SAN PATRICIO CO. ROLLED SK. 43

(FLAT FOLDER)

Re: M.A. 58291

Exhibits A.B.C.D.E.F.G.H.I.J.

Filed Nov. 4, 1965

counter 418/4

Exhibit "A" Opponents

The State of Texas
County of Victoria } The State of Texas,
To the Chief Justice, the Clerk of the
District Court or Any Notary Public of
the County of Nueces in said State,
Greeting:

Confiding in your Integrity, fidelity and ability, you are hereby authorized, Empowered and Commissioned to Cause Felix A. Blucher, the Surveyor of the County of Nueces, a Resident of your County, and witness in behalf of the Defendant in a Cause pending in our District Court of said County of Victoria between Wilking Hunt plaintiff and John Welder Defendant, and in behalf of the Plaintiffs in the Cases also pending in said Court between John Welder et. al Plaintiffs and Rufus Carroll defendant; John Welder et. al Plaintiffs and Henry Snively Defendant, and John Welder et. al Plaintiffs against John Callaghan et. al Defendants, to come before you at such time and place as you may designate and to take his answers under Oath to the Interrogatories and Cross Interrogatories, Certified Copies Whereof are hereto attached, which said answers when so taken as aforesaid, you will return to my office, together with this Commission and

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Interrogatories, on or before the third Monday in February A.D. 1859, that the same may be used on the trial of said Causes then and there pending as afore said. Herein fail not &c.

Witness: Nat T. Gaines, Clerk of said Court. Given under my hand and the seal of the District Court at my office in Victoria this 25th October, 1858.

L.S.

Nat T. Gaines Clk D.C.V.C.

The State of Texas
Victoria County } To wit:
District Court
August Term 1858

Wilking Hunt

John Welder
and
John Welder and Dolores his wife and Tomasa Power and James Power

Rufus Carroll

counter 71816

and
John Welder and Dolores
his wife and Tomasa Power
and James Power

Henry Snively

and
John Welder and Dolores
his wife, and Tomasa
Power and James Power

vs.

John H Callaghan Jeremiah
McFarland and James S Rankin

Trespass
To try
title.

Interrogatories
to be propounded to Mr.
Blucher a resident of and the Sur
veyor of the County of Nueces, the
answers to which are to be read
in evidence in behalf of the Defend
ant in the first of the above stated
Cases, and in behalf of the plaintiffs
in the three others, above stated.
1st Interrogatory,

Do you know or
are you acquainted with the par
ties plaintiffs or Defendants to the fore
going and above ~~stated~~ entitled
Cases, or any one or more and which

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of them?

2nd Interrogatory,

Are you a District or County Surveyor of any, and if any, what County in the State of Texas?

3rd Interrogatory,

Do you know any thing, and if any thing, what, in regard to the locality, situation and boundaries of the following tracts of land in the County of San Patricio, to wit:

Five and one half Leagues, granted by the late Government of Coahuila and Texas, to James Power and James Hewetson; One and one quarter leagues granted to the said James Power and James Hewetson; one league granted also to said James Power and James Hewetson; one league granted to Daniel O'Bayle; one league granted to John Polland, and five and one half leagues granted to Felipe Roque Portilla, and his Sitio Sang, and if any, what other tract or tracts of land are adjoining, and which or what and how many

counter 41818

are situated on the west, between the said lands of said Portillo and his son on the west, and the said one league and one quarter of land, granted to the said Jamy Tower and James Hewetson?

4th Interrogatory,

Have you ever surveyed, or run as a surveyor, any one or more, and which, & what of the line or lines of any one or more, and which, of the said tracts or tracts of land, as well those mentioned in these Interrogatories, as any one or more, which you may mention in answer to these Interrogatories?

5th Interrogatory,

Have you ever, and if ever, when and how, found, ascertained or learnt, of the locality and situation of any one or more of the courses natural or artificial or ideal of any one or more, and which, of said tracts of land?

6th Interrogatory.

Have you ever seen any plat or plats of the said tract or
3 5 tracts of land, or either and which

counter 41819

one or more thereof — Made by any and what person or persons? and have you had, or have you now in your possession any such Map or Maps, and if yea! what particular tract or tracts does it represent? and in your knowledge does said Map, if any such you have had, or now have in your possession, properly and truly represent the locality, situation and boundary of the tract or tracts, platted upon the same? and if there truly or otherwise represented on said plat the situation of any improvements or buildings on said plat found on said tracts of land or either of them, and if yea! have you properly and by what marks indicated and shown the same, and what improvements or buildings are they and where situated?

7th Interrogatory

If you answer that you have in your possession any such plat or Map as that enquired about in the preceding Interrogatory, will you

counter 41820

please to annex the same to your deposition and identify the same by some mark to be placed thereon by you?

7th Interrogatory

Is there any, and if any, what field notes, and by whom made, truly descriptive or otherwise of the plat aforesaid enquired of? and if you say there is any such Map or plat, is the same now in your possession or of any other and what person, and if in your possession will you annex the same to your deposition and identify the same by some mark to be placed by you thereon; and do the said field notes, or do they not, truly or otherwise describe the locality situation and boundary of said tracts of land, and of the water course bounding upon or running through the same, in whole and in part, with their names and the improvements and buildings thereon?

8th Interrogatory.

Have you seen any, and if any, what evidence, on the ground embraced within the tracts of land before referred to, or any of them, of one or more improvements or settlements thereon, and if yea! please to indicate by some mark on said plat,

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the locality or situation of the same?

10th Interrogatory,

Do you know or can you state, any thing further, which may be of service to the parties, plaintiffs or Defendants, or either of them, or any one or more of them, and if yea, will you please state the same fully, giving time place and circumstances?

Rob Hughes
for Defendant
John Welder and for
plaintiffs John
Welder & others.

Cross Interrogatories.

The State of Texas } District Court, August
County of Victoria } Term, A D 1858.

Wilking Hunt
vs.
John Welder
and
John Welder & Dolores his wife
Tomasa Power & James Power

counter 41822

vs.
Rufus Carroll
and
John Welder and Dolores his wife,
Tomasa Power & James Power
vs.
Henry Snively
and
John Welder and Dolores his wife,
Tomasa Power and James Power
vs.
John H. Callaghan, Jeremiah McFarlane and James P. Rankin.

Cross Interrogatories propounded by the plaintiff in the first entitled Cause aforementioned and by the said Defendants in those subsequently aforementioned to Felix A. Blucher of Nueces County whose answers will be read in evidence for said parties on the trial of said Causes:—

1st Cross Interrogatory,

If in answer to Direct Interrogatory No. 3 you should say you know anything about the Boundaries of the land mentioned, did you make the Survey upon which the titles of possession is sued or not? Or did you carry the
5 9 Chain when the Surveys were made?

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2nd Cross Interrogatory

If in answer to Direct Interrogatory No 4, you should say you run the lines of said lands, by what authority did you make the survey or run said lines? Were the opposing Claimants present? Did you find any Ancient Monuments, Marks or Boundaries for the lines run, or the lands surveyed, and if you run said lines, were you governed by the field notes of the alleged Titles? and if yea, where did you find them?

3rd Cross Interrogatory

If in answer to Direct Interrogatory No 6, you should say you have seen Maps or plats of said lands, Where did they come from? Were they recorded in the County of Santa Fe? What evidence have you that they are genuine, and if the said Titles of possession have no field notes, how can a Map represent their locality?

Joseph F. Smith
Attorney for Hunt,
And the Defendants in
the other Cases Mentioned.

counter #1827

The State of Texas
County of Victoria } I hereby Certify
that the foregoing Nine pages Contain
true and Correct Copies of the Inter
rogatories and Cross Interrogatories on
file in my office in the aforesaid Causes,
and to be propounded to Felix A.
Blucher the witness therein named.

{L.S.} Given under my hand and the
Seal of the District Court at my
Office in Victoria on this 25th
October, 1858.

Nat. T. Gaines Clerk

Nos (Endorsed:)
Wilkins Hunt
453 v
John Welder
John Welder et al
456 v
Rufus Carroll
John Welder et al
455 v
Henry Snively
John Welder et al
454 v
John H Callaghan et al

Commission and
Interrogatories
Issued 25 October, 1858.
Nat T. Gaines
Clerk.

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The State of Texas
County of Nueces } Know all men by these presents that in accordance with a Commission issued from the Office of the Clerk of the District Court of Victoria County State of Texas, on the 25th day of October, Anno Domini 1858, in the cases in said Court pending, to wit: No 453, Wilkins Hunt vs. John Welder, No 456, John Welder et al vs. Rufus Carroll, No 455, John Welder et al vs. Henry Snively, and No 454, John Welder et al vs John H. Callaghan et al, to take the deposition of Felix A. Blucher, the surveyor of the County of Nueces, aforesaid, and witness in behalf of John Welder deft, in the aforesaid cause No 453, and witness in behalf of Plaintiffs, John Welder et al, in the said Causes Nos 456, 455, & 454, to Interrogatories and Cross Interrogatories propounded to said Felix A. Blucher, in said Causes, hereunto annexed, I Charles Lovenskiold, a Notary Public within and for the County of Nueces and State of Texas, aforesaid, duly Commissioned and sworn and qualified according to law, under date of April 27th A D 1857, residing in the City of Corpus

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Christi within said County, Caused
on this tenth day of December A.D.
1888, said Witness to come before me
in my office, and having from him
to make true answers to said Interr-
ogatories and Cross Interrogatories,
as the Law directs, upon oath, he the
said Felix A. Blucher answers as fol-
lows, to wit:

To Int. 1st,

I know John Welder and
Henry Swively, but do not know, nor
am acquainted with any of the other
named parties to the foregoing and
above entitled cases.

To Int. 2nd

I am District Surveyor of
Nueces District, and have held the
office since the year 1850.

To Int. 3rd &c

I know the locality, situa-
tion and boundaries of the lands referred
to in this Interrogatory, either from the Maps
and Records of my office, or from actual resur-
vey by myself. — In accordance with a
transcript of the Field Notes, transmitted
to this office by the Commissioner of the
General Land Office of this State, under

counter 41827

date of April 20th, A.D. 1847, for the purpose of constructing the District Map, — a certified extract from which Transcript of Field Notes, so far as necessary to further explain this answer and my acts, is hereunto annexed for reference, marked A, — I commenced at a survey in the name of Bridget Quinn, situated on the south or right margin of the Papalote Creek, in the present County of Bee, the Boundaries of which tract had been established by Colonel Jacob Snively, then District Surveyor, in accordance with an act of the Legislature, approved Feby 1st 1848 and which appears fully of Record in my office in Book E, page 7, under date of January 23rd A.D. 1847; — I ran off the front of a tract in the names of William and Patrick Quinn, East of and adjoining the foregoing; — then following down the Papalote Creek I ran off a tract in the name of James O'Connor; then a League of land in the name of Victor Loupz (or Lopez). To the East of this latter tract is the one and one quarter league tract granted to James Power and James Hewetson, and south of this tract and of the aforesaid Victor Loupy League is the one League tract also

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15. granted to said Powers & Hewetson, in a square. The Eastern Boundary line of the said 1 & 1 League tract in the name of Powers & Hewetson, established by actual Survey and Measurement. The one league Grant in the name of Daniel O'Bazle is to the West of and adjoining the league tract of Powers & Hewetson — The one league Grant in name of John Pollan is to the South of and adjoining said Powers & Hewetson League tract. The five and one half leagues, granted to Felipe Roque Portillo and his Sitio, are part of a Survey of seven and one half leagues of land referred to and described in Field Notes numbered 17, 18, 40 and 41, in the Transcript herein before referred to, and copies of which are contained in the annexed certified Extract marked A. The said Survey of 7½ leagues is bounded on the West by the two Surveys in the name of Powers & Hewetson, of 1¼ and 1 league respectively, according to the field Notes numbered 39 and given in said Transcript. — The Eastern Boundary line of the five and one half leagues tract, granted to Fe

counter 41829

lipe Rogue Portillo, and his sons, is the one claimed by their heirs and assignees, as pointed out to me, and as appears marked X.Y. upon the Map marked "B." hereinto by me annexed, for further reference and to make this answer more explicit, and easier understood. — Starting from the Eastern Boundary line of said Survey, and running up the Aransaso and Chiltipine Creeks, for quantity of said 7½ leagues, such tract embraces all the Territory or land East of the two Surveys in the name of Powers & Hewetson herein before referred to, of 1¼ and 1 league respectively; but in Order to give the 7½ leagues, as given in the aforementioned Wild notes, it became necessary to run over said two last named tracts, to the line marked on the annexed Map B by the letter "Z Z." — The Eastern boundary line of the Powers & Hewetson 1¼ and 1 league tract, is the Western Boundary line of the five and one half leagues granted to Felipe Rogue Portillo and sons; as is shown on the said annexed Map by the line marked with the letters M N. — The five

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and one half leagues granted to Powers & Hewetson, according to the field Notes in this office are to the East of the Felipe Roque Portillo tract, embraced between the forks of the Aransaso and Chiltipin Creeks.

To Int. 4th,

I have surveyed, or run as a surveyor the front lines of Bridget Quinn, of Wm & Patrick Quinn, of Jas O'Connor, of Victor Loupy, and of Powers & Hewetson, - also have run the Eastern Boundary lines of the two surveys in the names of Powers & Hewetson, for 1¼ and 1 league respectively; - also have run and Measured all the boundaries and lines of the 5½ league tract in the name of Felipe Roque Portillo and his sons, embraced within the two lines, marked MN and XY, and the Aransaso and Chiltipin Creeks, as shown on the annexed Map B., to which reference is again had for full explanation of this answer. I meandered the said Water Courses carefully (and through my then Deputy Surveyor, Wm R Reed, have surveyed all the locations marked in Colour upon said annexed Map.)

counter 41831

To Int. & Th,

I have made the surveys heretofore enumerated, starting from the North East Corner of a survey in the name of Robert Carlisle, being also the North West Corner of the Survey for Bridget Quinn referred to in preceding Interrogatory, the said starting point of Robert Carlisle, being pointed out to me by said Carlisle in person, as having been established by the Surveyor, Colonel Snively (and as coinciding with the lines originally run out by the Surveyor Victor Loupy) — I have also found the other corners of the surveys for Bridget Quinn and for Wm & Patrick Quinn, as established by said Colonel Snively in the year AD 1847, in conformity with an act of the Congress of the Republic of Texas, approved 1st February AD 1848, entitled "an act requiring the owners of lands in the Countries of Refugio and San Patricio to cause their lines to be designated and marked." — In meandering the Aransaso River, I have found nearly all the corners of the several locations, laid down upon the annexed map B, and

10 21 fronting on said Stream, and I have

counter 41832

connected said locations with my surveys for the purpose of plotting them correctly on the said annexed Map. All my surveys have been made according to the field Notes received from the General Land Office of this State, with the same courses as my predecessor in Office, allowing a variation between 9½° to 11° East, and the annexed Map, plotted from my surveys, shows that the several lines, as established by me, agree with the descriptions given in the transcript of said field Notes, and must be correct. Mr. Robert Carlisle indicated to me the exact locality of the Eastern Boundary line of the Felipe Roque Portillo tract, according to which information I found it.

To Int. Cth,

I have in my office a District Map of the San Patricio & Nueces District, which district embraced all the Country west of the Aransaso River, a copy from which, so far as necessary to show all the lands referred to in these Interrogatories, and the lands adjoining them,

counter 41833

and all surveys made in said Co-
Calities, has been made by me, and an-
nexed hereto for reference, marked and
designated by the letter "C." The said
Original District Map was made by Col-
onel Shively, my predecessor in Office, and
Continued by me as his Successor until
the division of said District. It is accu-
rate, except that it does not show the
division lines of the Felipe Roque Par-
tillo & Sons Tracts, and the Powers &
Hewetson 8 1/2 League Tract.

(Among the Records of my office
is a Map drawn and signed by
Victor Loupy, one of the surveyors of
the Colony of Powers & Hewetson, dated
October 23rd AD 1834, showing the two
tracts and surveys of 7 1/2 and 8 1/2 leagues
of Roque Partillo, et als, herein before re-
ferred to, of which Map the annexed
marked by me "D", is a fac simile. This
Map is drawn on the legal scale, but
the Meanders of the Chittipin and Aran-
saso are not Correctly plotted, but only
sketched. The rectilinear distances from
the junction of the Aransaso and Chittipin
are about correct.)

11 23 A Certified Copy of Map No. 3, Atlas A

counter 41834

from the General Land Office of this State, showing the localities of the several tracts of lands, referred to in the present Interrogatories and answers, being in my office, for further reference, I attach the same hereunto marked with the letter "E." This Map truly represents the several tracts laid down thereon, (and coincides with the Lumpy Map hereinbefore referred to.)— The Map attached to my answer to Interrogatory 2nd, and marked B, is the Map made by me from the records and Maps extant in my office, showing the locality of the lands referred to in the annexed Interrogatories and the tracts thereunto adjoining, together with the locations made at different times upon such lands and tracts.

The black dots with numbers attached, indicate the improvements on said lands and tracts, as per reference on said Map. Traces of the corrals and locality at the place designated as "The old Rancho of Felipe Roque Portillo," are plainly visible.— I have seen them. The other improvements marked on the different tracts, I have either seen, or by triangulation ascertained the positions of. Taking all the herein described Maps together, on comparison, I must—

counter 41835

Say, that they agree to all practical intents and purposes, and they properly and truly represent the locality, situation and boundary of the several tracts of land upon the same (save saving the Loupy Map and Survey, marked "D", with my Map marked "B", the line designated on this latter by the letter Z. F. would be the line which on said Loupy Map is marked by the letters A. F., but this difference is accounted for by the more close and exact calculations adopted by American Surveyors in measuring Contents of Bends of Creeks or Rivers, and which exactness was not followed by the olde Mexican Surveyors in such Cases)

To Int. 7th,

I have complied with the requests in the preceding Answers to the 3rd and 6th Interrogatories.

To Int. 8th,

There are in my official possession a Transcript of sixty six Field Notes, taken from tiles on file in the General Land Office of the State of Texas, certified in due form by Thos. W. Ward, Commissioner, under date of April 20th 1847,

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counter 1836

27 to which reference has already been had in my preceding answer to the 3rd Interrogatory. I have attached to my said answer a Certified Copy of the field Notes describing the tracts of land especially inquired about in said 3rd Interrogatory and have identified the same by the letter "A", placed by me thereon, and to said Copy reference is hereby made for a more full answer. The said field notes do truly describe the locality, situation and Boundaries of said tracts of lands, and of the Water Courses bounding upon the same, except that from my actual surveys on the ground, aided by the records extant in my office, it is evident that East of the Eastern Boundary line of the tract of lands of Felipe Roque Portillo & Sons & others, to contain seven and one half leagues of lands in the forks of the Aransaso and Chiltipin Creeks there is not sufficient to make up the quantity of 7½ leagues called for in field Note No 38, nor is there sufficient land West of the said Boundary line, designated on Map B, which is annexed to my answer to Interrogatory 3rd, by the letters XY, and East of the Eastern boun

counter 41837

dary line of the Power & Hewetson two Surveys, designated in field Note No. 39, and which line has been re established by me by actual Survey as stated in my answer to Interrogatory 4th, to make up the quantity of 7 1/2 leagues called for in the description of said Survey for Felipe Roque Portillo, his son Calisto, Juan, Francisco Encarnacion, Jose Maria and Felipe, and Jacinto de La Garza and Miguel Musquiz, jointly, (which appears laid down upon the fac simile of the Map made by Victor Loupy, here to fore referred to, and which is thereon marked and designated by the letters A.B.C.D.E.F.)

To Int. 9th,

I have seen improvements said to belong Callahan & Rankin, designated on the Map marked B, attached to my answer to the 3d Int. by the number 3; improvements marked No. 4, claimed by H. T. Snively; No. 3, claimed by A. Carroll & Brother; Ranchos on said Map, marked by the Number 2, occupied by John Welder, situated on the Cherino Creek; improvements occupied by Mr. Ridgeway, indicated

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as No. 6; and improvements occupied by one Mas designated by the Number 7. The traces of the old Rancho of Roque Portillo are plain, in the locality designated on Gard Map by the Number 1, as heretofore stated.

To Int. 10th.

The locality west of the Aransaso River, where the lands heretofore referred to are situated, belonged to the San Patricio & Nueces "Land District," the Records and Maps of which were kept in the City of Corpus Christi, and of which I have had the charge since my election as District Surveyor in the year 1850. The legislature of the State subsequently divided the Gard District and Gard locality then became a part of the "San Patricio" District. It was by Law made the duty of the Surveyor of the newly erected district to obtain from the parent office copies of all Records and Maps relating to each new District, but this has never been complied with.

I know of nothing further which can be of service to the parties plaintiffs or defendants, or either of them, or any one or more of them.

counter 41839

To Crop Int. 1st,

I neither made the surveys upon which the titles of possession is based, nor carried the chain when such surveys were made.

To Crop Int. 2d,

I made the surveys at the request of John Welder and under the authority of P. A. Nagy, District Surveyor of the San Patricio Land District; I do not know any of the opposing claimants except Mr. W. G. Snively, to whose house I proceeded previous to the surveying. I found the corners of Bridget Quinn, Wm. Patrick Quinn, and Jas. O'Connor, on the Papalote Creek, being marked trees. In running the lines, I was governed by the field notes in the authenticated transcript from the General Land Office heretofore referred to.

To Crop Int. 3d,

I have already given the Origin and history of the Maps and Plats spoken of in the answer to the direct Interrogatories. I do not know if they were recorded in the County of San Patricio. If you intended asking me if they were recorded in the "Surveyors Office" of San Patricio, I answer that they are not, and the reason

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Why they could not be so recorded upon and further in my answer under the 10th direct Interrogatory, the Surveyor of San Patricio District never having demanded or obtained Certified Copies of the Records and Maps in the general office of which I am in Charge. As to the Maps or plats I have already stated all I know in regard to their Character. The before referred to Transcript shows that the Titles had field notes sufficiently describing their locality.

Felix A. Blucher.

State of Texas
County of Nueces } I, Chas. Lowenskilde, a Notary Public in and for the County of Nueces, and State of Texas, aforesaid, duly Commissioned Sworn and Qualified as the law directs, do hereby certify that the foregoing answers to the Interrogatories and Cross Interrogatories, hereunto attached and propounded to the said witness, Felix A. Blucher, were given to me by said witness, that said answers were reduced to writing by me,—

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and that they were sworn to and signed by the said Witness before me on the day month and year, in the caption hereof before set forth.

And I further certify that the document hereunto attached, and marked A, as also the Maps hereunto annexed, and Marked with the letters B. C D. E., all of which are referred to in and made part of the answers to the third and sixth Interrogatory propounded to said Witness, Felix A. Blucher, such Document and such Maps were, at the time of the taking down of said answers, exhibited by said Witness, and in my presence by him marked, to identify them with his said Answers, and by him were annexed or attached thereto, as a part of the same.

In testimony ~~whereof~~ of all which, I grant these presents under my Signature and Notarial Seal, at my office in the City of Corpus Christi, within the County of Nueces and State of Texas, on this tenth day of the Month of December, in the year of our Lord, One thousand Eight Hundred and fifty Eight, and of the Independence of the United States of America the Eighty Third.

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Chas. Lovenskrold
Notary Public
Nueces County
Texas.

A.

Extract from Transcript of Sixty six Copies of Field Notes, Correctly made from the titles on file in the General Land Office duly authenticated under the seal of the General Land Office by Thos. Wm. Ward Commissioner, dated Austin, April 20th, 1847.

No. 8. Survey of 1 Lea. for Bridget Quinn.

Situated on the Right Margin of the Papalote Creek with 2500 Varas front on the Jard Creek with 8280 Vs. in depth on the lower line and 9380 vs. on the lower (upper?) line — joins N. on Jard Creek; W. on the lands of Robt Carlisle — S. on Va Cant lands — East on lands of Wm & Patrick Quinn.

counter 41843

No. 12. Survey of 1/4 Lea for James O'Connor.

Situated on the right Bank of Papalote Cr. with 625 Vs. front on the said Cr. with 9200 Vs depth; joins N. on the said Crk. West on Quinn, S. on Boyle, E Loupy.

No. 13 Survey of 1 League for Victor Loupy.

Situated on the S. Side of the Papalote Creek at its mouth into the Aransazu with 2400 Varas front on the said Creek Papalote with 9850 Vs in depth on lower line, 9515 Vs. on upper line; joins N. on said Creek, W. on O'Connor, S. on Empressario Power and Boyle, E. on the aforesaid Empresario.

No. 17. Survey of 1 Lea for Jacinto De La Garza.

Situated on the right margin of the Aransazu — it being of the shape marked with the letters A. B. C. D. E., and comprehensive of the 7 1/2 Leagues, and which Special Map made by one of the Surveyors appointed for that purpose and authorized by me shall be annexed to this title as a Voucher for the party interested — said land consists of 25.000.000 Sq. Vs. —

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counter 41844

N°18. Survey for Mejia & Marquis of 1 League.

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Situated on the right Margin of the Aranzazu Creek and enclosed within the Survey Made by one of the Surveyors appointed for that purpose, it being of the Shape marked with the Letters A B C D E Comprehensive of the 7½ leagues, and which Specified Map authorized by me shall be annexed to this title as a Voucher for the Party interested.

N°30 Survey of 1/2 Lea for Patricio O'Quinn & Pbo O'Quinn.

Situated on the right margin of the Papalote Creek with 1250 Vrs front on same, by 9200 Vrs in depth on the Corner, 9515 on the upper line, joing N. on said Creek, W on Brigd Quinn, S. on Boyle, E on O'Connor.

N°28 Survey of 10 Leagues for Power & Hewetson, part of 11 League Grant in Survey Survey.

The Set of 7½ leagues is situated on the right Margin of the Aranzazu Creek, the irregular or nearly Triangular Shape of which Survey Consists of 137.500.000 Vrs in Superficies; joing N. on said Crk. W on Filipe Roque Portillo.

counter 41815

S. on the Chiltipin Crk. E. on junction of aforesaid 2 Crks, as it is shown on the map which will be attached to this title. The 2d survey consists of 2 1/2 leagues on the Mission Crk. which in oblong shape embraces a superficies of 2,500,000 Sq. Vrs. joins N. on the Town tract (Repujio) W. on the said Ck. S. on the Lagoons on Marshes E. on Melon Crk. and the last (of the) 2 leagues are situated on the last mentioned Crk, left margin, and they both contain a front of 2640 Vs. towards said Crk. by 10,560 in depth. The one of them joins N. on the lands of said empresarios W. on said Crk. S. on lands of Hearns — E. on the Alamito Creek or of the Copano — the other joins N. on lands of Hearns — W. on Melon Creek, S. on the Empresarios, E. on the aforesaid Alamito or Copano Creek.

No 39. Survey for Power & Hewetson of 4 3/4 Leagues, part of 11 League grant in 2 Surveys.
The 1st consists of 2 1/2 leagues situated on the Bay formed by the Aransazu Crk and the irregular shape of which survey is shown by the Map attached to this title, joins on the N.W. on the Lagoons in that region

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17

counter 71876

37 -on the north on a line of 4847 Vs. along the lands of Galvan and S. W. on a line of 10810 Vrs. along the lands of Aldrete, closing towards the S. E. with the Bay or Sinnicircle of Lagoons in that direction. —

The 2d Survey embraces 2 1/4 Leagues of Swampy pasture lands, both conjointly have a front on the Aransazu of 3125 Vs. by 9800 Vs. in depth on the lower and 9850 Vs. on the upper line - joing W. on Loupy S. on said Empressarios, E. on Felipe Portillo - N. on said Creek. The other remaining League has a front of 5000 Vs. on the Chillepin Creek - thence N. 5880 Vs to a bend in said Creek, closing the square with two lines of 5000 Vs each; joing N. on said Loupy, W. on Daniel O. Boyle, S. on Pollan, E. on Felipe Roque Portillo.

No 40. Survey of 4 Leagues for Felipe Roque Portillo, for his sons Calisto, Juan, Francisco and Encarnacion. —

Situated on right margin of Aransazu Creek and embraced within the lines designated with the letters A. B. C. D. E. on the Map made by one of the Surveyors appointed for that purpose,

counter 41847

which Map shows 7 1/2 leagues of land, and authorized by me said Commissioner shall be attached to this title, as a voucher to the party interested.

No. 41. Survey of 2, 1/4 Leagues Jose Maria and Philipe Portillo.

Situated on the right Margin of the Arantazu Creek, and embraced within the lines designated by the letters A.B.C.D.E. on the Map made by one of the Surveyors appointed for that purpose, which Map shows a Survey of 7 1/2 leagues, and which, authorized by me, the said Commissioner shall be attached to this title - the said 2 1/4 contain a Superficies of 6.250.000 sq. Vs. each.

The State of Texas
District of Nueces } I, Felix A Blucher, District Surveyor of the land District of Nueces, do hereby Certify the foregoing to be Correct and true Copies of field Notes as Contained in a transcript duly authenticated, and transmitted to my Office by the Commissioner of the General Land Office, and dated Austin April 20th, 1847, and now on file in my Office.

Witness my hand at the City of Corpus Christi this 10th day of December A.D. 1858.

Felix A Blucher,
District Surveyor
Nueces District.

38
18.

counter 41848

The State of Texas }
County of Victoria } I, Nat. T. Gaines, Clerk of the District Court of Victoria County aforesaid, do hereby Certify that the foregoing Contains a true and Correct Copy of the Deposition of Felix A. Blucher, District Surveyor of the land District of Nueces, and the accompanying Exhibits, A, (being an "Extract from Transcript of sixty six Copies of Field Notes," referred to & made part of said deposition) and Maps marked B. C. D. and E, also referred to and Made part of said deposition, as the same appear on file and of Record in my Office, in the Cause Numbered 453, entitled Wilkins Hunt vs. John Welder, and that deposition, Exhibit A, and Maps Marked B. C. D and E, are referred To as Document - U, in, and made part of The "Statement of facts," filed in, and belonging To, said Cause of Wilkins Hunt vs. John Welder, and also referred to, & made a part of, one of the Bill of exceptions filed in said Cause, and that said Maps are fac similes (except as to the handwriting) of the Originals from which they were taken & Copied.

Given under my hand and the Seal of the District Court at my Office in Victoria on this 10th day of September A.D. 1860.

Nat. T. Gaines
Clerk D.C.

89

counter #1849

The State of Texas
County of Victoria } S, depty
Clerk of the District Court of said County
duly appt^d by Charles H. Porter, Clerk of said
Court do hereby certify that the foregoing
Instrument, of 18 folios & 1 additional page, con-
sisting of Comms^n to take depositions of, Interrgt^s, & x
Intg^s propounded to, & answers of Felix A. Blucher,
Dist. Surv^r, Nueces Dist, together with four Maps
attach^d Marked respectively — B, C, D, & E — And
the detached Instrument Marked U of 33 pages
& part of a 34th page, the 25th page being simply an indorse-
ment & Marked A & the 26th page blank, Cont^g Com^n —,
Intg^s, x Intg^s, answers & transcripts of Surveys signed
by Felix A Blucher; Also the three detached Maps
indors respectively on two of them "Map Marked D", (&)
"Map Marked C", "annexed to the deposition of Felix
A Blucher", the third indorsed "Map of Col Powers
work on the Aransas — ~~D~~ L — Translation"; & Also
the detached Instrument paged from 1 to 6 inclusive
being the Report, Map & field Notes of a Survey by Plea-
sant S. Hagy, depty Dist. Surveyor, San Patricio District,
are the original papers directed by Counsel
in the Cause No 453, W. Hunt vs John Welder & al,
to be sent up to the Supreme Court with

40

counter #1850

the Transcript in said cause —

Witness my Hand & Seal of the District Court of said County, at Office in Natchez, this day of May A.D. 1870 —

counter #1851



References.

1. Old Rancho of P.R. Portillo on Survey for J Kelly
2. Rancho of John Welder, on Survey for J Rosell for W Hunt.
3. Houses and improvements of Rufus Carroll & Brother on Survey of A Turner.
4. Houses and improvements of Henry Snively
5. House & improvements of J.H. Callaghan & Rankin.
6. House & improvements of Mr. Ridgway.
7. House & improvements of Col. Mao.

Map of the Surveys on the rig[illegible] margin of the Papalote and Aransasu.

Scale of 4000 Varas per inch. Var. 9°45' E.

By Felipe S. Blucher, [illegible] Surveyor,
Nueces [illegible] Distr.

counter #1852

San Patri...

Torib

Zacharias Villarreal

Cayetano Garza

V. Irarox & P. Villarreal

Julian de la Garza.

John Hart

JW Wells | B Turner | J Rush Crafford | AJ Lamham

H Stockton | WP Darby. | D. McGee | J. Grigsin

HC McIntyre | HC McIntyre | C Stroud | RT Irvin.

C McIntyre

F. T. Simmons | George Morris. | D. O'Boyle | W.m & Pat Quinn | J. O'Connor | Victor Loupey.

MM. McAulay. | John Pollard. | Powers & Hewitson. | Powers & Hewitson.

9° 45' E.

Hugh O'Brien.

John Bowen.

Isaac Robinson.

J. Toole.

Benjamin Dale.

Felix Hart.

Robert Carlisle.

James Douglass.

Bridget Quinn.

Timothy Hart.

LW 34 J Gregg ass of Corma

LW 348 J Gregg ass of J Cash

DW 48 Jno Sutherland

HR Wm Criswell.

LW 348 J Gregg ass of Jas Way

LW. 134 CW Thomason

HR S Smith ass of J.C. Neal

Felipe Roque Portillo & Sons

HR P. Bradley.

Jos Reilly ass of ED Chimneth.

LW. 2 SS. W. Brandon

LW 2 SS. W. Brandon

DW 60. J Kelly by CW Egery ass

C Bradley

LS 99

LS 98

LS 97.

LS 96

LS. 95.

LS. 94.

LS 93.

LS 92

Powers & Hewitson.

Chiltipin Cr.

Aransas River.

Var. 9° 45' E - Scale. 200 V. per inch.

C.

The State of Texas } I, Clif. A. Blucher, District
County of Nueces } Surveyor in and for the Land District of Nueces,
Texas, do hereby certify that the above is a correct copy
of the Map of the Land District of Nueces and
San Patricio, of Record in my office, showing the
Surveys on the right hand margin of the Aransas
river and on the Prairie Lote and Chiltipin Creeks.
Given under my hand at Corpus
Christi on this the 6th day of December, A.D. 1853.

Clif. A. Blucher
District Surveyor
Nueces District

R.W. Williamson. No. 9

CW Fulton

1 LW 903

2 LW 840.

3 LW 840

4 LW 821

5 LW 821.

6 LW 3835.

7 LW 3835.

8 LW 2471

9 LW 2471

10 LW 2471

11 LW 1394

12 LW 1394

13 LW 1394

LS 662

LS 660

LS 661.

LS 659

LW 1788

Puerto.

Black Pt.

Aransas Bay

counties 1853

Romedo D.

La figura A.B.C.D.E. es el plan de siete sitios y medio de tierra ó de 1875.000.000 Vs quadradas este lindando por el poniente con el sitio de Dª Brigida Quin — Por el Nte con el rio de Aransasu esta ~~a donde entra el arroya del Chiltipin~~ por el Oriente con las tierras de Dn Santiago Powers y el Sur con el arroya del Chiltipin de a ~~donde nace~~ el punto F esta á 900 Vs al poniente de las cabezas del Chiltipin

La figura triangular C G H J K. es el plan de cinco sitios y medio de tierra ó de 137.500.000 Vs. quadradas esta lindan por el poniente con las tierras del Ciudº Philipe Roque Portillo.

Por el Norte con el rio de Aransasu y por el Sur con el arroya del Chiltipin hasta donde se junta con aransasu.

a 23 de Octubre 1834

Vor Loupy



Escala de dos Leguas á 10000 Vs.

The State of Texas
County of Nueces

I, Felix A Blucher District Surveyor in and for the said District of Nueces, do hereby certify this to be a true and correct fac simile of a map on file in my office, marked "Bomador" and endorsed on the back in Vor Loupy's hand writing "Concluido", and in Col Jacob Snively's hand writing: Map of Col Powers work on the Aransasu".—

Given under my hand at Corpus Christi on this the 10th day of December, AD 1858.

Felix A. Blucher
District Surveyor
Nueces District

Remarks. The Courses set down on this Map by Vor Loupy are sometimes reversed, in the Compliment given instead of the usual manner of Calling for Chumblines.

Felix A. Blucher.

Nota. el punto F de las tierras D. Philipe Portillo esta señalado con dos puerto de ~~ensino~~ mezquite y de dn punto queda al Nte 55° Oeste tres ensinos dos qe tienen el pied junto distantes del punto 140 Vs y pasando por medio de ellos otro ensino á 15 Vs de la primeros y de 3 pied de diametro y al Nte 20 Oeste mota de anacua distante del punto 200 Vs. y al Nte 10 Oeste otra mota de idem distante de 260 Vs y al Nte 11° Este otra mota de idem distante de 155 Vs.

Vale

counter 41854



General Land Office,
Austin Texas, Sept. 17th, 1860.
I, Francis M. White, Commissioner of the General Land Office in and for the State of Texas, do hereby certify that the above sketch is a correct copy of Map 3, Atlas A, now on file in this Office.
In Testimony Whereof I hereunto set my hand and cause the impress of the seal of said Office to be affixed, the day and year above written.
Francis M. White.

No. 1/4		Guillermo Quin lindando por el sur con Timoteo Hart, Conz. por el norte 5140 Vs. M. Burk por el Oeste con los Alemanes. 1315 Vs. y por el Este con el Rio Aransaso.
x 1/4		M. Burt lindando por el sur 5140 con G. Quin por el Oeste 4350 Santiago Henriques Mullen por el Oeste 1400 Vs. con los Alemanes y por el Este con el Rio Aransaso.
x 1/4		Santiago Henr. Mullen lindando por el sur 4950 con Mr. Burt por el Norte 4000 con Juan Casedy por el Oeste 1530 con los Alemanes y por el Este con el arroyo Arransaso.
x 1/4		Juan Casedy lindando por el sur 4000 con Santiago Henriques Mullen por el Oeste 4450 con los Alemanes y por el Oeste con el Arroyo Arransaso.

	The Germans.		Papalote el Sur.
x No 2	Los Alamanes	x No 1	Una Legua 1/4 por Don Santiago Powers.
x No 3	Los Harts.	x No 2	Armand Victor Loupy
x No 4	Bannitos	x No 3	1/4 por O'Connor
x No 5	Holden	x No 4	1/2 por los Hermanos Quin
Papa		x No 5	Una Brigada [illegible]
x No 10	por el N.	x No 6	[illegible]
x No 11	Timoteo Hart	x No 7	[illegible]
x No 12	Santiago Douglas	x No 8	[illegible]
x No 13	Felix Hart	x No 9	Mr. Baue
x No 14	Isaac Robertson		
	Hugh O'Brain		
	Laguna de la Cruz		
x No 1	Santiago Powers	x No 5	[illegible]
x No 2	Tocante O'Boyle	x No 6	M. M. [illegible]
x No	M. Morris		
x	Mr. Pollande		idem

General Land Office
Aft. [illegible] 17th 1858.
bonded and [illegible]
Attached to Map No 3 Atlas

Edward Linn, Spanish Clerk in Land Office, that the foregoing is a correct copy of an ex Sanctione on file in Land Office.
Edward Linn [illegible]

General Land Office
State of Texas
Land Office of said State
in Land Office, bonded and [illegible]
Intestimony Whereof, I have hereunto set my hand and cause the seal of said Office to be affixed, at the City of Austin, this 17th day of September, A.D. 1858.
Francis M. White.

counter #1855

THE STATE OF TEXAS X

COUNTY OF VICTORIA X

I, Pearl Staples, Clerk of the District Court of Victoria County, Texas, do hereby certify that the above and foregoing is a true and correct copy of the the deposition of Felix A. Blucher in Cause No. 453 on the Docket of the District Court of Victoria County, Texas, styled "Wilkins Hunt v. John Welder" as the same now appears among the papers in said cause in my official custody.

WITNESS MY HAND AND OFFICIAL SEAL this 29 day of October, A. D. 1965.

Pearl Staples
Clerk of the District Court
of Victoria County, Texas

By Mary Ponder, Deputy.

counter #1856

B

Rancho D.

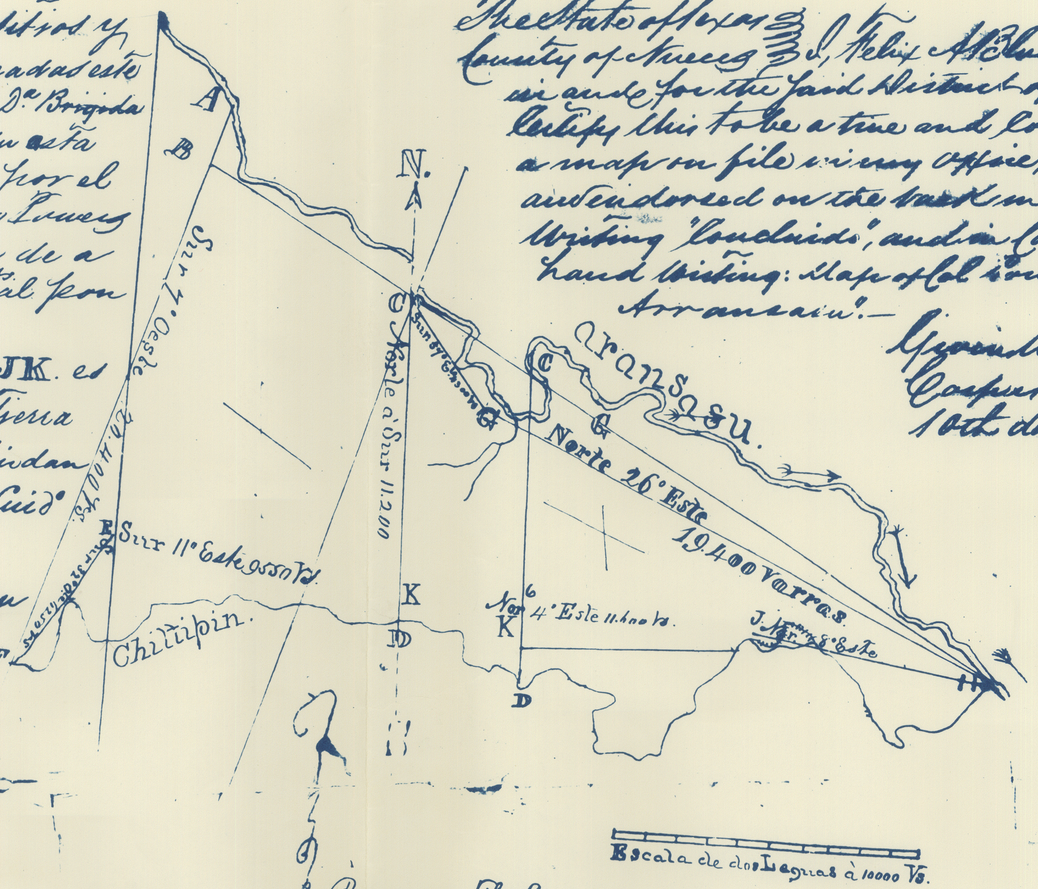
La figura A.B.C.D.E. es el plan de siete sitios y medio de tierra ó de 175.000.000 Vs quadradas este lindando por el poniente con el sitio de Dª Brigida Cuin – Por el Norte con el rio de Aransasu esta a donde entra el arroya del Chiltepin por el Oriente con las tierras de Dn Santiago Powers y el sur con el arroya del Chiltipin de a donde nace el punto E esta á 900 Vs al poniente de las cabezas del Chiltipin

La figura triangular CGHJK. es el plan de cinco sitios y medio de tierra ó de 137.500.000 Vs. quadradas esta lindan por el poniente con las tierras del Ciud° Phelipe Roque Portilla.

Por el Norte con el rio de Aransasu y por el sur con el arroya del Chiltipin hasta donde se junta con aransasu.

a 23 de Octubre de 1834

Por Loupy



Escala de dos Leguas á 10000 Vs.

The State of Texas
County of Nueces

I, Felix A. Blucher District Surveyor in and for the said District of Nueces, do hereby Certify this to be a true and correct fac simile of a map on file in my office, marked "Bonavdo" and endorsed on the back in Spanish Loupy's hand writing "Condados", and in Col Lacoste's hand writing: Map of Col Powers work on the Aransasu.—

Given under my hand at Corpus Christi on this the 10th day of December, AD 1858.

Felix A. Blucher
District Surveyor
Nueces District

Remarks. The Courses set down on this Map by Dn Loupy are sometimes reversed, in the Compliment given instead of the usual Manner of Calling for Chumblines.

Felix A. Blucher.

Nota. el punto F de las tierras de Phelipe Roque de esta señalado con dos puntos de mezquite y de dos 35° Oeste tres ensinos dos q tienen el punto 1410 Vs y pasando por medios de ellos de la primeras y de 3 pies de diametro

Phelipe Roque de esta punto queda al Nte sieda junto distantes del otro ensino á 15 Vs y al Nte 2° Oeste

mota de anacua distante del punto 200 Vs. y al Nte 10° Oeste
otra mota de idem distante de 280 Vs y al Nte 11° Este
Otra Mota de idem distante de 155 Vs

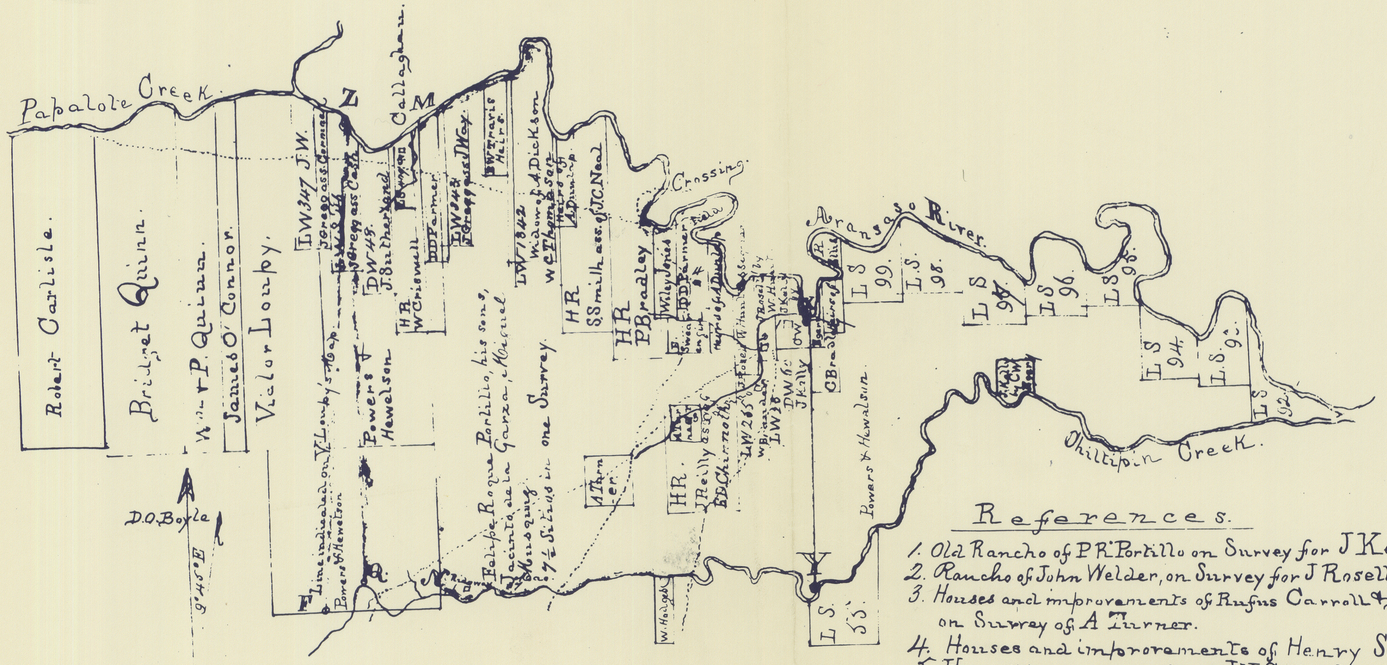
Vale

counter 41857

Exhibit C

(op.)

1" = 3000 vs



References.

1. Old Rancho of P. R. Portillo on Survey for J Kelly
2. Rancho of John Welder, on Survey for J Rosell for W Hunt.
3. Houses and improvements of Rufus Carroll & Brother on Survey of A Turner.
4. Houses and improvements of Henry Shirely
5. House & improvements of J H. Callaghan & Rankin.
6. House & improvements of Mr. Bridgway.
7. House & improvements of Col. Mao.

Map of the Surveys on the rig[illegible] margin of the Papalote and Aransasi

Scale of 4000 Varas per inch. Var. 9° 4[illegible] E.

By [illegible] Blucher, [illegible]

[illegible] Dist[illegible]

counter 41858

Boneda **D.**

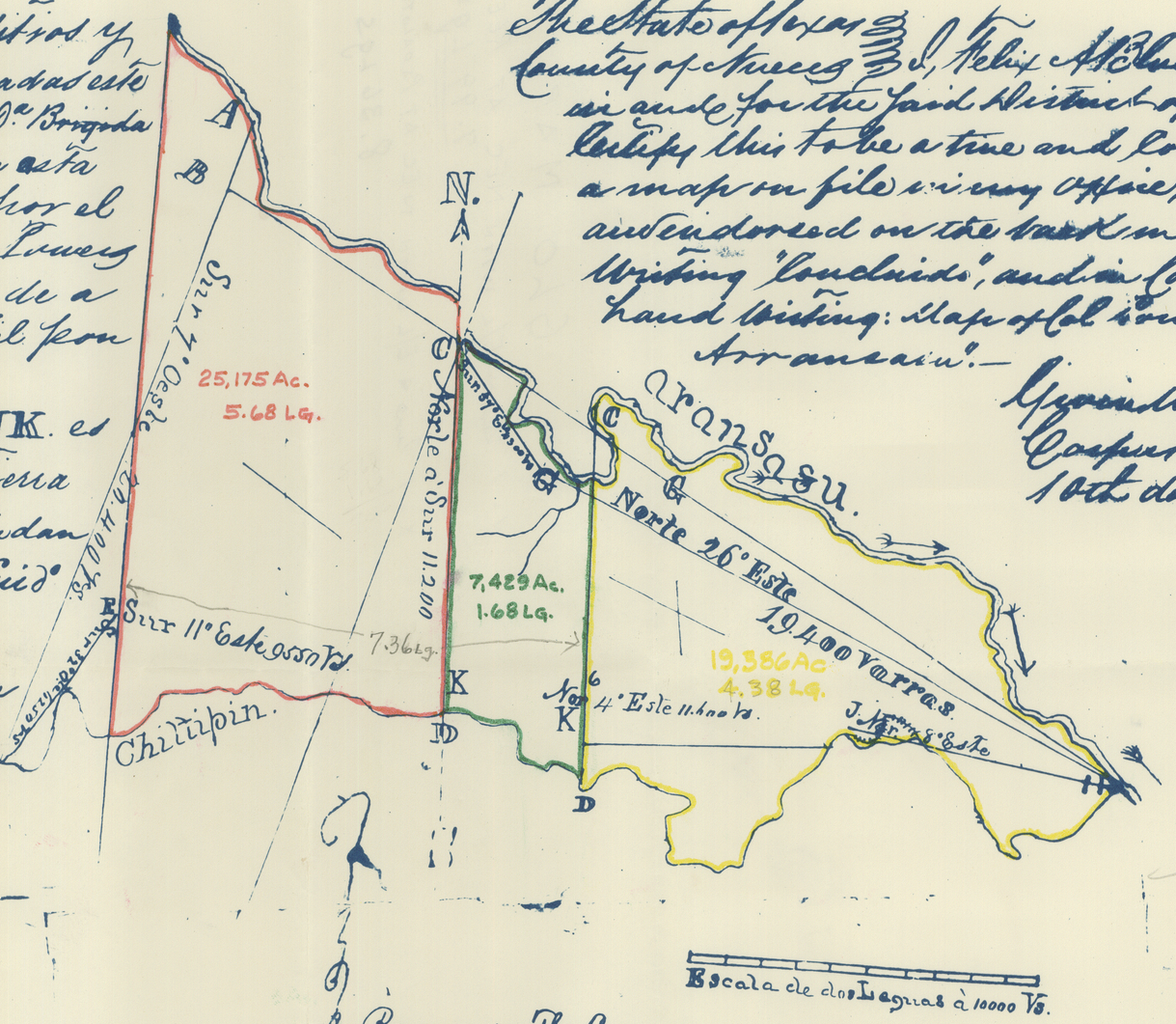
La figura A.B.C.D.E. es el plan de siete sitios y medio de tierra ó de 175.000.000 Vs quadradas este lindando p.r el poniente con el sitio de D.a Brigida Cuin – Por el N.te con el rio de Aransasu asta a donde entra el arroya del Chiltipin Por el Oriente con las tierras de D.n Santiago Lowes y el sur con el arroya del Chiltipin de a donde sale el punto E esta á 900 Vs al poniente de las cabeceras del Chiltipin

La figura triangular CGHJK. es el plan de lineo sitios y medio de tierra ó de 137.500.000 Vs. quadradas esta lindan por el poniente con las tierras del Ciud.o Phelipe Roque Portilla.

Por el Norte con el rio de Aransasu y por el sur con el arroya del Chiltipin hasta donde se junta con aransasu.

a 29 de Octubre de 1834

Por Loupy



The State of Texas
County of Nueces } I, Felix A. Blucher District Surveyor in and for the said District of Nueces, do hereby Certify this to be a true and correct fac simile of a map on file in my office, marked "Bonedo" and endorsed on the back in Spanish Land Writing "Londeinds", and in Col. Lacey's hand writing: Map of Col Power's work on the Arranesasu.—

Given under my hand at Corpus Christi on this the 10th day of December, A.D. 1858.

Felix A. Blucher.
District Surveyor
Nueces District

Remarks. The Courses set down on this Map by Por Loupy are sometimes reversed, in the Compliment given instead of the usual Manner of Calling for Courses.

Felix A. Blucher.

Nota. el punto F de las tierras de Phelipe Roque esta señalado con dos puntos de mesquite y de 35° Oeste tres ensinos dos q.e tienen el punto 1410 Vs y pasando por medio de ellos de la primeras y de 3 pies de diametro

Nota que el punto que queda al N.te 11° Oeste dista del punto de principio distantes del otro ensino á 15 Vs y al N.te 21 Oeste

Nota de anacua distante del punto 200 Vs. y al N.te 10 O.te
otra nota de idem distante de 2[illegible] Vs y al N.te 11° Este
Otra Nota de idem distante de 155 Vs

Vale

1.68
4.38
6.06

1" = 3000 Vs

Exhibit D

counter 41859

BEFORE THE HONORABLE

JERRY SADLER

COMMISSIONER

OF THE

GENERAL LAND OFFICE

STATE OF TEXAS

M.A.-58291

EXHIBITS SUBMITTED BY

OPPONENTS

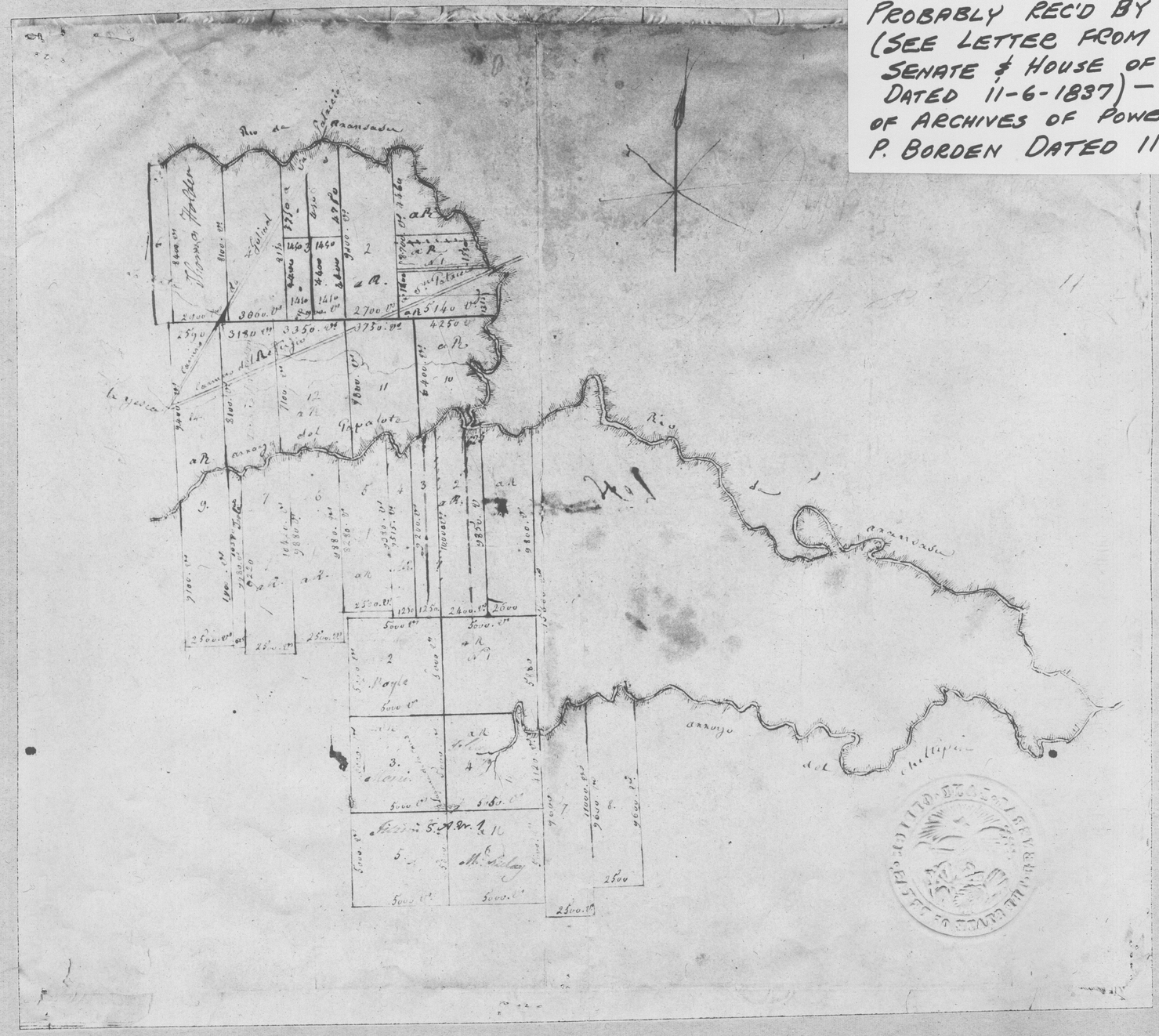
1

counter 41860

ATLAS A - PG 3 - NO DATE

(SAME AS MAP "E" ATTACHED TO BLUCHER'S DEPOSITION)

PROBABLY REC'D BY G.L.O. IN 1837 (SEE LETTER FROM JNO. P. BORDEN TO SENATE & HOUSE OF REPRESENTATIVES DATED 11-6-1837) — (SEE ALSO SCHEDULE OF ARCHIVES OF POWERS COLONY BY JNO. P. BORDEN DATED 11-21-1837)



approx. 1" = 4000 VS.

counter 41861

Original on File in Spanish Archives

Aransas

1/4 for William Quin bound on the south with 5140 varas by Timothy Hart, on the north with 5140 varas M. Burk, on the west the Germans 315* varas, and on the east by the Aransas River.

1/4 for M. Burt bound on the south 5140 by W. Quin, on the north 4350 by James Henry Mullen, on the west 1400 by the Germans, and on the east by the Aransas River.

1/4 for James Henry Mullen bound on the south 4750 by M. Burt, on the north 4000 by John Jasaday, on the west 1530 by the Germans, and on the east by Aransas Creek.

1/4 for John Jasaday bound on the south 4000 by James Henry Mullen, on the west 4460 by the Germans, and on the northwest by Aransas Creek.

2 The Germans — Papalote south

3 Vacant — the Harts and Banuelos — No. 1 One league and 1/4 for Santiago Powers

4 .. Banuelos

5 .. Holden Boyle — No. 2 Arnaud Victor Loupy

6 — No. 3 1/4 for O'Coner

Papalote on the north — No. 4 1/2 for the Quin brothers

10 Timothy Hart — No. 5 Dona Bridget Quin

James Douglas — No. 6 Carlisle

Felix Hart — No. 7 Benjamin Deal, John Tooll

Roberson — No. 8 ~~Edward Macafferty~~

Brain — No. 9 Mr. Bowen

* Translator's Note: The original paper is torn and actually reads 315, but a former translation gives this figure as 1315.

Laguna de la Cruz and Chiltipin

No. 1 Santiago Power

No. 2 Vacant O'Boyle

No. 3 M. Moris

No. 4 M. Polland

No. 5 M. Felserman

No. 6 M. McAulen

No. 7 Vacant

No. 8 ..

Courtesy 11862

ATLAS B - PG 11 - NO DATE

SEE ALSO G.L.O. DATA REFERRED TO ON ATTACHMENT TO ATLAS A - PG 3

1" = 4000 VS

11

Hugh O'Boyle
Thomas Holden
Mrs Crain
John Bowin
C. Robertson
Thomas Bañuelas
O'Reiley
H. R. Eyle.
Berry Dale.
Robt. Carlisle.
Felix Hart.
Bañuelas's sons in law
T. Hart.
Tool & Sons.
Mrs Bart Quin.
Quin.
O'Connor
Victor Loupy.
Th. Hayes.
Dillard, Langenheim and Baumann.
Burke.
Roach & Son.
Boyle.
Nunis.
Polan.
Ryan and Houston.
Houston.
Maria Encarnacion de la Garza
Miguel Mustang
Maximo Gomez.
Castillo
James McGeehans.
Martin Power.
Carlisle's Sons.
Collier's Sons.
Fitzsimmons Sons.
Roache.
Mullen's
Chocolate
Mrs Power.
Mrs Cahoon.
Thomas Power.
Mrs Hall
Brown & Co.
Mrs Cahoon.
Mrs Hall
Morris
Rose Hill
Brown & Co.
Brown & Co.
Brown & Co.

To the honourable Gentlemen of the Senate and
House of Representatives

Believing it to be my duty to make a report to your honourable body of the progress made by me in collecting the Archieves of the several Landoffices and to give some information in regard to their situation, I would therefore beg leave to state,

That since the former communication to your honourable body I have received the following Archieves viz.

Those of Austins Colony, Dewitts, Powers and also those of Bevils Settlement besides a register containing entries made of lands in Wavels Colony on Red River. Those from Nacogdoches have not yet reached here but by a letter received from George A. Nixon dated 4th October I learn, that he will be probably here with them in a short time as he had been for some time making preparations to that effect.

I find from examining the Archieves of Besar that there are only thirty four titles most of them issued in the years 1831 and 1832, some of Dewitts Colony, some by the Alcaldes in Besar. The amount of land granted lying in the county of Bejar does not exceed 40 leagues which fact clearly shows, that all the original titles belonging to that part have not been received, — have been informed that some of them as well as other archieves have been destroyed and that there is also a part of them in the hands of Judge Taylor of Nacogdoches.

The whole of that section of Country along the San Antonio River on both sides from Goliad from to within about fifty miles of Besar appears to be unsurveyed, at least no returns have been made but to which titles probably have been issued by the different authorities of the Spanish and Mexican Governments.

From the returns of surveys made in Powers Colony I find that the work has been generally done in a loose manner although there are two plats of considerable importance showing the situation of a portion of that Colony. There have been one hundred and seventy three titles issued besides some ten or 15 petitions by applicants.

I would beg leave to correct an error in my former report relating to the papers belonging to De Leons Colony having been misinformed as to what had

been the fate of them. It is merely necessary for me to state that instead of the ennemy's destroying them it was the Texian Army a few of them however have been preserved by Placidor Benaviderz who will probably deliver them upon his return.

Having had but little time to examine the surveys made in that section of Country east of Trinity known as Bevils Settlement I am as yet almost unqualified to say what their condition is, however this far appears evident that there have been more than fourhundred surveys made there is no map showing the connexion or situation of any three of them, not so much as a list of the names of grantees with the several quantities of lands attached thereto. The whole number of titles issued by G. W. Smyth Com. of that section is one hundred and fifty two. The public money which I sent for through the advice of the Secretary of Treasury amounting to $189.50 and which I received with the Archieves of Bevils Settlement from G. W. Smyth I have appropriated as follows: To John Hadnot $114.00 for services rendered in bringing the Archieves from Bevils Settlement, To Darius Gregg $50 for like services going to Nacogdoches and S. Augustin and to Geo. W. Fulton $25.50, there still remains a balance due Mr Gregg and Mr. Fulton for which I trust your honourable body will make as early as practicable some appropriation to pay. — Being aware of the act which is about to be passed calling upon all Empresarios or other persons holding Archieves to bring them to the seat of Government and deliver them over to me I have not for the past two weeks used any exertions to employ persons for that purpose although had I been authorized to employ such persons so employed I could certainly have had the different Archieves collected much sooner than by the operations of the present contemplated arrangement.

As it is all important that connected plats of the different Counties as far as now surveyed be made and as this cannot be done with propriety at any other place than in this office it is sincerely hoped that the present Land law when passed will provide in some manner for the accomplishment of the above objects and while making this report it may not be considered irrelevant to suggest to your honourable body the necessity of making some appropriation of money with sufficient house room to enable me to have all such plats made out in due form.

All which is most respectfully submitted by your

obedient humble servant

John P. Borden
Com. Gen. Land office

November 6th 1837.

counter 41864

Schedule of the Archives of Powers Colony

17

Item No 1. A file containing petition of Empresarios for 500 families — action upon same by the supreme government — power of attorney to Manuel Musquis as agent — power of substitution from said Musquis to Victor Blanco — contract for 200 families with the conditions of same together with the limits of Colony — petition for extention of colony — grant of same

No 2 Letter approving the contract of Canalo — 2 documents same as file No 1 — petition of Empresario Powers for an additional 100 families — Ramon Musquis letter in answer to representation of Ayuntamiento of Goliad — Representation above alluded to — document relative to four sites and the Karankua Indians — Opinion of the council, by Aguirre in relation to the Empresarios powers — Decree — Decree of gov. Latona — Order of the deputation by the gov. Aguirre — letter from Manuel Hernandez & others — letter of Gov. Latona to the political chief of Bexar — decree of the state Legislature in relation to the interferance of Genl Veranda

No 3 Petition of Empresario — & gov. Viesca's answer —

" 4 Gov Latona's letter to the political chief of Bexar —

" 5 file cont'g 19 documents relative to contracts from different persons

" 6 3 communications —

" 7 Map of Aransas & Chiltepin —

" 8 " " San antonio River —

" 9 " North of Aransas

" 10 Atlas cont'g 28 pages field notes

11 file " 33 petitions for land by different persons

12 1 Book of titles cont'g 179 pages 1 to 190 —

13 Concession to the widow Trapp of 1 League

Received the above described documents of James Powers

Genl Land Office Austin Nov 1st 1837

P.S. Received also another file No 14 being a concession of sixteen leagues in favour of Powers & Hewetson. J. P. Borden

N. B. Since the above list was made out I have returned to Mr Powers the concession above referred to.

this 21st Nov 1837 John P. Borden

Signed duplicate

counter 1865

JACOB SNIVELY'S MAP OF NUECES & SAN PATRICIO LAND DISTRICTS

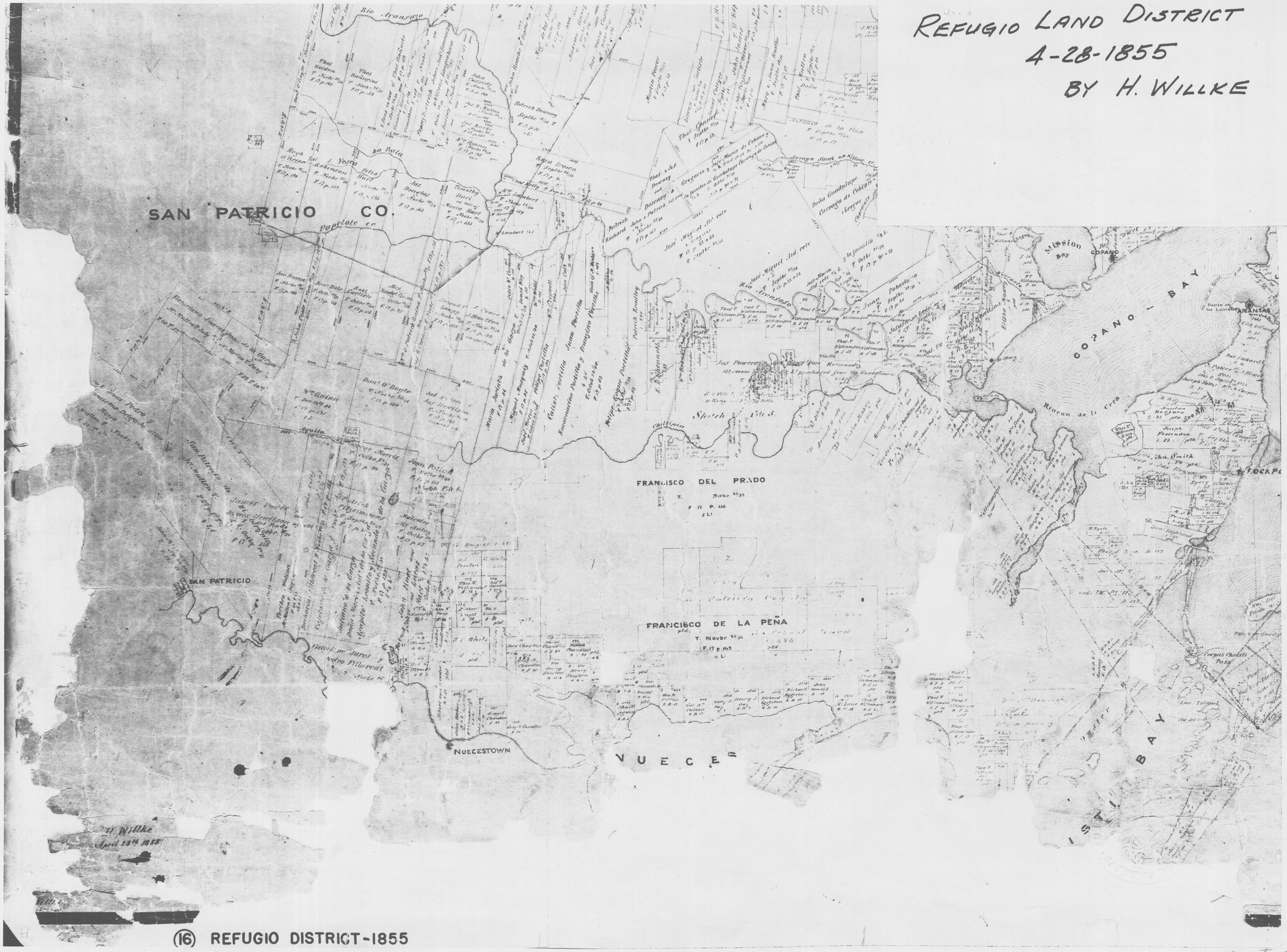
FILED IN G.L.O. 12-27-1847

(MAP "C" ATTACHED TO BLUCHER'S DEPOSITION IS A FACSIMILE OF A PORTION OF THIS MAP) – (SEE LETTER FROM SNIVELY TO G.L.O. DATED 12-30-1847

FILED IN GLO WAREHOUSE MAP #33

counter 41867

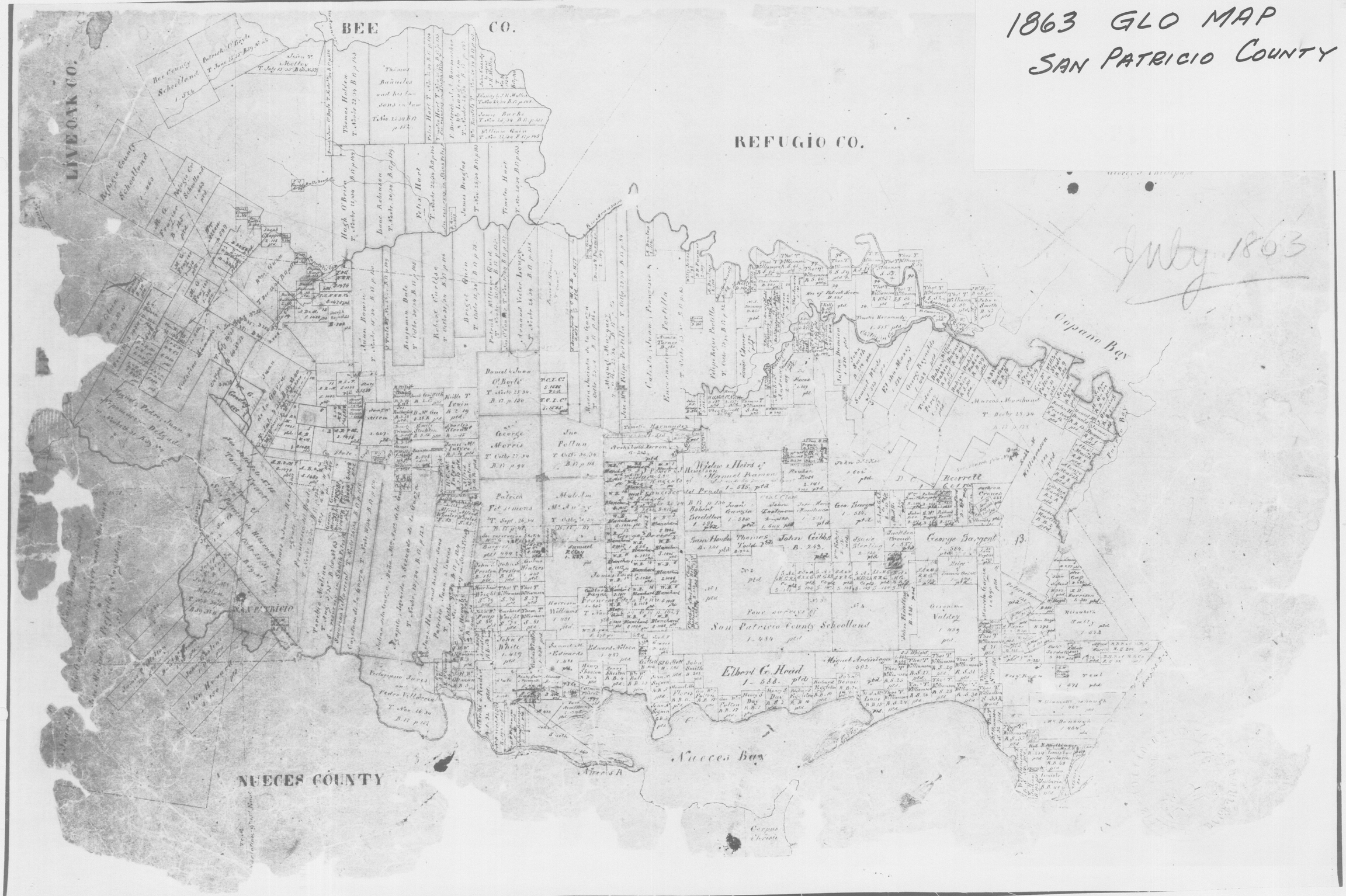
REFUGIO LAND DISTRICT
4-28-1855
BY H. WILLKE



(16) REFUGIO DISTRICT-1855

counter 41868

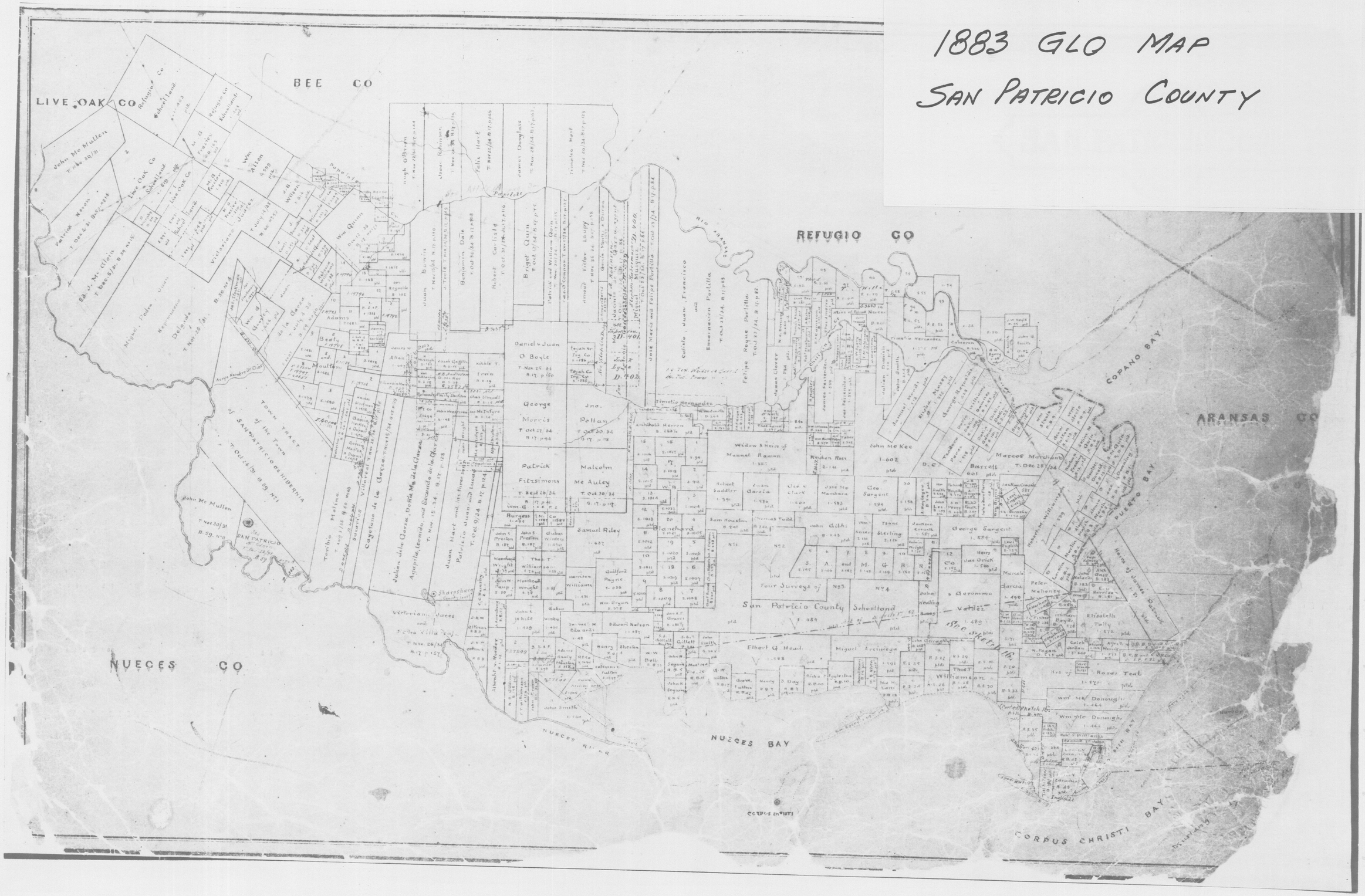
1863 GLO MAP
SAN PATRICIO COUNTY



July 1863

counter #1869

1883 GLO MAP
SAN PATRICIO COUNTY


BEE CO
LIVE OAK CO
REFUGIO CO
NUECES CO
ARANSAS CO
NUECES BAY
NUECES RIVER
COPANO BAY
CORPUS CHRISTI BAY
CORPUS CHRISTI
RIO ARANSAS
TOWN TRACT of the TOWN of SAN PATRICIO de HIBERNIA
Four Surveys of San Patricio County Schoolland
Four Surveys of Land
Four Surveys of Land
Four Surveys of Land

1896 GLO MAP
SAN PATRICIO COUNTY

COUNTY

General Land Office, Nov. 16th 1896.

Scale, 2000 Varas to the inch.

J. F. Clark, Draftsman.

REFUGIO CO.

Aransas River

COPANO BAY

Chiltipin Cr.

SAN ANTONIO

Mesquital

ARANSAS

Timothy [illegible]
Tit. Nov. 2, 34.

Arnaud Victor Loupy.
Tit. Nov. 26, 34. B. 12 P. 58.

Miguel [illegible]
Tit. Oct. 23, 34.

Calixto, Juan & Encarnacion Portilla.
Tit. Oct. 23, 34.
B. 17 P. 83.

Felipe Roque Portilla.
Tit. Oct. 23, 34.
B. 17 P. 82.

Wm & Patrick Quin.
Tit. Nov. 20, 34. B. 12 P. 165.

Jos. Fessenden
1-559 pfd

Thomas T. Williamson
S. 60 pfd

Wm. Williamson
S. 59 pfd

Hrs. of Patrick Neven.
B. 221 pfd

Timotio Hernandez.
1-5 pfd

Ewen Cameron
B. 222 pfd

John Smith
B. 214 pfd

Samuel Woods.
1-513

Isaac Clover
1-594 pfd

Julian Damion
1-610 pfd

Thos. Carroll
2-140 pfd

Jno. Henderson
2-135 pfd

Wm W. Smith
D-264

Henry O'Neill
3-137 pfd

T.T. Williamson
S. 84 pfd

Jno. B. Bryan
B. 222 pfd

Archibald Herron
B. 283½ pfd

Widow & Heirs of Manuel Ramon.
1-585 pfd

Reuben Ross.
2-141 pfd

John Mc Kee.
1-602 pfd

D. C. Barrett.
1-601 pfd

T. Perez.
1-518 pfd

Robt Saddler
1-591 pfd

Juan Garcia
1-586 pfd

Geo. C. Clark
1-600 pfd

Jose Mª Hinojosa
1-583 pfd

Geo. Sargent
1-582 pfd

Jackson Crouch
1-587 pfd

Sam. Houston
B. 241 pfd

Thomas Todd
B. 242 pfd

John Gibbs
B. 243 pfd

Isaac Sterling
2-126 pfd

George Sargent
1-582 pfd

Robt. M. Williamson
1-589

Toyah Cr. Irr. Co.
S. 1585 pfd

Mª Jacinta de la Garza et vir
Tit. Oct. 23, 34.
D. 402

Jose Mª [illegible]
Tit. Oct. 23, 34.

Juan O'Bo[illegible]
Tit. Nov. 25, 34.
B. 17. P. 150.

Mo[illegible]
Oct. 30, 34.
17. P. 94.

John Pollan.
Oct. 30, 34.

La Cruz Lake

Fitzsimmons
Sept. 26, 34.
P. 4.1.

Malcolm McAvoy.
Tit. Oct. 30, 34.
P 17. P. 117.

Samuel Riley.
1-637

Gabos Winters
1-430

El Paso & M[illegible] Co.

counter 41871

SAN PATRICIO COUNTY

GENERAL LAND OFFICE

AUSTIN, TEXAS AUGUST 1939

BASCOM GILES - COMMISSIONER

SCALE 1 INCH = 2000 VARAS

N

W

S

LIVE OAK CO.

BEE COUNTY

JIM WELLS CO.

NUECES COUNTY

REFUGIO COUNTY

ARANSAS COUNTY

COPANO BAY

ARANSAS BAY

NUECES BAY

CORPUS CHRISTI BAY

REDFISH BAY

MATHIS

SINTON

PAPALOTE

EWELDER

LA FRUTA

GREGORY

ARANSAS PASS

PORTLAND

CORPUS CHRISTI

HUGH O'BRIEN T. NOVEMBER 22, 1834

ISAAC ROBINSON T. NOVEMBER 20, 1834

FELIX HART T. NOVEMBER 22, 1834

JAMES DOUGLASS T. NOVEMBER 28, 1834

TIMOTHY HART T. NOVEMBER 20, 1834

WM. & PATRICK QUIN T. NOVEMBER 20, 1834

JAMES O'CONNOR T. NOVEMBER 20, 1834

ARNAUD VICTOR LOUPY T. NOVEMBER 26, 1834

ANT. GOZEASCOCHECHEA

CALIXTO, JUAN, FRANCISCO & ENCARNACION PORTILLA T. OCTOBER 23, 1834

JOSE MARIA & FELIPE PORTILLA 2 - 1476 Ac.

MIGUEL MUSQUIZ T. OCTOBER 23, 1834

FELIPE ROQUE PORTILLA T. OCTOBER 23, 1834

M. JACINTA DE LA GARZA ACT. FOR HIS SON

JOHN BOWEN T. NOVEMBER 15, 1834

JOHN TOOLE T. NOVEMBER 24, 1834

BENJAMIN DALE T. OCTOBER 30, 1834

ROBERT CARLISLE T. OCTOBER 31, 1834

BRIDGET QUIN T. OCTOBER 13, 1834

DANIEL & JUAN O'BOYLE T. NOVEMBER 25, 1834

GEORGE MORRIS T. OCTOBER 30, 1834

JOHN POLLAN T. OCTOBER 30, 1834

PATRICK FITZSIMMONS T. SEPTEMBER 26, 1834

MALCOLM McAULEY T. OCTOBER 30, 1834

WILLIAM QUIN T. DECEMBER 12, 1834

PATRICK HEVAN T. DECEMBER 7, 1831

EDWARD J. Mc GLOIN T. DECEMBER 5, 1831

M. P. J. B. N. DELGADO T. NOVEMBER 28, 1834

JUAN DE LA GARZA T. JULY 4, 1835

VICTORIANA JUAREZ & T. JULY 4, 1835

TOWN TRACT SAN PATRICIO DE HIBERNIA T. OCTOBER 24, 1834

TORIBIO MOLINA T. AUGUST 3, 1835

JOHN McMULLEN T. NOVEMBER 30, 1831

JAS. McGLOIN T. DECEMBER 22, 1831

CAYETANO DE LA GARZA T. NOVEMBER 15, 1834

JULIAN DE LA GARZA T. NOVEMBER 15, 1834

VICTORIANA TARES & PEDRO VILLAREAL T. NOVEMBER 26, 1834

JUAN HART & SONS PATRICK, JOHN & LUCAS T. OCTOBER 10, 1834

SAN PATRICIO COUNTY SCHOOL LAND A-236 1,484V

A-237

A-238

A-239

Compiled by J. O. Borrow
Traced by Eltea Armstrong

counter 41872

BEFORE THE HONORABLE

JERRY SADLER

COMMISSIONER

OF THE

GENERAL LAND OFFICE

STATE OF TEXAS

M. A. - 58291

EXHIBITS SUBMITTED BY

OPPONENTS

counter 41873

F

Opp.

GRANTEE	LEAGUES	ORDER	DATE OF PETITION	ORDER	DATE OF REFERENCE	ORDER	DATE OF APPROVAL	ORDER	DATE OF ADJUDICATION	ADJOINDER CALLS
Benjamin Dale	1	5	10-20-34	4	10-21-34	5	10-27-34	3	10-30-34	W by Carlisle - S by vacant land - E in same manner
Robert Carlisle	1	1	8-29-34	6	10-31-34	7	10-31-34	4	10-31-34	W by Dale - S by vacant land - E by Dono Brijida Quin
Dona Briget Quin	1	4	9-29-34	3	10- 1-34	2	10-10-34	1	10-12-34	W by Caleal - S by vacant land - E by Wm. & Patrick Quin
Patrick & Wm. Quin	1/2	9	11-20-34	8	11-20-34	9	11-20-34	6	11-20-34	W by Dona Brigida Quin - S by Boyle - E by O'Conner
James O'Conner	1/4	8	11- 6-34	7	11-12-34	8	11-15-34	5	11-15-34	W by Quinns - S by Boyle - E by Surveyor Lupy
Arnaud Victor Loupy	1	10	11-24-34	10	11-25-34	11	11-26-34	8	11-26-34	W by O'Conner - S by Empresario Power & Boyle - E by said Empresario
Power & Hewetson	1¼	9	11-20-34	9	-	10	11-22-34	7	11-22-34	W by Lupy - S by same Empresarios- E by Felipe Portilla
Antonio Gozeascohechea (Maria Jacinta de la Garza)	1	6	10-21-34	4	10-21-34	3	10-22-34	2	10-23-34	E by Musquiz (Petition)
Miguel Musquiz	1	7	10-23-34	5	10-23-34	4	10-23-34	2	10-23-34	Adjoining Senores Portilla on the east
C.,J.,F. & E. Portilla	4	2	9-11-34	1	9-12-34	1	9-15-34	2	10-23-34	
Jose M. & Felipe Portilla	1/2	2	9-11-34	1	9-12-34	1	9-15-34	2	10-23-34	
										Continued- next page counter 41874

GRANTEE	LEAGUES	ORDER	DATE OF PETITION	ORDER	DATE OF REFERENCE	ORDER	DATE OF APPROVAL	ORDER	DATE OF ADJUDICATION	ADJOINDER CALLS
Felipe Roque Portilla	1	2	9-11-34	1	9-12-34	1	9-15-34	2	10-23-34	Adjoining Empresario Power on the lower part
Power & Hewetson	5½	3	9-23-34	2	-	6	10-30-34	3	10-30-34	W by Felipe Roque Portilla

counter 41875

DALE

Honorable Commissioner:

I, Citizen Benjamin Dale, native of Ireland and resident of this Town, in the best form of law appear before you and say: That three years ago I was introduced in this new Colony with the intention of belonging to it by agreement with its Empresarios, and with this assurance having chosen one league of land on the Papelote where I have a field and other improvements, I ask and beg you, please, to order that I be given that which corresponds to me as a married man according to the colonization laws, and this being justice that I implore, I swear, etc.

Refugio, October 20, 1834.

Benjamin Dale

Refugio, October 21, 1834.

Having been presented, pass this petition to the Empresarios so that they may report on the civil and moral conduct of the applicant, expressing whether or not they admit him in the Colony. Thus I decreed, ordered, and signed with those of my attendance, I certify.

Jose Jesus

de Vidaurri (Rubric)

Attendant Witness

~~Franco. Ruiz (Rubric)~~

Juan Dunn

Attendant Witness

Fran^{co}. Ruiz (Rubric)

Refugio, October 27, 1834.

We are informed that the petitioner is a native of Ireland, of good habits, of Catholic religion, and good conduct. Therefore, we admit him in this Colony, considering him worthy of the tract he claims, and we report to you in fulfillment of the foregoing decree.

Santiago Power

(Rubric)

Santiago Hewetson

(Rubric)

In the same Town and on the 30th of the said month and year, I, the aforementioned Commissioner, by virtue of my order in the preceding decree and the consent granted by the Empresarios with respect to the admission of Citizen

counter 1876

Benjamin Dale, adjudicate to him the league of land he has requested, including one labor of arable land, which, according to the survey made by one of the licensed surveyors, is composed of 2,500 Mexican varas frontage on Papolote Creek on that side or right margin, and depth on the lower part 10,420 varas, and on the upper part, 9,220 varas; it is bounded on the north by the said creek; on the west by Citizen Robert Carlisle; on the south by vacant lands; and on the east in the same manner; therefore, exercising my authority, and in the name of ~~my authority~~ the Supreme Powers of the Mexican Nation and the State, I put him in possession of it, which he took quietly and peaceably without contradiction, and performing all the acts of true possession, having been informed that within one year he shall construct fixed boundaries and comply exactly with the colonization laws; with this understanding he signed with me and those of my attendance, which I certify.

Jose Jesus

de Vidaurri (Rubric)

Attendant Witness

Juan Dunn (Rubric)

Attendant Witness

Franco. Ruiz (Rubric)

Note: On the date this petition was attached to the Record Book which corresponds on this full page, and having been validated by a cross, I sign with my rubric in evidence thereof. (Rubric)

counter 41877

L. O. FORM NO. 52

GENERAL LAND OFFICE

Austin, Texas, October 13, 1965

I certify that the foregoing two pages contains a correct translated copy of the original title to Benjamin Dale existing in the Spanish Archives of this office Volume 17, Page 108

Virginia H. Taylor
Spanish Translator.

I, JERRY SADLER Commissioner of the General Land Office of the State of Texas, do hereby certify that Virginia H. Taylor whose signature is subscribed to the foregoing certificate, is the Spanish Translator of this office, duly qualified according to law, and that her official acts, as such, are entitled to full faith and credit.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of said office to be affixed, the day and date first above written.

JERRY SADLER Commissioner.

counter 71878

+

Honorable Commissioner:

I, Citizen Robert Carlisle, of this community, in the best form of law appear before you and say that five years ago I was introduced in this new Colony by agreement with its Empresarios for the purpose of becoming one of its settlers, and having been admitted as a Mexican by law, since I have lived in the Republic for more than ten years, I ask and beg you please, in conformity with the law, to give me ownership of the league of land which corresponds to me and which I have chosen on the Papelote, this being justice that I implore, I swear, et cetera. Refugio, August 29, 1834.

Robt. Carlise

Refugio, October 31, 1834.

Present this petition to the Empresarios of this Colony so that they may report on the civil and moral conduct of the applicant, his origin, and whether he is in effect admitted in the Colony. Thus I decreed, ordered, and signed with those of my attendance, I certify.

Jose Jesus

de Vidaurri (Rubric)

Attendant Witness

Juan Dunn (Rubric)

Attendant Witness

Santiago Serna (Rubric)

Refugio, October 31, 1834.

We, the undersigned, are informed that the petitioner is a native of the United States of the North, of good habits, of Catholic religion, and of good conduct. Therefore, we admit him in this new Colony, considering him worthy of the tract he claims, which we report to you in fulfillment of the foregoing article.

Santiago Power

(Rubric)

In the said town and on the 31st of the current month and year, I, the undersigned Commissioner, in view of my order in the preceding decree and the consent granted by the Empresarios with respect to the admission of Citizen

counter #1879

Robert Carlisle, adjudicate to him in due form the league of pasture land he has requested, including one labor of arable land, which, according to the survey made by one of the appointed surveyors, is composed of 2,500 Mexican varas frontage on Papolote Creek, on that side or right margin, and depth on the lower and upper parts 9,880 varas. It is bounded on the north by the said creek; on the west by the lands of Citizen Benjamin Dale; on the south by vacant lands, and on the ~~south~~ east by Dona Brijida Quin. Therefore, exercising my authority and in the name of the Supreme Powers of the Mexican Nation and of the State, I put him in possession of the aforesaid league of land, which he took quietly and peaceably without any contradiction, and performing all the other acts of true possession; having been informed that within one year he shall construct fixed boundaries, also observing that part of the colonization laws which pertain thereto; with this understanding he signed with me and those of my attendance, which I certify.

Jose Jesus
de Vidaurri (Rubric)

Attendant Witness
Juan Dunn (Rubric)

Attendant Witness
Santiago Serna (Rubric)

Note: On the same date this petition was attached to the Record Book which corresponds on the present page and validated with a cross, which I sign with my rubric in evidence thereof. (Rubric)

counter 41880

L. O. FORM NO. 52

GENERAL LAND OFFICE

Austin, Texas, October 21, 1965

I certify that the foregoing two pages

contains a correct translated copy of the original title to Robert Carlisle

existing in the Spanish Archives of this office Volume 17, Page 116

Virginia H. Taylor
Spanish Translator.

I, JERRY SADLER Commissioner of the General Land Office of the State of Texas, do hereby certify that Virginia H. Taylor whose signature is subscribed to the foregoing certificate, is the Spanish Translator of this office, duly qualified according to law, and that her official acts, as such, are entitled to full faith and credit.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of said office to be affixed, the day and date first above written.

JERRY SADLER Commissioner.

counter 71881

+

THIRD SEAL

TWO REALES

FOR THE BIENNIUM OF

1832 AND 1833, and 34
(Rubric)

B. QUIN

Honorable Commissioner:

I, Dona Briget Quin, a native of Ireland and at present a resident of this new town, in the best form of law, appear before you and say that six months ago I was introduced in this new colony with the intention of belonging to it, and with the consent of its Empresarios I have chosen one league of land on the margin of Papelote Creek, adjoining the upper line of Citizen Robert Carlisle, and having claimed this tract with this assurance, I ask and beg you please to order that I be given that which corresponds to me as a widow with a family, as the law recommends.

Refugio, September 29, 1834.

Briget Quin (Rubric)

Refugio, October 1, 1834.

Present this petition to the Empresarios so that they may report on the civil and moral conduct of the applicant, expressing their consent on her admission in the Colony. Thus I decreed, ordered, and signed with those of my attendance, which I certify.

Jose Jesus
de Vidaurri (Rubric)

Attendant Witness
Juan Dunn (Rubric)

Attendant Witness
Martin Power (Rubric)

Refugio, October 10, 1834.

We are informed that the applicant is a native of Ireland, of Catholic religion, of good character and conduct. Therefore we consider her worthy of the tract she claims, and we report to you in fulfillment of the foregoing decree.

Santiago Power
(Rubric)

Santiago Hewetson
(Rubric)

counter 1882

In the aforesaid town on the 12th of October of the current year, I, the aforesaid Commissioner, in view of my order in the preceding decree and the consent granted by the Empresarios with respect to the express admission of Citizen Dona Brigida Quin, adjudicate to her in due form the league of land she has requested, including one labor of arable land, which, according to the survey made by one of the appointed surveyors, is comprised of 2,500 Mexican varas frontage on Papelote Creek on its ~~left~~ right margin, and depth on the lower part 8,280 Mexican varas, and on the lower, 9,380 varas; bounded on the north by the aforesaid creek, on the west by Citizen Robert Calael, on the south by vacant lands, and on the east by William and Patrick Quin. Therefore, exercising my authority and in the name of the Supreme Powers of the Mexican Nation and the State I put her in possession of it, which she took quietly and peaceably and without any contradiction, carrying out all the acts of true possession; having been informed that within one year she shall construct fixed boundaries, complying exactly with the colonization laws that are applicable. Thus I resolved, ordered, and signed with those of my attendance, which I certify.

Jose Jesus

de Vidaurri (Rubric)

Attendant Witness

Juan Dunn (Rubric)

Attendant Witness

Martin Power (Rubric)

Note: On the date this petition was attached to the Record Book which corresponds on one full page, which I sign with my rubric in evidence thereof.

(Rubric)

counter #1883

L. O. FORM NO. 52

GENERAL LAND OFFICE

Austin, Texas, October 21, 1965

I certify that the foregoing two pages

contains a correct translated copy of the original title to Briget Quin

existing in the Spanish Archives of this office Volume 17, Page 75

Virginia H. Taylor

Spanish Translator.

I, JERRY SADLER Commissioner of the General Land Office of the State of Texas, do hereby certify that Virginia H. Taylor whose signature is subscribed to the foregoing certificate, is the Spanish Translator of this office, duly qualified according to law, and that her official acts, as such, are entitled to full faith and credit.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of said office to be affixed, the day and date first above written.

JERRY SADLER Commissioner.

counter 71884

THIRD SEAL. ESTABLISHED BY THE STATE OF COAHUILA AND TEXAS FOR THE BIENNIUM OF 1834 AND 1835

Becerra
(Rubric)

The interested party
paid 2 reales, cost
of this seal.

As Agent
Ramirez
(Rubric)

Honorable Commissioner:

We, Citizens Patrick Quin and William Quin, of this community, in the best legal form appear before you and say that five years ago we were introduced in this Colony with the intention of belonging to it by agreement with its Empresarios, and with this assurance we have chosen two quarter-leagues of land on the Papelote and adjacent to the league belonging to our mother. We ask and beg you please to order them granted to us in ownership, this being justice which I implore, I swear, et cetera.

Refugio, November 20, 1834

Patricio Quin

William Quin

Refugio, November 20, 1834.

Present this petition to the Empresario, Citizen Santiago Power, so that he may report whatever is necessary thereon. Thus I decreed, ordered, and signed with those of my attendance, which I certify.

Jose Jesus
de Vidaurri (Rubric)

Attendant Witness

Attendant Witness
Martin Power (Rubric)

Refugio, November 20, 1834.

I am informed that the petitioners are natives of Ireland, of good habits, of Catholic religion, and of good conduct; therefore, I admit them in this new Colony, considering them worthy of the land they claim, which I report to you in fulfillment of the preceding decree.

Santiago Power
(Rubric)

P. & W. QUIN

counter 1885

In the same town and at the town and on November 20 of said year, I, the aforesaid Commissioner, by virtue of the preceding decree and the consent granted by the Empresarios with respect to the express admission of the single men, Patrick and William Quin, adjudicate to them one quarter-league of land each, which, according to the survey made by one of the appointed surveyors, is composed of 1,250 Mexican varas frontage on Papelote Creek on that side or right margin, and depth of 9,200 varas on the lower part and 9,515 varas on the upper part, bounded on the north by said creek, on the west by Dona Brigida Quin, on the south by Citizen Boyle, and on the east by Citizen O'Conor. Therefore, exercising my authority and in the name of the Supreme Powers of the Mexican Nation and of the State, I put them in possession of the aforesaid half-league, which they took quietly and peaceably without any contradiction, and performing all the acts of true possession; with this understanding and being fully informed of the obligations they contract they did not sign because they did not know how; I did it with those of my attendance, which I certify.

Jose Jesus

de Vidaurri (Rubric)

Attendant Witness

Juan Dunn (Rubric)

Attendant Witness

Martin Power (Rubric)

Note: On the date this petition was attached to the Record Book which corresponds on one full page, which I sign with my rubric in evidence thereof.

(Rubric)

counter 71886

L. O. FORM NO. 82

GENERAL LAND OFFICE

Austin, Texas, October 21, 1965

I certify that the foregoing two pages

contains a correct translated copy of the original title to Patrick and William Quin

existing in the Spanish Archives of this office Volume 17, Page 135

Virginia H. Taylor
Spanish Translator.

I, JERRY SADLER Commissioner of the General Land Office of the State of Texas, do hereby certify that Virginia H. Taylor whose signature is subscribed to the foregoing certificate, is the Spanish Translator of this office, duly qualified according to law, and that her official acts, as such, are entitled to full faith and credit.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of said office to be affixed, the day and date first above written.

JERRY SADLER Commissioner.

counter 1887

Paid (Rubric)

Honorable Commissioner:

I, Citizen James O'Connor, a native of Ireland and resident of this town, in the best form of law appear before you and say that six months ago I was introduced in this colony with the intention of belonging to it by agreement with its Empresarios, and with this assurance having found and chosen a quarter-league of land on the Papelote, I ask and beg you please to order that I be given that which belongs to me according to the colonization laws, and this being justice that I implore, I swear, et cetera.

James O'Connor (Rubric)

Refugio, November 12, 1834.

Present this petition to Empresario Power so that he may report all that is necessary. Thus I decreed, ordered, and signed with those of my attendance, I certify.

Jose Jesus

de Vidaurri (Rubric)

Attendant Witness

Juan Dunn (Rubric)

Attendant Witness

Martin Power (Rubric)

Refugio, November 15, 1834.

I am informed that the applicant is a native of Ireland, of good character and conduct and of Catholic religion. Therefore, I admit him in this new colony, considering him worthy of the tract he claims, which I report to you in fulfillment of the foregoing article.

Santiago Power (Rubric)

In the same town on the same day of said month and year, I, the aforementioned Commissioner, in fulfillment of the preceding decree and the consent granted by the Empresarios, adjudicate in due form to James O'Cononor [sic] the quarter-league of pasture land he has requested, which, according to the survey made by one of the appointed surveyors, is composed of 625 varas frontage on Papelote Creek on its right margin, and depth of 9,200 varas, bounded on the north by the said creek, on the west by the Quinns; on the south by Citizen Boyle, and on the east by the Surveyor Lupy. Therefore, exercising my authority

O'CONNER

counter 41888

and in the name of the Supreme Powers of the Mexican Nation and the State, I put him in possession of the afore-mentioned quarter-league of pasture land, which he took quietly and peaceably without any contradiction, in which act and having been well informed of the obligations he contracts as a colonist, he signed with me and those of my attendance, I certify.

Jose Jesus
de Vidaurri (Rubric)

James O'Connor
(Rubric)

Attendant Witness
Juan Dunn (Rubric)

Attendant Witness
Martin Power (Rubric)

Note: This petition was attached to the Record Book which corresponds on one written page on this date, which I sign with my rubric in evidence thereof.

(Rubric)

counter 71889

L. O. FORM NO. 52

GENERAL LAND OFFICE

Austin, Texas, October 21, 1965

I certify that the foregoing two pages

contains a correct translated copy of the original title to James O'Connor

existing in the Spanish Archives of this office Volume 17, Page 127

Virginia H. Taylor

Spanish Translator.

I, JERRY SADLER Commissioner of the General Land Office of the State of Texas, do hereby certify that Virginia H. Taylor whose signature is subscribed to the foregoing certificate, is the Spanish Translator of this office, duly qualified according to law, and that her official acts, as such, are entitled to full faith and credit.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of said office to be affixed, the day and date first above written.

JERRY SADLER Commissioner.

counter #1890

FOURTH SEAL ESTABLISHED BY THE STATE OF COAHUILA AND TEXAS FOR THE BIENNIUM OF 1834 AND 1835

Becerra
(Rubric)

The interested party paid
the cost of this seal.

As Agent
Ramirez (Rubric)

Honorable Commissioner:

I, Citizen Arnaud Victor Loupy, native of France and at present residing in this new community or town, appear before you in the best form of law and say that five years ago I was introduced in this new Colony with the intention of belonging to it by consent of its Empresarios, and with this assurance I have chosen a league of land where Papalote Creek flows into the Aransas River on the south side. I ask and beg you please to order that I be given that which corresponds to me as a widower, this being justice that I implore, I swear, et cetera.

Refugio, November 24, 1834

V^or. Loupy (Rubric)

Refugio, November 25, 1834.

Present this petition to Empresario Power so that he may report whatever is necessary thereon. Thus I decreed, ordered, and signed with those of my attendance, which I certify.

Jose Jesus
de Vidaurri (Rubric)

Attendant Witness
Juan Dunn (Rubric)

Attendant Witness
Martin Power (Rubric)

Refugio, November 26, 1834.

I am informed that the petitioner is a native of France, of good habits, of Catholic religion, and of good conduct. Therefore, I admit him in this new colony, considering him worthy of the tract he claims, which I report to you in fulfillment of the foregoing decree.

Santiago Power (Rubric)

In the same Town, and on the twenty-~~fourth~~ sixth day of the month of November of the afaresaid year, I, said Commissioner, by virtue of the foregoing decree,

LOUPY

counter 41891

adjudicate in legal form to Citizen Victor Loupy the league of land he has requested, including one labor of arable land, which, according to the survey made by one of the appointed surveyors, is composed of 2,400 varas frontage on Papelote Creek, and depth on the lower part, 9,850, and on the upper, 9,515. It is bounded on the north by the said Creek; on the west by Citizen O'Conor; on the south by Empresario Power and Citizen Boyle; and on the east by said Empresario. Therefore, exercising my authority, and in the name of the Supreme Powers of the Mexican Nation and of the State, I put him in possession of said league of pasture land which he took quietly and peaceably without any contradiction and without any contradiction, and having been informed of the obligations he contracts as a colonist, he signed with me and those of my attendance, I certify. Stricken out - fourth - not valid. Sixth - valid.

Jose Jesus de Vidaurri (Rubric)

V.or Loupy (Rubric)

Attendant Witness
Juan Dunn (Rubric)

Attendant Witness
_____

Note: On the date this petition was attached to the Record Book which corresponds on one full page, which I sign with my rubric in evidence thereof.

(Rubric)

counter 1892

L. O. FORM NO. 52

GENERAL LAND OFFICE

Austin, Texas, August 24, 1965

I certify that the foregoing two pages

contains a correct translated copy of the original title to Arnaud Victor Loupy

existing in the Spanish Archives of this office Volume 17, Page 158

Virginia H. Taylor
Spanish Translator.

I, JERRY SADLER Commissioner of the General Land Office of the State of Texas, do hereby certify that Virginia H. Taylor whose signature is subscribed to the foregoing certificate, is the Spanish Translator of this office, duly qualified according to law, and that her official acts, as such, are entitled to full faith and credit.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of said office to be affixed, the day and date first above written.

JERRY SADLER Commissioner.

counter 71893

THIRD SEAL. ESTABLISHED BY THE STATE OF COAHUILA AND TEXAS FOR THE BIENNIUM OF 1834 AND 1835

Becerra
(Rubric)

The interested party paid 2 reales, cost of this Seal.

Acting as receiver

Ramirez (Rubric)

Honorable Commissioner:

I, Santiago Power, for myself and my associate, Santiago Hewetson, both of Ireland and Empresarios of this Colony, in the best form of law, say: That on December 24, 1829, as appears from the attached documents, we acquired by purchase as Mexican citizens by law two land concessions of eleven leagues each, and as we have not taken possession of more than 17 1/4 leagues, I ask and beg you please to order that in settlement of the remainder there be surveyed and adjudicated to us 4 3/4 leagues, 2 1/2 of them below the lands surveyed for Migil Alderete and Mr. Galan, Aransas Lake on the east, said creek on the south, and Mission Creek on the north; the other 2 1/4 leagues between Chiltipin and Aransas and Papelote toward the west. All is justice that I implore, swear, et cetera.

Refugio, November 20, 1834.

Santiago Power (Rubric)

Refugio, November 22, 1834.

Considering the preference which these parties have for locating within this Colony, as Empresarios thereof, the tracts which the Supreme Government of the State has conceded to them by sale, as appears from its Superior Decrees of the 24th of December of the past year of 829, adjudicate to them in legal form the 4 3/4 leagues which they request and which are lacking to complete those conceded in said documents, either in the locations they cite or elsewhere, provided they are entirely vacant. Thus I resolved, ordered, and signed with those of my attendance, which I certify.

Jose Jesus

de Vidaurri (Rubric)

Attendant Witness

V^{or}. Loupy (Rubric)

Attendant Witness

Juan Dunn (Rubric)

P & H 1¼

counter 71897

7603
3207
10810

On the same day, month, and year, I said Commissioner, in observance of the foregoing decree, adjudicated in legal form to Citizens Santiago Power and Santiago Hewetson the 4 3/4 leagues of pasture land which they have requested; which, according to the survey made by one of the appointed surveyors, appear divided into two portions. The first is composed of 2 1/2 leagues situated on the lagoons that are formed at the end of Aransas Creek, and said irregular figure appears on the special plat that is attached. They are bounded on the northwest by ~~Willow Creek~~, the lagoons that are formed on this course on the north, a line of 4,847 varas, by lands of Galban, on the southwest, with a line of 10,810 varas, by Citizen Aldrete, terminating toward the southeast with a bay or semi-circle on the the lagoons which are on this course. The second part consists of 2 1/4 leagues of marshy pasture land; the one joining the quarter has frontage on Aransas of 3,125 varas, and depth on the lower part, 9,800 varas, and on the upper, 9,850; bounded on the west by Citizen Lupy, on the south by the same Empresarios, on the east by Felipe Portilla, and on the north by the aforesaid creek; and the other remaining league fronts on Chiltipin Creek with 5,000 Mexican varas, and leaving this creek where it forms a corner with a line of 5,880 varas bearing north, it closes the square with two others of 5,000 varas. It is bounded on the north by the aforesaid Citizen Lupy; on the west by Daniel Boyle; on the south by Citizen Polan; and on the east by Felipe Rogue Portilla. Therefore, exercising my authority, and in the name of the Supreme Powers of the Mexican Nation, I put said Empresarios in possession of the aforementioned 4 3/4 leagues of land which he took, for himself and for his associate whom he represents, quietly and peaceably without any contradiction, in said act, being informed of the obligations they contract according to the laws, he signed with me and those of my attendance; I certify.

Jose Jesus de Vidaurri (Rubric)

Santiago Power (Rubric)

Attendant Witness
V^or. Loupy (Rubric)

Attendant Witness
Juan Dunn (Rubric)

Note: On the date this petition was attached to the Recrod Book which corresponds on one written page which I sign with my rubric in evidence thereof.

(Rubric)

counter 71895

L. O. FORM NO. 82

GENERAL LAND OFFICE

Austin, Texas, August 24, 1965

I certify that the foregoing two pages

contains a correct translated copy of the original title to James Power and James Hewetson

existing in the Spanish Archives of this office Volume 17, Page 142

Virginia H. Taylor
Spanish Translator.

I, JERRY SADLER Commissioner of the General Land Office of the State of Texas, do hereby certify that Virginia H. Taylor whose signature is subscribed to the foregoing certificate, is the Spanish Translator of this office, duly qualified according to law, and that her official acts, as such, are entitled to full faith and credit.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of said office to be affixed, the day and date first above written.

JERRY SADLER Commissioner.

counter 41896

+

Honorable Commissioner:

I, Maria Jacinta de la Garza of Matamoros, having resided in this town for more than one year by disposition of my legitimate son, Antonio Gozeascohechea, so that I would be here when these lands were distributed to the colonists and so that I might petition in his name for the land that corresponds to him as such by due agreement with the Senores Empresarios Power and Hewetson, and with all that arranged, so that I might notify him accordingly to come and join me with his family and a few resources and settle as he wishes along with the other colonists; and now that the time has arrived for the distribution of said land by authority of the government, and with that understanding and knowing that you have sufficient commission to execute this, I must beg you please, in the name of my aforesaid son, to concede to him the tract to which he is justly entitled as a married man, on Aransas Creek on that side, adjoining Miguel Musquiz on the east and Chiltipin Creek on the south, wherein I shall receive favor and justice, I swear that I do not proceed from malice. Refugio, October 21, 1834.

I do not know how to sign +

Mª. Jacinta de la Garza

Refugio, October 21, 1834.

Pass this petition to the Empresarios so that they may report on the admission of the Mexican Antonio Gozeascochea in this Colony. Thus I resolved, ordered, and signed with those of my attendance, which I certify.

Jose Jesus

de Vidaurri (Rubric)

Attendant Witness

Josue Davis (Rubric)

Attendant Witness

Juan Dunn (Rubric)

Refugio, October 22, 1834.

With respect to the admission of Citizen Maria Jacinta de la Garza in our Colony, we immediately admit her, giving our consent, and we report to you in fulfillment of the foregoing decree.

Santiago Hewetson (Rubric)

counter 41897

de la GARZA

In the same town on the 23rd of October of 1834, I, said Commissioner, in view of my order in the foregoing decree and the consent of the Empresarios with regard to the express admission of Citizen ~~Miguel Musquis~~ Antonio Gozeascochechea, adjudicate to him in due form the league of pasture land he has requested, including one labor, which is composed of 25 million Mexican varas as the law designates, and is contained within the survey made by one of the appointed surveyors, on Aransas Creek on that side or right margin, in the figure marked with the letters A. B. C. D. E., comprising seven and a half leagues of land, and a special plat thereof, authorized by me, will be attached to this title for the security of the interested party, whom, by the exercise of my authority and in the name of the Supreme Powers of the Mexican Nation and the State, I put in possession of the above-mentioned league of land, which he took quietly and peaceably without any contradiction and performing all the acts of true and real possession, having been informed that within one year he shall construct fixed boundaries and shall observe that part of the colonization law which pertains to them; with this understanding he did not sign as he did not know how; I did it with those of my attendance, I certify.

Jose Jesus

de Vidaurri (Rubric)

Attendant Witness

Josue Davis (Rubric)

Attendant Witness

Juan Dunn (Rubric)

Note: On the date this petition was attached to the Record Book which corresponds on one written page which I sign with my rubric in evidence thereof.

(Rubric)

counter 41898

L. O. FORM NO. 52

GENERAL LAND OFFICE

Austin, Texas, April 19, 1965

I certify that the foregoing two pages

contains a correct translated copy of the original title to Maria Jacinta de la Garza

existing in the Spanish Archives of this office Volume 17, Page 86

Virginia H. Taylor
Spanish Translator.

I, JERRY SADLER Commissioner of the General Land Office of the State of Texas, do hereby certify that Virginia H. Taylor whose signature is subscribed to the foregoing certificate, is the Spanish Translator of this office, duly qualified according to law, and that her official acts, as such, are entitled to full faith and credit.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of said office to be affixed, the day and date first above written.

JERRY SADLER Commissioner.

counter 41899

+

Honorable Commissioner:

I, Citizen Miguel Musquiz of Goliad and a resident of this town for more than two years, in the best form of law state to you: That I entered this Colony for the legal purpose of belonging to it by agreement with the Senores Empresarios Power and Hewetson; therefore, I hope that you, by the exercise of your commission, will kindly concede to me the tract to which I am entitled as a married man, on Aransas Creek on that side, adjoining the Senores Portillas on the east and Chiltipin Creek on the south, this being justice that I seek, I swear, etc.

Refugio, October 23, 1834.

I do not know how to sign

Miguel Musquiz +

Refugio, October 23, 1834.

Pass this petition to the Empresarios of the Colony so that they may express their consent with respect to the admission therein of Citizen Miguel Musquiz. Thus I resolved, ordered, and signed with those of my attendance, I certify.

Jose Jesus

de Vidaurri (Rubric)

Attendant Witness

Josue Davis (Rubric)

Attendant Witness

Juan Dunn (Rubric)

MUSQUIZ

Refugio, October 23, 1834.

With respect to the admission of Citizen Musquiz, we, the undersigned, agree to receive him in this new Colony, and especially since he is a native of the country, which we report to you for your information.

Santiago Hewetson (Rubric)

In the same town on the 23rd of October of said year, I, the aforesaid Commissioner, in fulfillment of the preceding decree and the consent granted by the Empresarios with regard to the express admission of Citizen Miguel Musquiz, adjudicate to him in due form the league of pasture land he has requested, including one labor, which is composed of 25 million Mexican varas as the law designates and is contained within the survey made by one of the appointed surveyors, on Aransas Creek on that side or right margin, in the figure marked with the letters A. B. C. D. E., comprising seven and a half leagues, and a special plat thereof, authorized by me,

counter 41900

will be attached to this title for the security of the interested party, whom, by the exercise of my authority and in the name of the Supreme powers of the Mexican Nation and the State, I put in possession of said league of land mentioned above, which he took quietly and peaceably without any contradiction, and performing all the acts of true and real possession, having been informed that within one year he shall construct fixed boundaries and shall observe that part of the Colonization Law which pertains to them; with this understanding he did not sign as he did not know how; I did it with those of my attendance, I certify.

Jose Jesus

de Vidaurri (Rubric)

Attendant Witness

Josue Davis (Rubric)

Attendant Witness

Juan Dunn (Rubric)

Note: On the date this petition was attached to the Record Book which corresponds on one written pate, which I sign with my rubric in evidence thereof.

(Rubric)

counter 41901

L. O. FORM NO. 52

GENERAL LAND OFFICE

Austin, Texas, April 19, 1965

I certify that the foregoing two pages

contains a correct translated copy of the original title to Miguel Musquiz

existing in the Spanish Archives of this office Volume 17, Page 85

Virginia H Taylor

Spanish Translator.

I, JERRY SADLER Commissioner of the General Land Office of the State of Texas, do hereby certify that Virginia H. Taylor whose signature is subscribed to the foregoing certificate, is the Spanish Translator of this office, duly qualified according to law, and that her official acts, as such, are entitled to full faith and credit.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of said office to be affixed, the day and date first above written.

JERRY SADLER Commissioner.

counter 41902

THIRD SEAL

TWO REALES

(Legal Seal)

FOR THE BIENNIUM OF

1832 AND 1833, and 34

(Rubric)

Honorable Commissioner:

I, Citizen Felipe Roque Portilla, in the name of my legitimate sons, Calixto, Juan, Francisco, and Encarnacion Portilla, whose legal attorney I am, respectfully state to you: That two years ago my afore-mentioned sons were introduced into this Colony with me, for the legal purpose of belonging to it, and having accomplished this, they, with me, brought in some stock of their own at great cost and risk, with which we have settled and occupied a ranch on Aransas Creek on that side, always confident that through the generosity of the government we would become owners of the lands which correspond to us according to the law when the time arrived for their distribution; with this understanding and knowing that you have sufficient commission to execute this, I must beg you, in the name of my aforesaid sons, to concede to them the land which justly corresponds to them as married men, I swear, et cetera. Refugio, September 11, 1834.

Felipe Roque Portilla (Rubric)

Refugio, September 12, 1834.

On being presented and with respect to the admission of these parties in the colony, let its empresarios express their consent. Thus I decreed, ordered, and signed with those of my attendance, I certify.

Jose Jesus

de Vidaurri (Rubric)

Attendant Witness

Josue Davis (Rubric)

Attendant Witness

Juan Dunn (Rubric)

Refugio, September 15, 1834.

With respect to the admission of the claim of Citizen Felipe Roque Portilla, in the name of his four sons, for the possession of one league each in this Colony, we immediately admit him and give our consent as the law recommends to us.

Santiago Power (Rubric)

Santiago Hewetson (Rubric)

Immediately, and on the 23rd of October of the same year, I, the undersigned Commissioner, in view of the preceding decree and the consent of the Empresarios

PORTILLA 4 LG.

XGIOX to Guittard

counter 71903

in regard to the admission of Citizens Calixto, Juan, Francisco, and Encarnacion Portilla, adjudicate to them in due form the 4 leagues of pasture land which they have requested, including four labors of arable land, which are composed of twenty-five million Mexican varas each, as the law designates, and all four leagues are contained within the survey which one of the appointed surveyors made on Aransas Creek on that side or right margin, in the figure marked with the letters A. B. D. E., comprising seven and one-half leagues, of which a special plat, authorized by me, will be attached to this title for the security of the interested parties, whom, by the exercise of my authority and in the name of the Supreme Powers of the Mexican Nation and the State, I put in possession of the aforesaid four leagues which their legitimate father and attorney took quietly and peaceably without any contradiction and performing all the acts of true possession, having been informed that within one year he shall construct fixed boundaries and shall observe that part of the colonization law which pertains to them; with this understanding the applicant signed with me and those of my attendance, I certify.

Jose Jesus

de Vidaurri (Rubric)

Attendant Witness

Josue Davis (Rubric)

Attendant Witness

Juan Dunn (Rubric)

Note: On the date this petition was attached to the Record Book which corresponds on one written page, which I sign with my rubric in evidence thereof.

(Rubric)

counter 71904

L. O. FORM NO. 52

GENERAL LAND OFFICE

Austin, Texas, April 15, 1965

I certify that the foregoing two pages

contains a correct translated copy of the original title to Calixto, Juan, Francisco, and Encarnacion Portilla

existing in the Spanish Archives of this office Volume 17, Page 83

Virginia H. Taylor

Spanish Translator.

I, JERRY SADLER Commissioner of the General Land Office of the State of Texas, do hereby certify that Virginia H. Taylor whose signature is subscribed to the foregoing certificate, is the Spanish Translator of this office, duly qualified according to law, and that her official acts, as such, are entitled to full faith and credit.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of said office to be affixed, the day and date first above written.

JERRY SADLER Commissioner.

counter 71905

+

THIRD SEAL

TWO REALES

(Legal Seal)

FOR THE BIENNIUM OF

1832 AND 1833, and 34
(Rubric)

Honorable Commissioner:

I, Citizen Felipe Roque Portilla, in the name of my legitimate sons, Jose Maria and Felipe Portilla, whose legal attorney I am, respectfully state to you: That two years ago my afore-mentioned sons were introduced with me into this Colony for the legal purpose of belonging to it, and having accomplished this, they brought in, with me, at great expense and risk, some stock of their own with which we have settled and occupied a ranch on Aransas Creek on that side, always confident that through the generosity of the government they would become owners of the lands which correspond to them according to the law, when the time came for their distribution; with this understanding and knowing that you have sufficient commission to execute this, I must beg you please, in the name of my aforesaid sons, to concede to them the land which justly corresponds to them as single men. I swear, et cetera. Refugio, September 11, 1834.

Felipe Roque Portilla (Rubric)

Refugio, September 12, 1834.

Pass this petition to the Empresarios so that with respect to these parties they may express their consent in regard to their admission in the Colony. Thus I decreed, ordered, and signed and signed [sic] with those of my attendance.

Jose Jesus

de Vidaurri (Rubric)

Attendant Witness

Josue Davis (Rubric)

Attendant Witness

Juan Dunn (Rubric)

Refugio, September 15, 1834.

With respect to the admission of Citizens Jose Maria and Felipe Portilla for the possession of a quarter-league each in this Colony, we immediately give our consent as the law recommends to us.

Santiago Hewetson (Rubric)

Santiago Power (Rubric)

PORTILLA 1/2 LG.

counter 41906

In the said town and on the 23rd day of October of said year, I, the said Commissioner, in view of the preceding decree and the consent of the Empresarios to the express admission of Citizens Jose Maria and Felipe Portilla, adjudicate to them in due form the two quarter-leagues of pasture land they have requested, which are comprised of five million two hundred and fifty thousand Mexican varas each, as the law designates, and are contained within the survey made by one of the appointed surveyors on Aransas Creek on that side or right margin, in the figure marked by the letters A. B. C. D., comprising 7 1/2 leagues, and a special plat of which, authorized by me, will be attached to this title for the security of the interested parties, whom, by the exercise of my authority and in the name of the Supreme Powers of the Mexican Nation and the State, I put in possession of the aforesaid quarter-leagues which their legitimate father took quietly and peaceably without any contradiction, and performing all the acts of true possession, having been informed that within one year he shall construct fixed boundaries and shall oabserve that part of the Colonization Law which pertains to them; with this understanding the applicant signed with me and those of my attendance, I certify.

Jose Jesus

de Vidaurri (Rubric)

Attendant Witness

Josue Davis (Rubric)

Attendant Witness

Juan Dunn (Rubric)

Note: On the date this petition was attached to the Record Book which corresponds on one written page, which I sign with my rubric in evidence thereof.

(Rubric)

counter 41907

L. O. FORM NO. 82

GENERAL LAND OFFICE

Austin, Texas, May 3, 1965

I certify that the foregoing two pages

contains a correct translated copy of the original title to Jose Maria and Felipe Portilla

existing in the Spanish Archives of this office Volume 17, Page 84

Virginia H. Taylor
Spanish Translator.

I, JERRY SADLER Commissioner of the General Land Office of the State of Texas, do hereby certify that Virginia H. Taylor whose signature is subscribed to the foregoing certificate, is the Spanish Translator of this office, duly qualified according to law, and that her official acts, as such, are entitled to full faith and credit.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of said office to be affixed, the day and date first above written.

JERRY SADLER Commissioner.

counter #1908

+

THIRD SEAL

TWO REALES

(Legal Seal)

FOR THE BIENNIUM OF

1832 AND 1833, and 34
(Rubric)

Honorable Commissioner:

I, Citizen Felipe Roque Portilla, citizen of Matamoros and resident of this town, in the best form of law say to you: That two years ago at my expense and in the face of danger from the barbarous Indians I introduced into this Colony a large amount of stock with the object of belonging to it by agreement with its empresarios; therefore I hope that exercising the authority of your commission you will please concede to me the land which corresponds to me as a married man, on Aransas Creek on that side, adjoining Empresario Power on the lower part, this being justice that I seek, I swear that I do not proceed from malice, et cetera. Refugio, September 11, 1834.

Felipe Roque Portilla (Rubric)

Refugio, September 12, 1834.

Pass this petition to the Empresarios so that with respect to this party they may express their consent to his admission in the Colony. Thus I decreed, ordered, and signed with those of my attendance, I certify.

Jose Jesus

de Vidaurri (Rubric)

Attendant Witness

Josue Davis (Rubric)

Attendant Witness

Juan Dunn (Rubric)

Refugio, September 15, 1834.

With respect to admitting Citizen Felipe Roque Portilla and giving him possession of one league of land in this Colony we immediately give our consent as the law recommends to us.

Santiago Power (Rubric)

Santiago Hewetson (Rubric)

In the same town on the 23rd day of October of said year, I, the undersigned Commissioner, in view of the preceding decree and the Empresarios' consent to the admission of Citizen Roque Portilla, adjudicate to him in due form the league of pasture land he has requested, including one labor, which is composed of

PORTILLA 1 LG.

counter #1909

twenty-five million Mexican varas as the law designates, and is contained within the survey made by one of the appointed surveyors on Aransas Creek on that side or right margin, in the figure marked with the letters A. B. D. E., comprising seven and one-half leagues, and a special plat of which, authorized by me, will be attached to this title for the security of the interested party, whom, by the exercise of my authority and in the name of the Supreme Powers of the Mexican Nation and the State, I put in possession of said league of land, which he took quietly and peaceably without any contradiction and performing all the acts of true and real possession, having been informed that within one year he shall construct fixed boundaries and shall observe that part of the Colonization Law which pertains to them; with this understanding he signed with me and those of my attendance, I certify.

Jose Jesus

de Vidaurri (Rubric)

Attendant Witness

Josue Davis (Rubric)

Attendant Witness

Juan Dunn (Rubric)

Note: On the date this petition was attached to the Record Book which corresponds on one written page, which I sign with my rubric in evidence thereof.

(Rubric)

counter #1910

L. O. FORM NO. 82

GENERAL LAND OFFICE

Austin, Texas, May 3, 1965

I certify that the foregoing two pages

contains a correct translated copy of the original title to Felipe Roque Portilla

existing in the Spanish Archives of this office Volume 17, Page 82

Virginia H. Taylor
Spanish Translator.

I, JERRY SADLER Commissioner of the General Land Office of the State of Texas, do hereby certify that Virginia H. Taylor whose signature is subscribed to the foregoing certificate, is the Spanish Translator of this office, duly qualified according to law, and that her official acts, as such, are entitled to full faith and credit.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of said office to be affixed, the day and date first above written.

JERRY SADLER Commissioner.

Cosentei #1911

THIRD SEAL (Legal Seal) FOR THE BIENNIUM OF

TWO REALES 1832 AND 1833, and 34
(Rubric)

Honorable Commissioner:

We, Citizens Santiago Hewetson and Santiago Power, natives of Ireland and at present the Empresarios of this new Colony, proceeding in the best form of law, say: That on the 24th of December of the year 1829, as proved by the attached documents, we acquired by way of purchase as naturalized Mexican citizens two concessions of land of eleven leagues each, and as we have taken possession of only seven and one-fourth leagues, we ask and beg you, please, to order that ten leagues as part of the remainder be surveyed and adjudicated to us, between Chiltipin and Aransas creeks from the shore of the lake to the interior toward the west. All is justice that we implore, we swear, et cetera.

Refugio, September 23, 1834.

Santiago Hewetson (Rubric)

Santiago Power (Rubric)

Refugio, October 30, 1834.

These parties being entitled to preference as Empresarios in locating within this Colony of which I am Special Commissioner the land concessions of eleven leagues each, conceded to them by the Supreme Government of the State by its Supreme Decrees of the 24th of December of the past year of 1829 since they are Mexicans, adjudicate to them in legal form the ten leagues of land that they request, in the tracts that they designate, and in others if those should not be sufficient, provided they are entirely vacant, and as part of said concessions. Thus I decreed, ordered, and signed with those of my attendance, I certify.

Jose Jesus

de Vidaurri (Rubric)

Attendant Witness

Juan Dunn (Rubric)

Attendant Witness

Santiago Serna (Rubric)

On the same day of the same month and year, I, the undersigned Commissioner, in view of the foregoing decree, adjudicate in due form to the Empresarios,

P & H 5½

counter 41912

Citizens Santiago Power and Santiago Hewetson, the ten leagues of land for which they have petitioned, which, according to the survey made by one of the appointed surveyors, is divided into several portions: the first is composed of 5 1/2 leagues on Aransas Creek on that side or right margin, and said irregular figure, or imperfect triangle, is composed of 137 million 500,000 varas in superficies, bounded on the north by the afore-mentioned creek, on the west by the lands of Felipe Roque Portilla, on the south by Chiltipin Creek, and on the east where both creeks join, as shown by the special plat which is attached.

The second portion is composed of 2 1/2 leagues on Mission Creek which, in a rectangular figure, contain 62,500,000 varas in superficies, bounded on the north by the egidos of the Town, on the west by the afore-mentioned creek, on the south by lakes or inundated lands, and on the east by Melon Creek; and the last two leagues are situated on this last creek on its left margin, and both consist of 2,640 Mexican varas frontage on the same creek and depth of 10,560 varas; one is bounded on the north by lands of the same Empresarios, on the west by the afore-mentioned creek, on the south by lands of Citizen Hearns, and on the east by the creek, Alamito or Copano; the other is bounded on the north by lands of said Hearns, on the west by Melon Creek, on the south by lands of the Empresarios, and on the east by the other creek already named, Alamito or Copano. Therefore, exercising my authority and in the name of the Supreme Powers of the Mexican Nation and of the State, I put them in possession thereof, which they took quietly and peaceably without any contradiction, and after having performed the acts of true possession and having been told of the obligation they assume, they signed with me and those of my attendance, which I certify.

Jose Jesus
de Vidaurri (Rubric)

for myself and
my companero.
Santiago Power (Rubric)

Attendant Witness
Juan Dunn (Rubric)

Attendant Witness
Santiago Serna (Rubric)

Note: On the date this petition was attached to the Record Book which corresponds on one written page, which I sign with my rubric in evidence thereof. (Rubric)

counter #1913

L. O. FORM NO. 52

GENERAL LAND OFFICE

Austin, Texas, October 14, 1965

I certify that the foregoing two pages

contains a correct translated copy of the original title to James Power and James Hewetson

existing in the Spanish Archives of this office Volume 17, Page 104

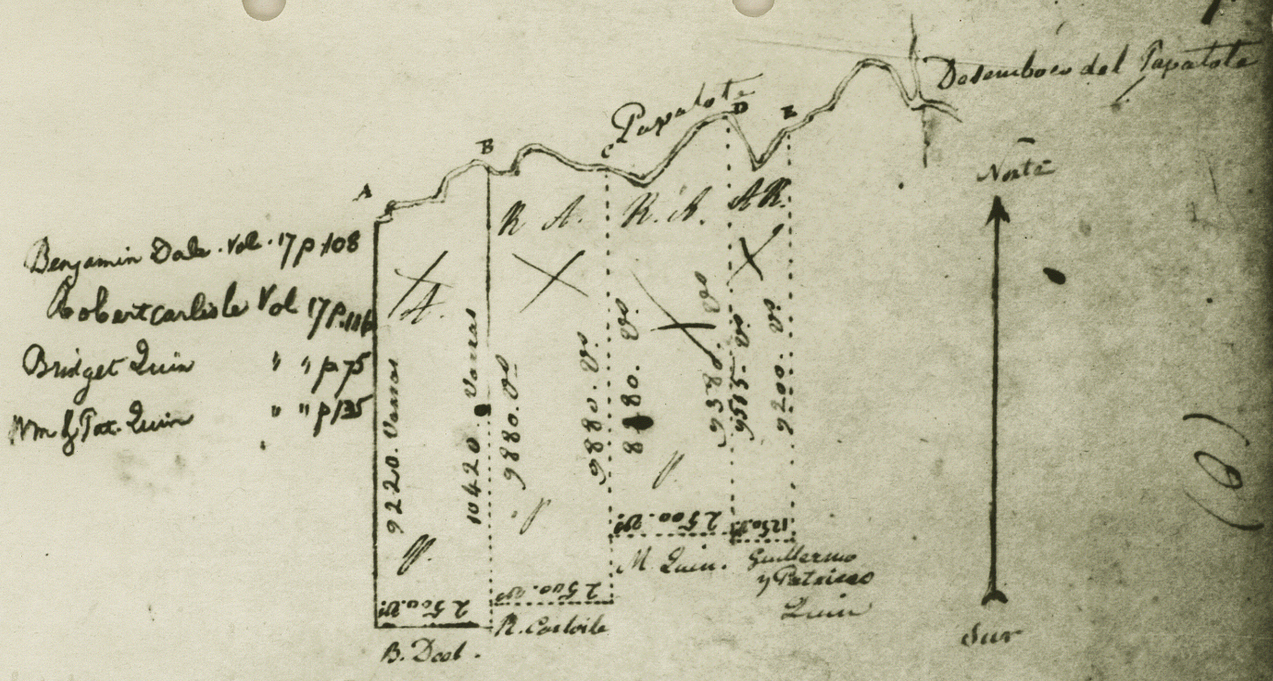
Virginia H. Taylor
Spanish Translator.

I, JERRY SADLER Commissioner of the General Land Office of the State of Texas, do hereby certify that Virginia H. Taylor whose signature is subscribed to the foregoing certificate, is the Spanish Translator of this office, duly qualified according to law, and that her official acts, as such, are entitled to full faith and credit.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of said office to be affixed, the day and date first above written.

JERRY SADLER Commissioner.

counter 71914



Esplicacion del Plano

El punto A esta marcado con un Ensino gordo de 3 pieds de diametro otro al Sur a 140. Vs de 8 pulgadas de diamo y otro al Nte 75o al Este de 14 pulgs 8 hos ensinos son ensinos prietos y tienen pr. señal 3 piquetes de hacha — El punto B es punto de division entre Benjamin Deel y Roberto Carlisle esta en el fondo de un Barranco à lorilla del arroyo tienen por marca un palo blanco de un pied de diametro y al Este a 25 Vs un mesquite de 2 pds de diamo y un anaqua de un pied de diametro qe queda al Sur 36o à Oeste à 12 Vs de distancia dhos palos marcados con 3 piquetes de hacha — El punto C es punto de division entre Dna B. Quin y Roberto Carlisle esta marcado con un ensinito prieto de un pied de diametro y a 50 Vs del arroyo otro ensino de 20 pulgadas de dtro al Sur 2 Ote distante de 60 Vs y otro del mismo diametro al Sur 17o Oeste à 65 Vs de discia dhos palos tienen 3 piquetes = el punto D. esta marcado con ensino prieto de 6 pulgadas de diametro y esta al orilla del arroyo y otro ensino de 3 pieds. de diamtro al Norte 86o al Este a 25 Vs distan y otro de 3 pds de diamo al Sur 25, Varas todos estos ensinos estan demarcados con 3 piquetes de hacha. dho punto es punto divisi entre Dna B. Quin y sus dos hijos — ——

6

counter 4 1915

8 El punto E esta marcado con un palo blanco chiquito á lorilla del arroyo y al Sur 67° Oeste un cusino prieto de un pied de diametro a 30 V.s otro cusino del mismo diametro al Sur 44 al Oueste distante de 25 V.s todos marcados como dho y es punto de division entre los dos hermanos Juan y tierra Yerma

en el Papaloto á 1.ro de Noviembre 1834

Por Loupy

Nota todos los puntos del fondo de estas tierras estan marcados con dos estacas en cada lindero por estar en llano y no podiendo demarcarse de otro modo Vale

counter 41916

3133

Translation

June 27, 1947

S. A. W.

Pages 7 & 8

Bridget Quinn — Vol 17 Page 75
Benjamin Dale ——— 108
Robert Carlisle ——— 116
Wm Quinn ——— 135

Explanation of the Plat

Point A is marked with a large oak 3 feet in diameter, another bearing south 140 varas 8 inches in diameter, and another bearing north 75° east 14 inches; said oaks are black oaks and are marked with 3 hacks of the ax. Point B is the point of division between Benjamin Doel and Robert Carlisle; it is in the bottom of a ravine on the bank of the creek; it is marked by a hackberry one foot in diameter, and bearing east 25 varas, a mesquite 2 feet in diameter, and an anagua one foot in diameter which bears south 36° west 12 varas distant; said trees are marked with 3 hacks of the ax. Point C is the point of division between Dona Br_____ Quin and Robert Carlisle; it is marked by a black oak one foot in diameter, and at 50 varas from the creek another oak 20 inches in diameter bearing south 20° west 60 varas distant and another of the same diameter bearing south 17° west 65 varas distant; said trees have 3 hacks. Point D is marked by a black oak 6 inches in diameter, and it is on the bank of the creek and another oak 3 feet in diameter bearing north 86° east 25 varas distant and another 3 feet in diameter bearing south 25 varas; all these oaks are marked with 3 hacks of the ax. Said point is the point of division between Dona B. Quin and her two sons. Point E is marked by a small hackberry on the bank of the creek and bearing south 67° west a black oak one foot in diameter 30 varas, another oak of the same diameter bearing south 44° west 25 varas distant; all marked as said, and it is the point of division between the two Quin brothers and uncultivated land.

On the Papaloto, 1st of November of 1834.

V^or. Loupy

(Rubric)

counter 7/9/17

5

Note: All points of the base of these lands are marked with two stakes on each boundary as it is prairie and cannot be marked in any other manner.

Vale

(Rubric)

counter 7/9/18

GRANTEE	LEAGUES	ORDER	DATE OF PETITION	ORDER	DATE OF REFERENCE	ORDER	DATE OF APPROVAL	ORDER	DATE OF ADJUDICATION	ADJOINDER CALLS
Daniel & John O'Boyle	1	5	11-20-34	?	11-21-34	6	11-25-34	5	11-25-34	N by Lupy, O'Conner, the Widow Quin & her sons - W by vacant lands - S by Morris - E by Empresario Power
Power & Hewetson	1	5	11-20-34	?	-	5	11-22-34	4	11-22-34	N by Lupy - W by Boyle - S by Polan - E by Felipe Roque Portilla
George Morrice	1	3	10-17-34	3	10-18-34	3	10-27-34	2	10-27-34	N by Poland - W by vacant land - S by Fitsimons - E by Poland
John Polan	1	1	9-12-34	1	9-12-34	1	9-15-34	3	10-30-34	On NE by vacant land - W by Morris - S by Malcolm - E by vacant land
Patrick Fitzimons	1	2	9-25-34	2	9-26-34	2	9-26-34	1	9-26-34	N by Morris - E by McAulay - on other courses by vacant land
Malcolm McAulay	1	4	10-28-34	4	10-30-34	4	10-30-34	3	10-30-34	N by Poland - W by Fitzsimons - S & E by vacant lands

counter #1920

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Third Seal. Established by the State of Coahuila and Texas for the Biennium 1834 and 1835

Paid
With Surveyor
Becerra (Rubric)

The interested party
paid two reales, cost
of this Seal.

As Agent
Ramirez
(Rubric)

Honorable Commissioner:

We, Citizens Daniel O'Boyle and John O'Boyle, natives of Ireland, the former being married, the second, single, both of this vicinity, appear before you in the best form of law and say that nine months ago we were introduced in this Colony with the intention of belonging to it by agreement with the Empresarios, and with this assurance having petitioned for the concession of one and one-fourth leagues of pasture land to which we are entitled, we ask and beg you please to order that the same be adjudicated to us in ownership, wherever vacant; this being justice that I implore, I swear, et cetera.

Refugio, November 20, 1834.

Daniel O'Boyle

Refugio, November 21, 1834.

Present this petition to the Empresarios so that they may report all that is necessary thereon. Thus I resolved, ordered, and signed with those of my attendance, I certify.

Jose Jesus
de Vidaurri (Rubric)

Attendant Witness
Juan Dunn (Rubric)

Attendant Witness
Martin Power (Rubric)

Refugio, November 25, 1834.

I am informed that the petitioner is a native of Ireland, of good habits, of Catholic religion, and of good conduct. Therefore, I admit him in this new Colony, considering him worthy of the tract he claims, which I report to you in fulfillment of the foregoing article.

Santiago Power (Rubric)

O'BOYLE

counter #1921

In the same town on the same day of the said month and year, I, the aforesaid Commissioner, in fulfillment of the preceding decree and the consent granted by the Empresarios, adjudicate in due form to Citizens Daniel O'Boyle and John O'Boyle the one and one-fourth leagues of pasture land they request, including one labor of arable land, jointly and to each in solidum ; said tract, according to the survey made by one of the appointed surveyors is composed as follows: the league is a square figure adjacent to the leagues situated on Laguna de la Cruz, with 5,000 Mexican varas on all sides; it is bounded on the north by Citizens Victor Lupy, O'Conor, the Widow Quin and her sons, on the west by vacant lands, on the south by Citizen Morris, and on the east by Empresario Power; the quarter-league is situated on Aransas Creek, with 625 varas frontage and depth of 9,100 varas, bounded on the north by the said creek, on the west by vacant lands, on the south in the same manner and by lands of Citizen O'Brien, and on the east by Citizen Thomas Holden. Therefore, exercising my authority and in the name of the Mexican Nation and of the State I put them in possession of the one and one-quarter leagues of land which they took quietly and peaceably without any contradiction and performing all the acts of true possession, and after being informed of the obligations they contract as colonists they signed with me and those of my attendance, I certify.

Jose Jesus
de Vidaurri (Rubric)

Daniel O'Boyle
John O'Boyle

Attendant Witness
Juan Dunn (Rubric)

Attendant Witness

Note: On the date this petition was attached to the Record Book which corresponds on one full page of the present paper and validated with a cross, which I sign with my rubric in evidence thereof. (Rubric)

counter 71922

L. O. FORM NO. 52

GENERAL LAND OFFICE

Austin, Texas, October 22, 1965

I certify that the foregoing two pages

contains a correct translated copy of the original title to Daniel O'Boyle and John O'Boyle

existing in the Spanish Archives of this office Volume 17, Page 150

Virginia H. Taylor
Spanish Translator.

I, JERRY SADLER Commissioner of the General Land Office of the State of Texas, do hereby certify that Virginia H. Taylor whose signature is subscribed to the foregoing certificate, is the Spanish Translator of this office, duly qualified according to law, and that her official acts, as such, are entitled to full faith and credit.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of said office to be affixed, the day and date first above written.

JERRY SADLER Commissioner.

counter #1923

+

THIRD SEAL. ESTABLISHED BY THE STATE OF COAHUILA AND TEXAS FOR THE BIENNIUM OF 1834 AND 1835

Becerra
(Rubric)

The interested party paid 2
reales, cost of this Seal.

Acting as receiver

Ramirez (Rubric)

Honorable Commissioner:

I, Santiago Power, for myself and my associate, Santiago Hewetson, both of Ireland and Empresarios of this Colony, in the best form of law, say: That on December 24, 1829, as appears from the attached documents, we acquired by purchase as Mexican citizens by law two land concessions of eleven leagues each, and as we have not taken possession of more than 17 1/4 leagues, I ask and beg you please to order that in settlement of the remainder there be surveyed and adjudicated to us 4 3/4 leagues, 2 1/2 of them below the lands surveyed for Migil Alderete and Mr. Galan, Aransas Lake on the east, said creek on the south, and Mission Creek on the north; the other 2 1/4 leagues between Chiltipin and Aransas and Papelote toward the west. All is justice that I implore, swear, et cetera.

Refugio, November 20, 1834.

Santiago Power (Rubric)

Refugio, November 22, 1834.

Considering the preference which these parties have for locating within this Colony, as Empresarios thereof, the tracts which the Supreme Government of the State has conceded to them by sale, as appears from its Superior Decrees of the 24th of December of the past year of 829, adjudicate to them in legal form the 4 3/4 leagues which they request and which are lacking to complete those conceded in said documents, either in the locations they cite or elsewhere, provided they are entirely vacant. Thus I resolved, ordered, and signed with those of my attendance, which I certify.

Jose Jesus

de Vidaurri (Rubric)

Attendant Witness

V^or. Loupy (Rubric)

Attendant Witness

Juan Dunn (Rubric)

counter #1924

P & H 1 LG.

7603
3207
10810

On the same day, month, and year, I said Commissioner, in observance of the foregoing decree, adjudicated in legal form to Citizens Santiago Power and Santiago Hewetson the 4 3/4 leagues of pasture land which they have requested: which, according to the survey made by one of the appointed surveyors, appear divided into two portions. The first is composed of 2 1/2 leagues situated on the lagoons that are formed at the end of Aransas Creek, and said irregular figure appears on the special plat that is attached. They are bounded on the northwest by ~~Willow Creek~~, the lagoons that are formed on this course on the north, a line of 4,847 varas, by lands of Galban, on the southwest, with a line of 10,810 varas, by Citizen Aldrete, terminating toward the southeast with a bay or semi-circle on the the lagoons which are on this course. The second part consists of 2 1/4 leagues of marshy pasture land; the one joining the quarter has frontage on Aransas of 3,125 varas, and depth on the lower part, 9,800 varas, and on the upper, 9,850; bounded on the west by Citizen Lupy, on the south by the same Empresarios, on the east by Felipe Portilla, and on the north by the aforesaid creek; and the other remaining league fronts on Chiltipin Creek with 5,000 Mexican varas, and leaving this creek where it forms a corner with a line of 5,880 varas bearing north, it closes the square with two others of 5,000 varas. It is bounded on the north by the aforesaid Citizen Lupy; on the west by Daniel Boyle; on the south by Citizen Polan; and on the east by Felipe Roque Portilla. Therefore, exercising my authority, and in the name of the Supreme Powers of the Mexican Nation, I put said Empresarios in possession of the aforementioned 4 3/4 leagues of land which he took, for himself and for his associate whom he represents, quietly and peaceably without any contradiction, in said act, being informed of the obligations they contract according to the laws, he signed with me and those of my attendance; I certify.

Jose Jesus de Vidaurri (Rubric)

Santiago Power (Rubric)

Attendant Witness
V^or. Loupy (Rubric)

Attendant Witness
Juan Dunn (Rubric)

Note: On the date this petition was attached to the Recrod Book which corresponds on one written page which I sign with my rubric in evidence thereof.

(Rubric)

counter 41925

L. O. FORM NO. 52

GENERAL LAND OFFICE

Austin, Texas, August 24, 1965

I certify that the foregoing two pages

contains a correct translated copy of the original title to James Power and James Hewetson

existing in the Spanish Archives of this office Volume 17, Page 142

Virginia H. Taylor
Spanish Translator.

I, JERRY SADLER Commissioner of the General Land Office of the State of Texas, do hereby certify that Virginia H. Taylor whose signature is subscribed to the foregoing certificate, is the Spanish Translator of this office, duly qualified according to law, and that her official acts, as such, are entitled to full faith and credit.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of said office to be affixed, the day and date first above written.

JERRY SADLER Commissioner.

counter 41926

Paid

Honorable Commissioner:

I, Citizen George Morrice, a native of Scotland and resident of this new town, in the best form of law say to you that nine months ago I was introduced into this colony with the intention of belonging to it by agreement with its Empresarios, and with this assurance having chosen one league of land on Laguna de la Cruz, being the league on the southwest, I ask and beg you please to order that I be given that which corresponds to me as a married man, and this being justice that I implore, I swear, et cetera.

Refugio, October 17, 1834.

George Morris.

Refugio, October 18, 1834.

Proceed to the Empresarios of this colony so that they may report on the civil and moral conduct of the applicant, expressing their consent with respect to his admission. Thus I resolved, ordered and signed with those of my attendance, I certify.

Jose Jesus
de Vidaurri (Rubric)

Attendant Witness
Juan Dunn (Rubric)

Attendant Witness
Martin Power (Rubric)

Refugio, October 27, 1834.

We are informed that the applicant is a native of Scotland, of good conduct and character. Therefore, we admit him in this colony, considering him worthy of the tract he claims, and we report to you in fulfillment of the foregoing decree.

Santiago Power (Rubric)

Santiago Hewetson (Rubric)

In the same town on the same day of said month and year, I, the undersigned Commissioner, in fulfillment of the preceding decree and pursuant to the express consent of the Empresarios to the admission of Citizen George Moris, adjudicate to him in due form the league of land he has requested, including one labor of arable land, which, according to the survey made by one of the appointed surveyors, is a square composed of 5,000 Mexican varas; it is bounded on the north

MORRICE

counter 71927

by the league of Citizen Poland, on the west by vacant lands, on the south by lands of Citizen Fitsimons, and on the east by the said Poland, Laguna de la Cruz being in the center. Therefore, exercising my authority and in the name of the Powers of the Mexican Nation and of the State I put him in possession of said league, which he took quietly and peaceably, in which act and performing all the others of true possession, he signed with me and those of my attendance, I certify.

Jose Jesus de Vidaurri (Rubric)

George Morris

Attendant Witness
Juan Dunn (Rubric)

Attendant Witness
Guillermo Langenheim (Rubric)

Note: On the date this petition was attached to the Record Book which corresponds on one full page of the present paper and validated with a cross, which I sign with my rubric in evidence thereof. (Rubric)

counter 41928

L. O. FORM NO. 52

GENERAL LAND OFFICE

Austin, Texas, October 22, 1965

I certify that the foregoing two pages

contains a correct translated copy of the original title to George Morris

existing in the Spanish Archives of this office Volume 17, Page 94

Virginia H. Taylor
Spanish Translator.

I, JERRY SADLER Commissioner of the General Land Office of the State of Texas, do hereby certify that Virginia H. Taylor whose signature is subscribed to the foregoing certificate, is the Spanish Translator of this office, duly qualified according to law, and that her official acts, as such, are entitled to full faith and credit.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of said office to be affixed, the day and date first above written.

JERRY SADLER Commissioner.

counter #1929

+

THIRD SEAL

TWO REALES

(Legal Seal)

FOR THE BIENNIUM OF

1832 AND 1833, and 34
(Rubric)

Honorable Commissioner:

I, Citizen John Polan, resident of this new town, appear before you in the best form of law and say that nine years ago I was introduced in this colony with the intention of belonging to it by agreement with its Empresarios, and with this assurance having established a ranch, with stock and buildings, on the margin of Blanco Creek adjacent to the egidos of the town, I therefore beg you please to order that in this same tract where I have the right of ownership I be given that which belongs to me as a married man according to the Colonization Law, and this being justice that I implore, I swear, et cetera.

Refugio, September 12, 1834.

[Unsigned]

Refugio, September 12, 1834.

Present this petition to the Empresarios so that they may report on the civil and moral conduct of the applicant, expressing their consent with respect to his admission in the Colony. Thus I decreed, ordered, and signed with those of my attendance, I certify.

Jose Jesus

de Vidaurri (Rubric)

Attendant Witness

Juan Dunn (Rubric)

Attendant Witness

Martin Power (Rubric)

Refugio, September 15, 1834.

With respect to the admission of Citizen John Polan and his possession of one league of land in this Colony we immediately give our consent as the law recommends.

Santiago Power (Rubric)

Santiago Hewetson (Rubric)

In the same town on the 30th of October of the current year, I, the aforesaid Commissioner, pursuant to the preceding decree and the consent given by the Empresarios to the admission of Citizen John Poland in the Colony, adjudicate to him in due form one league of pasture land as he has requested, including

POLAN

counter 41930

one labor of arable land, which, according to the survey made by one of the appointed surveyors, is composed of an irregular figure with a line running from south to north of 5,000 Mexican varas, another from east to west of the same length, another from southeast to northwest of _____ varas. It is bounded on this course by vacant lands, on the west by the league of Citizen Morris, on the south by that of Citizen Malcolm, and on the east by vacant lands. Therefore exercising my authority and in the name of the Supreme Powers of the Mexican Nation and the State I put him in possession of it, which he took quietly and peaceably without any contradiction and performing all the acts of true possession, having been informed that within one year he shall construct fixed boundaries and shall observe the colonization laws in that part pertaining thereto; with this understanding he signed with me and those of my attendance, I certify.

Jose Jesus

de Vidaurri (Rubric)

Attendant Witness

Juan Dunn (Rubric)

Attendant Witness

Martin Power (Rubric)

Note: On the date this petition was attached to the Record Book on one full page, which I sign with my rubric in evidence thereof. (Rubric)

counter #1931

L. O. FORM NO. 52

GENERAL LAND OFFICE

Austin, Texas, October 25, 1965

I certify that the foregoing two full pages

contains a correct translated copy of the original title to John Poland

existing in the Spanish Archives of this office Volume 17, Page 118

Virginia H Taylor

Spanish Translator.

I, JERRY SADLER Commissioner of the General Land Office of the State of Texas, do hereby certify that Virginia H. Taylor whose signature is subscribed to the foregoing certificate, is the Spanish Translator of this office, duly qualified according to law, and that her official acts, as such, are entitled to full faith and credit.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of said office to be affixed, the day and date first above written.

JERRY SADLER Commissioner.

counter #1932

+

THIRD SEAL

TWO REALES

(Legal Seal)

FOR THE BIENNIUM OF

1832 AND 1833, and 34

(Rubric)

Honorable Commissioner:

I, Citizen Patrick Fitzimons, of this vicinity and a native of Ireland, for myself and in the name of my two single sons, Martin and John of the same surname, and whose legal attorney I am, appear before you in the best form of law and say: That having adopted this Republic as our country, we came to this Colony with the intention of belonging to it, and we have remained six months awaiting only the distribution of lands; by virtue thereof and the arrival of this case, I ask you please to order adjudicated to us the two and two-fourths leagues which correspond to us, to me as a married man and to my said sons as single men, as I believe this to be justice that I implore, I swear, et cetera.

Refugio, September 25, 1834.

Patrick Fitzsimons

Refugio, September 26, 1834.

Present this petition to the Empresarios of this Colony so that they may report on the civil and moral conduct of the applicant, also expressing their consent with respect to his admission. Thus I resolved, ordered, and signed with those of my attendance, I certify.

Jose Jesus

de Vidaurri (Rubric)

Attendant Witness

Josue Davis (Rubric)

Attendant Witness

Juan Dunn (Rubric)

Refugio, September 26, 1834.

We, the undersigned, are informed that the petitioner is a native of Ireland, of Catholic religion, and of good moral habits and good conduct; therefore we inform you of this in fulfillment of the foregoing article.

Santiago Power (Rubric)

Immediately, I said Commissioner, pursuant to the consent granted by the Empresarios of this Colony in regard to the express admission of Citizen Patrick Fitzimons and his two sons, Martin and John of the same surname, adjudicate to them in due form the two and two-fourths leagues which they have requested,

FITZIMONS

counter 1933

including 1 1/2 labors, which, according to the survey made by one of the appointed surveyors, is an irregular figure and is composed of 5,702 Mexican varas on Willow Creek on this side and depth on the upper part 7,240 varas and on the lower 6,201 varas; it is bounded on the north by vacant lands; on the west by vacant lands next to Citizen Martin Power; on the south by said creek; and on the east by vacant lands. Therefore, exercising my authority and in the name of the Supreme Powers of the Mexican Nation and of the State, I put them in possession of the aforesaid two and two-fourths leagus, which they took quietly and peaceably without any contradiction and performing all the acts of true possession, having been informed that within one year that he shall construct fixed boundaries and that he shall comply with that part of the Colonization Law of March 24, 1825 which pertains thereto; with this understanding he signed with me and my attendant witnesses, which I certify.

Jose Jesus de Vidaurri (Rubric) — Patrick Fitzsimons

Attendant Witness — Josue Davis (Rubric)

Attendant Witness — Juan Dunn (Rubric)

Note: On the date this petition was attached to the Record Book which corresponds on one full page, which I sign with my rubric in evidence thereof.

(Rubric)

Note: The league which was adjudicated to this party by mistake is assigned to him on Laguna de la Cruz; bounded on the north by Citizen Morris; on the east by McAulay; and on the other courses by vacant land, being a square.

counter #1937

L. O. FORM NO. 52

GENERAL LAND OFFICE

Austin, Texas, October 22, 1965

I certify that the foregoing two pages

contains a correct translated copy of the original title to Patrick Fitzsimons & Sons

existing in the Spanish Archives of this office Volume 17, Page 41

Virginia H. Taylor

Spanish Translator.

I, JERRY SADLER Commissioner of the General Land Office of the State of Texas, do hereby certify that Virginia H. Taylor whose signature is subscribed to the foregoing certificate, is the Spanish Translator of this office, duly qualified according to law, and that her official acts, as such, are entitled to full faith and credit.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of said office to be affixed, the day and date first above written.

JERRY SADLER Commissioner.

counter 41935

FOURTH SEAL (Legal Seal) FOR THE BIENNIUM OF

ONE CUARTILLA 1832 AND 1833, and 34
(Rubric)

Honorable Commissioner:

I, Citizen Malcolm McAulay, a native of Scotland and at present a resident of this new town, in the best form of law appear before you and say: That six months ago I entered this new Colony with the intention of belonging to it, and with the consent of its Empresarios I have chosen one league of land on the southwest side of Laguna de la Cruz; and having claimed this tract in good faith, I ask and beg you please to order that I be given that which I am entitled to as a married man and as the law recommends. I seek justice, I swear, et cetera.

Refugio, October 28, 1834.

Malcolm McAulay (Rubric)

Refugio, October 30, 1834.

Present this petition to the Empresarios so that they may express their consent with respect to the admission of this party, reporting whatever is necessary concerning his conduct. Thus I resolved, ordered, and signed with those of my attendance, I certify.

Jose Jesus
de Vidaurri (Rubric)

Attendant Witness
Juan Dunn (Rubric)

Attendant Witness
Martin Power (Rubric)

Refugio, October 30, 1834.

We, the undersigned, are informed that the petitioner is a native of Scotland, of good habits and conduct. Therefore, we admit him in this new Colony, considering him worthy of the tract he claims, which we report to you in fulfillment of the foregoing petition.

Santiago Power (Rubric)

In the same town and on the same day of said month and year, I, the undersigned Commissioner, in fulfillment of the foregoing decree and pursuant to the express consent of the Empresario to the admission of Citizen Malcolm McAulay, adjudicate to him in legal form the league of land he has requested,

McAULAY

counter 41936

including one labor of arable land, and which, according to the survey made by one of the appointed surveyors, is composed of 5,000 Mexican varas frontage and depth in the form of a square; bounded on the north by the league of Citizen Poland, on the west by the league assigned to Citizen Fitzsimons, on the south by vacant lands, and on the east in the same manner; the lagoon called De la Cruz being in the center of said leagues. Therefore, exercising my authority, and in the name of the Supreme Powers of the Mexican Nation and of the State, I put him in possession of said league, which he took quietly and peaceably, in which act and performing all the other rites of true possession, he signed with me and those of my attendance, I certify.

Jose Jesus
de Vidaurri (Rubric)

Malcolm McAulay
(Rubric)

Attendant Witness

Attendant Witness
Juan Dunn (Rubric)

Note: On the date this petition was attached to the Record Book which corresponds on one written page which I sign with my rubric in evidence thereof.

(Rubric)

counter #1937

L. O. FORM NO. 52

GENERAL LAND OFFICE

Austin, Texas, October 22, 1965

I certify that the foregoing two pages

contains a correct translated copy of the original title to Malcolm McAulay

existing in the Spanish Archives of this office Volume 17, Page 117

Virginia H. Taylor
Spanish Translator.

I, JERRY SADLER Commissioner of the General Land Office of the State of Texas, do hereby certify that Virginia H. Taylor whose signature is subscribed to the foregoing certificate, is the Spanish Translator of this office, duly qualified according to law, and that her official acts, as such, are entitled to full faith and credit.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of said office to be affixed, the day and date first above written.

JERRY SADLER Commissioner.

counter 41938

Descripcion del plano

1

el punto C. esta demarcado con un ~~[illegible]~~ Mesquite Gorde q.e esta en el medio de la laguna de la cruz dh.o mesquite tiene 4 ramas principales cada rama puntando por cada sitio.

el punto D Demarcado con un porcion de ramas secas puestas en forma de casa de indio y un mesquite seco sobre la misma liña por el Oeste à 330 V.s el punto E esta demarcado con unas ramas puestas en forma de casa de indios y esta al E.te de una laguna que corre de N. à Sur a 20 V.s de distancia al N.te 550 V.s un mesquite al Sur 30.o al Este otro mesquite a 200 V.s el punto F. esta demarcado con dos estantes puestos sobre cada uno de los tres linderos a 40 V.s de dis.cia Sur 10.o O.te dis.a 25 V.s un mesquite N.te 16.o Este à 35 V.s otro al N.te 40.o Este a 20 V.s otro. y al N.te 76.o Este à 30 V.s otro el punto G. no tiene otra demarcacion q.e una estaca en medio de una mota de chaparos. el punto H unas ramas puestas como las sus dichos puntos al Sur à 15 V.s un mesquite al O.te 15 V.s una mota de chaparos al N.te 4.o Este à 30 V.s un mesquite el punto A con unas ramas como dh.o al O.te 12.o N.te à 40 V.s un mesquite O.te 8.o N.te à 25 V.s otro al Sur 35.o al Este 40 V.s otro el punto B esta en un llano no se puede hacer otra señal q.e una estaca

Jor Loupy

Malcolm McAuley Vol 17. p. 117
John Gelandt " " p. 118
Patrick Fitzsimmons " p. 41



por la misma escala q.e el plano remitido

3

counter #1939

Description of the plat:

Point C is marked by a thick mesquite tree which is in the center of Laguna de la Cruz; said mesquite has 4 main branches, each branch pointing to each league. Point D is marked by a number of dry branches placed in the form of an Indian tepee and a dry mesquite on the same line west at 330 varas. Point E is marked by some branches placed in the form of an Indian tepee and is east of a lake which runs north to south at a distance of 20 varas, north 550 varas a mesquite, south 30° east another mesquite at 200 varas. Point F is marked by two posts placed on each of the three boundaries at a distance of 40 varas, south 10° west 25 varas distant a mesquite, north 18° east at 35 varas another, and north 40° east 20 varas distant another, and north 76° east at 30 varas another. Point G has no other mark than a stake in the center of a clump of bushes. Point H, some branches placed like the afaresaid points, south at 15 varas a mesquite, west at 15 varas a clump of bushes, north 4° east at 30 varas a mesquite. Point A, by some branches as aforesaid, west 12° north at 40 varas a mesquite, west 8° north at 25 varas another, south 35° east at 40 varas another. Point B is on a prairie, and no other sign than a stake can be made.

Victor Loupy

(Rubric)

counter #1940

L. O. FORM NO. 52

GENERAL LAND OFFICE

Austin, Texas, August 24, 1965

I certify that the foregoing one page

contains a correct translated copy of the original field notes made by Victor Loupy for George Morris, Malcolm McAuley, John Poland, and Patrick Fitzsimmons

existing in the Spanish Archives of this office Field Note Book SAW, Page 1

Virginia H. Taylor
Spanish Translator.

I, JERRY SADLER Commissioner of the General Land Office of the State of Texas, do hereby certify that Virginia H. Taylor whose signature is subscribed to the foregoing certificate, is the Spanish Translator of this office, duly qualified according to law, and that her official acts, as such, are entitled to full faith and credit.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of said office to be affixed, the day and date first above written.

JERRY SADLER Commissioner.

counter 41941

BEFORE THE HONORABLE

JERRY SADLER

COMMISSIONER

OF THE

GENERAL LAND OFFICE

STATE OF TEXAS

M.A. - 58291

EXHIBITS SUBMITTED BY

OPPONENTS

counter 41942

H

OP

THE STATE OF TEXAS }
}
COUNTY OF SAN PATRICIO }

DISTRICT COURT

SPRING TERM A. D. 1855

TO THE HONORABLE JAMES WIBLE, Judge of the District Court in and for the 14 Judicial District, holding Court in said County and State.

Your Petition, Wilkins Hunt, a citizen of the said state, and domiciliated in the County of Victoria, by leave of the Court first had and obtained, amends his Petition in the case of Wilkins Hunt against John Welder, now pending in said Court, and for amended Petition says, that he is the legal owner and holder of 640 acres of land, situated in the said County of San Patricio and fronting on the South side of the river Aransas, about 11 miles above its mouth, beginning on the South bank of said river at a stake, for the North West corner of a survey made for C. W. Egery, assignee of John Kelley, from which a Mulberry tree 4 inches in diameter, marked T, bears N 88½ degrees east 40 varas distant, and also a Hackberry tree marked +, bears South 58¼ degrees East 196 varas distant, thence up with the meanders of said river, N 81½ degrees West 568 varas, South 87 degrees West 110 varas to a Mulberry tree 4 inches in diameter, marked +, for the North West corner, from which a Mulberry tree, marked A, bears N 79 degrees East 5 varas distant, thence South 2717 varas to a post in mound for the South West corner, thence East 672 varas to a post and mound for the South East corner, thence North 357 varas intersect the said survey made for C. W. Egery, and continuing North with the West boundary line of said survey to the place of beginning, containing by estimation 320 acres of land; and the balance of said 640 acres of land is surveyed above, and adjoining this survey, has legal front on said

counter #1913

river, and runs out South from said river for quantity, as the law in such cases provides.

Your Petitioner further represents that he was seized and possessed of said land, in fee simple, on the 15th day of February A. D. 1855, and had the use and occupancy of the same, when on that day, the said John Welder and Joseph Alberson, both citizens of the said County of San Patricio, with force and arms, entered upon said land and ousted and removed your Petitioner from the same, and have, from that time to the present, kept him ejected from said land, and have converted the use and profits of said land to their own use, whereby your Petitioner has been damaged 2000 dollars, for which he brings this suite.

Your Petitioner therefore prays that said Alberson be made a party Defendant to this suit, with the said Welder, et al he be cited to be and appear at the next Term of your Honorable Court, to be holden in and for the said County of San Patricio and answer this Petition, and that when the premises are considered by the Court, the said Welder and Alberson be condemned to pay your Petitioner the said 2000 dollars, and the costs of suit, and that your Honor's Writ of Possession issue to the Sheriff of said County to put your Petitioner in the quiet and peacable possession of said land, with such other and further relief as the equity of his case deserves.

And, as in duty bound, your Petition will ever pray.

/s/ Joseph F. Smith
Attorney for Petition

ENDORSEMENT ON BACK:

453 No. 25
Wilkins Hunt
vs.
John Welder
and
Joseph Alberson
Amended Petition
Mr. John Welder & Mr. Joseph Alberson
You will please take notice that this suit is brought, as well to try title, as for damages.
/s/ Joseph F. Smith
Attorney for the Plaintiff -2-
Filed this 3rd day of April A.D. 1855.
/s/ Luke Hart C.D.C.S.P.C. Filed July 30, 1858 /s/Nat T.Gaines, Clk

counter 71944

THE STATE OF TEXAS)
)
COUNTY OF VICTORIA)

I, Pearl Staples, Clerk of the District Court of Victoria County, Texas, do hereby certify that the above and foregoing is a true and correct copy of the Amended Petition in Cause No. 453 on the Docket of the District Court of Victoria County, Texas, styled "Wilkins Hunt v. John Welder" as the same now appears among the papers in said cause in my official custody.

WITNESS MY HAND AND OFFICIAL SEAL this the 29 day of October, A. D. 1965.

Pearl Staples
District Clerk,
Victoria County, Texas.
By Mary Ponder, Deputy

counter 41945

THE STATE OF TEXAS)
)
VICTORIA COUNTY) TO WIT

DISTRICT COURT

FEBRUARY TERM 1859

WILKINS HUNT)
)
453 VS.) TRESPASS TO TRY TITLE
)
JOHN WELDER)

And now comes the Defendant aforesaid by his attorney, and for amended answer to the Plaintiff's Petition herein, by leave of the Court first had and obtained, says, actio non, because he says, he denies all the allegations, statements and charges, in the said petition contained, and puts himself upon the country.

/s/ Rob Hughes
for Defendant

THE STATE OF TEXAS)
)
COUNTY OF VICTORIA)

I, Pearl Staples, Clerk of the District Court of Victoria County, Texas, do hereby certify that the above and foregoing is a true and correct copy of the Amended Answer in Cause No. 453 on the Docket of the District Court of Victoria County, Texas, styled "Wilkins Hunt vs. John Welder" as the same now appears among the papers in said cause in my official custody.

WITNESS MY HAND AND OFFICIAL SEAL this the 29 day of October, A. D. 1965.

Pearl Staples
District Clerk
Victoria County, Texas.
By Mary Ponder, Deputy

counter 41946

The State of Texas

To the District Court of Victoria County -- Greeting:

Before our Supreme Court on the 6th day of March A. D. 1867 the cause upon appeal to revise or reverse your judgment between John Welder appellant and Wilkins Hunt appellee was determined and therein our said Supreme Court made its order in these words:

No. 1357. "This cause came on to be heard on the transcript of the record of the Court below, and the same being inspected because it is the opinion of this Court that there was error in the judgment of the Court below, it is ordered, adjudged and decreed that the judgment of the Court below be reversed and the cause remanded for further proceedings in accordance with the opinion of this Court and the appellee pay all costs of this cause in this Court expended in this decision be certified below for observance."

Wherefore we command you to observe the order of our said Supreme Court in this behalf and in all things to honor it duly recognized, obeyed and executed.

Witness the Hon. George F. Moore, Chief Justice of our said Supreme Court with the seal thereof annexed at Galveston this the 20th day of June A. D. 1867.

/s/ W. T. Farrell, Clerk

John Welder)
)
1357 vs.) From Victoria.
)
Wilkins Hunt)

The facts in this case are precisely the same as those in the case of Welder vs. Carroll and for the reasons given in the opinion just pronounced in it the judgment in this case is also reversed and the cause remanded for further proceedings.

March 6, 1867 /s/ George F. Moore

counter 41977

Welder)
)
vs. 1357) From Victoria
)
Hunt) I, W. T. Farrell Clerk of the Supreme Court of the State of Texas at Galveston do hereby certify the above to be a true copy of the opinion delivered by said Court in the above styled and numbered cause.

Given under my hand and the seal of said Court at Galveston this the 20th day of June A. D. 1867

SEAL

/s/ W. T. Farrell, Clerk

THE STATE OF TEXAS)
)
COUNTY OF VICTORIA)

I, Pearl Staples, Clerk of the District Court of Victoria County, Texas, do hereby certify that the above and foregoing is a true and correct copy of an unpublished mandate and opinion of the Supreme Court in Cause No. 453 on the Docket of the District Court of Victoria County, Texas, styled "Wilkins Hunt vs. John Welder" as the same now appears among the papers in said cause in my official custody.

WITNESS MY HAND AND OFFICIAL SEAL this the 29 day of October, A. D. 1965.

Pearl Staples
District Clerk
Victoria County, Texas.
By Mary Ponder, Deputy

counter #1948

OPINION IN WELDER VS. HUNT
34 Texas 44

Walker, J. This case was fully before this court at the January term for Galveston, in the year 1867, and will be found reported in 29 Tex.317, under the title of John Welder et al. against Rufus Carroll. To this case we refer for the points decided, a full statement of facts and an exhaustive review of the authorities.

The question for our determination is mainly a question of fact. This question was submitted to a jury in the district court, which failed to agree upon a verdict such as is usually required by law, and although the parties agreed to receive the opinion of the majority of the jurors, and regarded it as a verdict in the case, it cannot be regarded by this court as entitled to the sanctity which we ordinarily attach to the verdicts of juries. We shall not, therefore, hesitate to set aside such a finding if we find it unsupported by the weight of evidence. The instructions of the court to the jury were as follows:

"In this cause I charge the jury that the location and survey of the plaintiff, as alleged in his petition, if fully proven up by the evidence is sufficient to establish his claim to the land so located and surveyed, provided the same was not made upon land held by a prior, and therefore superior and subsisting claim or title; and therefore, if you believe from the evidence that the location and survey of plaintiff was made upon public and unappropriated lands then you should find for the plaintiff the lands described in his petition.

cocenter 71979

"I further charge you that the concessions made by the Mexican government to defendants' grantors are good and valid titles for the land conveyed by these concessions or grants, or either of them; and therefore, if you believe from the evidence that the concessions or grants made to Felipe Roque Portillo and sons, and others claimed by defendant, were of a prior date to the location and survey of plaintiff, and that defendant is the owner of the grants, by transfer or otherwise; and further, if you believe the land now claimed by the plaintiff is covered by those prior concessions or grants, or either, then you should find for the defendants."

We do not think the finding of the majority of the jury is either responsive to the charge of the court, or supported by the weight of evidence, or in accordance with it, and it might have been set aside for these reasons; but the parties having agreed to receive an extraordinary finding, the court may have considered an appeal to this court the true and proper course to be pursued. It is considered by the appellant that the line marked XY, on map B, running north and south from the waters of the Aransas river to the Chiltipin creek, is the true eastern boundary line of his grant. The appellee contends that no such boundary line was ever established, and affirms that no line was ever marked upon the land to separate the grants made to Felipe Roque Portillo and his sons, and that made to Power and Hewitson.

It is admitted that these grants are contemporaneous, and had the Power and Hewitson grant been valid, there can be no doubt but that any deficiency in the land granted must have been sustained equitably between the two grants, each losing in proportion to the quantity it called for.

Counter 41950

In the ascertainment of disputed boundaries, it is a fixed rule of law that monuments shall govern courses and distances, and courses and distances govern calls for quantity; but, in the absence of both the former, then calls for quantity may be resorted to. Now, if the theory of the appellee be correct, that there was no eastern boundary line fixed to the Portillo grant, and it was not governed by courses and distances, then the holders of the seven and a half league grant had a right to run east for quantity until they had the amount of land called for in their grant, as against all subsequent grantees of the state. It must, however, be observed that if the holders of the seven and a half league grant did, according to their theory of this case, establish their eastern boundary line by monuments, marks upon the land, or other notorious designation upon the line XY, or any other line, in a manner to induce the public to believe that that was the true east boundary line, and subsequent locators made their locations in confidence that this was the true line of boundary between their locations and the seven and a half league grant, then and in that case the seven and a half league grant could not be extended for quantity beyond this line. And we go further, and say that Welder will be estopped from claiming any of the land east of the line XY, on map B, by virtue of the proceedings in this case--having set up and notoriously claimed that as his eastern boundary line in this proceeding, nor can he be forced back westwardly by a junior grant.

The state of Texas has respected all valid Mexican grants, and she would not grant away land of which the republic of Mexico had already made a valid grant. The grant to Wilkins

counter 1125/

Hunt is subsequent to that under which Welder claims, and must be in equity subject to it, as it is in law under the rules laid down.

It is a well established rule of law that boundary lines may be proved by the common understanding and report of a community. The declarations of public officers are held admissible to prove their official acts, and we see no reason why the declarations made by a surveyor, who claims to have run the line upon the ground, as to the location of a boundary line may not, after the death of the surveyor, be proved by the witness to whom he made the declarations. We might hesitate to go so far as to admit the declarations of an interested party, yet we have no hesitation in saying that the declarations of a surveyor, as to an official act of his own made upon the ground, may be given in evidence after his decease, by any competent witness who heard the declarations.

For the reasons given the judgment of the district court is reversed and the cause remanded, to be proceeded in in accordance with this opinion. Reversed and remanded.

counter #1952

DEPOSITION OF FELIX A. BLUCHER

THE STATE OF TEXAS)

COUNTY OF VICTORIA)

THE STATE OF TEXAS

TO THE CHIEF JUSTICE, THE CLERK OF THE DISTRICT COURT OR ANY NOTARY PUBLIC OF THE COUNTY OF NUECES IN SAID STATE, GREETING:

Confiding in your integrity, fidelity and ability, you are hereby authorized, empowered and commissioned to cause Felix A. Blucher, the surveyor of the County of Nueces, a resident of your county, and witness in behalf of the defendant in a cause pending in our District Court of said County of Victoria between Wilkins Hunt plaintiff and John Welder Defendant, and in behalf of the Plaintiffs in the cases also pending in said court between John Welder et al plaintiffs and Rufus Carroll defendant; John Welder et al plaintiffs and Henry Snively Defendant, and John Welder et al plaintiffs against John H. Callaghan et al Defendants, to come before you at such time and place as you may designate and to take his answers under oath to the Interrogatories and Cross Interrogatories, certified copies whereof are hereto attached, which said answers when so taken as aforesaid, you will return to my office, together with this commission and Interrogatories, on or before the third Monday in February, A. D. 1859, that the same may be used on the trial of said causes then and there pending as aforesaid. Herein fail not-etc.

WITNESS: Nat T. Gaines, Clerk of said Court.
Given under my hand and the seal of the
L. S. District Court at my office in Victoria
this 25th October, 1858
Nat T. Gaines, Clk DCVC

counter #1953

THE STATE OF TEXAS)

VICTORIA COUNTY)

TO-WIT:
DISTRICT COURT
AUGUST TERM 1858

WILKINS HUNT
V.
JOHN WELDER

AND

JOHN WELDER AND DOLORES
HIS WIFE AND TOMASA POWER
AND JAMES POWER
V.
RUFUS CARROLL

AND

JOHN WELDER AND DOLORES
HIS WIFE AND TOMASA POWER
AND JAMES POWER
V.
HENRY SNIVELY

AND

JOHN WELDER AND DOLORES
HIS WIFE, AND TOMASA
POWER AND JAMES POWER
V.
JOHN H. CALLAGHAN, JEREMIAH
McFARLAND AND JAMES B. RANKIN)

TRESPASS

TO

TRY

TITLE

Interrogatories to be propounded to Mr. Blucher, a resident of and the surveyor of the County of Nueces, the answers to which are to be read in evidence in behalf of the Defendant in the first of the above stated cases, and in behalf of the Plaintiff in the three others above stated.

1st Interrogatory

Do you know or are you acquainted with the parties plaintiffs or defendants to the foregoing and above entitled cases, or any one or more and which one of them?

(Note: For convenience we will give the answers to the interrogatories out of order in order that they may be shown immediately after the question. In the depositions, of course, the answers are all in one place and the interrogatories are all in one place. The answer following is the answer to the first interrogatory and is taken from what appears to be page 13 of the entire document):

counter 41957

Answer: I know John Welder and Henry Snively but do not know nor am acquainted with any of the other named parties to the foregoing and above entitled cases.

2nd Interrogatory:

Are you a district or county surveyor of any, and if any what, county in the State of Texas?

Answer: I am district surveyor of Nueces District, and have held the office since the year 1850.

3rd Interrogatory:

Do you know anything, and if anything what, in regard to the locality, situation and boundaries of the following tracts of land in the County of San Patricio, to-wit: Five and one-half leagues granted by the late Government of Coahuila and Texas to James Power and James Hewetson; one and one quarter leagues granted to the said James Power and James Hewetson; one league granted also to said James Power and James Hewetson; one league granted to Daniel O'Boyle; one league granted to John Pollan, and five and one-half leagues granted to Felipe Roque Portillo, and his six sons, and if any, what other tract or tracts of land are adjoining, and which or what and how many are situated on the west between the said lands of said Portillo and his son on the west, and the said one league and one quarter of land, granted to the said James Power and James Hewetson?

Answer: I know the locality, situation and boundaries of the lands referred to in this interrogatory, either from the maps and records of my office or from actual resurvey by myself.--In accordance with a transcript of C. C. Field Notes, transmitted to this office by the Commissioner of the

counter #1955

General Land Office of this State, under date of April 20th, A. D. 1847, for the purpose of constructing the District Map,-- a certified extract from which transcript of Field Notes, so far as necessary to further explain this answer and my acts, is hereunto annexed for reference, marked A,--I commenced at a survey in the name of Bridget Quinn, situated on the south or right margin of the Papalote Creek, in the present County of Bee, the boundaries of which tract had been established by Colonel Jacob Snively, then District Surveyor, in accordance with an act of the Legislature, approved Feb. 1st, 1845, and which appears fully of record in my office in Book E, page 7, under date of January 23rd, A. D. 1847;--I ran off the front of a tract in the names of William and Patrick Quinn, East of and adjoining the foregoing;-- then following down the Papalote Creek I ran off a tract in the name of James O'Connor; Then a league of land in the name of Victor Loupy (or Lopez). To the East of this latter tract is the one and one quarter league tract granted to James Power and James Hewetson, and south of this tract and of the aforesaid Victor Loupy League is the one league tract also granted to said Power & Hewetson, in a square. The Eastern Boundary line of the said 1¼ and 1 League Tract in the names of Power & Hewetson, I established by actual survey and measurement. The one league grant in the name of Daniel O'Boyle is to the West of and adjoining the league tract of Power & Hewetson--The one league grant in name of John Pollan is to the south of and adjoining said Power & Hewetson League tract. The five and one-half leagues granted to Felipe Roque Portillo and his sons, are part of a survey of seven and one-half leagues of land referred to and described in field notes numbered 17, 18, 40 and 41, in the

counter 41956

transcript hereinabove referred to, and copies of which are contained in the annexed certified extract marked A. The said survey of 7½ leagues is bounded on the west by the two surveys in the name of Power & Hewetson, of 1¼ and 1 league respectively, according to the field notes numbered 39 and given in said transcript.--The Eastern Boundary line of the five and one-half leagues tract granted to Felipe Roque Portillo and his sons is the one claimed by their heirs and assignees, as pointed out to me, and as appears marked X.Y. upon the map marked "B" hereunto by me annexed, for further reference and to make this answer more explicit, and easier understood.--Starting from the Eastern Boundary line of said survey, and running up the Aransas and Chiltipin Creeks, for quantity of said 5½ leagues, such tract embraces all the territory or land East of the two surveys in the name of Power & Hewetson hereinbefore referred to, as 1¼ and 1 league respectively; but in order to give the 7½ leagues, as given in the aforementioned field notes, it became necessary to run over said two last named tracts, to the line marked on the annexed Map B by the letter "QZ."-- The Eastern boundary line of the Power & Hewetson 1¼ and 1 league tract is the western boundary line of the five and one-half leagues granted to Felipe Roque Portillo and sons; as is shown on the said annexed map by the line marked with the letters MN.--The five and one-half leagues granted to Power & Hewetson, according to the field notes in this office are to the East of the Felipe Roque Portillo Tract, embraced between the forks of the Aransas and Chiltipin Creeks.

(Underlining Added)

counter #1957

4th Interrogatory:

Have you ever surveyed, or run as a surveyor, any one or more, and which, and what of the line or lines of any one or more, and which, of the said tract or tracts of land, as well those mentioned in these interrogatories, as any one or more, which you may mention in answer to these interrogatories?

Answer: I have surveyed, or run as a surveyor the front lines of Bridget Quinn, of Wm & Patrick Quinn, of Jas O'Connor, of Victor Loupy, and of Power & Hewetson,--also have run the Eastern Boundary lines of the two surveys in the names of Power & Hewetson, for 1¼ and 1 league respectively;--also have run and measured all the boundaries and lines of the 5½ league tract in the name of Felipe Roque Portillo and his sons, embraced within the two lines marked MN and XY, and the Aransas and Chiltipin Creeks, as shown on the annexed Map B., to which reference is again made for full explanation of this answer. I meandered the said water courses carefully (and through my then deputy surveyor, Wm. R. Reed, have surveyed all the locations marked in colour upon said annexed map.

5th Interrogatory:

Have you ever, and if ever when and how, found, ascertained or learnt, of the locality and situation of any one or more of the courses natural or artificial or ideal of any one or more and which of said tracts of land?

Answer: I have made the surveys heretofore enumerated, starting from the Northeast corner of a survey in the name of Robert Carlisle, being also the Northwest corner

counter 1958

of the survey for Bridget Quinn referred to in preceding interrogatory, the said starting point of Robert Carlisle being pointed out to me by said Carlisle in person, as having been established by the surveyor, Colonel Snively (and as coinciding with the lines originally run out by the Surveyor Victor Loupy)--I have also found the other corners of the surveys for Bridget Quinn and for Wm & Patrick Quinn, as established by said Colonel Snively in the year A. D. 1847, in conformity with an act of The Congress of the Republic of Texas, approved 1st February A. D. 1845, entitled "an act requiring the owners of lands in the counties of Refugio and San Patricio to cause their lines to be designated and marked."-- In meandering the Aransas River, I have found nearly all the corners of the several locations, laid down upon the annexed Map B, and fronting on said stream, and I have connected said locations with my surveys for the purpose of plotting them correctly on the said annexed map. All my surveys have been made according to the field notes received from the General Land Office of this state, with the same courses as my predecessor in office, allowing a variation between 9½ deg. to 10 deg. East, and the annexed map, plotted from my surveys, shows that the several lines, established by me, agree with the descriptions given in the transcript of said field notes, and must be correct. Mr. Robert Carlisle indicated to me the exact locality of the Eastern Boundary line of the Felipe Roque Portillo tract, according to which information I found it. (Underlining Added)

6th Interrogatory:

Have you ever seen any plat or plats of the said tract or tracts of land, or either and which one or more thereof--made by any and what person or persons? And have you had, or have you now in your possession any such map or

counter 41959

maps, and if yea! what particular tract or tracts does it represent? Within your knowledge does said Map, if any such you have had, or now have in your possession, properly and truly represent the locality, situation and boundary of the tract or tracts, platted upon the same? And is there truly or otherwise represented on said plat the situation of any improvements or buildings on said plat found on said tracts of land or either of them, and if yea! have you properly and by what marks indicated and shown the same and what improvements or buildings are they and where situated?

Answer: I have in my office a District Map of the San Patricio & Nueces District, which district embraced all the Country west of the Aransas River, a copy from which so far as necessary to show all the lands referred to in these Interrogatories, and the land adjoining them, and all surveys made in said localities, has been made by me, and annexed hereto for reference, marked and designated by the letter "C." The said Original District Map was made by Colonel Snively, my predecessor in office, and continued by me as his successor until the division of said district. It is accurate, except that it does not show the division lines of the Felipe Roque Portillo & Sons Tracts, and the Power & Hewetson 5½ league tract.

(Among the Records of my office is a map drawn and signed by Victor Loupy, one of the surveyors of the Colony of Power & Hewetson, dated October 23rd, A. D. 1834, showing the two tracts and surveys of 7½ and 5½ leagues of Roque Portillo, et al, hereinbefore referred to, of which map the annexed marked by me "D" is a facsimile. This map is drawn on the

(Underlining Added)

counter #1960

legal scale, but the meanders of the Chiltipin and Aransas are not correctly plotted, but only sketched. The rectilinear distance from the junction of the Aransas and Chiltipin are about correct.)

A certified copy of Map No. 3, Atlas A, from the General Land Office of this state, showing the locations of the several tracts of land referred to in the present Interrogatories and answers, being in my office, for further reference, I attach the same hereunto marked with the letter "E". This map truly represents the several tracts laid down thereon, (and coincides with the Loupy Map hereinbefore referred to.)-- The map attached to my answer to Interrogatory 3rd, and marked B is the map made by me from the records and maps extant in my office, showing the locality of the land referred to in the annexed Interrogatories and the tracts thereunto adjoining, together with the locations made at different times upon such lands and tracts.

The black dots with numbers attached indicate the improvements on said land and tracts, as per reference on said map. Traces of the cowpens and jacal at the place designated as "The Old Rancho of Felipe Roque Portillo" are plainly visible.--I have seen them. The other improvements marked on the different tracts I have either seen, or by triangulation ascertained true position of. Taking all the herein described maps together, on comparison, I must say that they agree to all practical intents and purposes, and they properly and truly represent the locality, situation and boundary of the several tracts platted upon the same (comparing the Loupy Map and Survey Marked "D." with my map marked "B.", the line designated on this latter by the letter Z.F. would

(Underlining Added)

counter #1961

be the line which on said Loupy Map is marked by the letters A.F., but this difference is accounted for by the more close and exact calculations adopted by American surveyors in measuring contents of bends of creeks or rivers, and which exactness was not followed by the old Mexican surveyors in such cases.)

7th Interrogatory:

If you answer that you have in your possession any such plat or map as that inquired about in the preceding Interrogatory, will you please to annex the same to your deposition and identify the same by some mark to be placed thereon by you?

Answer: I have complied with the requests in the preceding answer to the 3rd and 6th Interrogatories.

8th Interrogatory:

Is there any, and if any what, field notes, and by whom made, truly descriptive or otherwise of the plat aforesaid inquired of? And if you say there is any such map or plat is the same now in your possession or of any other and what person, and if in your possession, will you annex the same to your deposition and identify the same by some mark to be placed by you thereon; and do the said field notes, or do they not, truly or otherwise describe the locality, situation and boundary of said tracts of land, and of the water courses bounding upon or running through the same, in whole or in part, with their names and the improvements and buildings thereon?

Answer: There are in my official possession a transcript of sixty-six field notes, taken from titles on file in the General Land Office of the State of Texas, certified in due form by Thos Wm Ward, Commissioner, under date of April 20, 1847,

counter #1962

to which reference has already been had in my preceding answer to the 3rd Interrogatory. I have attached to my said answer a certified copy of the field notes describing the tracts of land especially inquired about in said 3rd Interrogatory and have identified the same by the letter "A." placed by me thereon, and to said copy reference is hereby made for a more full answer. The said field notes do truly describe the locality, situation and boundaries of said tracts of land, and of the water courses bounding upon the same, except that from my actual surveys on the ground, aided by the records extant in my office, it is evident that East of the Eastern boundary line of the tract of land of Felipe Roque Portillo and sons & others to contain seven and one-half leagues of land in the forks of the Aransas and Chiltipin Creeks there is not sufficient to make up the quantity of 5½ leagues called for in field note No. 38, nor is there sufficient land west of the said boundary line, designated on Map B. which is annexed to my answer to Interrogatory 3rd, by the letters XY, and East of the Eastern boundary line of the Power & Hewetson two surveys, designated in field note No. 39, and which line has been reestablished by me by actual survey as stated in my answer to Interrogatory 4th, to make up the quantity of 7½ leagues called for in the description of said survey for Felipe Roque Portillo, his sons Calisto, Juan, Francisco, Encarnacion, Jose Maria and Felipe, and Jacinto De La Garza and Miguel Musquiz, jointly, (which appears laid down upon the facsimile of the map made by Victor Loupy, heretofore referred to, and which is thereon marked and designated by the letters A.B.C.D.E.F.)

9th Interrogatory:

Have you seen any, and if any, what evidence, on the ground embraced within the tracts of land before referred to,

counter 41963

or any of them, of one or more improvements or settlements thereon, and if yea! please to indicate by some mark on said plat, the locality or situation of the same?

Answer: I have seen improvements said to belong Callahan & Rankin, designated on the map marked B, attached to my answer to the 3rd Int. by the number 5; improvements marked No. 4, claimed by Hy Snively; No. 3 claimed by A. Carroll & Brother; Rancho on said map marked by the Number 2, occupied by John Welder, situated on the Cherino Creek; improvements occupied by Mr. Ridgeway, indicated as No. 6; and improvements occupied by one Mao designated by the Number 7. The traces of the old Rancho of Roque Portillo are plain in the locality designated on said map by the Number 1, as heretofore marked. (Underlining Added)

10th Interrogatory:

Do you know or can you state anything further which may be of service to the parties plaintiffs or defendants, or either of them, or any one or more of them, and if yea, will you please state the same fully, giving time, place and circumstances?

ROB HUGHES for Defendant
John Welder and for
Plaintiffs John Welder & others

Answer: The locality west of the Aransas River where the lands heretofore referred to are situated, belonged to the San Patricio & Nueces "Land District", the records and maps of which were kept in the City of Corpus Christi, and of which I have had the charge since my election as District Surveyor in the year 1850. The legislature of the State subsequently divided the said District and said locality then became a part of the "San Patricio" District. It was by law made the duty of the surveyor of the newly erected district to obtain from the parent office copies of all Records and Maps relating to each new district, but this has never been complied with. I know

counter 41967

of nothing further which can be of service to the parties plaintiffs or defendants, or either of them, or any one or more of them.

CROSS INTERROGATORIES

THE STATE OF TEXAS) DISTRICT COURT, AUGUST TERM,

COUNTY OF VICTORIA) A. D. 1859.

WILKINS HUNT

VS.

JOHN WELDER

AND

JOHN WELDER & DOLORES HIS WIFE

TOMASA POWER & JAMES POWER

VS.

RUFUS CARROLL

AND

JOHN WELDER AND DOLORES HIS WIFE,
TOMASA POWER & JAMES POWER

VS.

HENRY SNIVELY

AND

JOHN WELDER AND DOLORES HIS WIFE,
TOMASA POWER AND JAMES POWER

VS.

JOHN H. CALLAGHAM, JEREMIAH McFARLANE
AND JAMES B. RANKIN

Cross Interrogatories propounded by the plaintiff in the first entitled cause aforementioned and by the said defendants in those subsequently aforementioned to Felix A. Blucher of Nueces County, whose answers will be read in evidence for said parties on the trial of said causes:--

counter #1965

1st Cross Interrogatory:

If in answer to Direct Interrogatory No. 3 you should say you know anything about the boundaries of the land mentioned, did you make the survey upon which the titles of possession issued or not? Or did you carry the chain when the surveys were made?

Answer to Cross 1: I neither made the surveys upon which the titles of possession issued, nor carried the chain when such surveys were made.

2nd Cross Interrogatory:

If in answer to direct Interrogatory No. 4, you should say you ran the lines of said lands, by what authority did you make the survey or run said lines? Were the opposing claimants present? Did you find any ancient monuments, marks or boundaries for the lines run, or the lands surveyed, and if you run said lines, were you governed by the field notes of the old titles? And if yea, where did you find them?

Answer to Cross 2: I made the surveys at the request of John Welder and under the authority of P. S. Hagy, District Surveyor of San Patricio Land District; I do not know any of the opposing claimants except Mr. Hy Snively, to whose house I proceeded previous to the surveying. I found the corners of Bridget Quinn, Wm & Patrick Quinn, and Jas O'Connor, on the Papalote Creek, being marked trees. In running the lines, I was governed by the field notes in the authenticated transcript from the General Land Office, heretofore referred to.

(Underlining Added)

3rd Cross Interrogatory:

If in answer to direct Interrogatory No. 6, you should say you have seen maps and plats of said land, where did they come from? Were they recorded in the County of San Patricio? What evidence have you that they are genuine, and

counter 41966

if the said titles of possession have no field notes, how can a map represent their locality?

Joseph F. Smith
Attorney for Hunt,
And the Defendants in
the other cases mentioned.

NOTE: Here follows the certificate attached to the various interrogatories which we will show here, then we show the answer to the last interrogatory later.

THE STATE OF TEXAS)
COUNTY OF VICTORIA)

I hereby certify that the foregoing nine pages contain true and correct copies of the Interrogatories and Cross Interrogatories on file in my office in the aforesaid causes, and to be propounded to Felix A. Blucher, the witness therein named.

GIVEN UNDER MY HAND AND THE SEAL OF THE DISTRICT COURT at my office in Victoria on this 20th October, 1858.

L.S. /s/ Nat T. Gaines Clerk

ENDORSED:

WILKINS HUNT
453 V.
JOHN WELDER

JOHN WELDER ET AL
456 V.
RUFUS CARROLL

JOHN WELDER ET AL
455 V.
HENRY SNIVELY

JOHN WELDER ET AL
454 V.
JOHN H. CALLAGHAM ET AL

COMMISSION AND
INTERROGATORIES ISSUED
25th October, 1858
NAT T. GAINES
CLERK

counter #1967

THE STATE OF TEXAS)(

COUNTY OF NUECES)(KNOW ALL MEN BY THESE PRESENTS

that in accordance with a commission issued from the Office of the Clerk of the District Court of Victoria County, State of Texas, on the 25th day of October, Anno Domini 1858, in the cases in said court pending, towit: No. 453, Wilkins Hunt vs. John Welder, No. 456, John Welder et al vs. Rufus Carroll, No. 455, John Welder et al vs. Henry Snively, and No. 454, John Welder et al vs. John H. Callaghan et al, to take the deposition of Felix A. Blucher, the surveyor of the County of Nueces, aforesaid, and witness in behalf of John Welder deft. in the aforesaid cause No. 453, and witness in behalf of plaintiffs, John Welder et al in the said causes No. 456, 455 and 454, to Interrogatories and Cross Interrogatories propounded to said Felix A. Blucher in said causes, hereunto annexed, I, Charles Lovenskjold, a Notary Public within and for the County of Nueces and State of Texas, aforesaid, duly commissioned and sworn and qualified according to law, under date of April 27th A. D. 1857, residing in the City of Corpus Christi within said county, caused on this tenth day of December, A. D. 1858, said witness to come before me in my office, and having sworn him to make true answers to said Interrogatories and Cross Interrogatories, as the law directs, upon oath, he the said Felix A. Blucher answers as follows, to-wit:

To Int. 1st,

NOTE: Here follow the answers consecutively given heretofore. We now show the answer to the third and last cross interrogatory:

Answer to 3rd Cross Interrogatory: I have already given the origin and history of the maps and plats spoken of in the answer to the direct Interrogatories. I do not know if

counter 1968

they were recorded in the County of San Patricio. If you intended asking me if they were recorded in the surveyor's office of San Patricio, I answer that they are not, and the reason why they could not be so recorded you will find in my answer under the 10th direct Interrogatory, the surveyor of San Patricio District never having demanded or obtained certified copies of the records and maps in the general office of which I am in charge. As to the maps or plats I have already stated all I know in regard to their character. The before referred to transcript shows that the titles had field notes sufficiently describing their locality.

/s/ FELIX A. BLUCHER

STATE OF TEXAS)(
COUNTY OF NUECES)(AND I, Charles Lovenskjold, a Notary Public in and for the County of Nueces, and State of Texas, aforesaid, duly commissioned from and qualified as the law directs, do hereby certify that the foregoing answers to the Interrogatories and Cross Interrogatories, hereunto attached and propounded to the said witness, Felix A. Blucher, were given to me by said witness, that said answers were reduced to writing by me, and that they were sworn to and signed by the said witness before me on the day, month and year, in the caption hereof before set forth.

And I further certify that the document hereunto attached and marked A, as also the maps hereunto annexed and marked with the letters B.C.D.E., all of which are referred to in and made part of the answers to the third and sixth Interrogatory propounded to said witness, Felix A. Blucher, such document and such maps were, at the time of the taking down of such

counter #1969

answers, exhibited by said witness, and in my presence by him marked, to identify them with his said answers, and by him were annexed or attached thereto, as a part of the same.

In testimony of all of which, I grant these presents under my signature and notarial seal, at my office in the City of Corpus Christi, within the County of Nueces and State of Texas, on this tenth day of the month of December, in the year of our Lord, One thousand Eight Hundred and fifty eight, and of the Independence of the United States of America the Eighty-Third.

/s/ Chas. Lovenskjold
Notary Public
Nueces County, Texas

A.

EXTRACT FROM TRANSCRIPT OF SIXTY-SIX COPIES OF FIELD NOTES, CORRECTLY MADE FROM THE TITLES ON FILE IN THE GENERAL LAND OFFICE DULY AUTHENTICATED UNDER THE SEAL OF THE GENERAL LAND OFFICE BY THOS WM. WARD, COMMISSIONER, DATED AUSTIN, APRIL 20th, 1847.

No. 8. Survey of a Lea. for Bridget Quinn.

Situated on the Right Margin of the Papalote Creek with 2500 varas front on the said Creek with 8280 vs. in depth on the lower line and 9380 vs. on the lower (upper?) line-- joins N. on said Creek; W. on the lands of Robt Carlisle-- S. on vacant lands -- East on lands of Wm & Patrick Quinn.

No. 12. Survey of 1/4 Lea. for James O'Connor.

Situated on the right bank of Papalote Cr. with 625 vs. front on the said Cr. with 9200 vs. depth; joins N. on the said Crk. West on Quinn, S. on Boyle, E. Loupy.

counter #1970

No. 13. Survey of a League for Victor Loupy.

Situated on the S. side of the Papalote Creek at its mouth into the Aransazu with 2400 varas front on the said Creek Papalote with 9850 vs. in depth on lower line, 9575 vs. on upper line; joins N. on said creek, W. on O'Connor, S. on Empresario Power and Boyle, E. on the aforesaid Empresario.

No. 17. Survey of a Lea. for Jacinto De La Garza.

Situated on the right margin of the Aransazu-- it being of the shape marked with the letters A.B.C.D.E. and comprehensive of the 7½ leagues and which special map made by one of the surveyors appointed for that purpose and authorized by me shall be annexed to this title as a voucher for the party interested--said land consists of 25,000,000 sq. vs.

No. 18. Survey for Miguel Muzquiz of 1 League.

Situated on the right margin of the Aransazu Creek and enclosed within the survey made by one of the surveyors appointed for that purpose, it being of the shape marked with the letters ABCDE comprehensive of the 7½ leagues, and which specified map authorized by me shall be annexed to this title as a voucher for the party interested.

No. 30. Survey of 1/2 Lea. for Patrick O'Quinn & Wm O'Quinn.

Situated on the right margin of the Papalote Creek with 1250 vrs. front on same, by 9200 vrs. in depth on the lower, 9515 on the upper line, joins N. on said creek, W. on Bridget Quinn, S. on Boyle, E. on O'Connor.

counter #1971

No. 38. Survey of 10 Leagues for Power & Hewetson, part of 11 League Grant in sundry surveys.

The 1st of 5½ leagues is situated on the right margin of the Aransazu Creek, the irregular or nearly triangular shape of which survey consists of 137,500,000 vs. in superficies; joins N. on said crk. W. on Felipe Roque Portillo, S. on the Chiltipin Crk. E. on junction of aforesaid 2 crks., as it is shown on the map which will be attached to this title. The 2d survey consists of 2½ leagues on the Mission Crk. which in oblong shape embraces a superficies of 62,500,000 sq. vrs. joins N. on the town tract (Refugio) W. on the said ck. S. on the lagoons and marshes. E. on Melon Crk. and the last (of the) 2 leagues are situated on the last mentioned crk., left margin, and they both contain a front of 2,640 vs. towards said crk. by 10,560 in depth. The one of them joins N. on the lands of said empresarios. W. on said crk. S. on lands of Hearns--E. on the Alamito Creek or of the Copano--the other joins N. on lands of Hearns--W. on Melon Creek, S. on the Empresarios, E. on the aforesaid Alamito or Copano Creek.

No. 39. Survey for Power & Hewetson of 4 3/4 Leagues, part of 11 League grant in 2 Surveys.

The 1st consists of 2½ leagues situated on the Bay formed by the Aransazu Crk. and the irregular shape of which survey is shown by the map attached to this title, joins on the N.W. on the Lagoons in that region--on the north on a line of 4847 vs. along the lands of Galvan and S.W. on a line of 10810 vrs. along the lands of Aldrete, closing towards the S.E. with the Bay or semicircle of Lagoons in that direction.

The 2d survey embraces 2¼ Leagues of swampy pasture lands, both conjointly have a front on the Aransazu of 3125 vs. by 9800 vs. in depth on the lower and 9850 vs. on the upper line--

counter 41972

joins W. on Loupy S. on said Empresarios, E. on Felipe Portillo--N. on said Creek. The other remaining league has a front of 5,000 vs. on the Chiltipin Creek--thence N. 5880 vs. to a bend in said creek, closing the square with two lines of 5000 vs. each; joins N. on said Loupy, W. on Daniel O'Boyle, S. on Pollan, E. on Felipe Roque Portillo.

No. 40. Survey of 4 Leagues for Felipe Roque Portillo, for his sons Calisto, Juan, Francisco and Encarnacion.

Situated on right margin of Aransazu Creek and embraced within the lines designated with the letters A.B.C.D.E. on the map made by one of the surveyors appointed for that purpose, which map shows 7½ leagues of land, and authorized by me said commissioner shall be attached to this title, as a voucher to the party interested.

No. 41. Survey of 2¼ Leagues--Jose (?) Maria And[illegible] (?) Philipe Portillo.

Situated on the right margin of the Aransazu Creek, and embraced within the lines designated by the letters A.B.C.D.E. on the map made by one of the surveyors appointed for that purpose, which map shows a survey of 7½ leagues, and which, authorized by me, the said Commissioner, shall be attached to this title--the said 2¼ contain a superficies of 6,250,000 sq. vs. each.

THE STATE OF TEXAS }
DISTRICT OF NUECES } I, Felix A. Blucher, District Surveyor of the land District of Nueces, do hereby certify the foregoing to be correct and true copies of filed notes as contained in a transcript duly authenticated and transmitted to my office by the Commissioner of the General Land Office, and dated Austin, April 20th, 1847, and now on file in my office.

counter #1973

Witness my hand at the City of Corpus Christi this 10th day of December, A. D. 1858.

Felix A. Blucher
District Surveyor
Nueces District.

THE STATE OF TEXAS }
COUNTY OF VICTORIA } I, Nat T. Gaines, Clerk of the district court of Victoria County aforesaid, do hereby certify that the foregoing contains a true and correct copy of the Deposition of Felix A. Blucher, District Surveyor of the land District of Nueces, and the accompanying Exhibits A (being an "Extract from Transcript of sixty-six copies of Field Notes," referred to made part of said deposition) and Maps marked B.C.D. and E, also referred to and made part of said deposition, as the same appears on file and of Record in my office, in the Cause Numbered 453, entitled Wilkins Hunt vs. John Welder, and that deposition & exhibit A, and maps marked B.C.D. and E. are referred to as Document U in, and made part of the "Statement of facts", filed in, and belonging to said cause of Wilkins Hunt vs. John Welder, and also referred to, & made a part of, one of the Bills of exceptions filed in said cause, and that said maps are <u>facsililes</u> (except as to the <u>handwriting</u>) of the Originals from which they were taken & copied.

Given under my hand and the seal of the District Court at my office in Victoria on this , etc. (illegible)....September A. D. 1860

/s/ Nat T. Gaines
Clerk D.C.

(Seal)

THE STATE OF TEXAS }
COUNTY OF VICTORIA } I, depty Clerk of the District Court of said county duly apptd by Charles H. Porter, Clerk of said court, do hereby certify that the

counter 41977

foregoing instrument, of 18 folios & 1 additional page, consisting of commisn to take depositions of, Interrogts, * x Intgs propounded to, & answers of Felix A. Blucher, Dist. Survr, Nueces Dist, together with four maps attachd marked Exhibits B, C, D & E--and the attached Instrument Marked U of 33 pages & part of a 34th page, the 25th page being simply an indorsement & marked A & the 26th page blank, certificate, commission, interrogatories and cross interrogatories, answers & transcripts of surveys signed by Felix A. Blucher; also the three attached maps indorsed respectively on two of them "map marked D," (&) "Map marked C", "annexed to the deposition of Felix A. Blucher", the third endorsed "map of Col. Ponces (?) work on the Aransas--L--Translation"; & also the detached instrument paged from 1 to 6 inclusive being the exhibit, map & field notes of a survey by Pleasant L. Hagy, depty Dist. Surveyor, San Patricio District, are the original papers directed by Counsel in the cause No. 453, W. Hunt vs. John Welder et al, to be sent up to the Supreme Court with the transcript in said cause.

Witness my hand & seal of the District Court of said county, at office in Victoria, this day of May, A. D. 1870.

(Not signed)

counter #1975

WILKINS HUNT X

VS. X

JOHN WELDER X GENTLEMEN OF THE JURY.

That is a suit of trespass to try title and the main question for your determination is as to the location of the eastern boundary of a grant by the Mexican government to Felipe Roque Portillo in 1834 and under which the Deft. claims his boundary to lie within the limits of the land claimed by the Plaintiff.

You are charged that the Plaintiff has shown valid locations and surveys for the six hundred and forty acres of land claimed in his petition, and he is entitled to a verdict for said land, unless the defendant has shown a superior title in himself or in some other person or persons to the land included in said locations or surveys.

To justify a verdict against the plaintiff, on the ground that the land sued for was granted to Felipe Roque Portillo and his sons, or either of them or to any other person or persons, before the date of the plaintiff's locations and surveys the jury must be satisfied from the evidence that the land claimed by plaintiffs in fact included within the boundary of such prior grant or grants.

The question of the survey of the boundary between the Power and Hewitson 5 1/2 leagues and the tract of Felipe Roque Portillo is one of fact for the Jury to find. If the Jury are satisfied from all the evidence that a line was established by the surveyor of the colony which was recognized at the time as separating said tracts, then if the Jury find that said line was East of and included the old rancho of Portillo they must find for defendants, provided they find the lands claimed by plaintiff lies west of said line and Rancho and on the lands claimed by Defendant.

counter #1976

In arriving at an opinion on the question of this dividing line and its existence and recognition, the Jury are authorized to consider all the evidence which has been allowed to go to the Jury by the Court, including the Loupey map, the location of the old ranch of Portillo, the petition of Portillo for the grant of his land, and the concession of the same, as well as the evidence of the witnesses (depositions) in regard to the land claimed by Portillo, and the dividing line as pointed out by the surveyor of the colony to witnesses--

In so far as this suit is concerned the Jury are authorized to accept as settled that there was a grant of 7 1/2 leagues between the Aransas and Chiltipin Creek to Portillo and his sons and Musquez and Eogeascochechia, and that the rights of these parties are now concentrated in Defendant and the only question for the Jury is that of the existence of said Eastern dividing line.

The Supreme Court has decided that the map purporting to have been made by Victor Loupy is admissible in evidence and it is now before you for your consideration. Mistakes in courses cannot vitiate a survey actually made, and a grant made with erroneous courses or no courses or distance at all is a valid grant if the locality can be otherwise ascertained from natural or artificial boundaries or from other evidence--

You are charged that the concessions made by the Mexican Government to Deft's grantors are good and valid titles for the lands covered by those concessions or grants or either of them and therefore if you believe from the evidence that the concessions or grants made to Felipe Roque Portillo and sons and others claimed by Deft were of a prior date to the location and survey of Plff, and that Deft is the owner of these grants by transfer or otherwise, and further if you believe that the land now claimed by the Plff is

counter 41977

covered by those prior concessions or grants or either of them then you should find for the Defendant.

You are further charged that the living upon and occupation of land under a claim of title in such land is sufficient notice to put locators upon inquiry as to the title in such occupant and also as to the boundaries of the tract claimed by him. Possession is implied notice of title and notice of title given by possession is equivalent to the construction notice afforded by registration.

/s/ J. C. Barden
Judge 16th Judicial District

ENDORSED:
453
HUNT
VS.
WELDER
CHARGE OF COURT
Jan. Term 1872
FILED Jan 11, 1872
W. J. Neely Clk

THE STATE OF TEXAS)(
COUNTY OF VICTORIA)(

I, Pearl Staples, Clerk of the District Court of Victoria County, Texas, do hereby certify that the above and foregoing is a true and correct copy of instructions of the Court to the Jury in Cause No. 453 on the Docket of the District Court of Victoria County, Texas, styled "Wilkins Hunt v. John Welder" as the same now appears among the papers in said cause in my official custody.

WITNESS MY HAND AND OFFICIAL SEAL this 29 day of October, A. D. 1965.

Pearl Staples
District Clerk,
Victoria County, Texas
By Mary Ponder, Deputy

counter 41978

W. Hunt

vs.

Jno. Welder et al

DISTRICT COURT

JAN. TERM 1872

The Defendant requests the Court to instruct the jury as follows:

If you believe from the evidence that the concessions under which the defendants claim are prior in date to the locations of the plaintiff, and that the Eastern boundary line was never run between them and the Power and Hewetson Grant, and that the Grants of the Defendants commencing their survey on the western line of the same and running East for quantity, cover the land occupied by defendants you must find for the defendant: He is in such case entitled to seven and one half leagues.

Given with the addition that to obtain his seven & one half leagues this Deft. must be limited by and cannot go Eastward of theline claimed by him as his Eastern Boundary.

/s/ T. C. Barden
Judge

ENDORSED:

453
HUNT
VS.
WELDER
CHARGE GIVEN TO JURY
Filed Jan. 11, 1862
W. J. Neely Clk

THE STATE OF TEXAS
COUNTY OF VICTORIA

I, Pearl Staples, Clerk of the District Court of Victoria County, Texas, do hereby certify that the above and foregoing is a true and correct copy of Additional Instructions of the Court to the Jury in Cause No. 453 on the Docket of the District Court of Victoriay County, Texas, styled "Wilkins Hunt vs. John Welder" as the same now appears among the papers in said cause in my official custody.

WITNESS MY HAND AND OFFICIAL SEAL this 29 day of October, A. D. 1965.

Pearl Staples
District Clerk
Victoria County, Texas.
By Mary Ponder, Deputy

counter 41979

WILKINS HUNT X NO. 453

V. X Trespass To Try Title

JOHN WELDER X January 11, 1872

This cause coming for trial, came the parties by their attorney, and having announced themselves ready for trial, came also a jury of good and lawful men, to-wit: J. J. Chambers, Wm. Albrecht, T. H. Mullins, Jacob Fox, Wm. Van Newman, R. A. Sanford, H. M. Tippett, Theodore Beck, Wentzel Jaschke, Albert Schubert, A. Jatho & W. T. Harris,

Who having been duly elected, empaneled and sworn as the law directs, and having heard the evidence, argument of counsel and the charge of the court, returned into court the following verdict thereunto:

"We the jury find for the Defendant.

/s/ R. A. Sanford--Foreman"

Whereupon it was considered, adjudged and decreed by the court that the Plaintiff herein take nothing by his suit, & that the Defendant John Welder go hence without day, and that he have and recover of Wilkins Hunt, said Plff. all costs in this cause expended, for which let execution issue.

counter 71980

THE STATE OF TEXAS X

COUNTY OF VICTORIA X

I, Pearl Staples, Clerk of the District Court of Victoria County, Texas, do hereby certify that the above and foregoing is a true and correct copy of Final Judgment in Cause No. 453, entitled "Wilkins Hunt v. John Welder", as the same now appears of record in Volume 6, page 451, of the Minutes of the District Court of Victoria County, Texas.

WITNESS MY HAND AND OFFICIAL SEAL this 29 day of October, A. D. 1965.

Pearl Staples
District Clerk,
Victoria County, Texas
By: Mary Ponder, Deputy

counter 41981

BEFORE THE HONORABLE

JERRY SADLER

COMMISSIONER

OF THE

GENERAL LAND OFFICE

STATE OF TEXAS

M. A. - 58291

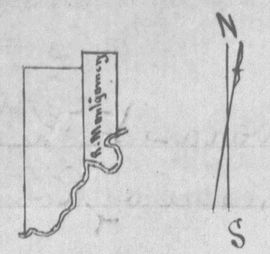
EXHIBITS SUBMITTED BY

OPPONENTS

4

ISAAC Clover

counted 1983



Variation N. 9 E.
Scale 4000 vrs. to the inch

State of Texas
San Patricio County

Field notes of a survey of 5,087136 Square varas of land, made for Isaac Clover it being the quantity of land to which he is entitled by virtue of Land Certificate No. 17/164 first class issued to him by Jacob Keuchler Commissioner of the General Land Office on January 24th 1872 for unlocated ballance of Headright Certificate No. 427 issued to the said Isaac Clover by Red River County.

Said survey is situated in San Patricio County ~~situated~~ on the North bank of the Chiltipin creek about (10) ten miles above its mouth. and about 23½ miles N 66° E from the town of San Patricio

Beginning at a stake in L. S. Hatch's yard the South East corner of a Mexican grant of seven and a half leagues of land to the Portillas from which the S. E. corner of said Hatch's house bears S. 70 W. 12½ varas and a Hackberry marked W bears S 27 W. 19 varas. Thence down the Chiltipin ck with its meanders N 56 E. 220 varas N 79 E. 480 varas N. 63 E. 120 varas North 280 varas N 60 E. 300 varas N 21 E. 200 varas North 310 varas N. 48 E. 330 vrs. N 16 E. 65 varas N 25½ W. 70 vrs N 66½ W 310 vrs N. 27 W. 100 vrs. N 5 E. 290 vrs. N 37 E.

counter 41984

(3)

Ab 594
San Patricio (1)
Feldlaufs 5,087,136 Sq
Isaac Clover
Filed Aug 31/73

Corrected on Map of San Patricio County
June 28. 73
October 27/74 Jesse
Attachment
Patented Nov 17/87
S. Hoa

C. C. Inue 23/73. Bickler

300 varas N 59½ E. 250.50 varas to the S. W. corner of a survey No. 34 made in the name of Robert Montgomery.

Thence North with said Montgomerys Western line 1928 vrs. to a stake in prairie.

Thence West 1415 varas to a stake in prairie.

Thence South 4337 varas to the place of beginning.

This survey contains all pasture land.

Surveyed March 13th 1873

Mathew Kivlan }
George Miles } Chain Carriers

I, James O. Gaffney County Surveyor in and for San Patricio County, do hereby certify that the foregoing survey was made according to law and that the limits, boundaries and corners together with the marks both natural and artificial are truly described in the foregoing plat and field notes.

James O. Gaffney
Co. Sur. San Patricio County

I, James O. Gaffney County Surveyor in and for the County of San Patricio do hereby certify that I have examined the foregoing plat and field notes and find them correct and that they are recorded in book H.R. No. 1 pages 262 & 263 now in my office

Given under my hand, at my Office this 15th day of ~~April~~ 1873

James O. Gaffney
Co. Sur. San Patricio County

✓

counter 41985

No. 1445 Vol.

IN THE NAME OF THE STATE OF TEXAS.

No. 1445

To all to whom these Presents shall come, know ye,

I, Richard Coke Governor of the State aforesaid, by virtue of the power vested in me by Law, and in accordance with the Laws of said State, in such case made and provided, do, by these presents, Grant to The Heirs of Isaac Cleaver deceased his heirs or assigns, Forever, Six Sections Eighty seven thousand One hundred & thirty Six. (5,087,136) Sq Vrs. of Land, situated and described as follows:

San Patricio 98

In San Patricio County on the N. Bank of the Little Fibre about 10 miles above its mouth and about 23½ miles N 66 E from the town of San Patricio, by virtue of N. B. Cert No 7164 issued by the Comm'r of the Gen'l Land Office January 24th A.D. 1872 to Isaac Cleaver.

Beginning at a stake in S. S. Hitchcocks and the Heirs of Mariano Ynojal of Survey One half League S. and the Portillas from the SE. cor. of Hitchcocks house bears Sy W 12 vrs. to Lockhart mkd. XX bears Sy W 19 vrs. Thence down the Bayou with its meanders N 56 E 220 vrs. N 76 E 460 vrs. N 63 E 120 vrs. N. 25 vrs. N 66 E 300 vrs. N 21 E 200 vrs. N 31 vrs. N 11 E 330 vrs. N 16 E 63 vrs. N 25 W 21 yrs. N 66 W 210 vrs. N 2½ W 100 vrs. N 5 E 290 vrs. N 37 E 300 vrs. N 79 E 250 vrs. 50 vrs to S.W. cor. of No 84. of R Montgomery. Thence North with said Montgomery's Western line 1428 vrs. to stake in Prairie. Thence West 1115 vrs to a stake in Prairie. Thence South 1331 vrs to place of beginning

File Sgt
San Patricio

Hereby relinquishing to them the said Heirs of Isaac Cleaver dec'd and their heirs or assigns Forever, all the right and title in and to said Land, heretofore held and possessed by the said State, and I do hereby issue this Letter Patent for the same.

In Testimony Whereof, I have caused the Seal of the State to be affixed, as well as the Seal of the General Land Office.

Done at the City of Austin, on the Seventeenth day of November in the year of our Lord one thousand eight hundred and Seventy Four

J. J. Groos Commissioner of the Gl. Land Office. Governor.

counter #1986

San Patricio C

Fil. 594. 76

San Patricio Co.

Ab - - 89 -

Isaac Cloven

— 5.087.136 sqrs —

ub Cert 17/164

see 271 Galiad 1 for orgl.

Correct on Map of San Patricio County

October 27/74 June 28/73

A. Hakemann Jesson.

4 mkd ptd.

Patent to the Hrs of Isaac Clover decd. MRT in Rec. Fisher

Nov 12/74

Patented Nov. 17/874

Rec 448 Vol 20 S. H. Wade

16380.

C. C. Jnes 23/73. J. Bicker

Plymouth Co. Col. 9-12-35

Contents

1 - U.B. Cert

2 - Transfer

3 - Field notes

10/27/96 E.

C

Condemned [illegible]

James O Gaffney

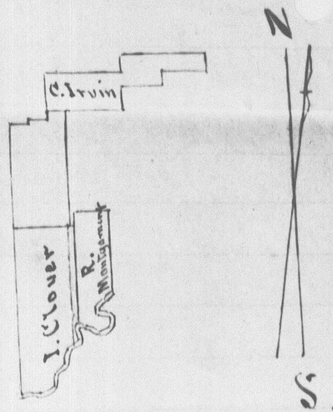
wants condition

Nov 31/73

counter 41987

N. J. Devenny

counter 1/1988



Variation N. 9 E.
Scale 4000 vrs. to the inch

State of Texas
San Patricio County }

Field notes of a survey of 640 acres of land made for N. J. Devenny; it being the quantity of land to which he is entitled by virtue of Bounty Land warrant No. 203 issued to him by Barnard E. Bee secretary of war for 640 acres of land and dated at Houston May 24th 1838.

Said survey is in San Patricio county situated between the Aransas river and Chiltipin creek about twenty four and one half miles N. 64° E. of the town of San Patricio.

Beginning at the N.W. corner of a survey made for and in the name of Isaac Clover. Thence East with the North line of said survey 1300 varas to a stake for the S.E. corner of this survey. Thence North 2946.30 varas to a stake set on the South line of a survey made in the name of Charles Irvin for the N.E. corner of this survey. Thence West with said line 346.16 vrs to the East line of a survey made for the heirs of Ralph Ellis dec. Thence South with said line 163.94 varas to its S.E. corner. Thence West with its South line 445 vrs to its S.W. corner on the East line of a survey made for the heirs of John Kelly dec. Thence South with said line 127.50 varas to his S.E. corner.

Thence West with his South line 478.84 varas to a stake set on the East line of a seven and a half league grant made by the Mexican government to F. Portillas for the N.W. corner of this survey.

Thence South with said line 2654.86 varas to the place of beginning.

Surveyed March 18th 1843

Mathew Kivlan
George Miles } Chain Carriers

I, James O. Gaffney County Surveyor for San Patricio County do hereby certify that the foregoing survey was made according to law and that the limits, boundaries and corners together with the marks natural and artificial are truly describes in the foregoing plat and field notes.

James O. Gaffney
County Surveyor S. P. Co.

I, James O. Gaffney County Surveyor for San Patricio County do hereby certify that I have examined the foregoing plat and field notes and find them correct and that they are recorded in my office in Book D. N. No. 1 pages 163 and 164.

Given under my hand at my office in San Patricio March 24th 1873.

James O. Gaffney
County Surveyor S. P. Co.

counter 41989

2 Feb 260
San Patricio Dom
Feldalt 640
N. S. Devenny
Filed July 5/73.

Correct on map of San Patricio Co.
Oct. 15/73. H Brotze

Patented Aug 24th 74
A Sampson

Filed July 5, 1873
L. E. E. Kelemer
Cap Clk

C. C. July 24/73. J. Bickler

counter 41990

No. 573 Vol. 3

IN THE NAME OF THE STATE OF TEXAS.

No. 573

To all to whom these Presents shall come, know ye,

I, Richard Coke GOVERNOR of the STATE aforesaid, by virtue of the power vested in me by LAW, and in accordance with the LAWS of said STATE, in such case made and provided, do, by these presents, GRANT to C. A. Ballard, Assee of N. J. Devenny Nio heirs or afsigns, FOREVER, Six Hundred and Forty (640) acres of LAND, situated and described as follows:

In San Patricio County, between the Aransas River and Chiltipin Creek, about 24½ miles N. 64° E. from the Town of San Patricio, by virtue of Bounty Warrant No. 203. issued by Barnard, E. Bee Sect. of War to N. J. Devenny May 24. 1838. and transferred to C. A. Ballard Oct. 2. 1843.

Beginning at the N. W. cor. of a Sur. made for and in the name of Isaac Clerr. Thence East with the N. line of said Sur. 1300 vrs. to a stake for the S. E. cor. of this Sur. Thence North 2946.30 vrs. to a stake set on the S. line of a Sur. made in the name of Charles Irwin for the N. E. cor. of this Sur. Thence West with said line 346.16 vrs. to the E. line of a Sur. made for the Heirs of Ralph Ellis dec'd. Thence South with said line 163.94 vrs. to its S. E. cor. Thence West with its S. line 475 vrs. to its S. W. cor. on the E. line of a Sur. made for the Heirs of John Kelley dec'd. Thence South with said line 127.50 vrs. to his S. E. cor. Thence West with his S. line 478.84 vrs. to a stake set on the E. line of a 7½ Lg v. grant made by the Mexican Government to F. R. Portilla for the N. W. cor. of this Sur. Thence South with said line 2654.86 vrs. to the place of beginning.

San Patricio
File 260.

Hereby relinquishing to Nun the said C. A. Ballard, Assee and his heirs or afsigns FOREVER, all the right and title in and to said Land, heretofore held and possessed by the said State, and I do hereby issue this Letter Patent for the same.

In Testimony Whereof, I have caused the SEAL of the STATE to be affixed, as well as the SEAL of the GENERAL LAND OFFICE.

DONE at the City of Austin, on the Twenty Fourth day of August in the year of our Lord one thousand eight hundred and Seventy Four

J. J. Groce Commissioner of the Gl. Land Office. Richard Coke Governor.

Sent Order

counter 41991

San Patricio Co.

No 734 Feb 260

San Patricio Don.

Ab-105 N. J. Devenny

640 as

Don. W. no 203 a.

Reloc. of Bex. Don Fr. 4,

Correct on map of San Patricio Co.
Octb. 15/73. H Brotze
August 20/74 C. W. Pressler
& mkd ptd.

MKD. PP. Reg

Patent to C. A. Ballard,
apd. Fisher,
Aug 22/74

Patented Aug 24. 1874

A Sampson

No 573 Vol 3

11284

C. C. July 24/73. J. Bickler.

Plymouth Oil Co 9-12-35

1 Warrant
2 Fieldnotes
July 5/73

Aug J Ohly

Pat for'd to James
O. Gaffney Nov 17/74
Callaway

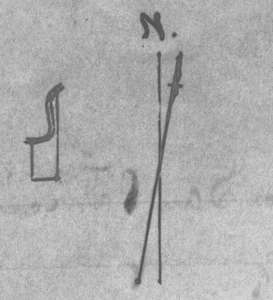
C

Co Surveyor
Condition furnished Survey
Nov 4/73 M E

counter 41992

Juan Armendaris File 832

Comal County 41093



Field notes of a survey of 86½ acres of land made for Juan Armendariz it being part of of the quantity of land to which he is entitled by virtue of Land Scrip No. 8 issued to him by the Commissioner of the General Land Office for 640 acres of land and dated at Austin, June 29th 1875.

Said survey is No. . in San Patricio County, situated on the South bank of the Aransas river about twenty five miles N. ~~65~~ 60 E. of the town of San Patricio

Beginning at the N.W. corner of a survey in the name of the heirs of Ralph Ellis dec.

Thence up the Aransas river as aforesaid with its meanders S. 74 W. 30 vrs, S. 25 W. 140 vrs, S. 16 E. 260 vrs, South 640 vrs. S. 45 W. 240 vrs. S. 71½ W. 309 varas to the N. E. corner of a Mexican grant of 7½ leagues made to the Portillas a stake for said corner and the N. W. corner of this survey set near the mouth of a gully.

Thence South with said grant 844 vrs. to the N.W. corner of a survey in the name of N. J. Devenny for S.W. corner of this survey.

Thence East 479 vrs. to a stake another corner of said Devenny survey for S.E. corner of this survey.

Thence North with said Devenny survey at 127.50 varas the S.W. corner of a survey in the name of the Heirs of Ralph Ellis dec. 2137 varas to the place of beginning.

Surveyed March 18th 1873

Mathew Kivlin
George Miles } Chain Carriers

counter 41994

3 File 832
San Patricio Scrip
Field notes of
86½
Juan Armendariz
Filed February 9/76
J. J. Spoon Cons
Covers D. 144 otherwise
Correct on Map
Octr 10/79 Thompson
Patented Oct. 10/79
Wilson
1875

C March 27/76
R.O. W.M.

P8

I, James O. Gaffney, County Surveyor San Patricio County do hereby certify that the foregoing survey was made by me in the year 1873 in making the adjoining survey of N. J. Devenny ✝ that the limits, boundaries and corners together with the marks natural and artificial are truly described in the foregoing plot and field notes

James O. Gaffney

Co. Sur. S. P. Co

I, James O. Gaffney, County Surveyor San Patricio County do hereby certify that I have examined the foregoing plot and field notes and find them correct and that they are recorded in my Office in Book L.S. No. 1 pages Nos 97 & 98

Given under my hand at my Office in San Patricio This Jan. 28th A.D. 1876

James O. Gaffney

Co. Sur. San Patricio County

counter #1995 P8

No. 908 Vol. 31

In the Name of the State of Texas.

To all to whom these Presents shall come, know ye,

No. 908

I, O. M. Roberts Governor of the State *aforesaid, by virtue of the power vested in me by Law, and in accordance with the Laws of said State, in such case made and provided, do, by these presents, Grant to* Coleman, Mathis and Fulton Assrs of Juan Armendaris *their heirs or assigns, Forever,* Eighty Six & ½ (86½) Acres. *of Land, situated and described as follows:*

San Patricio

In San Patricio County on the South bank of the Aransas River, about 25 miles N. 60° E. from the town of San Patricio, by virtue of Land Scrip No. 8, issued to said Armendaris, by the Comm. of the Genl Land Office June 29th 1875, & transferred to said Coleman, Mathis, and Fulton July 24th 1875.

Beginning at the N. W. cor. of a sur. in the name of the heirs of Ralph Ellis decd

Thence up the Aransas river as aforesaid with its meanders S. 74 W. 30 vrs. S. 25° W. 140 vrs. S. 16° E. 260 vrs. S. 640 vrs. S. 45° W. 240 vrs. S. 71½ W. 309 vrs. to the N. E. cor. of a Mexican grant of 7½ Leagues, made to the Portillas, a stake, for said cor. and the N. W. cor. of this sur. set near the mouth of a gully

Thence S. with said grant 844 vrs. to the N. W. cor. of a sur. in the name of N. J. Devenny for S. W. cor. of this sur.

Thence E. 479 vrs. to a stake, another cor. of said Devennys sur. for S. E. cor. of this sur.

Thence North with said Devennys Sur. at 127.50 vrs. to the S. W. cor. of a sur. in the name of the heirs of Ralph Ellis decd 2137 vrs. to the place of Beginning.

File 832

San Patricio

Hereby relinquishing to them *the said* Coleman, Mathis and Fulton Assrs *and* their *heirs or assigns Forever, all the right and title in and to said Land, heretofore held and possessed by the said State, and I do hereby issue this Letter Patent for the same.*

In Testimony Whereof, *I have caused the Seal of the State to be affixed, as well as the Seal of the General Land Office.*

Done at the City of Austin, on the Tenth *day of* October *in the year of our Lord one thousand eight hundred and* Seventy Nine

H. G. Walsh Commissioner of the Gl. Land Office. Governor. O. M. Roberts

counter 41996

San Patricio/76

File 832

SAN PATRICIO SCRIP.

Ag-43-44.

Juan Armendaris

240 Acres

86½

3-26

Sa S- 876. San Patr. for balance

Certificate No. 8

Survey for 240 ac. cancs John Kelly D. 167 otherwise Correct.

Survey for 86½ ac. cancs D. 144 of J. Kelly otherwise Correct. Aug. 18/76. Ell Heusaler

October 10/79 Thomson

Patent both Surveys to Coleman, Mathis & Fulton a/ces

Oct 10/79 Walsh

Patd. Sur. of 86½ acres Oct 10/79 Willson

mka Ptd

Patd. Sur. 240 Acres. Oct. 10th 1879 Bym

No. 907 + 908. vol 31

Mgl. 40202 C/ March 27/76

C R. P. W. M.

Plymouth Ct. 9-12-35

Contents.

No. 1. Certificate. & Transfer attached

No. 2 & 3. Field Notes.

No. 4. Designation

" 5. Cert. of Re-entry

Feb 21/76

Jackson

Oct. 7. 79

Book

3-26

3-26

64

Johns & Spence

A. B. Vol. P.

counter 41997

John Kelly

county 41998

State of Texas
County of San Patricio } I, James O. Gaffney County Surveyor in and for the aforesaid County and State do hereby certify that a survey of 400 acres of land made for the Heirs of John Kelly dec: on the South side of the Aransas river conflicts with a Mexican grant of seven and a half leagues, known as the "Portilla grant" according to its present boundaries as defined by a recent decision of the Supreme Court and as noticed by me in making actual surveys near and adjoining the aforesaid Kelly location and Mexican grant and I do further certify that said grant now takes in nearly all of said survey leaving only a narrow strip of 478.84 vrs. front on river &c.

Given under my hand at San Patricio, this October 8th 1874

James O. Gaffney
Co. Sur. S. P. Co

A

Filed Decr 4/74

Chf clk

2a

A

counter #1999

A

Bar. 9 & 6.

The State of Texas
County of San Patricio

Survey for Cyrus N. Egery Assignee of John Kelly of 400 acres of land, situated and fronting on the South side of the Aransas river, in San Patricio County, about 10 miles above the mouth of said river, and about 24½ miles N 60° E from San Patricio being part of the quantity of land to which he is entitled, by virtue of Donation Land Warrant No. 60, of 640 acres — issued by the Adjutant General Wm G. Cooke to the said John Kelly, dated February 11th 1847.

Beginning at the N.W. corner of a Survey in the name of the Heirs of Ralp Ellis dec'd —

Thence up the Aransas river with its meanders — S 74° W 30 vs. S 25° W 140 vs. S 16° E 260 vs. South 640 vs — S 45° W 240 vs. S 71½° W. 352 vs. S 40° W 40 vs. N 46° W — 260 vs. N 4° W. (at 145 vs. a Creek) (20 vs. wide) 1173 vs — S 85° W 300 vs. N 66° W 390 vs. to a post for the N.W. cor — ner, from which a Mulberry 4 inches diameter mar — ked T bears N 88½° E 4 vrs. and also a Hackberry marked + bears S 88¼° E 196 varas.

Thence South at 1853 varas cross creek bearing N 46° E, at 2283 varas set post in mound for the S.W. corner

Thence East at 1470 varas set post in mound for the S.E. corner

Thence North at 1275/10 varas pass the S.W. corner of said Survey in the name of Ralp Ellis dec'd the heirs of, then with the West boundary line 2437 varas to the place of beginning

Francisco Segura Chain.
S. C. Armstrong } Carriers.

I, Wm. N. Reid Surveyor of the County of San Patricio, do solemnly swear under my official oath, that the Survey

A

A

designated in the foregoing plat and field notes was made by me on the 20th day of September 1854, and that the lines, boundaries, and corners of the same, together with the marks natural and artificial are truly described therein.

Given under my hand this 3rd day of October 1854

Wm N. Reid
Surveyor S. P. Co.

I certify under my official oath that I have examined the foregoing plat and field — Notes, and find the same correct, and the Survey made according to Law. And recorded in Record Book H.R. pages 5 & 6

Given under my hand at San Patricio this day of October 1854.

Wm N. Reid
Surveyor San Patricio County.

No. 1414
San Patricio
Field notes & Survey
returned.
John Kelly
Filed 11th Aug 1854

San 1000 acres in survey No. 7 Felipe Bogan Portilla Grant on the Nueces 23/24 of Thereof one mile and one chain. Nueces 8/13 Thos Cooper

counter 12000

San Patricios

File 144.

San Patricio Donation.

Jno Kelly

400 Acres

Certificate No. 60.

See 167. San Pat. Donation
another survey.

Mgl. 5313.

Contents.

No. 1. Certificate.
No. 2. Field Notes.
No. 3 Transfer
No. 4. Receipt.
" 5. old wrapper.
Oct. 10. 79
Bck

A. B. Vol. P.

counter 12001

5

San Patricio Co.

57/59

File 144

San Patricio Donation

Sec. 203. S. Bounty Protest

John Kelly

400 acres

~~Correct on map February 13 81~~
~~Map approved~~ Pressler

For survey of 240 acres see file
187 San Patricio donation

Certificate and field notes
withdrawn by D. Sunnely
Jan 7th 1853 – Returned –
Covered by Felipe R. Portilla's grant
title Octob. 23/34 Book 17 – p. 82 – otherwise correct on map of San Patricio County. March 27/74 C. W. Pressler.

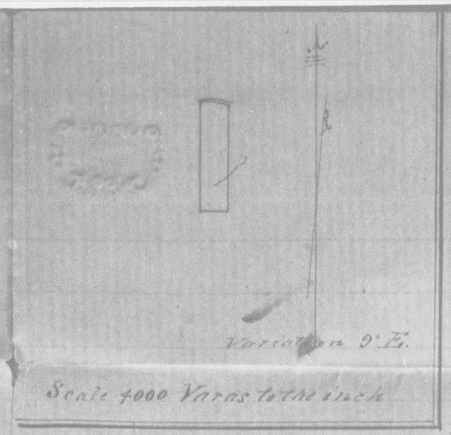
A copy of the Notice for Final is issued & entered for Relocation

Mgl. 5313
CC June 31/59 F.B. C.C.F.

counter 42002

Johnston Rosell

counter 72003



The State of Texas
District of San Patricio }

Field Notes of a Survey of 320 acres of land, made for Wilkins Hunt Assignee of Johnston Rosell, it being part of the quantity of land to which he is entitled by virtue of Head right Certificate No. 13. Class 2 nd issued by the Board of Land Commissioners for the County of Victoria to the said Johnston Rosell, dated June 5th 1843.

Said Survey is Situated in San Patricio County, on the South Side of the Aransas river, about eleven miles above the mouth of said river, and about 22 miles S 64° E of San Patricio Beginning at a Stake Set for the N. W. corner of a Survey made for C. W. Ogery Assignee of John Kelley, from which a Mulberry 4 inches diameter marked I bears N 88½° E 40 varas, and also a Hackberry marked + bears S 5 3/4° E 196 varas.

Thence up the Aransas river with its meanders N 81½° W 568 vs. S 87° W 110 vs. to a Mulberry tree 4 inches diameter marked X for the N. W. corner, from which a Mulberry marked A bears N 79° E 5 vs.

Thence South 2717 varas to a post in mound for the S. W. corner.

Thence East at 672 varas set post in mound for the S. E. corner.

Thence North at 357 varas pass the S. W. corner of said Survey made for C. W. Ogery Assignee of John Kelley, and then with the West boundary line of said Survey at 7561 vs. cross a branch bearing N 4° E. 2640 varas to the place of beginning.

Surveyed the 28th day of June 1853

Francisco Segura }
Jose Maria Rios } Chain carriers

counter #2007

File 59
San Patricio 3rd Class
Field notes 320 acres
Johnston Rosell
Filed May 15th 1854

C.C. Nov. 1855 St.

I, Wm. R. Reid Deputy Surveyor, of San Patricio District, do hereby certify that the foregoing Survey was made according to law, and that the limits, boundaries, and corners, with the marks, natural and artificial, are truly described in the foregoing plat and field notes.

Wm. R. Reid
Deputy Surveyor San Patricio
District.

I, Wm. R. Reid District Surveyor of San Patricio District, do hereby certify that I have examined the foregoing plat and field notes and find them correct, and that they are recorded in my Office, in Book H.R. pages 46 & 47

Given under my hand, at San Patricio, this 27th day of February 1855.

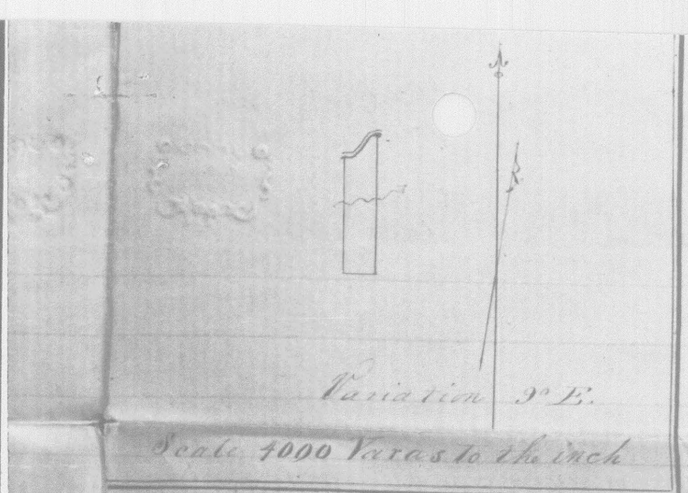
Wm. R. Reid
District Surveyor San Patricio
District.

I, Wm. R. Reid District Surveyor of San Patricio District, do hereby certify that E. H. Egery relocated on the 13th day of February 1855. the land described in the foregoing Survey and with the same Certificate, by virtue of which said Survey was made.

Given under my hand at San Patricio this 27th day of February 1855.

Wm. R. Reid
District Surveyor San Patricio
District.

counter 12005



The State of Texas
District of San Patricio

Field Notes of a Survey of 320 acres of land, made for Wilkins Hunt Assignee of Johnston Rosell, it being the balance of the quantity of land to which he is entitled by virtue of Headright Certificate No. 13. Class 2d, issued by the Board of Land Commissioners for the County of Victoria to the said Johnston Rosell, dated June 8th 1843

Said Survey is situated in San Patricio County, on the South side of the Aransas river about eleven miles above its mouth. and about 22 miles N 64° E from La Petaires

Beginning at a Mulberry tree marked X for the N. W. corner of a Survey made for Wilkins Hunt Assignee of Johnston Rosell (under the other portion of the above named Certificate) from which a Mulberry marked A bears N 79° E 8 varas.

Thence up the Aransas river with its meanders S 44° W 300 vs. S 30° W 350 vs. S 61° W 68 vs. S 89° W 230 vs. to a Stake set for the N. W. corner, from which an Omagua marked V bears East 24 2 vs. and also a Live oak 12 inches diameter marked X bears S 27° E 15 vs.

Thence South at 1375 vs. Cross a branch bearing S 71° E. at 2498 vs. Set post in mound for the S. W. corner.

Thence East at 6772 vs. Set post in mound for the S. E. corner.

Thence North at 4144 vs. the S. W. corner of said Survey made for Wilkins Hunt Assee. of Johnston Rosell, and then with the West boundary line of said Survey 3054 varas to the place of beginning.

Surveyed the 25th day of June 1853

José Maria Rios
Francisco Segura } Chain Carriers

counter 42006

E

File 89
San Patricio 3d Class
Field notes 320 acres
Johnston Rosell
Filed May 21/55

I, Wm. R. Reid Deputy Surveyor of San Patricio District, do hereby certify that the foregoing Survey was made according to law, and that the limits, boundaries, and corners, with the marks, natural and Artificial, are truly described in the foregoing plat and field notes.

Wm. R. Reid
Deputy Surveyor San Patricio
District.

I, Wm. R. Reid District Surveyor of San Patricio District, do hereby certify that I have examined the foregoing plat and field notes and find them correct, and that they are recorded in my office, in Book H.R. pages 48 & 49

Given under my hand at San Patricio this 27th day of February 1855.

Wm. R. Reid
District Surveyor San Patricio
District

I, Wm. R. Reid District Surveyor of San Patricio District, do hereby certify that C. W. Egery relocated on the 13th day of February 1855, the land described in the foregoing Survey, and with the same Certificate, by virtue of which the foregoing Survey was made.

Given under my hand at San Patricio this 27th day of February 1855.

Wm. R. Reid
District Surveyor San Patricio
District

counter 42007

E

C.C. Nov. 14/55 St.

FILE 89

~~3rd~~ 2nd CLASS ~~San Patricio 3rd Class~~

COUNTY San Patricio.

Johnston Rosell

2 Surveys { 320-A / 320-A

Abandoned

OLD WRAPPER WITHIN

counter 42008

San Patricio Co/54
55

File 89

San Patricio 3rd class

Johnston Rosell

2 surveys { 320 acres
320 acres.

(On two surveys file 149 Bounty-San Patricio in the name of William Brander and) on titled land in the name of Felipe Roque Portilla Octbr 23/34 F 17 p. 82

Decbr 11/55 H Willke

May 14/72 A Hakemann

Abandoned and Cert. delivered for relocation to Glass & Callender May 14. 1872 Kellner

Mg C

12 079

counter 42009

San Patricio. 3

File 89.

San Patricio. 3d Clas

Johnston Rosell.

2 Surveys { 320 acres.
320 acres.

Abandoned

Attention invited to old wrapper within.

counter 42010

Letter - Welder to Gaffney

counter 12011

San Patricio Texas
March 11th 1876

James O. Gaffney
Co. Sur. S. P. Co.

Sir

I wish you to locate and survey for me on the public domain of San Patricio County all the vacant land lying between the Amand Victor Loupy league and that of Maria Jacinto de la Garza. Begining at the mouth of the Popalote creek Thence down the Aransas river with its meanders to the North West corner of the Maria Jacinto de la Garza league. Thence with said league South to the Danl. of Jno O'Boyle league. Thence West with said O'Boyle league to the aforesaid Loupy league, Thence North with said Loupy league to its N.E. corner at the mouth of the Popalote creek as aforesaid. To sustain all of which I herewith hand to you the following Land Scrips, to wit: Land Scrip No. 42 issued by the Com. Gen. Land Office on June 29th 1875 to Gregoria Garcia, Talesforo Montez and Jesus Duran for 640 acres of land. Land scrip No. 10 issued by the Com. Gen. L. Office on June 29th 1875 to Juan Armendaris for 640 acres of land.

John Welden

5-

3/ File 1577.
San Patricio Scrip.
Garcia, Montez & Duran
Application
Filed Sept 25/77
J. J. Rogers C.

Filed March 11th 1876
James O. Gaffney
Co. S. S. P. Co.

Recorded March 11th 1876
James O. Gaffney
Co. Sur. S. P. Co.

counter 42012

G. M. & D.

counter 92013

I James O. Gaffney Deputy County Surveyor in and for San Patricio do hereby certify that the foregoing survey was made according to law and that the limits boundaries and corners together with the marks natural and artificial are truly described in the foregoing plot and field notes -

James O. Gaffney
Dep. Co. Sur. S. P. Co

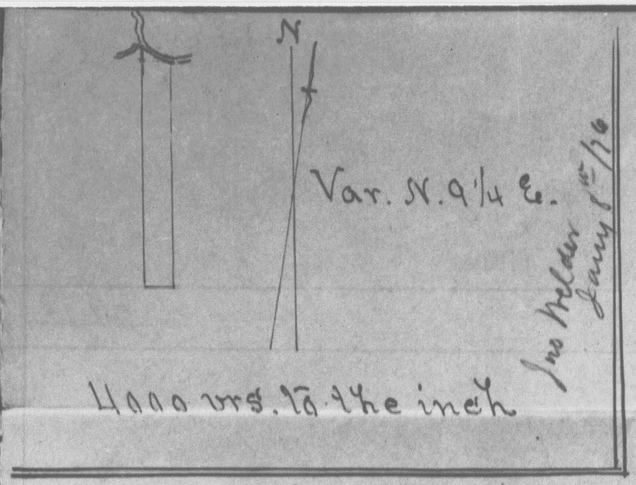
I James W. Peake County Surveyor in and for San Patricio County, do hereby certify that I have examined the foregoing plot and find them correct and that they are recorded in my Office in Book L. S. No. 1 pages 213. 214

Given under my hand at my Office in San Patricio this Sept 12th 1877

James W. Peake
Co. Sur. S. P. Co
By. James O. Gaffney
Deputy

Xe.

counter 12014



Feild notes of a survey of 640 acres of land made for Gregoria Garcia Telesforo Montez and Jesus Duran; it being the quantity to which they are entitled by virtue of Land Scrip No 42 issued to them by the Commissioner General Land Office and dated at Austin June 29th 1875

Said survey is No. in San Patricio County situated about 19 miles North 48° East of the Town of San Patricio and fronting on the Aransas river below the mouth of the Popalote creek.

Beginning at the N.W. corner of an old grant in the name of Ma. Jacinto de la Garza on the bank of the Aransas river. Thence South with said grant 5.682 vrs. to a stake for the S. E. corner of this survey.

Thence West 623 vrs. to a stake for the S.W. corner of this survey. Thence North 5915 vrs to a Large Live Oak Tree marked V standing at the mouth of the Popalote creek for the N.W. corner of this survey. Thence with the Aransas river S. 69½ E. 666 vrs. to the place of beginning.

Surveyed May 10th 1877

J. J. Welder } Chain Carriers
J. Rogers }

Xe

Filed 1577.
San Patricio Scrip.
Garcia, Montez & Duran
640 acres
Fieldnotes.
Filed Sept 25/77
J. J. Welder
Patented June 6th/78
J. N. Gildart

counter 42015

No. 337

Vol. 30

In the Name of the State of Texas.

To all to whom these Presents shall come, know ye,

No. 337

I, R. B. Hubbard Governor of the State aforesaid, by virtue of the power vested in me by Law, and in accordance with the Laws of said State, in such case made and provided, do, by these presents, Grant to John Welder assee of Garcia Montez & Duran his heirs or assigns, Forever, Six Hundred and Forty (640) acres of Land, situated and described as follows:

San Patricio

In San Patricio County about 19 miles N 48° E of the town of San Patricio by virtue of Land Scrip No. 42 issued to Garcia Montez & Duran by the Comr. of the Genl. Land Office June 29th 1875 and transferred to John Welder Jany. 8th 1876

Beginning below the Mouth of Papalote Creek at the N.W. cor. of an old grant in the name of Ma Jacinto de la Garza on the bank of Aransas River

Thence S. with Sd grant 5. 682. vs. to Stake for S.E. cor. of this Sur.

Thence W. 623 vs, to a Stake for S.W. cor. of this Sur.

Thence N. 5915 vs, a L.O. Mkd V. at Mouth of Sd Creek for N.W. cor. this Sur.

Thence With River S. 69½ E 666 vs, to the Beginning.

File 1576
San Patricio

Hereby relinquishing to him the said John Welder assee and his heirs or assigns Forever, all the right and title in and to said Land, heretofore held and possessed by the said State, and I do hereby issue this Letter Patent for the same.

In Testimony Whereof, I have caused the Seal of the State to be affixed, as well as the Seal of the General Land Office.

Done at the City of Austin, on the Sixth day of June in the year of our Lord one thousand eight hundred and Seventy Eight

Rhoads Fisher
Chief Clk & acts Commissioner of the Gl. Land Office. Governor. R. B. Hubbard

counter 42016

San Pat. Co/

File 1577.

abt-314

SAN PATRICIO SCRIP.

Garcia Montez & Duran.

640 Acres

Certificate No. 42

mkd ptd

Correct on map of San Patricio County. March 21/78

C.W. Pressler.

Correct for Patenting to John Welder Apl June 6th/878

Fisher

Patented June 6th/78

J. B. Gildart

No. 337 - vol. 30

Mgl. 50916

mkd ptd Reg

Oct. 15 / 1877

1-X

Contents.

No. 1. Certificate.

No. 2. Field Notes.

No. 3. application

Sept. 25/77

E. Bock

No 4. Transfer

May 27/78

Ed Bock

Miller Bro.

Jno Welder

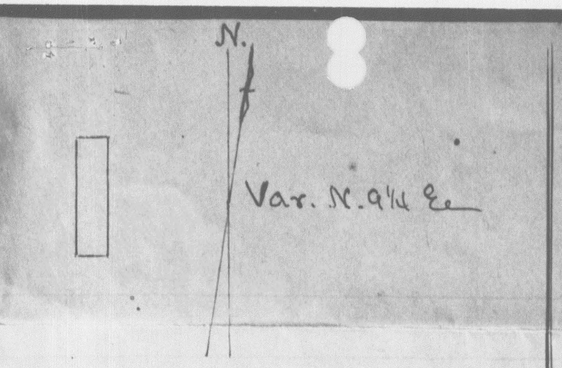
San Patricio

A. B. Vol. P.

counter 42017

Juan Armendaris File 1576

counter 12018



Field notes of a survey of 340½ acres of land made for Juan Armendariz it being part of the quantity of land to which he is entitled by virtue of Land scrip No. 10 issued to him by the Commissioner General Land Office for 640 acres and dated at Austin June 29th 1845 Said survey is No. in San Patricio County, situated about 18 miles North 35° East of the town of San Patricio.

Beginning at the S. E. corner of a survey in the name of Gregoria Garcia, Telesforo Nortez and Jesus Duran.

Thence West with said survey 623 vrs. to its S. W. corner for the N. W. corner of this survey. Thence South 3085 vrs to a stake for the S. W. corner of this survey - Thence East 623. vrs. to a stake (Pine) at Weldons pasture fence alongside of a post in said fence marked with three hacks for the S. E. corner of this survey. Thence North with said fence on the Ma. Jacinto de la Garza West line at 1778 vrs. said fence turns East, 3085 vrs. to the place of beginning.

Surveyed May 10th 1877

John J. Welder
J. Rogers } Chain carriers

I James O. Gaffney Deputy County Surveyor in and for San Patricio County, do hereby certify that the foregoing survey was made according to law and that the limits boundaries and corners together with the marks natural and artificial are truly described in the foregoing plot and field notes.

James O. Gaffney
Dep. Co. Sur. S. P. Co

I James W. Peck County Surveyor in and for San Patricio County do hereby certify that I have examined the foregoing plot and field notes and find them correct and that they are recorded in my Office in Book L. S. No. 1 pages 215. 216

Given under my hand at my Office in San Patricio this Sept 12th 1877.

James W. Peck
Co. Sur. S. P. Co
By James O. Gaffney
Deputy

counter 42019

2

File 1576

San Patricio Scrip.

Juan Armendaris.

340 1/2 acres.

Fieldnotes.

Filed Sept 25/77

[illegible] C

Patented June 6/878

[illegible] Davis

c/c Oct 15 / Nov. 77

counter #2020

V2

No. 341 Vol. 30

In the Name of the State of Texas.

To all to whom these Presents shall come, know ye,

No. 341

I, R B Hubbard Governor of the State *aforesaid, by virtue of the power vested in me by Law, and in accordance with the Laws of said State, in such case made and provided, do, by these presents, Grant to* John Welder assee of Juan Armendaris his heirs or assigns, Forever, Three Hundred and Forty 1/2 (340 1/2) Acres of Land, situated and described as follows:

San Patricio 78

In San Patricio County about 18 Miles N 43° E from San. Patricio by virtue of Land Scrip No 10 issued to Sd Armendaris, by the Comr. of the Genl. Land Office June 29th 1875 & transferred to said Welder July 24th 1875.
Beginning at the SE Cor. of a Sur. for Gregoria Garcia Montez & Duran, Thence West with said Sur. 623 vrs. to its SW. Cor. for N. W. Cor. of this Sur. Thence South 3085 vrs to Stake for SW Cor. of this Sur. Thence East 623 vrs to Stake (Pine) at Welders pasture Fence along side of a post in Sd Fence Mkd with three hacks for SE Cor. of this Sur. Thence North with Sd Fence on the W. J. de. La Garza W line at 1778 vrs Sd Fence turns E at 3085 vrs the beginning.

File 1576
San Patricio

Hereby relinquishing to Him *the said* John Welder assee *and* his *heirs or assigns Forever, all the right and title in and to said Land, heretofore held and possessed by the said State, and I do hereby issue this Letter Patent for the same.*

In Testimony Whereof, *I have caused the Seal of the State to be affixed, as well as the Seal of the General Land Office.*

Done at the City of Austin, on the Sixth *day of* June

in the year of our Lord one thousand eight hundred and Seventy Eight

Rhoads Fisher
Chf. Clk Land'g. Commissioner of the Gl. Land Office. Governor. R. B. Hubbard.

counter #2021

File 1576.

SAN PATRICIO SCRIP. abst. 309.

abst 309

Juan Armendaris.

340 1/2 Acres

for Ctf of Balance sa 2003. San Patricio Scrip

Certificate No. 10.

Correct on map of San Patricio County. March 21/78

C. W. Pressler.

Correct for Patenting to John Welder apee June 6/878 Fisher,

Patented June 6/878

Ph. Davis

No. 341 - vol 30

mkd. ptd Reg Over

Mgl. 50915

Oct 15 1877.

8-X

Contents.

No. 1. Certificate.

No. 2. Field Notes.

No. 3. Application.

Sept. 25/77.

E Beck

No. 4. Transfer May 27. 78

Ed Beck

Unlocated Bal Cert No 23/149 for 299 1/2 acres issued & forwarded to J J Welder

Oct 4 78

W C Walsh

Cer mr

Miller Bros

Jno Welder

San Patricio

A. B. Vol. P.

counter 42022

BEFORE THE HONORABLE

JERRY SADLER

COMMISSIONER

OF THE

GENERAL LAND OFFICE

STATE OF TEXAS

M.A.-58291

EXHIBITS SUBMITTED BY

OPPONENTS

5

counter 42023

(17)

San Patricio County 188

ile 399.

San Patricio
DONATION.

Mrs. A. A. Robinson

No. — 1280 Acres

For Copy of Cert & relocation
see 1920 Fan Don —

V/D Certificate No. 1220.

On a Grant Nt Novbr
20 34 to Mr Jevinda
la Garza
April 18 87

Over

gl. 13944

Take off Abst

c/c Jany 21/87
MH

CONTENTS.

1. Certificate.
2. Field Notes.
3. Application
4. Sketch. 1/19/87.
Daniel
5 Protest - 2/23/87
Brambette
6. Protest 3/7/87.
Daniel
8 9 Affidavits in Support of Protest
3/19/87. Daniel
11 Power atty
11 Transfer
3/24/87. Daniel
12. Protest 2/17/88
Daniel
13 Transfer
14 P/atty
15 Affit & P/atty
16 Affit of ownership & abandon
2/23/88 Davis
R. H. Barrow

50

Vol. P.

counter 42024

Within survey abandoned on account of conflict with any older valid claim & copy of certificate issued and delivered to Joe Stewart for relocation
Feby 24/88
R C Shelley Abstr

San Patricio County
1887

File 399

San Patricio
DONATION.

Mrs A. A. Robinson

No. - 1280. acres

For copy of Cert & relocation
See 1920 Fan Don -

V/D Certificate No. 1220
Old wrapper within

See 2673 Bex Don for
u/P Cert 27/110 —

Abandoned

[illegible]

Gl. 13 944 [illegible]

Abs —

CONTENTS.

1. ~~Certificate.~~
2. ~~Field Notes.~~
3. 17 Old Wrapper
4. 18 Renewed Protest
9/4/89 Daniel

50 ¢

According to Sketch within
the N.E. cor of A. Loupy
Grant is at the mouth of
Papalote. According to Co.
Line and sketch by same
Surveyor said cor is about
500 Vrs further East.
See Atlas A P.3.
10/2/96 Clark

B. Vol. ..... P. .....

counter 12025

(2)

File 399.
San Patricio
Donation

Mrs A. A. Robinson

F/notes

Filed Jany 17/87.

D N Robinson

Chief Clk.

75

Amanda A. Robinson

c/c Jany 21/87
JHH

counter 42026

D2+

Van. Nr. 10 E.

Field notes of a survey of 1280 acres of land made for Assee of Mrs. Amanda A. Robinson; it being the quantity of land to which she is entitled by virtue of Vet/Wor. Land Certificate No 1220 issued to her by the Comr. General Land Office and dated January 30th 1886

Said survey is in San Patricio County — Situated and fronting on the Aransas river about 21 miles N.E. of the town of San Patricio. Beginning at the N.E. corner of a survey in name of Garcia, Monley and Duncan a stake at the mouth of Rincon Hollow for N.W. corner of this survey. Thence down said Aransas river with its meander S 82 E. 511 vrs. from this point a Hackberry on North bank of said river stands North 70 vrs. S 59 E. 708 vrs. S 22 E 62 vrs. to stake for N.E. corner of this survey. Thence South 6035 vrs. to stake for S.E. corner of this survey. Thence West 1135 vrs to stake on East line of a survey in name of Juan Armendaiz for the S.W. corner of this survey. Thence North with said survey at 843 vrs. its N.W. corner and S.E. corner of said Garcia, Monley and Duncan survey 6525 vrs. to the place of beginning.

counter #2027

10+

Surveyed Jan. 6th 1887

Wm Carlisle
Wm Zingler } Chain Carriers

I, James O. Gaffney County Surveyor in and for San Patricio County do hereby certify that the foregoing field notes are made out from a compass survey in the field according to law — that they are correct and duly recorded in Book L.W. pages 254, 255, of records of my office

Given under my hand at my office in San Patricio this Jan. 10th 1887

James O. Gaffney
Co. Surv. San Pat. Co.

10+

San Patricio County 1887

400.

San Patricio

DONATION.

Stephen Habermacher.

See Renewed protest in
399 San Pat Don 9/4/89
See 2671 Box Don for C/B
Cert No. 27/109 —
No. 1280 Acres.

See 399 San Pat Don for Protest
" 399 " " " " 2/17/88
For Copy of Cert & relocation
see 1921 Fam Don —

V/D Certificate No. 1221
See Protest in 399 San Pat. Don

See 399 San Pat Don for
application & Sketch —

See Protest in 399 San Pat Don
See 399 San Pat Don for affts
in Support of Protest —

13945.

Over

c/c Jany 21/87
JMH.

CONTENTS.

No. 1. Certificate. } 1/19/87
No. 2. Field Notes, } Daniel

Lower atty
Transfer
3/24/87 Daniel
5 Transfer

Written survey abandoned
on account of conflict and
copy of certificate issued
and delivered to Joe H. Sliwo &
for relocation
Feby 24/88
R. O. Shelton
Chief

R. H. Barrow

Vol. P.

counter 42028

(2)

File 400.
San Patricio
Donation
S. Habermacher
F/notes
1280 m
Filed Jany 17/87.
D N Robinson
Chief Clk.

75 & T

Stephen Habermacher

counter 42029

Jany 21/87
JHH.

Val. N. 10 E

Field notes of a survey of 1280 acres made for assee of Stephen Habenmacher: it being the quantity of land to which said Stephen Habenmacher is entitled by virtue of Vet/Don Land Certificate No. 1221 issued to him by the Comr. Genral Land Office Feb. 20th 1886. Said survey is in San Patricio County situated and fronting on the Aransas river about 22 miles N.E. of the Town of San Patricio _____

Beginning at the N.E. corner of a survey in name of Amanda Ann Robinson for the N.W. corner of this survey _____

Thence down said Aransas river with its meander S 22 E. 1038 vrs. N 78 E. 1000 vrs to a stake set on bank of said river for the N.E. corner of this survey and the old survey in name of Bowen & Hewitson for 1¼ league from which a Live Oak 18 inches in diam. mrkd + in an old dug blaze brs. S. 14½ E. 44⅓ vrs. _____

Thence South with E. line of said Bowen & Hewitson S 281 vrs. to S.E. corner of this survey. Thence West 1367 vrs. to S.E. corner of said Robinson survey for the S.W. corner

counter 12030

of this survey.

Thence North with East line of said survey 6035 vrs. to the place of beginning.

Surveyed Jan. 6th 1887

Wm Carlisle
Wm Zingler } Chain Carriers

I James D. Gaffney County Surveyor for San Patricio County Texas — do hereby certify that the foregoing field notes are made out from a campus survey in the field according to law — that they are correct and duly recorded in Book L.W. pages 256 & 257 of records of my office Given under my hand at my office in San Patricio This Jan 10th 1887

James D. Gaffney
Co. Sur. San Pat. Co.

San Patricio County 1887

No. 401.

San Patricio

DONATION.

Mrs. Matilda Johnson.

For Copy of Cert & relocation
see 1925 Fam Don

No. — 1280 Acres

399 San Pat Don for Protest
2/12/88

399 " " " " P/atty
See Renewed Protest in 399
San Pat Don 9/4/89

D Certificate No. 1224
" " " at Don. 399

Appl'n & Sketch in 399 San Pat D

See Protest in 399 San Pat Don
See 399 San Pat Don for Affts
in Support of Protest

Over

13946.

A.

Ok off Abst.

C/C Jany 21 Nov 87

See 2686 Bx Don for Affd Cert #27/106

CONTENTS.

1. Certificate. } 1/19/87.
2. Field Notes. } Damit
3. Power Atty
4. } Transfers
5. } 3/24/87. Damit
6. Transfer

Written survey abandoned on account of conflicts and copy of certificate issued and delivered to Joe H. Stewart for relocation Feby 24/88

R. C. Dunn
Atty

R. H. Barrow

3. Vol. P.

counter 42031

(2)

File 401.
San Patricio
Donation
Matilda Johnson
F/notes
Filed Jany 17/87
D N Robinson
Chief Clk.
.75¢ (1)

Matilda Johnson

c/c Jany 21/87
MtN.

counter 42032

42

Var. N 10° E

Field notes of a survey of 1280 acres of land made for it being the quantity of land to which he is entitled by virtue of Bet/Don. Land Certificate No. 1224 issued by the Comr. General Land Office to Mrs. Matilda Johnson for 1280 acres of land and dated at Austin Feb. 20th 1886 ——

Said survey is in San Patricio County about Twenty miles N.E. of the Town of San Patricio ——

Beginning at the S.W. corner of a survey in name of Amanda A. Robinson for N.W. corner of this survey.

Thence South with the East line of a survey in name of Juan Armendariz 2241 vrs. past his S.E. corner and N.E. corner of a survey in name of Soyah Cr. Irrigation Co. continuing on East line of said survey 2888 vrs. To stake for S.W. corner of this survey. Thence East 2502 vrs. To stake for S.E. corner of this survey on E. line of Town of Hewitt on Lea. survey. Thence North 2888 vrs. with Town of Hewitt on E. line to S.E. corner of a survey, in name of Stephen Habermacher

for N.E. corner of this survey, Robinson's Thence West with said survey, 2502 vrs to the place of beginning

Surveyed Jan. 6th 1887

Wm Carlisle
Wm Dingler } Chain Carriers

I James O. Gaffney, County Surveyor for San Patricio County, Texas do hereby certify that the foregoing field notes are made out from a careful survey in the field according to law - that they are correct and duly recorded in Book L.W. pages 250 & 251 of Records of my Office

Given under my hand at my office in the Town of San Patricio This Jan. 8th 1887

James O. Gaffney
Co. Sur. S. P. Co.

counter 42033

San Patricio County 1887.

402

San Patricio

DONATION.

John K. Lyle

For Copy of Cert & relocation
see 1923 San Don

No. — 1141 Acres.

399 " " " " Pfatter
See Protest in 399 San Pat Don
See Renewed Protest in 399
San Pat Don 9/4/89
Certificate No. 1225
See Protest in 399 San Pat Don.
Appl'n & Sketch in 399 San P Don
See 399 San Pat Don for Appt's
Support of Protest

13947
over

A

c Jany 21
c MH 87

CONTENTS.

No. 1. Certificate. } 1/19/87.
No. 2. Field Notes. } Daniel
No. 3. Power Atty
No. 4. Transfer 3/25/87.
Daniel
5 Transfer

Within survey abandoned on account of conflicts and copy of certificate issued and delivered to Joe H Stewart for relocation
Feby 24/88
R C Sheller
Chfelt

R H Barrow

B. Vol. P.

counter 42037

(2)

File 402.
San Patricio
Donation
John K. Lyle
F/notes
Filed Jany 17/87.
D N Robinson
Chief Clk.
75

John K. Lyle

counter 42035

c/c Jany 21/87
JHN.87

Dan. N 10 E

1141 acres

Field notes of a survey of
in name of
it being the quantity of
land to which he is entitled
by virtue of pre/pon. Land
Certificate No 1225 issued
to John K. Lyle by the Comt Gen. Land
Office for 1280 acres of land and dated
at Austin Feb. 20th 1886

Said survey is situated in San Patricio
County about 19 miles N. E. of the town
of San Patricio

Beginning at the S. W. corner of a survey in
name of Matilda Johnson.
Thence South with East line of a survey in
name of Doyal Cr. I. Co. at 922 vrs. its S. E.
corner and N. E. corner of another survey in the
same name 2575 vrs. a rock its S. E. corner
and S. W. corner of this survey on north
boundary of John Rollan survey as made
by Col. Swisley. Thence East 2502 vrs.
with said boundary to Stake for S. E. corner
of this survey on Rowe & Hewitt on E. line.
Thence North with said line 2575 vrs. to the
S. E. corner of Matilda Johnson's survey as
aforesaid for N. E. corner of this survey.
Thence West with said survey 2502 vrs
to the place of beginning

P

Surveyed Jan 6th 1887

Wm Carlisle
Wm Singler } Chain Carriers

I James O. Gaffney County Surveyor in
and for San Patricio County do hereby
certify that the foregoing field notes
are made out from a carefull survey
in the field according to law - that
they are correct and duly recorded
in Book D. W. pages 252 and 253
of Records of my Office
Given under my hand at my office
in San Patricio Texas This Jan. 10th
1887

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

P1

counter 12036

The State of Texas
County of San Patricio } I James D. Gaffney County Surveyor in and for the aforesaid State and County upon oath do say that the following lands were entered in my office to wit, 1141 acres in name of John K. Lyle, 1280 acres in name of Matilda Johnson, 1280 acres in name of Amanda A. Robinson and 1280 acres in name of Stephen Habermacher — that said lands are located between the Aransas river and Chiltipin creek and are on lands embraced within the limits of seven and one half leagues in names of Roque Felipe Portilla, Calixto, Juan, Francisco and Encarnacion Portilla, Jose Maria and Felipe Portilla, Miguel Musquez and Maria Jacinto de la Garza as was and is claimed by the owners of said leagues, as represented on County Map and as marked on the ground in a survey made by me by order of the Hon. District Court of Victoria county Texas —
The upper line of Maria Jacinto de la Garza as then run off for upper line of said grant of 7 1/2 leagues has been respected by me as such in subsequent surveys lying above and westward —

James D. Gaffney
Co. Sur. San Patricio Co

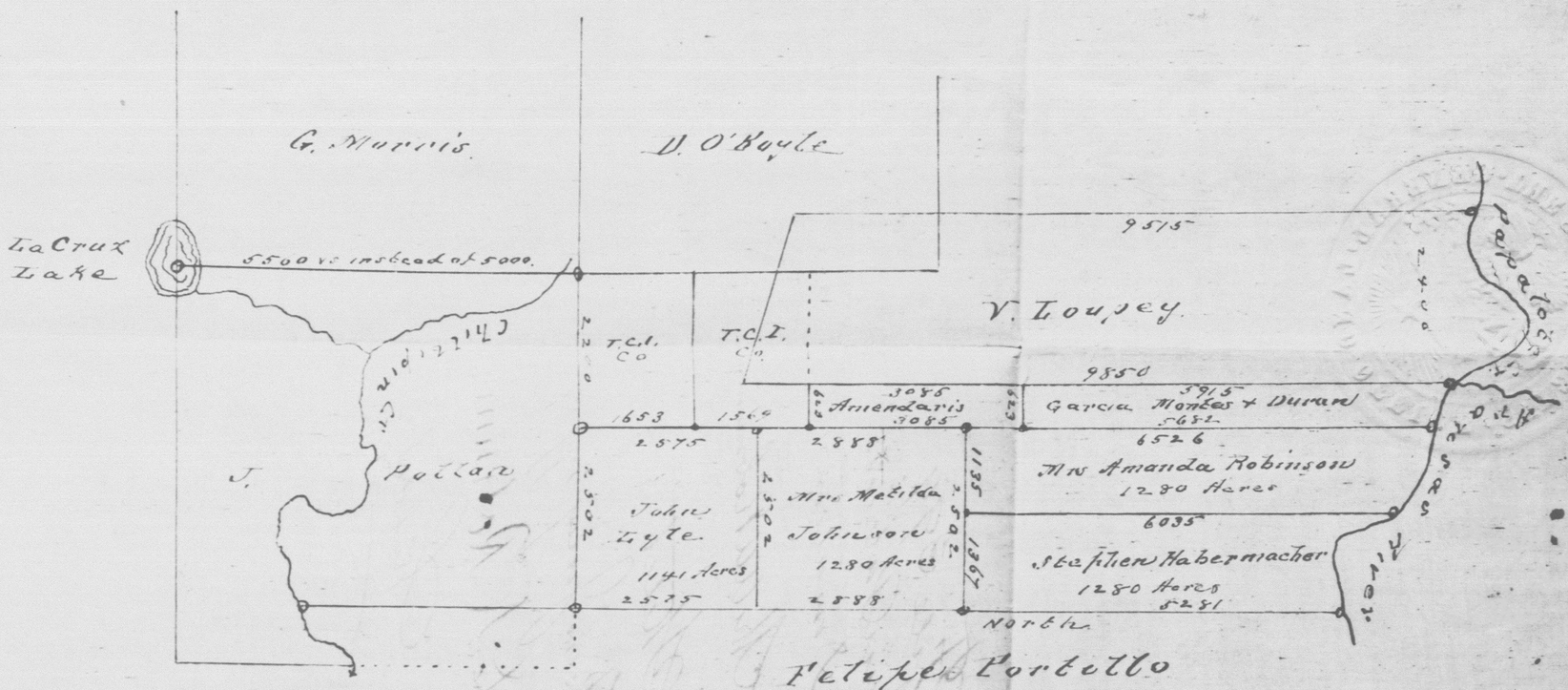
counter 42037

Sworn to and subscribed before me this 9th day of March A.D. 1887

Steve Lewis
Co. Clk S.P. Co

In re. Jno K. Lyle et al.
Nos. 399, 400, 401, 402
Affidavits of Jas. D. Gaffney Co. S. S.P. Co.

(7) File 399.
San Patricio
Domain
Mrs A.A. Robinson
Affidavit
Filed Mch 16/87
R. L. Gaffney
Chief Clk



I James O. Gaffney, County Surveyor of San Patricio County Do hereby certify that the above Sketch is correct, that the Aransas River & Chiltipin Creek were actually meandered and that the connection between the S.W Cor of the J. Pollan Sur. in the La Cruz Lake and the NW Cor of the Garcia Montes & Duran Sur at the mouth of the Papalote Cr as shown on this Sketch is correct and was made by actual measurement on the ground.

James O. Gaffney
Co. Sur. San Patricio County

(4) File 399.
San Patricio
Donation
Mrs A A Robinson
Sketch
Filed Jany 17/87.
L. A. Robinson
Chief Clk

counter 72038