

31
Sketch file 17 & 17½

17 + 17½
Lia Sattle County

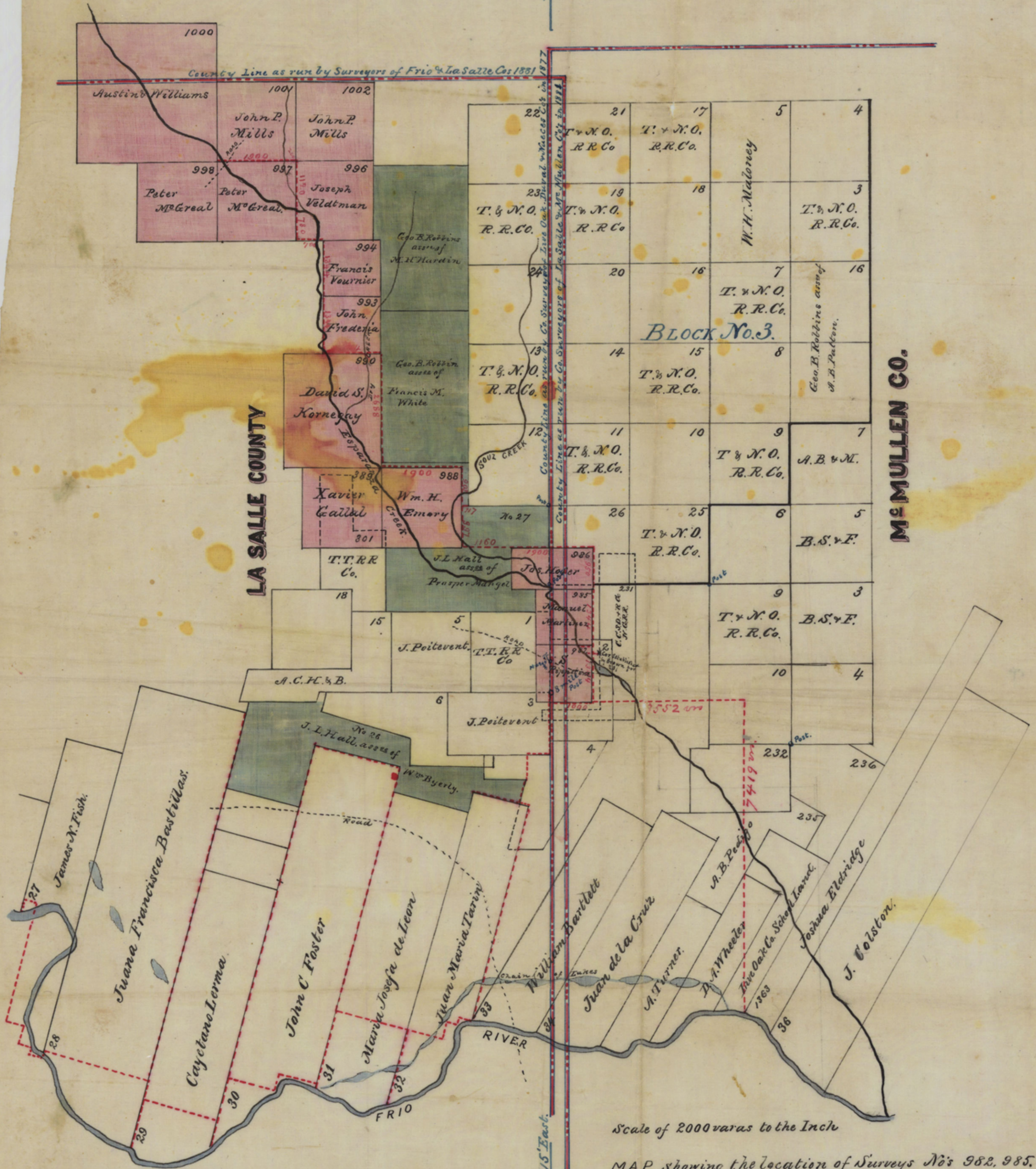
Sketch 17 Filed March 31/84

Sketch 17½ Filed July 1st 1884.

N.E. Cor. N. of Frio Riv

correct
See Sketch 20
filed Feby. 25/87

Q. 1



Red dotted Lines Show connecting lines run on the ground.

Scale of 2000 varas to the Inch

MAP showing the location of Surveys Nos 982, 985, 986, 988, 989, 990, 993, 994, 996, 997, 998, 1000, 1001, + 1002, on Esparanz Creek in Mc Mullen & La Salle Counties according to their calls in field notes of for said Creek, and as they are found to be by actual surveys on the ground, from the established N.E. Corner of Survey No 997, and by running a bearing line East 3552 var & South 7419 var. to the upper or West Corner of Survey No 1363 (formerly No 36's upper cor.) from the S.E. Cor. of No 982.

also showing the true location of surrounding surveys

Filed March 31st 1884. See Surveyors Statement attached hereto

Witness my hand this 28th day of March 1884.

D. N. Robinson
Chief Clerk.

Thos Grandy
Co. Surveyor La Salle Co Tex.

The State of Texas }
County of McMullen } J. R. H. Brown
formally visit. Surveyor of Live Oak Land
District and Deputy Surveyor of New
District do hereby certify that the
Map hereto attached truly shows
the situation of Block No. 3 Texas
and New Orleans R. R. Co. surveys
in McMullen County and Lasalle Co,
as regards the Rio River and Esperanzas
Creek, that I made said Texas and
New Orleans R. R. Co. surveys actually
on the ground, that I endeavored
to put in the surveys on the Esper-
anzas creek by their bearing line
called for in the field notes of survey
No. 982 for S. Rippstine from the
lower corner of survey No. 36 on the
Rio River and that said surveys do
not fit said creek as called for in
their field notes, I do further certify
that I established the N. E. corner of
survey No. 982 as the beginning corner
of survey No. 231 for the C. C. S. D. & P. G.
M. G. R. R. Co. by fitting said Esperanzas
survey to the Esperanzas creek accord-
ing to their call for said creek &
that said corner is correctly shown
on the accompanying Map, and I do
counter 29490

further certify that all surveys made
by me are correctly shown on said
map hereto attached, regarding
their relative location and position
on the ground.

Given under my hand
at Tuley the 26th day of
March A. D. 1884

R. H. Brown

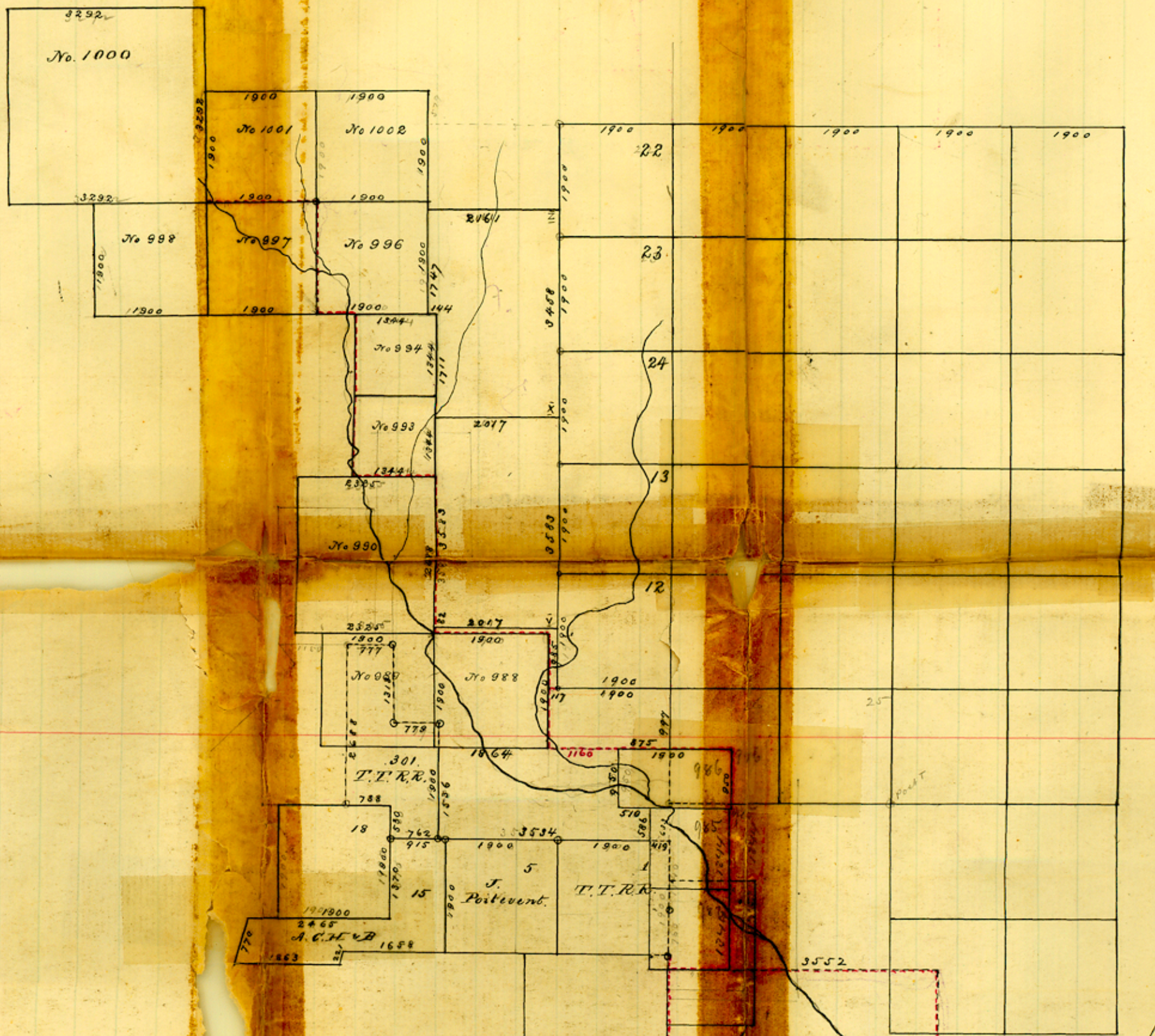
File: 17.

Ta Sutte County

Filed March 31/84.

S E Cor Sa Sutte

See Sketch No



Stove

1601
1602
1603
1604
1605
1606
1607
1608
1609
1610

La Salle by 17

La Salle co. st. File # 17

27

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|-------|
| 4428 |
| 4428 |
| ----- |
| 48708 |

counter 29493

San Antonio Texas

June 18th 1884

Hon. W. C. Walsh,

Commissioner of Gen. Land Office
Austin Texas

Dear Sir,

The undersigned would respectfully represent that they are the owners of a body of 35 to 40,000 acres of land in the County of La Salle State of Texas, occupied by them as a cattle ranch; obtained by purchase in part from individuals, and partly from the State of Texas (school sections) and possess with the idea that their title to this land was perfect and indisputable they have occupied and improved it, though recently to their surprise they discover that J. L. Hall and G. B. Robbins of the County of La Salle, have filed on, and caused to be surveyed, by virtue of their Veteran Donation Certificates, to wit:

Certificate No. 1027.

Issued to Prosper Mangel.

Certificate No. 993. Issued to Milton A. Hardin
and Certificate No 302, Issued to Francis M. White,
for 1280 acres each upon lands owned by us,

claiming the same to be vacant and un-
 appropriated public domain, subject
 to location; which we deny and
herby protest against the issuance of
 Patents upon the same for the follow-
 ing reasons, to wit:

1st That the land filed on, and sur-
 veyed for the said Hall and Robbins
 is not "vacant and unappropriated
 public domain; but is covered by
 old patented surveys, the title and
 location of which has been undistur-
 bed for nearly thirty two years—

2nd That these old surveys, that the
 said parties propose to move from
 their present position, were located and
 surveyed in 1852, by a legally authorized
 Surveyor, and have remained as loca-
 ted by him on the official map of
 Texas District and La Salle County, as "notice
to the world", since that time.

3rd We do not believe that the County
 Surveyor of today, has the right to up-
 set, surveys made by a County or
 District Surveyor of equal authority
 thirty two years ago—

4th The only grounds that the said
 parties have, upon which to base

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their said files, is that there is a discrepancy in some of these old surveys, in their calls for the Esperanza Creek, which is a dry creek (only running in protracted wet weather) and also a small marked tree, claimed to be the N.E. corner, of Survey No 997 in the name of Peter McEniel.

As to this tree we would respectfully refer to the statement of Jas. Prandy, County Surveyor of La Salle County, filed herewith as part of this Protest and marked "Exhibit A."

As to the calls for the creek, we would show that there is another creek known as the Sang^{or Saus}, which lies East of the Esperanza, and flows through these said old tracts - and we would further show that this creek was never mentioned by the Original Surveyor, although he necessarily crossed it several times, nor was this creek ever shown upon any ^{map} of the said County or District, and as it is about the same size of the Esperanza, and resembles it very much, it is evident that the said original Surveyor did not know

the difference between the two Books,
or he would have called for the
Saug when he crossed it and would
have placed it upon his map.

This being the case it is probable
that he mistook the Saug for the
Esperanza - regarding which,
reference is here made to a
statement made by R. H. Brown
Ex-Deputy County Surveyor - marked
"exhibit B." of this protest.

5th We would respectfully show
that these all surveys in question,
if run by course and distance from
the old established corners on the
Ohio River, are placed exactly where
they are shown to be on the Coun-
ty map of La Salle County - that
as no other old established and un-
disputed corners can be found,
they can only be located by course
and distance from these said
old corners.

(See map marked "exhibit - C." herof,
showing lines run by course and dis-
tance, from said old corners.)

6th The Certificate of Mr. Thomas
Prandy - dated 17 June 1884, hereto

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attached and marked "Exhibit A."
you will remember is a true
expression of his views on this
subject, as expressed by him on the
31st day of March '84, and as Mr.
Prandy states in said Certificate,
that he never believed that there
was any vacant land within the
territory in question, we trust that
you will consider well the injustice
of regarding the files of Messrs. Hall
and Robbins, and disregarding our
rights to lands purchased in good
faith.

4th We would respectfully request
that you consider our claim to
the three 1280 acre surveys, or loca-
tions, made by us by virtue of
Veteran Donation Certificates Nos. - 251,
873, and 960, being Surveys Nos.
1, 2 & 3, La Salle County, and order
the same patented - as the delay
in patenting, causes us great damage
we having contracted the same,
and sale cannot be made until
patents have issued, thereby making
us liable to damages -

Trusting that you will

La Salle co. St. Fil. #7

appreciate our situation in
this matter, and will immedi-
ately cause the patents to the
said savings above referred to,
to issue to us -

Yours Respectfully -

Gunn, & Co

J. V. & M. C. Skinner,
by Geo. Eckford & Co. -

Agents

(Exhibit A.)

Office of the County Surveyor
Cotulla June 17th 1884

To the Hon W. C. Malott
Commiss^r of Genl Land Office
Austin Texas

Whereas certain files
have been made in the N E part of La Salle County by
E. J. Winsor Surveyor and Agent for S. L. Hall and Geo. B.
Robbins viz Survey No 27 made by virtue of Donation
Warrant issued to Prosper Mangel No 1027 for 1280 Acres
Survey No 28 made by virtue of Donation Warrant issued to
Francis M. White No 302 for 1280 acres and Survey No 29
made by virtue of Donation Warrant issued to Milton A.
Hardin for 1280 acres of Land Based upon discrepancy in
the calls of certain surveys for the Esperanza Creek and
whereas the surveys have been made and the field notes
signed & sent to the Genl Land office for consideration and
whereas it appears from an endorsement on one of the written
statements filed in the Genl Land Office in regard to the
said disputed territory that seems to infer that a wrong
construction has been placed upon my said signing and approving
said field notes I hereby make the following statement and
explanation of my said action

1st When the dispute arose between the said Contesting
parties for and against the said files I made a
thorough survey of the surrounding country and after having
gotten the facts in the case not wishing to assume the
responsibility of deciding between the Contesting parties went
to the Genl Land office to get instructions from the
Commissioner and after having endeavored to make a plain
statement of the facts in the case and my own views thereon
to both the Commissioner and Mr. Pressler the chief

R. C.

La Salle Co. Survey # 29501

Draughtsman I was instructed by the Commissioners to sign the field notes in order that they might come up before the Land Office to be decided. Accordingly acting upon the instructions of the Commissioners and believing that it understood my views in the case signed the field notes of said surveys in order that the validity of said files might be decided by the Land Office which I thought was the proper place for deciding the question & not that I thought the land was vacant and subject to location and I now state in order that my views may be clearly understood that according to the best of my knowledge and belief these old surveys in question should not be moved from their present position on the map of La Salle County and that there is no vacancy there.

I further assert that there have been my expressed views from the beginning.

In regard to the Live Oak Tree found by E. S. Winsor and claimed by him to be the original N.E. Corner of Survey No 997 name of Peter McGread I will now state that in my opinion this tree is too small to answer the description of the one called for by the original surveyor in his field notes and I cannot believe that the marks were placed upon it more than ten or twelve years ago whereas it has been 32 years since the old survey was made.

Respectfully Yours

Thos Prandy

County Surveyor

La Salle Co Texas

R⁷



(Exhibit B.)

Land Agent,

San Antonio, Texas, Sept. 19 1883

M. M. Bright - Esq

Dear Sir

In reference to the Esperansas surveys in LaSalle County, I have to say that when I surveyed the recent surveys between the Esperansas & Frio, that I made every effort to find the corners of the old surveys on the Esperansas - but could not do so, I made the following runs - I first began on the Frio at the upper Dodd corner - then run to corner with Esperansas survey - when I found the Esperansas too far west - by about one mile -

I then went to the Frio near the mouth of Esperansas at connecting corner of Ripstine sur. Then ran North & West to Ripstine survey when I found the Esperansas too far west - about one mile - But found the Soria's creek to be in about the right place - not being satisfied with this - I then searched for bearing trees on the Esperansas - for about six days with six hands - but failed to find any - not being satisfied with this, I then meander



San Antonio, Texas,188

the Esperansas a distance of about ten miles - I then mapped my work and then made the survey - when I found that the creek on the ground would not fit the field notes of the survey as called for - I then having used every diligence possible & known to the profession - I then concluded that the original surveyor had mistook the Esperansas for the Souis Creek - and I believe that the Souis is the creek on which the old survey were made and not the Esperansas -

Yours very respectfully
 R. W. Brown

R⁹

...to the Clerk of the Court, the Clerk of the Court, the Clerk of the Court

Number 29504 La Salle Co. St. File #17

[Faint, mostly illegible handwritten text, possibly bleed-through from the reverse side of the page]

Dear People
Dear People
Dear People

1870

THE REGISTER AND EXAMINER
PUBLISHED WEEKLY
BY JAMES W. BROWN

JAMES W. BROWN

I hereby certify that this is a correct map showing lines run by me from the old established corners on the Frio River to connect with surveys on the Esperanza Creek. The lines marked in red ink show the course I actually ran on the ground & the corner trees marked found were actually found by me and are beyond doubt the original corners marked established by the original surveyor. I further certify that these said corners are the only corners I have been able to find after a thorough search along the Frio River & Esperanza Creek in vicinity of these tracts shown hereon. Also red dotted lines showing false position of said old Esperanza surveys when mound was.

(Exhibit-C.)

Lotulla Tex
La Salle Co
January 1884

Thos Prandy
Co Surveyor
La Salle Co
Tex



File 17 1/2
La Salle County

Protest

filed July 1st 1884.

W. Maish

~~Chf. Clerk~~

Clerk

N E Cor of Co

Chippew

July 1. 84

note on map

Don 2301

2308-2309

Protest

Follow

cert. copy for

Geo. Eckford Co

R. H. Jones & Co

Chippew