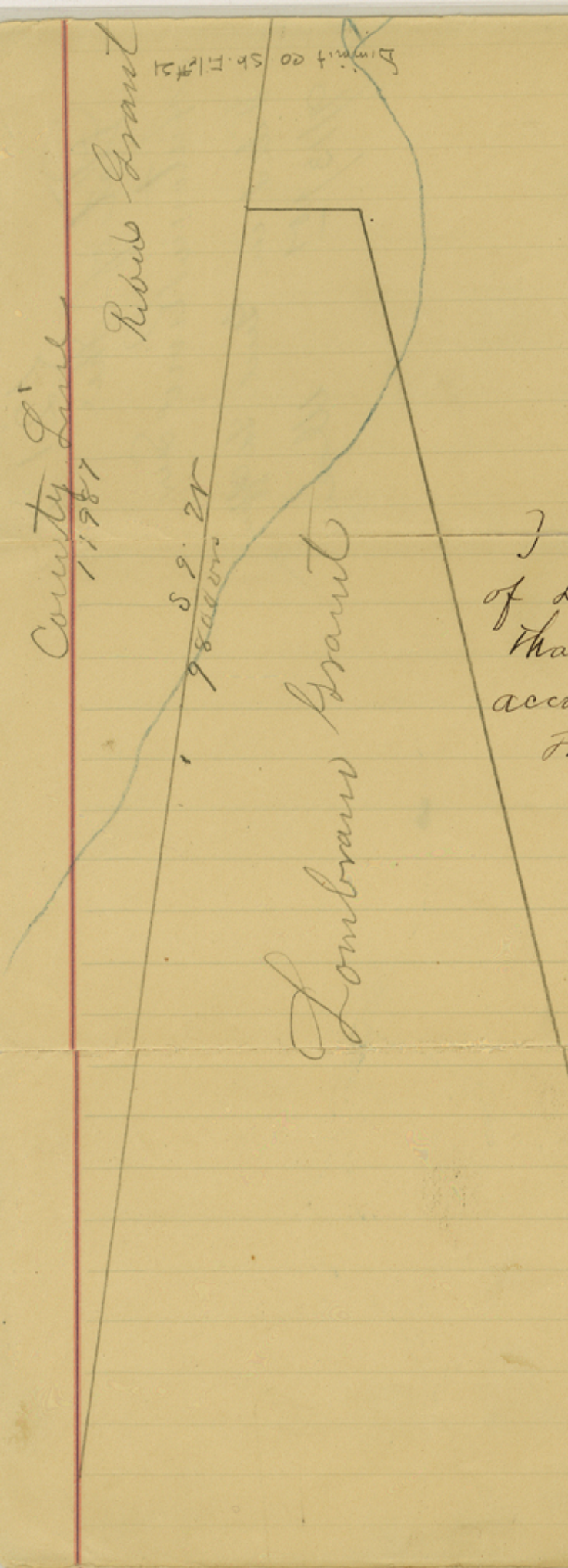
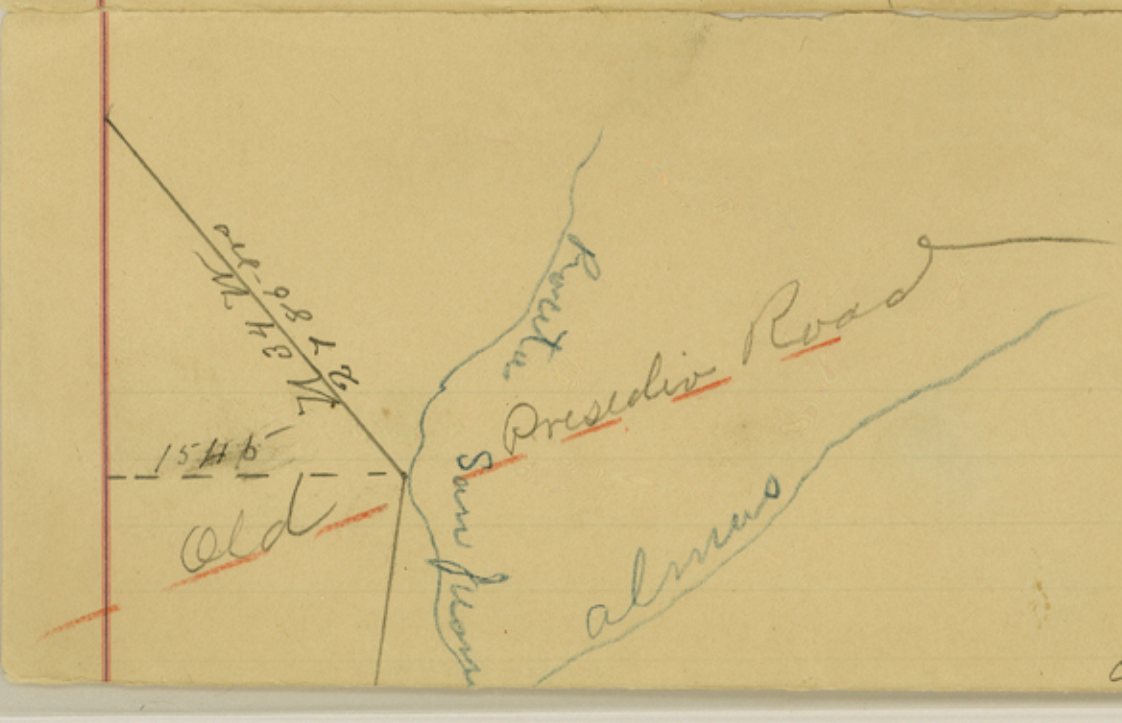
Dimmit Co. Sk. File #21



I Willis Barker Co Surveyor of Dimmit Co Tex Do herby certify that the foregoing Plat is correct according to a Survey made on the ground

Willis Barker Co Sur
Dimmit Co Tex



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Plat of The
Antonio River Sur
Filed in Genl. Ld Office
9/13/01 Wm

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