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July 14. 79

Book

File 15.

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San Patricio Town Tra.



counter 36051

The State of Texas
County of San Patricio Be it Remem-
bered that on this the 8th Tuesday, after the
1st Tuesday in March A.D. 1879, it being
Tuesday the 29th day of April A.D. 1879, there
was begun and holden at the Court House in
the Town of San Patricio, a regular Term
of the Hon. District Court in and for the County
of San Patricio, at which were Present, Hon
H. Blay Pleasants Judge of the 23rd Judicial
District of the State of Texas, S. F. Yunes Esq
District Attorney, H. Union Sheriff Clerk
Alex M. How and the Attornies of the Court
When Amongst others the following
Proceedings took place, To wit,

The Corporation of the Town of San Patricio
No. 230. vs
Coleman Mathis & Fulton & J. W. Whitehead

This Cause being called in its regular
order for trial, now comes the Parties by their
Attornies and respectively announce themselves
ready for trial, and no jury being demanded
the questions of fact as well as of law were
submitted to the Court, and the Court having
heard the evidence and the argument of Counsel
and being fully advised thereof, it is the opinion
of the Court, that the Law and the facts are
with the Defendants.

San Patricio Co. 56. File #15

Therefore it is ordered adjudged and decreed by the Court, that the Plaintiff the Corporation of the Town of San Patricio take nothing by their suit against these Defendants.

It is further ordered and decreed by the Court that the Location and Surveys made by these Defendants, and described in their Answer are Legal and Valid.

It is further ordered adjudged and decreed by the Court that the Defendants Coleman Mathis & Fulton and J. W. Whitehead do have and recover of and from the Plaintiff, The Corporation of the Town of San Patricio the Lands and Premises described by them in their Answer and Plea in re-convention, as follows

That the Defendant John W. Whitehead do have and recover of and from the Plaintiff a Tract of land containing Fourteen Hundred and Seventy Six acres of land, Surveyed for Abram Riggs by virtue of Head right Certificate No. 72, issued to him by the Board of Land Commissioners of Brazoria County, dated Jan. 25th 1838.

Beginning at the S. W. corner of an old grant in the name of Juan de la Garza the S. E. Corner of this Survey, Thence with said grant N 31 E at 8100rs Elm Creek, at 12700rs meet the Arroyo Nombre de Dios, 3666rs to one of its corners for the N. E. corner of this Survey.

From which a Mesquit Marked with three Chops
bears $N 33^{\circ} W 22$ vrs. Thence $N 59^{\circ} W$ with said
Garcia line at 2380 vrs. a branch, at 2500 vrs
another Corner of the Survey. From which the
Garcia bearing tree a Hackberry marked
bears $N 80^{\circ} E 198$ vrs. Thence $S 31^{\circ} W$ at 273 vrs
said *Arroyo Nombre de Dios*. at 2138 vrs. Elm
Creek 2804 vrs. set a stake on the North line of
the Town Tract of San Patricio as run by Smirley
in his re-survey for E. W. corner of this Survey
From which a Guisache tree marked X bears S
 $45^{\circ} E 53$ vrs. Thence with said line of the Town
Tract $S 40^{\circ} E 2717$ vrs to the place of beginning

It is further ordered that the said defendants
be quieted in their Possession of the said above
described Lands and the Plaintiff the ^{Corporation of the} Town
of San Patricio are hereby Perpetually enjoined
and restrained from setting any claim to the
said described Lands, and that the claim of the said
Corporation under the original Mexican Grant
to said Town so far as the same relates to the Lands
herein decreed to the Defendants is hereby declared
Null and void.

The State of Texas,
County of San Patricio, E. J. Alexander
McGowan Clerk of the District Court in and
for the aforesaid County, hereby certify that the
above and foregoing 2nd & 3rd Pages contain a true

and Correct Copy of the original Record
as taken from the Book of Minutes of the
District Court of San Patricio County Pages
4471. 4472. & 4473, so far as relates to that
part of the judgment in favor of John
W. Whitehead.

In testimony whereof I hereunto set
my official Seal and Signature
at office in San Patricio June
3rd 1879.

J. M. Louie
Clerk D. C. S. P. Co

No. 230

The Corporation of

the Town of San Patricio

vs
Coleman Martin & Dalton
vs John W. Whitehead

Transcript of the Court

of the judgment in favor

of defendant affecting

John W. Whitehead

v
File 15.

San Patricio Town Street

Copy of Judgment.

Filed July 12 79

Charles Fisher

Chief Clerk

Pasture of Sullivan & Skidmore

J.M. & H. Mathis' Pasture
Wm Quinn

Victoriano Juarez

Juan Garza

claimed by Jno. Timon
the present owner

Jno. Timon Pasture

Juan Garza

as surveyed by Col.
Snively

A.
Huston
L.S. A. Huston
763 L.S. 762

L.S.
742

Delgado

Hiram Riggs

L.S.
742

J.M. & H. Mathis' Pasture
Henry Bend Pasture
Grant

Timon Pasture

Welder Pasture

L.S. 740

No. 8

L.S. 740

No. 7

Town Tract of San Pat.

Scale 2000 varas to the inch

San Patricio Tex.
Feb. 12th 1860

James O. Gaffney
Dep. Co. Sur. San Pat. Co.

4/

File 15.

D61

San Patricio County.

Surveyor's sketch and state-
ment filed Feb. 20/80.

Rhoads Fisher
Chf. Engr.

Hiram
Br
2000

2
P.2.

Lower Tract of San Pat-

San Patricio, Tex, June 7th 1879

Com. Gen. Land Office
Austin Texas

Dear Sir

Your favors of 9th ult^{mo} received. In reply I must state that the S.W. corner of the "Town Tract" is the mouth of the Big Bayou or Arroyo Nombre de Dios according to P.S. Haggy's resurvey of the four league grant to the Delgadon. He makes that point the S.E. corner of said grant and consequently the S.W. corner of the town. Major Blucher in his survey of said town tract by order of the Dist. Court, makes said corner on Nombrededios arroyo, 131st vara or 117.5th paces from its mouth. Major Blucher meandered the river in his survey of the town but does not give the meanders in his report. I send you a sketch showing the position of the resurveys of the "Town Tract", the Delgado, Juarez, and Garza grants, the Hiram Riggs survey and the back line of the town tract as aforesaid as run by Major Blucher, which according to a decree of the last Dist. Court for this County (a copy of which I send you) is now the true back line of the town.

If the transcript of the decree and the sketch will be satisfactory in regard to the Hiram Riggs' location please send me a statement what the patent for the same

will cook and I will remit — also
state if anything is remaining to my
credit in your office.

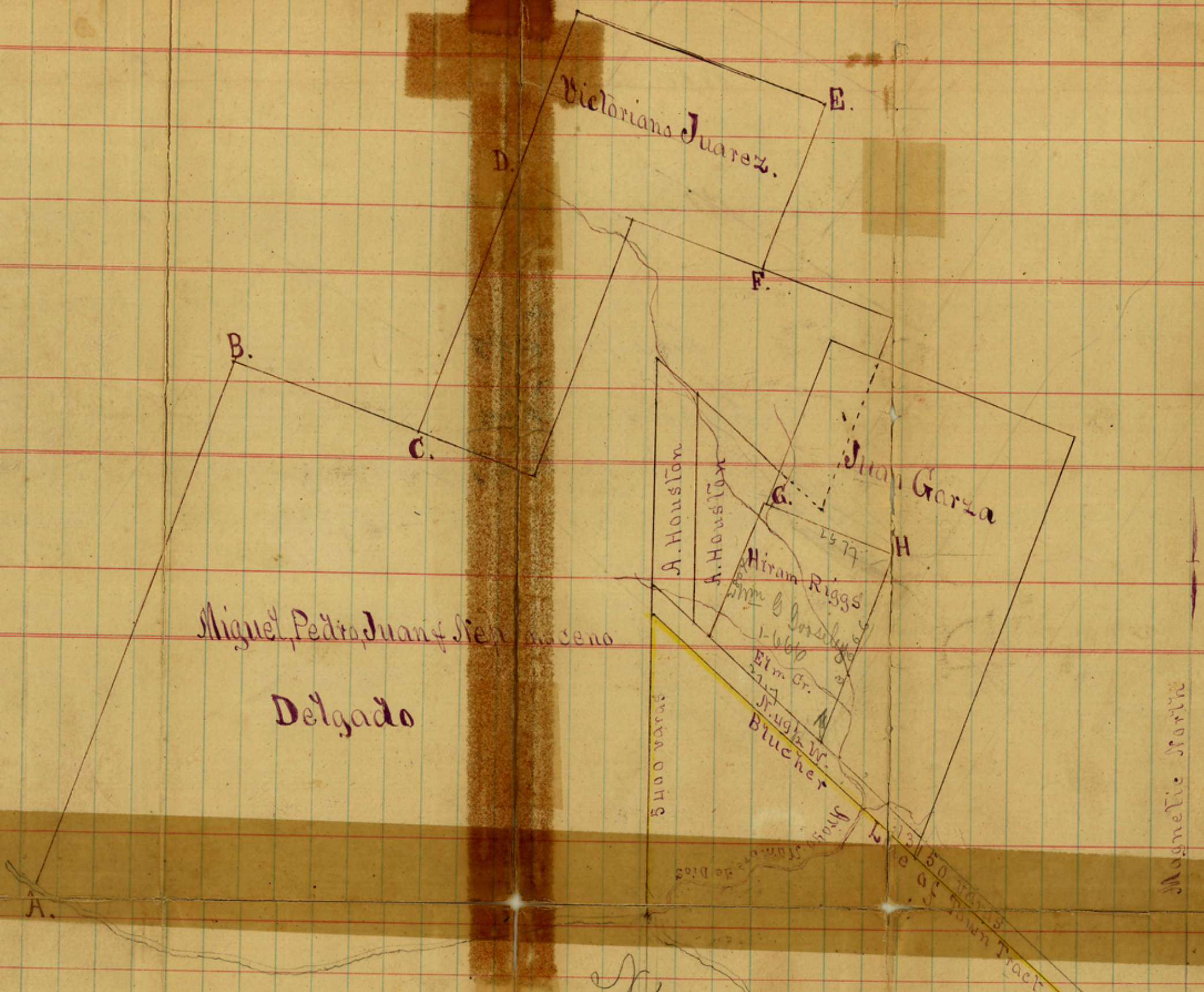
Respectfully Yours

James T. Gaffney

File 15 3
San Patricio Town Tract.

Statement

filed July 12/79
R. H. Fisher,
Chief Clerk



I James W. Peake County Surveyor of San Patricio County do hereby certify that the true correct position of the resurvey of the town of San Patricio the Delgado, Juarez & Garza grants is truly represented in the annexed map and the bearing trees fixing said surveys and their position are still standing at the corners designated by the letters A. B. C. D. E. F. G. & H. as found and seen by myself.

Given under my hand at my office in San Patricio
 This May 31st 1879
 James W. Peake Co. Sur. San Pat. Co.
 R. James O. Gaffney Dep. Sur.

12500

17000
2900

File 15

San Patricio Town tract

June 12-1879

Filed June 12/79

Rhoads & King
Chy. Ed.

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San Patricio co. St. File # 15