D-426
D-799

RECEIVED
FEB 24 1942

MAR 21 1942

REFERRED TO M.P

REFERRED TO M.P

3-27 1780

Cotulla, Texas
February 17, 1942

Hon. Bascom Giles, Commissioner
General Land Office
Austin, Texas

Dear Sir:

With reference to your letter of December 18, 1941, in regard to Applications To Purchase By Good Faith Claimants in an area located about six miles west from Cotulla in La Salle County, I give you the following information:

From a working sketch of I&GN RR Co. Block 4, using the original field notes as surveyed by F. M. Maddox during July 1875, it appeared that Maddox did not make a survey of the lines of all the surveys in the block but ran a base line as follows:

Beginning at the south corner of Section 35, Block 5, I&GN, which is the west corner of Section 2, Block 4, I&GN; Thence North 60 East 4 miles to the north corner of Section 5, Block 4, being the south corner of Section 31, Block 5, along this line witness trees to three corners being called for. Returning to the north corner of Section 3, Block 4; Thence south 30 east 6 miles to the south corner of Section 29, Block 4, witness trees to five corners on this line being called for; Thence North 60 East 1-1/3 miles to the creek crossing the southeast line of Section 28, Block 4. There is no evidence in field notes of any marks, natural or artificial, beyond this point.

I have retraced this base line as given above in Block 4 in its entirety, and I could identify only the original north corner of Section 10, the creek crossing on the northwest line of Section 3, and the creek crossing on the southeast line of Section 28, Block 4. From these three, it can be reasonably established that there is no excess within this block.

As to your question about the north corner of Section 2, at which point Maddox marked a 12" Mesquite, North 15 West 30 varas, from a bunch of three Mesquites, diligent search was made for this corner, but I could not find it. I further searched for the trees called for at the north corner of Section 3 and the trees called for at the north corner of Section 5 but could not identify the trees for either of these corners.

For your information, the northwest line of Block 4 is marked on the ground by an old road, and most of the southeast line of this block is marked on the ground by old fences. Said road and said fences are 11,414.5 varas apart. This, together with the two creek crossings and the original corner of Section 10, convinces me that there is no excess or shortage in this block as laid out by Mr. Maddox in 1875.

counter 29617

In regard to my construction of the river Surveys #514 and #515 shown on my sketch accompanying field notes Survey #4 Covey C. Thomas and William P. Kerr, S. F.-12889 filed in the General Land Office in 1925 and 1926, I have the following statements to make: At that time I accepted the northeast fence corner of the Keck pasture as being the northeast corner of the B. W. Tolliver Survey #514, this assumption being based on Mr. S. L. Chalk's report of 1906 regarding the William P. Kerr Survey #1501. Mr. Chalk assumed that the original northeast corner of J. Poitevent Survey #1 (which he identified in 1906) was coincident with the northeast corner of the Tolliver Survey #514, and I also assumed this to be true until my recent investigation convinced me that the McDonald river surveys and the Garretson river surveys were not coincident. In other words, the lines of B. W. Tolliver #514 and the M. E. Carroll #515 are not common with the lines of J. Poitevent Surveys #1 and #2.

In regard to the relative east and west position of the northwest and southwest (or upper) corner of J. Poitevent #19, I have this statement to make: The southwest, or upper, corner of J. Poitevent Survey #19 on the river was identified by me from two of the original witness trees which are standing today. On my sketch I show this original corner in double circles, and it is not to be confused with the common southeast corner of Surveys #512 and #513, which are a part of the McDonald river block and not the Garretson-J. Poitevent block of surveys. In other words, the southwest corner of Survey #513 is slightly west of the original southwest corner of J. Poitevent #19. The northwest corner J. Poitevent #19 was established by me from an old 14" Mesquite snag (dead) which bore the marks as called for by Mr. Garretson, and from a 12" Mesquite snag (rotten) and on the ground which bore no marks but was the correct course and distance from my re-established corner. Again, please do not confuse the west line of J. Poitevent Survey #19 as being common or coincident with the west line of Joseph A. Beard Survey #513. As a matter of fact, these two lines cross one another just a short distance north of the Nueces River, according to my construction.

In regard to the meanders of the Nueces River, I have the following to say: This river, although meandered for quite a few miles, was not a continuous set of meanders but was done in sections. The river as shown on my sketch in solid lines represents the true and accurate position of the river as reflected from my actual ground measurement.

The attached plat will give you complete information, insofar as the meanders of the Nueces River are concerned.

Trusting this completely answers all of the questions brought forth in your letter of December 18, 1941, I am

Yours very truly,

J. G. Gilmer

J. G. Gilmer, County Surveyor of
La Salle County, Texas

counter 29618

a 1

File No. 48

LA SALLE Cou

SKETCH FILE

Filed March 21 1942
BASCOM GILES Com'r

V.E.S.
File Clerk

Surveyors Report
re Rolled Sk. #6
See also Sk. Files
#47 & 49

3/21/42

counter 29619