M. M. GARCIA
CATTLE, HORSES AND LAND
~~Agua Nueva, Jim Hogg~~ Co., Texas
Rio Grande City, Starr -

RECEIVED
SEP 27 1915
Referred to Map

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Sept. 23, 1915.

Hon. J. T. Robison
Com. G. L. O.,
Austin, Tex.

Dear Sir:-

Mr. J. S. Monroe, former County Surveyor of Starr Co., has just shown me a letter from you to him dated Sept. 8, 1915, calling for additional information regarding the lines, marks, calls, etc., of Porciones 87, 88, 89 and 90 with a view to considering the granting of a scrap piece of land surveyed for me last February, and for which I am an applicant under the Scrap Act of April 15, 1915.

With regard to the information particularly desired by you, I will say that there are now no natural objects along the river such as the Patents refer to, - there are no posts, stones, calls, marks, etc., anywhere to be found. Natural objects are found some three or four thousand a more varas after you leave the waters of the Rio Grande going north, such as old lakes, Corpus Christi Road, hills, etc. All the information has been solicited that the oldest inhabitants could give regarding the original lines, corners, and boundaries of the Porciones on their southern extremities, and nothing definite close to the river has as yet been located. Mr. French labored under these

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difficulties — absence of definite, well known corners or places of beginning — when he surveyed and subdivided Porciones Nos. 91 and 92 by decree of the District Court. As he began his survey on the ~~west~~ east line, ~~or presumed south west corner~~ of Porcion No. 87, I have supposed that his survey, therefore, linked Porciones 87, 88, 89, 90, 91 and 92 in such a way that the corners of one being established by decree of Court (91 and 92), the corners of the others could be found by giving each the Patent calls for distance on their northern extremities. This is what the Starr County Surveyor did for me in surveying the Scrap vacancy in question.

Finding that the sands and yearly overflows of the Rio Grande River have covered or washed away all old landmarks originally placed on or near the banks of the river, and knowing the difficulty of establishing a proper point of beginning in order to find the north and south lines, it was thought proper to establish such lines and the northern boundaries of Porciones Nos. 90, 89, 88 and 87 by beginning at a corner established by decree of Court. Hence, the Survey of the Garcia Scrap began at the N. W. Corner of Porcion No. 91 on the line of 90 and gave each of said porciones the full distance called for in their respective patents, linking them one with the other, in their north and south lines, according to their said Patents. Porciones Nos. 91

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and 92 were surveyed with the greatest diligence and care, the Survey really beginning on the ~~west~~ East line of Porcion No. 87, this line having been established and a fence placed upon it running all the way from the waters of the river to its northernmost extremity and beyond it, something like 25 or 30 years ago. Mr. French, therefore, the County Surveyor, linked all these Porciones together, 87 to 92. Hence, the reason why the Garcia Scrap leans on the French Survey of Nos. 91 and 92.

Where no old corner, or old place of beginning is known or can be found, in lieu of such, the established corner of an adjoining Porcion ought to be sufficient to link the others together. This is what the Co. Surveyor did in surveying the Scrap land in question.

I asked the County Surveyor to aim to be on the safe side in his lines and field notes. We did not wish to encroach on the Porciones in the least, but rather that if a slight mistake was made, it should be in their favor. By awarding this Scrap to me now without compelling me to undergo further expense and further loss of time and labor, it seems to me that you would be on the safe side, and so would the state, for in case there is still another Scrap piece of land between mine and the Porciones, whenever the Subdivision of those Porciones is made, the State can claim it. It seems, according to your letter - reference being made to the north bank of

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a lake 20,910 varas from the N. E. corner of Porcion No. 89 according to the Patent — that there is a difference of 740 varas in favor of Porcion 89 in the field notes of my Survey. We can't exactly tell. The river has changed its course back and forth time and again since the Patents were issued, and it may have encroached or eroded that much on Texas soil since the Patents of these Porciones were issued.

I am very anxious to have this Scrap piece of land awarded me, because it adjoins on the south and west land that I already possess, and I am making a plea for exemption from further, and, as it seems to me, unnecessary expense in connection therewith. I have already spent about $400.00 in my endeavor to get it, and the class of land, — rocky barren, arid, hills, — hardly justifies further expense. I have aimed in the survey thereof ~~to~~ to prove conclusively that the vacancy exists, — it might be slightly larger than applied for rather than less, — and I stood the expense of sending Mr. J. S. Monroe all the way to Austin with maps, field notes, etc., so that he could explain all matters known to him as experienced ex-Starr County Surveyor in connection with Porciones immediately to the south of this Scrap. He came away in the firm belief that after furnishing a certified copy of the Partition of Porciones Nos. 91 and 92 — which has been done — the Scrap vacancy would be awarded me.

a 3 In order to cut out the dividing lines between 87 and 88,

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and 88 and 89 north and south from the river and survey the meanders of the River on the south, it would take from two to three weeks time at an expense of between $200.00 and $300.00, and then ~~I am confident that~~ I am confident that none of the old lines, marks and calls would be found, and hardly enough to justify the time, trouble and expense. "I am confident" I say, because none of the oldest inhabitants can point out any definite landmark, stone, post, call or line thereabouts.

Now, may I ask, is this survey of Porciones 87, 88, 89 and 90 that you call for so important and necessary that it must be made? May I not hope that you will be content with the survey and information already furnished in order to make the award? Are you not convinced that the vacancy exists, or must the lines that you suggest be cut out?

If this must be done, rather than lose the expenses already incurred, I will endeavor to follow your instructions, even though the character of the scrap piece of land does not justify the spending of so much money, time and trouble upon it. But in such a case, following your instructions to the letter, I should like to have the assurance that my efforts and expense will not be in vain, and that the scrap will eventually be awarded me.

Hoping that you will kindly give me an early reply, which I shall anxiously await, I have the honor to remain, Very respectfully yours —

M. M. Garcia.

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Sketch File 20,

Starr County

M M Garcias' letter in re his application for a vacancy in Starr Co, Dated Sep. 23, 1915. Filed do 27, 1915.

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