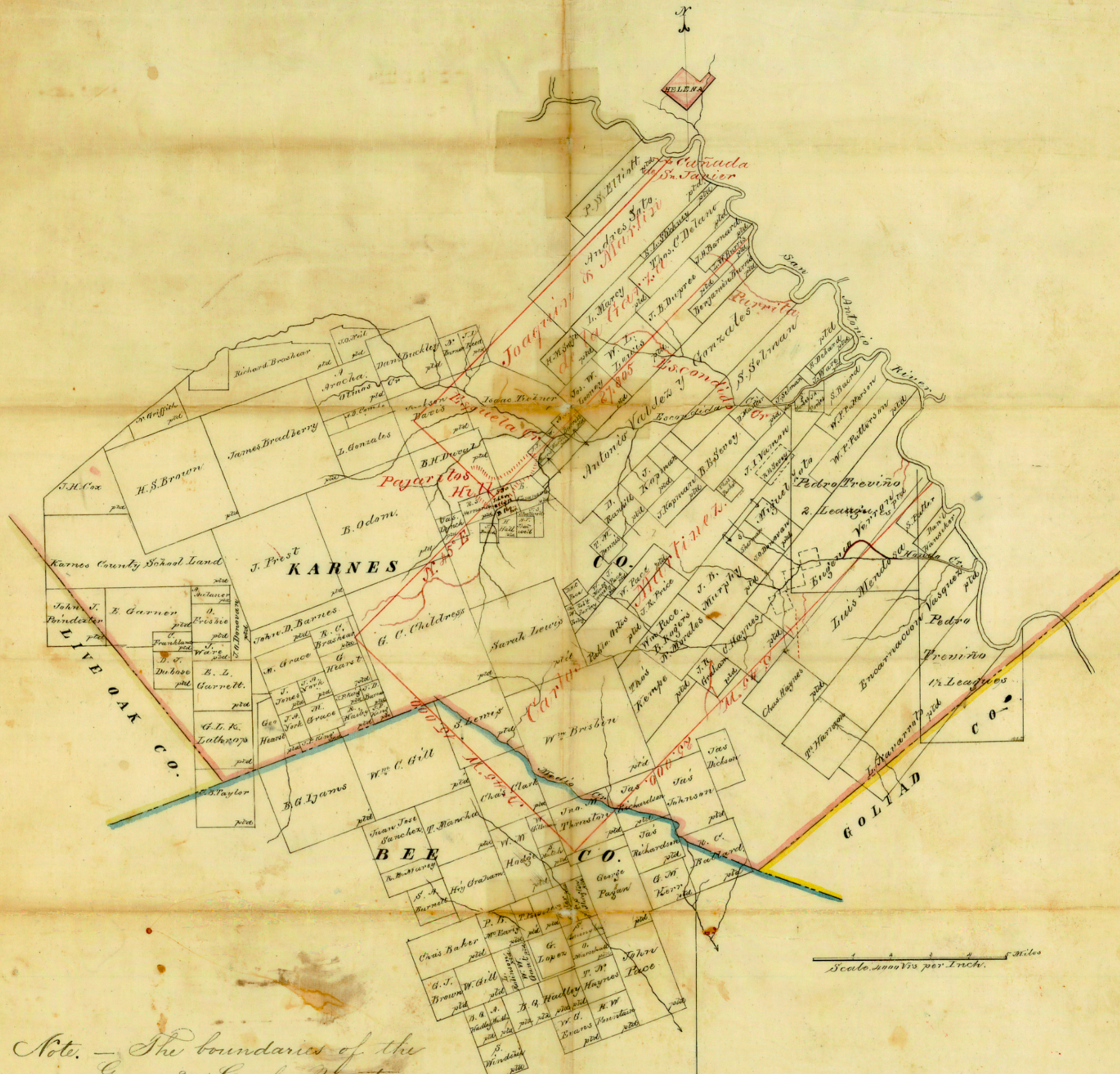


8
Karnes Co.



Note. - The boundaries of the Garza & Carlos Martinez Grants are laid down on this map in red pen lines together with the principal hollows, roads, and Hills mentioned in the accompanying field notes. -

J. Grand
Surveyor

COUNTY # 11903

No. 333.

J. M. Martinez et al
vs
John Littleton et al

Field Notes of a Survey of a Grant in the name of Carlos Martinez, situated in the Counties of Karnes and Bee, Tex, on the right bank of the San Antonio River: said survey having been made under an order of the District Court of Karnes County, at its fall term of 1868.

Beginning at the lower corner on the San Antonio River, of a Grant calling for 4 Leagues, in the name formerly of Joaquin^o Martin de la Garza. This corner was established by the undersigned, in the year 1861, when making a Survey of the said Garza Grant under an order of the Hon District Court of Karnes County, given in a case between Russell^o & McLane. - This corner is S. 45° E. - 5300 Yds and S. 45° W. 70 Yds from the mouth of the Cañada de San Javier (which is the upper and beginning corner of the Garza Grant) and is to be found on the bank of the San Antonio River, at a bend, about 100 yds to the Eastward of the house of Burris, above which bend, there is a hill with motts of Live Oak, coming near to the river. At this point set a stake - from

which a Pecan 8 inches in diameter, marked by me \times in 1861, bears S. 29 $\frac{1}{2}$ ° E. 4 $\frac{1}{2}$ Varas and another Pecan 12 in diam bears N. 72 $\frac{3}{4}$ ° E. 9 $\frac{1}{4}$ Varas. —

Thence ran down the San Antonio River for front, three Leagues or 15,000 varas on a base line running S. 45° E. terminating the front at a point, at the edge of the timbered bottom of the river, about 50 vrs from the waters edge, which point is S. 45° E. 15,000 Vrs and S. 45° W. 2805 vrs from the lower corner of the Garza Grant - it is about 200 vrs below a horse power mill in the prairie, and about one quarter of a mile above a fence said to be that of Mr^s Ferryman. - Here set a stake, from which a Pecan 14 inches in diam, marked \equiv bears N 15° E. 6 vrs, and another 20 in. in diam marked also \equiv bears S. 48° E. 13 vrs. — Thence S. 45° W. parallel to the lower line of Joaquin^o Martin de la Garza survey, 890 vrs to the old La Bahia road, 1400 vrs to a Laguna, at 4120 vrs, struck Hondo Creek, at 4170 vrs left it 8770 vrs to a hollow running to the North and West, 9410 vrs to a road running Southward, 9660 vrs to a branch running to the Northwest, 11640 vrs to the top of a Spur putting to the N. W. 12650 Vrs to a hollow running towards the Northwest

14.480 vrs to a road, running North and South, 14.750 vrs to a hollow running North West, at 15.120 vrs a lone Live Oak 30 inches in diameter, stands 10 varas to the right of the line, 21.150 vrs crossed a branch of Medio-Creek, at 21.200 vrs crossed Main Medio-Creek, 23.150 vrs to top of a mesquite Hill, and 25.000 Varas or 5 Leagues, to the most Southern corner of this Survey.

Thence N. 45° W. 15.000 vrs to its most western corner.

Thence N. 45° E. across several hollows running to the Northward & Eastward 98.05 vrs to the South corner of the Garra 4 League Grant, on Pajaritos Hill, at 12.000 vrs a Settlement, the house thereon said to be Pace's about one quarter of a mile to the South East, 14.075 vrs to the Espuela (Spur) Creek, a branch of the Escondida Creek, at 20.825 cross the Escondida proper, at 21.630 vrs Pat Rose's Settlement about 400 vrs to the Southeast, 26.055 vrs to the Parrita Cr., 27.360 vrs to the Old La Bahia Road and 27.805 varas to the place of beginning.

The boundaries of the Garza^{ms} Mar-
tinez Grants have been laid down by me
on the accompanying plat, procured from
the General Land Office at Austin, in
red Pen lines, and the Hollows, Creeks,
Roads, and points or objects referred to
in the field Notes, of sufficient importance
are designated in the same way. —

The connection as to position, between the
old Surveys, and the more recent ones,
was ascertained on the ground. —

The mouth of the Cañada de San Javier
being South 250 vrs and East 290 vrs
from the upper corner of the Andres —

Soto League. { F. M. Giraud. G. Hernandez } Chain
 { Juan Rodriguez / M. Treviño } carriers
San Antonio 3 }
Oct. 30 - 1869 3 } J. Giraud - Surveyor

The State of Texas } Personally appeared before the
County of Bexar } undersigned authority, Francis
Giraud of the City of San Antonio, to me well known
who on oath declares that in obedience to an order
of the How District Court of Karnes County, made
at the fall term of A. D. 1868 of said Court, a copy
of which order is herewith attached, he proceeded
to the land or tract claimed by the heirs of Mar-
tinez, in the suit No 333 - J. M. Martinez et al
vs John Littleton et al - on the 28th day of
September 1869 - deponent further declares

on oath, that the foregoing field notes and plat attached are correct in every particular, and truly represent the survey made by him - Deponent further avers that he believes the accompanying map as furnished by the Gen. Land Office to be substantially correct - J. Giraud

Sworn to and subscribed before me this 13th day of November 1869, at office in San Antonio, Bexar County Texas - (Signed) Peyton Smythe County Clerk Bexar Co Texas

E.S.

J. M. Martin et al

No 333

vs. John Littleton et al It is ordered by the court that Francis Giraud be and he is hereby appointed as surveyor to survey the property specified in the pleadings in this cause of the plaintiffs and each defendant and report the same at the next term of this court. And it is further ordered that leave be granted to the plaintiff to amend his pleadings and make new parties defendants herein and this cause continued until the next term of the court.

#5

The State of Texas }
County of Karnes } J. W. Raiford Clerk of the
District Court of Karnes County, Texas, do

hereby certify the foregoing to be a true copy
of an order entered in the Case of J. W. Martinez
et al vs John Littleton et al at the fall term
AD 1868 of said Court as appears of record
upon the Minutes of said Court

In Testimony whereof I hereunto sign my
name & affix the seal of said Court
at my office in the Town of Helena
This 28th day of January A.D. 1869.

J. K. Bailey
Clk D.C.C.

LS

The State of Texas
County of Bexar, I, Julius Hoyer, a
Notary public in and for said County, duly com-
missioned and qualified do hereby certify, that
the foregoing Copy is a true and correct Copy
of the original, carefully by me compared
with said Original

In Testimony whereof I have hereunto
set my hand and official seal at office
in San Antonio this 28th day of
January A.D. 1870.

J. Hoyer
Not. Pub. Bexar Co.
Texas

Hb

96/86/1

24.000
N^o 8

Karnes County.

These papers were found on Mr.
Telfs desk, this July 10/74.

C. W. Telfs.

Decree of Dist. Court
of Karnes Co. in
regard to the
Carlos Martinez
Grant and field
notes thereof.

#7

county 28571

J. M. MARTINEZ ET AL

VS.

JOHN LITTLETON

THE STATE OF TEXAS 0

COUNTY OF KARNES 0

JUDGMENT OF DISTRICT COURT
DATED DECEMBER 8, 1871
FILED DECEMBER 8, 1871
RECORDED VOL. "C", PAGE 86
DEED RECORDS KARNES COUNTY TEXAS

Be it remembered that a District Court was begun and holden within and for the County of Karnes at the Court House thereof in the town of Helena, on the first Monday in November being the 6th day of said month Anno Domini One Thousand eight hundred and seventy one:

Present: the Hon. Daniel D. Clarborne, Judge of the 17th Judicial District, Ellisberry R. Lane Esq., District Atty., Hugh Carr, Sheriff, and T. K. Bailey, Clerk; when the following proceedings among others were had, to-wit:

Saturday, November 11th, A. D. 1871, 8th hour A.M.

J. M. MARTINEZ et al) In the District Court of Karnes
333 VS.) County, Texas.
John Littleton et al) November Term 1871

This being the 5th day of the Term of the Court and the day designated by the Law for taking Judgment by Default came L. S. Lawhorn and T. T. Teel attorneys on behalf of the Plaintiffs, to-wit:

Jose M. Martinez, Francisco Martinez, Santa Martinez and Justa Rodriguez, her husband, Miguel Martinez, Juana Martinez, Demetria Martinez, Crescuana Martinez and Jose Martinez (the said Miguel, Demetria, Juana, Crescuana and Jose Martinez being minors under the age of 21 years and who sue by their mother and next friend, Eucamecio Hernandez Y Martinez,) all of the County of Atascosa and State of Texas; Antonio Galan, Francisco Galan, Joaquin Galan, Appollinario Galan, Porfirio Manchaca, Maria Guadalupe Manchaca and Teresa Manchaca (the said Porfirio, Appollinario, Maria Guadalupe and Teresa Manchaca being minors under the age of 21 years and who sue by the said Antonio Galan their next friend) of the County of Maverick in said State, also Jose Maria Martinez, Josefa Martinez and Francisco Jurez of the County of Webb in said State, and it appearing to the court that the following named Defendants, Eugenio Verion, Randolph B. Marcy, J. K. Graham, Thomas Kemple, the heirs of Sarah Lewis, deceased, whose names are unknown, A. J. Adams, James Lynch, Daniel Buckley, Irvin Lewis, James W. Looney, H. A. Swift, S. Marcy, the heirs of R. E. Sevey, whose names are unknown, the Virginia Land Company (the names of the persons constituting said company are unknown) all of the foregoing mentioned Defendants being now residents of the State of Texas, and who had been duly and legally cited to appear and answer in this Cause, at the July term, 1871 of this Court, and the Cause having been continued to the present term of the Court, to perfect service on said Defendants, and it further appearing to the Court that the following named Defendants, to-wit:

Sarah Little, James M. McAda, James A. McLane, D. W. Dailoy, Robert Harkness, Charles W. Randolph, George W. Crane, Felix B. Webb, Henry Pullin, John C. Duval, J. M. Goff, W. J. J. Scoggin, H. R. Ammons, J. H. Little, and G. H. Nichols, all of whom had been legally cited by personal service to appear and answer herein, and it further appearing to the Court, that all of the aforesaid Defendants, who had been so cited by publication, and by personal service, had failed to appear and answer herein, and had wholly made default, and on motion of Plaintiff's said Attorneys, it was considered by the Court, that the said Plaintiffs have and recover of the aforesaid Defendants, all and each of them, the land described in Plaintiff's petition by Judgment final by default, said land being situated in Karnes County, Texas, and described as follows:

Beginning at the lower corner on the San Antonio River, of a Grant calling for 4 leagues in the name formerly of Joaquin and Martin de la Garza - This corner was established by the undersigned in the year 1861, when making a survey of the said Garza Grant, under an order of the Hon. District Court of Karnes County, given in a case between Russell and McLane.

This corner is S. 45 deg. E. 5300 vrs. and S. 45 deg. W. 70 vrs. from the Mouth of the Canada de San Levier (which is the upper and beginning corner of the Garza Grant) and is to be found on the bank of the San Antonio River, at a bend of about 1000 yards to the Eastward of the house of Burriss above which bend, there is a hill with lots of Live Oak coming near to the river - At this point set a stake from which a Pecan 8 in. in dia. marked by me X in 1861, bears S. 29 $\frac{1}{2}$ E. 4 $\frac{1}{2}$ varas, and another Pecan 12 in dia. bears N. 72-3/4 deg. E. 9-1/4 varas-

Thence run down the San Antonio River for front, three Leagues or 15000 varas on a base line running S. 45 E. terminsting the front at a point at the edge of the timbered bottom of the River, about 50 varas, from the waters edge, which point is S. 45 E. 15000 varas and S. 45 deg. W. 2805 varas from the lower corner of the Garza Grant, it is about 200 varas below a horse power mill in the prairie, and about one quarter of a mile above a fence, said to be that of Mrs. Perryman - Here set a stake from which a Pecan 14 in diameter, Marked M bears N. 1-1/2 deg. E. 6 varas and another 20 inches in diameter marked also M bears S. 48 deg. E. 13 vrs.

Thence S. 45 deg. W. parallel to the lower line of Joaquin and Martin de la Garza Survey, 890 varas to the old La Bahia road; 1400 varas to a Laguna; at 4120 varas, Struck Hondo Creek; at 4170 vrs. left it; 8770 vrs. to a hollow running to the North & West; 9410 vrs. to a road running southward; 9660 to a branch running to the North West; 11640 vrs. to the top of a spur, jutting to the N. W. 12650 varas to a hollow running towards the North West; 14480 varas to a road running North and South; 14750 varas to a hollow running North West; at 15120 varas a Live Oak 30 inches in diameter stands 10 varas to the right of the line; at 21150 vrs. crossed a branch of Medio Creek; at 21200, crossed main Medio Creek; 23150 to top of a Mesquite hill; and 25000 varas or 5 Leagues to the most southern corner of this survey.

Thence N. 45 deg. W. 15000 varas to its most Western corner-

Thence N. 45 deg. E. across several hollows running to the Northward and Eastward, 9805 varas, to the South corner of the Garza 4 Leagues Grant on Pajaritas hill; at 12000 varas a settlement, the house thereon, said to be Pace's about one quarter of a mile to the South East; 14075 varas to the Espuola (spur) Creek, a branch of the Escondido Creek; at 20825 Cross the Escondido proper, at 21630 vs. Pat. Rose's settlement; about 400 varas to the South East 26055 vrs. to the Parrita Creek; 27360 varas to the old La Bahia Road; and 27805 to the place of beginning.

The boundaries of the Garza and Martinez Grants, have been laid down by me, on the accompanying plat procured from the General Land Office at Austin in red pen lines, and the hollows, creeks, roads and points or objects referred to in the field notes of sufficient importance are designated in the same way-

The connection as to position between these old Surveys, and the more recent ones, was ascertained on the Ground. The mouth of the Canada de San Javier being south 250 varas, and East 290 varas from the upper corner of the Andres Soto League.

F. M. GIRAUD
JUAN RODRIGUEZ

GREGORIO HERNANDEZ
MARIANO TREVINO

) Chain
) Carriers

F. GIRAUD, Surveyor

San Antonio)

Oct. 30th, 1869)

The
State of Texas)

County of Bexar)

Personally appeared before the undersigned authority Francis Giraud of the City of San Antonio, to me well known, who on oath declares that in obedience to an order of the Hon. District Court of Karnes County made at the fall term of A. D. 1868 of said court of Karnes County a copy of which order is hereunto attached, he proceeded to the land or tract claimed by the heirs of Martinez, in the Suit No. 333 J. M. Martinez et al vs. John Littleton et al, on the 28th day of September 1869, defendant further declares on oath that the foregoing field notes and plat attached are correct in every particular, and truly represent the survey made by him -

Deponent further avers that he believes the accompanying map as furnished by the Gen'l. Land Office to be substantially correct.

F. GIRAUD

Sworn to and subscribed before me, this 13th day of November 1869 at office in San Antonio Bexar County, Texas.

PEYTON SMYTHE
County Clerk Bexar County Texas

and that a writ of inquiry be and is ordered to find the same with the issue presented in the petition.

J. M. MARTINEZ et al) In District Court of Kernos
 333 Vs.) County, Texas -
 John Littleton et al) Sixth day of the Term.

This Cause being duly called for trial, Came the Party Plaintiffs by their Attorneys, and Continue the Cause as to the Executors of Ass Mitchell, deceased, M. N. Shivo, P. H. Rose, the heirs of Benjamin Burris deceased, and the heirs of Burnell Butler, deceased; said Burnell Butler, having departed this life since the beginning of this suit; thereupon, also Came by answer, the following named defendants, to-wit:

Jool Pace, James R. Pace, O. A. Russell, James Butler, Gideon G. Pace, Wm. G. Butler, L. W. Burris, L. D. Puckett, Bean, A. J. Burris, the heirs of Benjamin Burris, deceased, and the Plaintiffs herein having dismissed as to the following named defendants, to-wit: Emmitt H. Rutledge, John Littleton, H. H. Molano, Charles Lisle, James M. Elder, Thomas H. Puckett, heirs of Mrs. J. H. Barnard, M. A. Porterfield, John S. Spence, and said Plaintiffs thereupon having announced themselves ready for trial and no one objecting thereto, whereupon there came a good and lawful jury, to-wit: R. A. Rutledge, W. O. Hutchinson, Bartlett Ford, J. B. Conway, F. H. Clark, E. C. Dees, L. D. Massengale, Hiram Pullin, L. S. Lipscomb, S. S. Gilbert, W. J. H. Dees and Thos. Turner, good and lawful men, who were duly elected tried and empannelled and sworn well & truly to try the issue joined between all of the parties present, and to the writ of inquiry heretofore ordered, after hearing the pleadings and evidence as adduced, and which is as follows, to-wit:

Translations:

Captain Louis Carrold, Sir. With due and proper submission, I, Carlos Martinez, a native of the town of San Fernando, Royal Presidio of San Antonio de Bexar, and an inhabitant for fourteen months of this Royal Presidio of La Bahia del Espiritu Santo, most humbly and respectfully represent to you, that I am a son of one of the ancient settlers of the before mentioned Presidio of Bexar, and have been in the service of his Majesty the King (whom God preserve) for sixteen years at his royal Military posts, such as the Royal Presidio of La Bahia -

That I have served twelve years during the time Captain Manuel de la Posona commanded and two years during the term of Captain Francisco Thevar under whom I enlisted.

Of the many battles which during that time we had with Indians, I will merely call your attention to two, in one of which we brought in one hundred and fifty warriors (borados) the Commander of our detachment being Augustin de Cosmo and an - other in which we took a large number of horses loaded with meat, the Commander of our detachment then being Ensign Bernabe Caravejal; omitting the mention of various skirmishes and pursuits which did not amount to battles.

I also beg leave to submit to your consideration that two of my brothers, lost their lives by the hands of the enemy; as well as that the blood of my ancestors, has been continually shed, on this frontier, and in like manner would it have happened, in the defence of the Presidio of Bexar, when the

Garrison would have perished had it not been that my deceased father, through devine providence, killed the Indian Chief of the Apachos, the tribe which attacked the said Presidio of Bexar, and which act was sufficient to cause the enemy to retreat.

And in as much as it is the benign and charitable purpose of our sovereign, as appears by his royal decrees, wherein he most solemnly charges that the first conquerors and actual settlers of the frontiers of his dominions should be attended to and favored in preference to all others:

I have concluded to petition and pray, that you may do me the favor, to give me possession of Eight leagues of land of the public domain, now vacant for the purpose of establishing a stock farm for raising cattle.

Beginning at the place where the land of Joachin de la Garza corner,

Thence with the River downward the distance of three leagues and extending back towards the Nueces on a straight line, the distance of five leagues, and that you may at the time after these documents shall have been completed, order the proper copy of them to be given to me, in order to pay such fees as may be due to his Majesty in view of all which I pray you may be pleased to grant this my petition in the manner herein expressed, it being justice which I implore, and that you will admit this petition on the present common paper, there being no sealed paper, I make oath in due form, that this is in good faith, with all other necessary protestations & C -

At the prayer of Carlos Martinez

Signed: PEDRO JOSE DE ARRAMBIDI

In the Royal Presidio de La Bahia del Espirato Santo this seventh day of the Month of June of the year one thousand seven hundred and eighty eight.

I, Don Luis Cazorla, Captain of Cavalry of the above Garrison, Military Commandant of the same and Governor and Chief Justice of the town and district; by the King our Lord (whom God preserve) in consideration of the petition presented by Carlos Martinez, a native of the town of San Fernando de Austria in the Presidio of Bexar, and now a resident of this place, under my command and in view of his respectability, good conduct and services, of which I am well informed. By virtue of the authority which his Majesty has condescended to vest in me, in Chapter 1st, Section 11th of the Royal Regulations, and Instructions for the government of presidios, dated 10th December of the past year, one thousand seven hundred and seventy two. I grant to the before mentioned Carlos Martinez the grant of land of the Royal Domain which he solicits in his petition, with all the obligations provided in the aforesaid regulations to Cultivate them and to have horses, arms and ammuniton in readiness to go against the enemy, whenever necessity may require, and he may be ordered to be subject in all things to the authority to which he will recur in primary instances and in like manner to the ecclesiastical tribunal within the jurisdiction of this Parish, ti being well understood, that said Grant is not to prejudice

any other jurisdiction, or the interests of adjoining parties, in any right they may have in case claim should be made until the point is decided by law: he the before mentioned Carlos Martinez being liable to service in his turn as a Municipal Officer in Common with others of this Presidio, as inhabitant of the same: under which conditions I grant and confirm the before mentioned grant of land at the places he designated.

I will also do the same, when he shall apply for a town lot, in the said Presidio, upon which to build a house without injury to a third party; and in order that this my decree may serve the before mentioned Carlos Martinez for his security and legitimate title, I as in duty bound to order, do Command, that an authenticated copy of it be given to him, and that the original be placed in the Archives of this district under my Commando as governor of the same: that it may there appear at all times, in testimony whereof and by this my decree, thus did I adjudge and subscribe with my attendant witnesses, with whom I execute official acts in the absence of a Notary (there being none, either Royal or Public) in the manner prescribed by law, and on the present common papers, as sealed paper is not used in this province to all of which I certify.

Signed LOUIS GAZORLA

Witness Signed: JOSE ANTONIO ROYALES

Witness Signed: BENITO BAIMAEDA

General Land Office City of Austin Feb. 7th, 1840

The foregoing is a correct translation of the original title on file in this office.

SEAL

THOMAS G. WESTERN

Translator Gen'l Land Office

General Land Office City of Austin, Feb. 7th, 1840

I hereby certify that Thomas G. Western, whose signature appears to the foregoing certificate, is a translator to this office, duly appointed to according to Law.

In testimony whereof, I have hereunto set my hand and affixed the seal of this office on the date and day above written.

SEAL

JOHN P. BORDEN

Com. G. L. Office

This corresponds with No. 334

The inhabitant of this province, Carlos Martinez, having sufficiently proven the injustice, with which you have endeavored to dispossess him of the Rancho named San Jose, which he has acquired by a legal title, I have placed upon the report, which for a qualification of his proceeding I ask of impartial persons the following decree:

Valley of Santa Rosa
May 27th, 1789

With respect to the Rancho, which it has been attempted to dispossess Carlos Martinez, is situated in the Jurisdiction of the Presidio de la Bahía del Espíritu Santo, the population of which is Military, and as the Rancho was acquired by that party lawfully, the proceedings taken by the Governor of Texas, in violation to this subject is unjust-

The Commandant of the Presidio de la Bahía del Espíritu Santo, will protect and maintain the aforesaid Martinez in the possession of the aforesaid Rancho, named San Jose, without the Governor of the Province, or any other person being permitted to disturb or dispossess him of it unless vanquished by a due course of law, in a proceeding prosecuted by all the forces of a Court of Justice, to his dispossession or expulsion; give orders that in said case only, and in no other, will this General Head Quarter Communicate with the aforesaid commandant of Captain of the Presidio de la Bahía del Espíritu Santo.

V GALDE

I transcribe it for your information that the suit is suspended which has been instituted without any reason against the said Martinez and to the end also, that in your proceedings you will take care to maintain Justice, and protect the unfortunate, when persons of power, or Landlords, attempt to oppress them, that they should have recourse to the remedy in their necessity - God guard you many years.

Valley of Santa Rosa
May 27th, 1789

JUAN V GALDE

To Don Rafael Martin Pacheco

General Land Office)
Austin, Jan'y 30th, 1860)

I, Edward Linn, Spanish Clerk in said office, bonded and sworn, certify that the foregoing is a correct translation of the protection of the title to Carlos Martinez of the Rancho named San Jose, on file in said office.

EDWARD LINN, Spanish Clerk

General Land Office)
State of Texas)

I, Francis M. White, Commissioner of the General Land Office of said State, Certify that Edward Linn is Spanish Clerk in said office, bonded and sworn, and that his acts as such are entitled to full credit.

In testimony whereof, I have hereunto set my hand and caused the seal of said office to be affixed at the City of Austin this 30th day of January A. D. 1860.

SEAL

FRANCIS M. WHITE

J. M. Martinez et al)

333 VS.)

John Littleton et al)

It is ordered by the Court, that Francis Giroud be, and he is hereby appointed as surveyor to survey the property specified in the pleadings in this Cause of the Plaintiffs and each Defendants and report the same at the next term of this Court.

And it is further ordered, that leave be granted to the Plaintiff to amend his pleadings, and make new parties Defendants herein -

J. M. Martinez et al)

333 VS.)

John Littleton et al)

Field notes of a Grant of Land in the name of Carlos Martinez situated in the Counties of Karnes & Bee, Texas, on the right bank of the San Antonio River. Said Survey having been made under an order of District Court of Karnes County, at its fall term of 1868 -

Beginning at the lower corner, on the San Antonio River, of a Grant calling for 4 leagues in the name formerly of Joaquin and Martin de la Garza.

The corner was established by the undersigned in the year 1861, when making a survey of the said Garza Grant, under an order of the Hon. District Court of Karnes County, given in a case between Russell & McLane -

This corner is S. 45 deg. E. 5300 varas, and S. 45 deg. W. 70 vs. from the mouth of the Canada de San Javier (which is the upper and beginning corner of the Garza Grant) and is to be found on the bank of the San Antonio River at a bend about 100 yards to the Eastward of the house of Barris above which bend, there is a hill with lots of Live Oak coming near the river;

At this point, set a stake from which a Pecan 8 inches in diameter marked by me X in 1861 bears S. 29½ deg. E. 4½ varas, and another Pecan 12 in diam bears N. 72-¾ deg. E. 9½ varas -

Thence run down the San Antonio River for front three leagues or 15000 varas on a base line running S. 45 deg. E. terminating the front at a point at the edge of the timbered bottom of the river, about 50 varas from the waters edge, which point is S. 45 deg. E. 15000 varas, and S. 45 deg. W. 2805 varas from the lower corner of the Garza Grant, it is about 200 varas below a horse power mill in the prairie and about one quarter of a mile above a fence said to be that of Mrs. Perryman - Here set a stake from which a Pecan 14 inches in diameter marked M bears N. 1½ deg. E. 6 varas, and another 20 inches in diameter marked also M bears S. 48 deg. E. 13 vs.

Thence S. 45 W. parallel to the lower line of Joaquin and Martin de la Garza survey, 890 varas to the old La Bahia road, 1400 varas to a Laguna; at 4120 vrs. struck Hondo Creek; at 4170 vrs. left it; 8770 vrs. to a hollow running to the North and West; 9410 varas to a road running southward; 9660 varas to a branch running to the North West; 11640 vrs. to the top of a spur jutting to the N. W. 12650 varas to a hollow running towards the North West 14480 varas to a road running North & South; 14750 varas to a hollow running North West; at 15120 varas a lone Live Oak 30 inches in diameter stands 10 varas to the right of the line; at 21150 vrs. crossed a branch of Medio Creek; at 21200 crossed Main Medio Creek; 23150 to top of a Mesquite hill and 25000 varas or 5 leagues to the most Southern corner of this survey.

Thence N. 45 deg. W. 15000 varas to its most western corner.

Thence N. 45 deg. E. across several hollows to the Northward and Eastward, 9805 varas to the south corner of the Garza 4 League Grant on Pajaritas Hill; at 12000 varas, a settlement, the house thereon, said to be Paces, about one quarter of a mile to the South East; 14075 varas to the Espuela (Spur) Creek, a branch of the Escondido Creek; at 20825 cross the Escondido proper; at 21630 vrs. Pat Roses settlement, about 400 vrs. to the South East; 26055 vrs. to the Parrita Creek; 27360 varas to the old La Bahia Road, and 27805 varas to the place of beginning -

The boundaries of the Garza and Martinez Grants, have been laid down by me, on the accompanying plat procured from the Gen'l Land Office at Austin, in red pen lines, and the hollows, creeks, roads and points or objects referred to in the field notes of sufficient importance are designated in the same way.

The connection as to position, between these old surveys, and the more recent ones, was ascertained on the ground.

The mouth of the Canada de San Javier being South 250 vrs. and East 290 varas from the upper corner of the Andres Soto League.

F. M. GIRAUD

JUAN RODRIGUEZ

GREGORIO HERNANDEZ) Chain

MARIANO TREVINO) Carriers

F. GIRAUD, Surveyor.

Plaintiffs also introduced Antonio Manchaca, who being duly sworn, testified as follows -

Witness was born in San Antonio de Bexar on the 12th day of January in the year 1800, and has lived in San Antonio all his life -

I first knew Carlos Martinez when I was about 8 years old -

Carlos Martinez was killed by the Indians in 1815;

Carlos Martinez lived at his ranch from the time I knew him first, until his death; his Rancho was situated on the South side of the San Antonio River, near the Escondido Creek in what was then Bexar, now Karnes County.

The Rancho in his judgment was situated about one & a half of 2 leagues from where Helene now is. I was at the Rancho in 1834; was sent down against the Tonkaway Indians - Carlos Martinez then lived there with his family -

The Escondido was then called Galbazes and sometimes Espantifore and Indian name; when I was a boy, I heard Carlos Martinez tell some old men, that he, Carlos Martinez had settled the Rancho in 1773. I heard all the old people say when I was a boy say it was a very old Rancho. It was a Rancho that always had plenty of horses, cattle, sheep & Hogs.

Witness knew all the Plaintiffs mentioned in the Petition. They were the children, grandchildren and great-grandchildren of Carlos Martinez.

The houses and fences of Carlos Martinez were destroyed in 1843, by a company of white people who came to the Rancho from the Guadeloupe and Colorado Rivers, killed the people at the Rancho and stole their stock.

This Rancho of Carlos Martinez was called a frontier Rancho until of late years, and this predatory warfare continued until 1846 -

Some of the grand-children of Carlos Martinez married with Gallan, and some with Manchaca, and some with Justo Rodriquoz, and Josepha Martinez, a great-granddaughter, married Francisco Jurez. These are all the descendants I know of Carlos Martinez.

Plaintiff then introduced a witness, R. A. Rutledge, who testified as follows:

My Father moved on the land in Controversy in the fall of 1851 and lived in a Camp, until the Spring of 1852, when he built a house on the land, about one mile above the mouth of the Escondido Creek -

In the Fall of 1852 my Father took a lease from R. H. Horde and acted as an agent for said Horde in protecting the timber on the land, and from trespasses -

My Father continued to act as agent for said Horde until his death in 1862 or 3.

There was a written agency from Horde.

Horde was the Atty of the Plaintiffs in this suit.

My father lived upon the land as the tenant and agent of Horde from the fall of 1857 until he died.

The Written Agency I speak of, cannot be found among my Father's papers.

My Father placed John Ricks on the land as a tenant of Pliffs in 1852 and Ricks has so resided on the land up to the present time.

Horde was a Lawyer and the Atty of Martinez, Cundiff wanted to lease the land to my Father, but Father would not accept a lease. Cundiff then threatened to throw our things out of the house when my Father showed him the written agency from Horde and Cundiff respected the Agency.

Mr. Burnell Butler also respected the Agency given my Father by Horde.

Plaintiff then introduced A. D. Evans who was duly sworn and testified as follows:

He know Abraham Rutledge - He was my Father-in-law. I always understood Mr. Rutledge was Horde's agent, and that Horde was the attorney for representative of the Martinez claim. Thinks there was a writing between Rutledge & Horde.

I have searched within the last few days among my Father-in-Law's papers, and could not find the agency.

I first know Mr. Rutledge in 1859-

Plaintiff then introduced T. T. Teel, who being duly sworn, testified as follows:

I know Horde to be the attorney of the Martinez Heirs.

Plaintiff then introduced G. H. Nichols, who being duly sworn, testified as follows:

I know Abraham Rutledge 8 or 10 years previous to his death; know he was the agent of the land in Controversy and went to him once to get a tree and he told me I could have one tree which I got.

L. S. Lowhon was introduced by Plaintiffs, and being duly sworn, testified as follows:

I know Robert H. Horde, he was a lawyer, and the Agent and Attorney of the Plaintiffs.

He came to Karnes County, Texas, in 1857 or 8 on business connected with the land in Controversy.

Plaintiffs here closed their evidence, and the Defendants offered none.

After argument of Counsel, the Jury received the Charge of the Court and retired to consider of their verdict, and returning into Court rendered the following verdict, to-wit:

We, the Jury, find for the Plaintiffs, and that the Plaintiffs are the heirs and descendants of Carlos Martinez.

W. J. DEES, Foreman

Whereupon, it was Considered, ordered, adjudged and decreed by the Court, that the Plaintiffs do have and recover of and from the defendants, herein, the said land, to-wit: A certain tract of land traced on a plat on file in the Clerk's office and described in the following field notes -

Field notes of a Grant in the name of Carlos Martinez, situated in the Counties of Karnes and Bee, Texas, on the right bank of the San Antonio River -

Beginning at the lower corner on the San Antonio River of a Grant calling for 4 leagues in the name formerly of Joaquin and Martin de la Garza, this corner was established by the undersigned in the year 1861, when making a survey of the said Garza Grant, under an order of the Hon. District Court of Karnes County, given in a case between Russell and McLane - This corner is S. 45 deg. E. 5300 vrs. and S. 45 deg. W. 70 vrs. from the mouth of the Canada de San Javier (which is the upper end beginning corner of the Garza Grant) and is to be found on the bank of the San Antonio River, at a bend about 100 yards to the Eastward of the house of Burris, above which bend, there is a hill with lots of Live Oak, coming near to the River - At this point set a stake from which a Pecan 8 in in diameter marked by me X in 1861, bears S. 29½ E. 4½ varas, and another Pecan 12 = in diameter, bears N. 72-3/4 deg. E. 9½1/4 varas.

Thence ran down the San Antonio River for front three leagued or 15000 varas, on a base line, running S. 45 deg. E. terminating the front at a point at the edge of the timbered bottom of the river, about 50 varas from the waters edge, which point is S. 45 deg. E. 15000 varas, and S. 45 deg. W. 2805 varas from the lower corner of the Garza Grant, it is about 200 varas below a horse power mill in the prairie, and about one quarter of a mile above a fence said to be that of Mrs. Perryman here set a stake from which a pecan 14 inches in diameter marked M BEARS N. 1½ deg. E. 6 varas and another 20 inches in dia. M marked also M bears S. 48 deg. E. 13 vrs.

Thence S. 45 deg. W. parallel to the lower line of Joaquin and Martin de la Garza Survey 890 varas to the old La Bahia Road; 1400 vrs. to a Laguna; at 4120 vrs. struck Hondo Creek; at 4170 vrs. left it; 8770 vrs. to a hollow running to the North and West; 9410 vrs. to a road running southward; 9660 vs. to a branch running to the North West; 11640 vrs. to the top of a spur jutting to the N. W.; 12650 varas to a hollow running toward the North West; 14480 varas to a road running North and South; 14750 varas to a hollow running North West; at 15120 varas, a Lone Live Oak 30 inches in diameter, stands 10 varas to the right of the line; at 21150 vrs. crossed a branch of Medio Creek; at 21200 crossed Main Medio Creek; 23150 to top of a Mesquite hill, at 25000 varas or 5 leagues to the most southern corner of this survey.

Thence N. 45 deg. W. 15000 varas to its most western corner.

Thence N. 45 deg. E. across several hollows running to the Northward and Eastward, 9805 varas to the South corner of the Garza 4 League Grant on Pajaritas Hill; at 12000 varas a settlement, the house thereon said to be Pace's, about one quarter of a mile, to the Southeast; 14075 varas to the Espuela (spur) Creek, a branch of the Escondido Creek; at 20825 cross the Escondido proper; at 21630 Pat Rose's settlement about 400 vrs. to the South East; 26055 vrs. to the Parrite Creek; 27360 varas to the old La Bahia Road, and 27805 varas to the place of beginning.

The boundaries of the Garza and Martinez Grants have been laid down by me on the accompanying plat procured from the General Land Office at Austin in red pen lines, and the hollows, creeks, roads & points or objects referred to in the field notes of sufficient importance are designated in the same way.

The connection as to position between the old survey and the more recent ones was ascertained on the ground. The

mouth of the Canada de San Iavier being South 250 vrs. and East 290 vrs. from the upper corner of the Andres Soto League.

F. M. GIRAUD

GREGORIO HERNANDEZ) Chain

JUAN RODRIGUEZ

MARIANO TREVINO) Carriers

F. GIRAUD, Surveyor

and that the title to said land, as against said Defendants, each and every one of them, be forever quited, and fully vested in said Plaintiffs, and it was further ordered, and decreed that the said Plaintiffs have and recover the possession, as hereinbefore described, and that writs of restitution issue putting said Plaintiffs in full, complete and quiet possession of said land.

It is further ordered and decreed, that all the Patents, Deeds, Locations, or evidence of title and survey, of all and each of said Defendants be cancelled, annulled and held for naught.

And it further appearing to the Court that Certain agreements have been made between the Plaintiffs and the Defendants L. D. Puokett, J. M. Choate, and L. W. Burris, in regard to the matters in controversy, between the said Plaintiffs and the said Defendants who recognize the title of the Plaintiffs and wherein it appears in said agreements, as aforesaid, that said Plaintiffs have agreed that the Defendants have judgment for the land in said agreements specified, as follows: that is to say, the Defendant, L. W. Burris, have judgment for the following described land, to-wit:

Nine hundred and sixty acres described as follows, to-wit:

Six hundred and forty acres, lying in Kermes County (formerly in Goliad) and situated on the S. W. side of the San Antonio River, adjoining a survey made for Antonio Valdez y Gonzales about 29 miles above Boliad by virtue of a Certificate No. 8, issued by the Board of Land Commissioners of Galveston County, on the 5th day of February, 1844.

Beginning on the S. W. bank of the River, at a stake which is at the termination of a line 25000 varas N.W. and parallel with the lower line of said Antonio Valdez y Gonzales, from which an anaqua marked Z on 4 sides bears S. 45 deg. W. 48 vrs. and from said anaqua another marked B. bears N. 20 deg. W. 8 vrs. another mkd. -V bears S. 20 deg. E. 3 vrs.

Thence up the river, with its meanders, upon a base running N. 45 deg. W. 950 vrs. to a box elder under the bank mkd. Z on 4 sides, from which another mkd. bears S. 70 deg. E. 12 vrs. and by the side of the box elder under the bank marked Z another marked J stands.

Thence S. 45 deg. W. 3992 varas to a stake from which a mesquite mkd. K. brs. S. 56 deg. W. 172 vrs. another mkd. O. brs. S. 54 deg. W. 185 vrs.

Thence S. 45 deg. E. 950 vrs. to a stake from which
a Live Oak mkd. L. brs. 38 deg. E. 83 vrs.

Thence N. 45 deg. E. 3670 varas to the beginning.

Patented to Benjamin Burris and another tract con-
taining 320 acres described as follows, to-wit:

Three hundred and twenty acres lying in Karnes County
(formerly in Goliad) on the S. W. of the San Antonio River,
above and adjoining Benjamin Burris Survey of six hundred
and forty acres, about 30 miles above Goliad by virtue of
an unconditional certificate No. 12 issued by the board
of land Commissioners of Galveston County, on the 5th day
of February 1844.

Beginning at the upper corner of said 640 acres
survey, a box elder under the bank marked $\frac{Z}{\square}$ on 4 sides,
another alongside marked J, another mkd. brs. S. 70 deg.
E. 12 varas.

Thence S. 45 deg. W. 2175 vrs. to a stake under
the limbs of a grove of Oaks, from which a Live Oak mkd. #
brs. S. 57 W. 9 vrs. another mkd. $\frac{f}{\square}$ brs. S. 80 W. 9 vrs.

Thence N. 45 deg. W. 672 vrs. to a stake from which
a Post Oak brs. S. 76 deg. W. 27 vrs. mkd. $\frac{H}{\square}$ another
mkd. K brs. N. 60 deg. W. 29 vrs.

Thence N. 45 deg. E. 3303 varas to a stake on the
bank of the river from which an Elm mkd. B brs. S. 37 deg.
E. 6 vrs. an Ash mkd. $\frac{H}{\square}$ brs. W. 4 varas.

Thence down the River with its meanders to the beginning.

Reference is also made to the map or survey of said
lands in controversy in this suit, filed in the records of
said cause.

And that the Defendant, J. M. Choate, have judgment
for the following described land, to-wit:

One Hundred and sixth acres described as follows,
the same being in Karnes County, and the identical survey
heretofore made by Charles Russel, surveyor, for J. M. Choate,
of one hundred and sixty acres on the Volcan League, and the
said survey of one hundred and sixty acres is further de-
scribed as follows:

Commencing at a stake one hundred yards North of
the Confluence or mouth of Rock Hollow with Hondo Creek;

Thence running South to a stake;

Thence West;

Thence North;

Thence East to the place of beginning, each of said
lines running sufficient distance to make a parallelogram,
containing one hundred and sixty acres of land.

Reference is also made to the map or survey of the

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BOB WEAVER, Com. P.
J. M. WEAVER

of the land in controversy in this suit on file in the records of this cause on which said map, the survey of the one hundred and sixty acres herein before described is delineated and marked J. M. Cheate.

And that the Defendant L. D. Puckett have judgment for the following described land, to-wit:

Lying in Karnes County, being the same embraced in Patent No. 441 in Vol. 6, calling for three hundred and twenty acres, the same on which the said L. D. Puckett now resides, patented to Jesse Duncan, and now claimed by the said L. D. Puckett.

It is further ordered by the Court that the Defendants now residents pay whatever cost there may have been occasioned in this suit, in the publication of citations and petitions and that the plaintiffs recover of all of said Defendants the balance of said cost incurred.

THE STATE OF TEXAS)
COUNTY OF KARNES)

I, T. K. Bailey, Clerk of the District Court of Karnes County, Texas, do hereby certify, the above and foregoing thirty eight pages to contain a true and correct copy of the Decree in said Cause entered upon the Records of said Court, in Minutes B pages 101 to 116 inclusive.

In testimony whereof, I have hereunto set my hand and affixed the impress of my official seal at office in Helona this the 8th day of December A. D. 1871.

SEAL

Filed in my office for record and duly recorded on the 8th day of December A. D. 1871.

T. K. BAILEY, Clk. D. C. K. Co.
By ISAAC BELL, Deputy.

File No. Sketch No. 8

Karnes County

Final Judgement

Filed 5-18-1981

BOB ARMSTRONG, Com'r

By J. E. McCarty

J. M. Martiney, et al

vs

J. M. Littleton

THE STATE OF TEXAS)
COUNTY OF KARNES)

I, J. E. McCarty, Clerk of the District Court of
Karnes County, Texas, do hereby certify that the within and
above of the above in this case were returned upon the 8th day
of said Court in Karnes County, Texas, and the same were
forwards County, Texas, do hereby certify that the within and
above of the above in this case were returned upon the 8th day
of said Court in Karnes County, Texas, and the same were

In testimony whereof, I have hereunto set my hand
and affixed the impress of my official seal of office in
Karnes this the 8th day of December, A. D. 1981.

2542

Filed in my office for record and duly recorded on
the 8th day of December, A. D. 1981.

J. E. McCarty, Clerk of the District Court,
Karnes County, Texas.

J. M. MARTINEZ ET AL

VS.

JOHN LITTLETON ET AL

J. M. MARTINEZ ET AL ##

VS.

JOHN LITTLETON ET AL ##

FINAL JUDGMENT

DATED MAY 20, 1874

FILED MAY 20, 1874

RECORDED VOL. "C", PAGE 554

DEED RECORDS KARNES COUNTY, TEXAS.

#333

This day came the Plaintiffs by their attorneys T. T. Teel & L. S. Lawhon and dismissed this suit as to the following Defendants, to-wit: The Heirs of B. Butler, deceased, and the Heirs of Benjamin Burris, deceased, and the said Plaintiffs by their attorneys announced themselves ready for trial as to all other Defendants, also came the Defendants R. H. Bolvin and his wife, Carolin W. Belvin, W. J. Joyce and his wife, Laura Joyce, H. A. Mitchell, Nat Mitchell, A. J. Mitchell, Wallace Mitchell, Henry C. Thompson, J. H. McLeary and his wife, Emily McLeary, all of which last named Defendants are the Sole Heirs at law of Ase Mitchell, deceased, by their attorneys, McLeary and Warzback, announce themselves ready for trial and the following named Defendants having been duly cited, came not but made default to-wit:

Theodore Schleming, M. N. Shive and W. H. Cundiff, whereupon came of Jury of good and Lawful men, to-wit:

L. D. Cook and eleven others, who having been duly elected, empannelled and sworn as the law directs and who after hearing the evidence and receiving the instruction of the Court returned into open court the following verdict, to-wit:

We, the Jury, find for the Plaintiffs generally. We especially find for the Heirs of Ase Mitchell, dec'd, three-fourth of the Brisbin League under conveyance from the Plaintiffs.

Signed - - - - L. D. Cook, Foreman.

Therefore, it is ordered, adjudged and decreed by the Court that the Plaintiffs, Jose M. Martinez, Francisco Martinez, Santa Martinez, and Justo Rodriguez and her husband, Miguel Martinez, Juanna Martinez, Demetria Martinez, Cresciana Martinez, Jose Martinez, Antonio Galan, Francisco Galan, Joaquin Galan, Appollinerio Galan, Pofirio Manchaca, Maria Guadalupe Manchaca, Teresa Manchaca, Jose Maria Martinez, and Francisco Juarez, do have and recover of and from the said defendants, R. H. Bolvin, and his wife, Caroline Bolvin, W. J. Joyce and his wife, Laura Joyce, Nat Mitchell, H. A. Mitchell, A. J. Mitchell, Wallace Mitchell, Henry C. Thompson and his wife, Medora Thompson, J. H. McLeary and his wife, Emily McLeary, as his heirs of Ase Mitchell, deceased, and M. N. Shive, Theodore Schleming and W. H. Cundiff, all that tract and parcel of land described in Plaintiff's petition and bounded as follows, to-wit:

Beginning at the lower corner on the San Antonio River of a grant calling for four leagues in the names formerly of Jose Quin and Martin de las Garza. This corner was established by Francis Giraud, Surveyor, in the year 1861, when making a survey of the said Garza Grant under an

order of the Hon. District Court of Karnes County, giving in a case between Russell and McLane. This corner is South 45 deg. East 5300 varas and 45 deg. West 10 varas from the Mouth of the Canada de San Iavior which is the upper end beginning corner of the Garza Grant and is to be found on the Bank of the San Antonio River at a bend about one hundred yards to the Eastward of the house of _____ Burris above which bend there is a hill with Motts of Live Oak coming near to the River at this point set a stake from which a Pecan 8 in in dia. marked X in 1861 bears S. 29 $\frac{1}{2}$ E. 4 $\frac{1}{2}$ varas and another Pecan 12 inches in diameter bears N. 72-3/4 deg. E. 9-1/4 varas;

Thence run down the San Antonio River for front three Leagues or 15000 varas on a base line running South 45 deg. E. terminating the front at the edge of the timbered bottom of the river about 50 varas from the waters edge which point is S. 45 deg. E. 15000 varas and S. 45 deg. W. 2805 varas from the lower corner of the Garza Grant, it is about 200 varas below a horse power mill above a fence said to be that of Mrs. Perrymans, here set a stake from which a Pecan 14 in diameter marked M bears N. 1 $\frac{1}{2}$ deg. E. 6 varas and another 20 inches in diameter marked also M. bears S. 48 deg. E. 13 varas;

Thence South 45 deg. W. parallel with the lower line of the Joaquin and Martin de la Garza Survey 890 varas to the old La Bahia road 1400 varas to a Laguna and 4120 struck Hondo Creek, at 4170 varas left it, 8770 varas to a hollow running to the North and West 9410 varas to a road running Southward; 9660 varas to a branch running to the North West 11640 varas to the top of a spur jutting to the North West; 12650 varas to a hollow running towards the North West; 14480 varas to a road running North and South; 14750 varas to a hollow running North and South 15120 varas to a lone Live Oak 30 inches in diameter stands 10 varas to the right of the line at 21150 varas crossed a branch of the Medio at 21200 varas crossed main Medio Creek at 23150 varas the top of a Mesquite hill and 25000 varas or five leagues to the most southern corner of this survey.

Thence North 45 deg. W. 15000 varas to the most Western corner.

Thence North 45 deg. E. across several hollows running to the Northward and Eastward 9805 varas to the south corner of the Garza four league grant Deyaritacs hill at 12000 varas a settlement the house thereon said to be Paces about 1/4 of a mile to the southeast 14075 varas to the Espuela (Spur) Creek a branch of the Escondido Creek, at 20825 varas across the Escondido proper at 21630 varas Pat Rose settlement about 400 varas to the southeast, 26055 varas to the Parata Creek; 27360 varas to the Old La Bahia Road and 27805 varas to the place of beginning.

And it is further ordered, adjudged and decreed by the court that a Patent issued by the Republic of Texas to the heirs of Wm. Brisbin on the 10th day of October, 1845, being No. 262 Vol. 4 for One League of land included in the above specified boundary be and the same is hereby cancelled and annulled.

It is further ordered, adjudged and decreed by the Court that a deed of conveyance executed by Jasenah Cun to Asa Mitchell, deceased, on the 12th day of June, 1852, for

three leagues of land also included in the above boundary by and the same is hereby cancelled, annulled and held for naught.

And it is further ordered, adjudged and decreed by the Court that a deed of conveyance from John Littleton as sheriff of Karnes County, Texas, to Asa Mitchell on the 18th day of July, 1859, for the 15 leagues claimed in the Plaintiff's petition be and the same is hereby cancelled, annulled and held for naught.

It is further ordered, adjudged and decreed by the court that the deed from R. H. Belvin to Theodore Schliming be also cancelled, annulled and held for naught, and also all that Patents, Certificates or other pretended Claims of this or any other of these defendants be cancelled, annulled and held for naught and that each and every one of the defendants in this cause as well as all other persons are restrained and enjoined from setting up any claim or title under or by virtue of any certificate, patent, location, survey, or deed of any of the said defendants.

It is further ordered, adjudged and decreed that all of the Patents, deeds, certificates, surveys and locations or other evidences of claim of all of said defendants to said land be annulled, cancelled and held for naught and all of the title of in and to said lands be fully vested in said Plaintiffs and divested out of said Defendants, and that all cloud on the title of said Plaintiffs to said land be and are hereby removed and that their title and grant from the Spanish Government to Carlos Martinez be recognized and established.

It is further ordered, adjudged and decreed that the Defendants R. H. Belvin and his wife, Carolino W. Belvin, W. J. Joyce and his wife, Laura Joyce, H. A. Mitchell, Nat Mitchell, A. J. Mitchell, Wallace Mitchell, Henry C. Thompson, Medora Thompson, J. H. McLeary and Emily McLeary, heirs of Asa Mitchell, do have and recover of and from the plaintiffs Jose M. Martinez, Francisco Martinez, Santa Martinez, and Justa Martinez, her husband, Miguel Martinez, Juana Martinez, Demetrai Martinez, Caronecena Martinez, Jose Martinez, Antonio Galan, Francisco Galan, Joaquin Galan, Appolanin Galan, Porfirio Manchaca, Maria Guadalupe Manchaca, Trivino Manchaca, Jose Maria Martinez, Josefa Martinez, and Francisco Jurez, all of the following tract or parcel of land.

Beginning at the South West corner of a survey made for the heirs of Wm. Brisbin a post from which a Mosquito marked x. bears North 36 deg. E. 11 varas;

Thence North 20 deg. W. 2010 varas a dry creek 2300 varas to the Medio dry 2370 varas a small dry creek 5099 varas to the North West corner of this survey a post from which a mosquito marked X bears South 6 deg. E. 24 varas and another mosquito marked X bears South 6 deg. W. 31 varas.

Thence North 70 deg. E. 3824-1/4 varas a stake on the North line of the Brisbin survey.

Thence South 70 deg. E. 5099 varas to the South line of the Brisbin survey.

Thence South 70 deg. W. 1638 1/2 varas to the Medio 3824 1/2 varas to the place of beginning.

Filed
2-18-74
HOB V. W. MARTINEZ
J. M. Martinez
J. M. Littleton
KARNES
County
3

And it is further ordered, adjudged and decreed that the Plaintiffs do have and recover of the said Defendants, heirs of Asa Mitchell, deceased, all costs by the said Defendants incurred and that the Plaintiffs do have and recover of the other defendants all costs incurred for which execution may issue.

THE STATE OF TEXAS ##

COUNTY OF KARNES ##

I, T. K. Bailey, Clerk of the District Court of Karnes County, Texas, do certify the foregoing to be a true copy of the final judgment rendered in said Court in the case of J. M. Martinez et al vs. John Littleton et al No. 333 on the Civil Docket as appears of record in my office in Minutes "D" pages 265, 266, 267, 268 and 269.

In testimony whereof I herunto sign my name and affix the impress of the seal of said court at office in Helene the 20th day of May A. D. 1874.

T. K. BAILEY, Clk. D. C. K. C.

File No. Sketch No 8

Karnes County

Final Judgement

Filed 5-18- 1981

BOB ARMSTRONG, Com'r

By J. E. McCarty

J.M. Martinez, et al

vs.

J.M. Littleton

counter 28592

Karnes County ^{Sk. File} 8,

File Decree of Court, F.N. &

SK, in re Carlos Martinez, Class

JMMartinez et al. County

No 333, - vs -

John Littleton et al.

dated Jan. 28, 1876.

Certificate No. _____

Karnes Co

Mgl. _____

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