

To the Honorable Bascum Giles,
 Commissioner of the General Land Office
 Austin, Texas.

Report by A.B. Connor
 Licensed Land Surveyor,
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This is a report on my re-survey of the Miguel del Torro Survey No. 152½, located on the East Fork of Sister Creek, N. 6° E. about 15 miles from the town of Boerne and in Kendall County.

The original survey was made by W. Friedrich, special deputy surveyor Blanco County, Bexar District, on July 9th., 1860 for Ernst Knapp, assignee of Miguel del Toro in the amount of 16,240,000 square varas, or 2876.7 acres of land and his corners were well marked and established on the ground. This is evidenced, by both his field notes and the fact that most of his original witnesses are still in position. However, distances between corners are much in excess of those returned in his field notes, and subsequent surveyors in this area have faithfully tied their surveys to his, without making allowance, in their notes for these excess distances. A few of the witnesses of the corners of these junior surveys can be located on the boundaries of this senior survey, but in most instances I was unsuccessful in my search for these witnesses.

In my re-survey, I determined to follow as near as possible, the "foot-steps" of the original or senior surveyor, and tie in these junior surveys when and where possible. First, I established the fact that this survey has been fenced on its' claimed boundaries for more than 40 years. John Teagle, Louis Haag and E. A. Offers being the present fee owners of this survey in its' entirety, and these owners agreed that a fence corner was on or near the original Western Southwest corner of the Miguel del Toro No. 152½ and the Northwest corner of J. H. Worland Survey No. 152, which was Friedrich's Beginning corner for 152½. a 28" L.O. brs. N84°E. 30 vrs., from this fence corner, but because the bark had so covered the original mark as given by Friedrich, I made a further search for original witnesses, and found the Southwest corner of J. H. Worland No. 152 and the Original witness, a 24" L. O. (old mark) "A" still in position, with its mark plainly visible, N. 8½° W. 12 vrs. from a fence corner. This is the witness for this corner according to a survey made by Chas. W. Pressler, Deputy Surveyor of Bexar District on the 11th., day of July, 1847. Then I ran a line N. 1° 02' E. with a boundary fence, at 472.3 vrs set a stake in a stone mound and found a 12" L.O. S. 34½° E. 17 vrs. another L.O. 16" dia. N.86° E. 30 vrs (these are the original witnesses for S.E. corner of Sur. 152½), at 1448.28 varas I re-located by stake in a stone mound the original Western Southwest corner Miguel del Toro Survey No. 152½ from the 28" L.O. (bearing N. 88 E. 30 varas from my re-located corner).

From this corner my survey is N. 89° 43' E. at 445.3 vrs. crossed a branch (Friedrick crossed this branch at 405 vrs), at 1362 vrs., crossed East Fork of Sister Creek. Friedrich crossed this creek at 1290 vrs and says at "1343 varas a rock mound made in the prairie for the Northeast corner of No. 152", therefore I re-set this corner 53 varas after crossing the center of the East Fork. There is no boundary fence at this point, but this re-located corner falls in the open and might be called prairie. The creek flows thru solid rock and has a definite channel and banks which cannot have changed since Friedrich's Survey.

From this corner I ran a line South and did not find any indication of corner or witnesses at 1000vrs., or any approximate distance. So, after locating the Northeast corner of Survey No. 150 $\frac{1}{2}$, also surveyed by Friedrich July 9, 1860, and called by him "Beginning at a stone mound made on the South boundary line of Survey No. 152 $\frac{1}{2}$ in the name of Miguel del Toro, 1856 varas West of its' Southeast corner, for the Northeast corner of this survey". This Northeast corner is a fence corner between Louis Haag and E. A. Offers and a 20" L.O. brs., N. 84° W. 8 vrs, the original witness for the Northeast corner of 150 $\frac{1}{2}$, I then projected a line West from this corner and at 1013.04 varas re-built a stone mound for the most Southern ~~South~~ Southwest corner 152 $\frac{1}{2}$ and the most Northern Northwest corner 150 $\frac{1}{2}$ from original witnesses found, a 20" L.O. N. 30 W. 80 vrs and an 18" L.O. N. 88 $\frac{1}{2}$ E. 87 vrs. This corner bears S. 1° 21' E. 1151.3 varas from the inner corner already established. Reversing my instrument, I re-traced my steps from this corner, the Original South Southwest corner No. 152 $\frac{1}{2}$ East at 1013.04 vrs., passed the N. E. Corner of 150 $\frac{1}{2}$ and the N.W. corner of C.C.S.D. & R. G. Survey No. 57, at 2465.8 vrs., the N.E. corner No. 57 and the N. W. corner of Wm. Schultz Survey No. 58 (Found 10" L.O. S. 6 W. 33 vrs) and Sharp's Mountain brs., N. 69° 30' E., at 2736 vrs., pass over the South slope of Sharp's Mt., and at 2908.8 varas a fence corner, found 10" dead L.O. snag S. 55° E. 86 vrs., and I believe this to be Friedrich's original witness, which he calls S. 55 $\frac{1}{2}$ E. 85 vrs and is the same witness called for by E. A. Fisher on Dec., 2, 1901, in his field notes for Wm. Schultz Survey No. 58 as at the Southeast corner of 152 $\frac{1}{2}$. Sharp's mountain bears N. 63° 20' W. from this corner and while a bearing on this mountain is not given by Friedrich in 1860 or by Fisher in 1901, Friedrich does locate this mountain on his sketch accompanying his field notes, as in the extreme South east corner of Survey No. 152 $\frac{1}{2}$.

Friedrich's call from this corner is, "Thence North crossing a branch 4200 varas a stone mound for the Northeast corner from which a L.O. 8" dia brs West 138 varas, Span Oak 3" dia brs N. 48 W. 37 $\frac{1}{2}$ v". My survey is N. 0° 12' W. with an old fence, at 400 vrs., made a careful search for the N.N.W. corner of No. 58 and the S.W. corner of B. S. & F. Survey No. 814. Fisher in his notes calls for the Southwest corner of No. 814 and Wm. Wentworth in his survey of 814 dated Dec., 19, 1876, calls for a rock md and a 4" L.O. S. 73 W. 23 vrs. I did not find this mound or witness, nor was there any evidence of a corner or witness at 416.16 where a fence was East, this fence was probably thought to be, by its' builders, on the S.B.L. of 814 and the N.B.L. of No. 58 and location for it was by measurement North from the Southeast corner No. 152 $\frac{1}{2}$, instead of by measurement South from the Northeast corner, as Wentworth calls in his notes for 813 and 814 dated Dec., 19, 1876, at 682 made another search for corners and witnesses and found nothing, at 2107 vrs., crossed the main East Fork of Sister Creek, at 2192 crossed a branch, at 2470.3 vrs., a fence runs East and again I tried to find witnesses or corner called for by Wentworth for N.W. Corner 814 and S. W. Corner 813, but could not, at 2582 vrs., made another search, at 3016.1 vrs., a fence to West, corner between Haag and Teagle, at 4482 varas set a stake in a fence corner, an old 12" L.O. on a hill bears, S. 88° 30' W. 138 vrs., this must be the original witness by Friedrich for Northeast corner of 152 $\frac{1}{2}$, altho it does not correspond to Wentworth's witness returned in his field notes for B. S. & F. Survey No. 813 for his Northwest and beginning corner at the Northeast corner of 152 $\frac{1}{2}$ and I did not find either Wentworth's witness or the Span Oak 3" dia called for by Friedrich, but I am sure the 12" L.O. approximately West 138 varas is one of Friedrich's two witnesses for the Northeast corner of Survey No. 152 $\frac{1}{2}$.

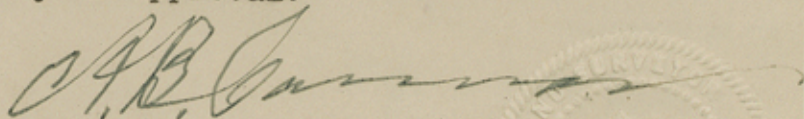
From here, my line is N. 89° 26' W., at 530.8 vrs., no location or witness for Wentworth's Southwest corner of 819 and S.E. corner 817, at 670.32 varas a fence North, but could find no witness to establish this as corner for 819 and 817, at 1284.1 varas

crossed a deep ravine. This ravine has ~~xx~~ its' beginning not more than 50 varas South from the point of my crossing and it falls steeply in a Northwest direction towards a Creek and it is the only Ravine in this vicinity and must be the one Friedrich reported crossing at 1100 varas, at 1686 vrs., crossed at creek (Friedrick reports this creek at 1600 vrs.) at 2417.4 vrs a fence North, but could not find Wentworth's witness for S.W. corner of 817 and S.E. of 815, at 2786 crossed another creek, Friedrich reports a Spring at 2700 vrs, and this flowing creek might have been the Spring, as a search did not reveal any other flowing water in this neighborhood, at 4330.8 varas, a rock md in a fence corner. Here, I found a clump of Live Oak S. 80 W. $57\frac{1}{2}$ vrs. the approximate position of the original witness, but no dead tree or trunk lying on the ground. also there was span. Oak growth S. 55 W. $38\frac{1}{2}$ vrs. I built a stone mound for corner ~~by~~ use of this growth and marked new witnesses. Again I could not find Wentworth's witness for S.W. corner of 815 and N. W. Corner of $152\frac{1}{2}$ as returned by him in his field notes for 815 dated Dec., 26, 1876.

From this corner South, to the beginning corner, I found that much of the Original West boundary line of this Miguel del Toro Survey No. $152\frac{1}{2}$, has been obscured by subsequent surveying and I failed to find many of these Junior Survey corners, with their witnesses in position. On a course of S. $1^{\circ} 25'$ E. with the claimed and fenced boundary, at 317.7 vrs a fence to West, I looked here for a witness for the Northeast corner of S. A. & M. G. Survey No. 804 called for by Grady Sept., 10, 1879 and an inner corner of the Ben Ficklin Survey No. 809 by Jones, Nov., 17, 1876, but found no trees that would locate this corner on or near fence corner. However, it seems this fence was built on this location by measurement South from the Northwest corner of Survey No. $152\frac{1}{2}$ rather than by measurement North from the Northwest corner of No. $152\frac{1}{2}$ as shown by the field notes of these two surveys and their connection with surveys Nos. 803, 29 and 30, at 406.58 vrs I made another search to establish these corners by their witnesses, but did not find any trees of size or in position, at 1078.58 vrs no witness, at 1259.3 varas I did find a witness for the Northeast corner S. A. & M. G. Survey No. 803 and the Southeast corner Ficklin No. 809, a $14''$ L.O. brs., N. 57 E. 33 vrs and a live Oak clump brs North $4\frac{1}{2}$ varas. No old stump or log here to give exact position. At this point I deflected with old fence to S. $1^{\circ} 02'$ W. and at 176.4 vrs an old U. S. G. S. BM (mkd. El. 1472') is East 0.72 vrs, at 396.7 vrs crossed a branch, at 672 vrs no witness for S.E. corner No. 803 as there is a corn field here and all trees have been cleared, at 1470 to 1489.28 vrs I tried to find Wentworth's witness for S.E. corner A. B. & M. Survey No. 29 and N. E. Corner A. B. & M. No. 30, but could not, at 1751.28 there is a fence West and from this fence corner I found a $20''$ L.O. S. 80 E. $19\frac{1}{2}$ vrs, one of the original witnesses for N. E. corner of Survey No. $152\frac{1}{2}$, at 2051.28 varas the beginning corner.

This report is necessarily long in order to properly present the connection and discussion of my survey and search to establish the true corners and boundaries with corrected distances to prove the excess acreage contained in this senior survey and it is now evident that many of the junior surveys located on the boundaries and from its' corners will also contain acreage in excess of the amount patented to them.

I respectfully submit this report and plat together with corrected Field Notes for Miguel del Toro Survey No. $152\frac{1}{2}$ for consideration and subject to your approval.



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602 Rand Street,
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File No. 24

Kendall County
see Rolled Sk. No. 4

Surreyor's Statement

Filed March 3, 1945

BASCOM GILES, Com'r

Atley

File Clerk

A. B. Connor
by

KENDALL COUNTY, TEXAS.

ON EXCESS IN
MIGUEL DEL TORO SURVEY
NO. 1523

R E P O R T .