



ROY AGUILARD  
DIRECTOR

# State of Louisiana

DEPARTMENT OF PUBLIC WORKS  
P. O. BOX 44155, CAPITOL STATION  
BATON ROUGE, LOUISIANA 70804

February 15, 1974

BOARD OF PUBLIC WORKS  
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Mr. Oliver P. Stockwell  
Special Assistant Attorney General  
State of Louisiana  
Post Office Box 2900  
Lake Charles, Louisiana 70601

Re: Texas vs. Louisiana  
Determination of Sabine River Boundary  
Between the 30th and 32nd Parallels  
of North Latitude.

Dear Mr. Stockwell:

Submitted herewith is a summary of my findings in the matter of locating the geographic middle of the Sabine River between the 30th and 32nd parallels of north latitude. Basically, the problem is that of correcting the river boundary as shown on the quadrangle maps listed in Mr. Thomas Black's letter to you dated December 14, 1973, also listed in my letter to you dated January 8, 1974, to conform to the best information available to the representatives of both states. Because of conflicting data there are, as you know, several places where the location of the boundary is in dispute.

In order to correctly locate the river channel we must first determine if slow and imperceptible changes, i.e., accretion, erosion, etc., brought the river to its present location and, second, whether avulsions occurred, such as natural or man-made cutoffs and channel rectification in the interests of flood control and navigation. In the latter cases the boundary becomes permanently fixed in the bed of the old channel as of the date of the cutoff, while in the former case the boundary moves with the meanderings of the river. All that we have to do is determine which of these events occurred at the places in dispute.

On November 12, 1973, under the signature of Mr. Roy Aguillard, Director of Public Works, I wrote to the District Engineer, U. S. Army Engineer District, Galveston, requesting (1) "the location and date of construction of any cutoffs made by your office in Sabine Pass, Lake, and River below the 32nd parallel of north latitude since 1871 or prior years if available and (2) the location and date of construction of any cutoffs made by private interests on Sabine Pass, Lake, and River under permit from your office since 1871 or prior years if available." This information has not been received as yet, but is expected shortly and should resolve most of our problems. In the case of slow and imperceptible changes in the alignment of the river, the testimony of expert potamologists may be required if agreement cannot be reached.

Mr. Oliver P. Stockwell  
Special Assistant Attorney General  
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Page 2

In reviewing the so-called agreements tentatively arrived at on December 20, 1973, between Louisiana and Texas fixing the boundary at certain locations, after further investigation I find that the agreed boundary in some places is not in accord with the facts. Therefore, before the location of the geographic middle of the river becomes final, the so-called agreements of December 20, 1973, should be modified to include all areas where doubt exists as to the correct location of the channel.

It was never my understanding that any binding agreement would be made at the meeting on December 20, and I am certain that Mr. Thomas Black, Assistant Attorney General, Texas, was of the same mind. In support of the latter statement, I quote from Mr. Black's letter to you dated December 14, 1973.

Page 4: "We need to discuss an agreement that would protect property owners on both sides of the River before we make a definite binding agreement concerning this boundary line.

Further, any agreement we make will have to recognize that our basic position is as stated at the beginning of this letter and that any agreement we make is recognized not to abandon this position with reference to extending the boundary out into the Gulf."

I did not have a copy of Mr. Black's letter prior to our meeting of December 20, nevertheless I share his concern for protecting the property rights of riparian owners on both sides of the river.

The areas of conflict and my reasons for disagreeing with the position of Texas are as follows:

1. Logansport Quadrangle.

a. West portion of Section 32, Township 11 North, Range 15 West, NWD La. The cutoff portion in question was surveyed in Louisiana by U. S. Deputy Surveyor John Boyd in 1835 and was transferred to the State of Louisiana under the Swamp Lands Act of March 2, 1849. Subsequently, the narrow peninsula created by a sharp bend in the river was severed from Louisiana by a cutoff, either natural or man-made. The origin of the cutoff may be covered by the report of the U. S. Army Engineers, requested by this office on November 12, 1973. The area lies beneath the waters of Toledo Bend Reservoir, and the map of Segment 39 dated July 1, 1964, File No. TB-23-1, shows that the Toledo Bend Authority bought the land as being in Texas. There is absolutely no reason for Louisiana to concede ownership of the cutoff to Texas on the basis of this acquisition, for in many instances the Authority paid claimants on both sides for the same property to avoid costly litigation. The cutoff area is clearly in Louisiana. (Shown as 1a on the attached quadrangle).

Mr. Oliver P. Stockwell  
Special Assistant Attorney General  
State of Louisiana  
February 15, 1974  
Page 3

b. Cutoff area between Sections 33 and 34, Township 11 North, Range 15 West, NWD La. All of my remarks in the preceding paragraph are applicable here. There is no reason for Louisiana to concede ownership of this area to Texas. (Shown as 1b on the attached quadrangle).

c. The area in question here is accretion to Lot 4 of the Las Ormigas Grant, Township 10 North, Range 15 West, NWD La. The Sabine River here was surveyed by Jacob H. McMichael, U. S. Deputy Surveyor, in 1830 and was resurveyed in 1854 by U. S. Deputy Surveyors George S. Walmsley and Thomas Hunter. The Las Ormigas Grant was confirmed to the legal representatives of William Barr, deceased, by a decree of the U. S. District Court for the Eastern District of Louisiana rendered May 30, 1849, and Decree of U. S. Supreme Court 15. Howard p 10, under acts of Congress of May 26, 1824, and June 17, 1844. Through slow and imperceptible means the slight convex bend on the Louisiana side accreted as the opposite bank of the river eroded, extending the peninsula on the Louisiana side into what formerly was Texas. The land in question was acquired by the Toledo Bend Authority as being in Louisiana and is accretion to Louisiana. (Shown as 1c on the attached quadrangle).

2. Negreet Quadrangle.

After further investigation of the area in Township 5 North, Ranges 12 and 13 West, NWD La., it would be difficult to sustain any position with reference to the location of the river other than that agreed upon on December 20, 1973. (Shown as 2 on the attached quadrangle).

3. Weirgate Quadrangle.

In Section 7, Township 1 North, Range 11 West, NWD La., there is an area which was agreed upon as being in Texas. Further study indicates that the changes occurring here were slow and imperceptible, the accretion attaching to Louisiana. Consequently, I must reverse my position taken on December 20, 1973, and claim the area for Louisiana. Mr. Black, in his letter of December 14, 1973, notes that Texas has issued patents on this land. (Shown as 3 on the attached quadrangle.)

4. Merryville Quadrangle.

There appears to be some basis for Texas' claim to Palmer Lake in Section 35, Township 2 South, Range 12 West, SWD La. The township plat as surveyed by Ruffin B. Paine, U. S. Deputy Surveyor, in 1884 also tends to support the claim of Texas. Mr. Black, in the letter referred to in the preceding paragraph, states that Texas has issued patents on this land, and I concede that it lies in Texas. (Shown as 4 on the attached quadrangle).

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Special Assistant Attorney General  
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Page 4

5. Bon Weir Quadrangle.

Cutoff area in Sections 8 and 17, Township 4 South, Range 12 West, SWD La. The problem here in all likelihood will not be resolved until the U. S. Army Engineers reply to my letter of November 12, 1973. Unless Texas can show that an avulsion separated Caney Island from Texas, I take the position that it is an unsurveyed island transferred to Louisiana under the act of March 2, 1849, and in the same category as the Sabine River Islands awarded to Louisiana by the U. S. Supreme Court in 1920. (Shown as 5 on the attached quadrangle).

6. Starks Quadrangle.

a. Further study indicates that Bayou Deception Island lying adjacent to Section 1, Township 8 South, Range 14 West, and Section 6, Township 8 South, Range 13 West, SWD La. lies in Texas. The island was not surveyed in Louisiana. The map of the Joint Boundary Commission dated 1840 shows the island to be in Texas. Another map depicting very accurately the "Narrows" also places the island in Texas. (Shown as 6a on the attached quadrangle).

b. Wembly Island. Although conceded by Texas to be in Louisiana, the maps referred to in paragraph 6a above clearly show the island to be in Texas. (Shown as 6b on the attached quadrangle).

c. At Cross Bayou between Sections 21 and 28, Township 9 South, Range 13 West, SWD La. The remarks in paragraph 6b above apply here. The area is clearly in Texas. (Shown as 6c on the attached quadrangle).

7. Orange Quadrangle.

As noted in my letter to you of January 25, 1974, where the Sabine River has been enlarged or widened by the U. S. Army Engineers under the Sabine-Neches Waterway Project, the location of the geographic middle must be determined from surveys and maps made prior to construction of the navigation improvements. (Shown as 7 on the attached quadrangle).

8. Orangefield Quadrangle.

The remarks of the preceding paragraph apply here also. (Shown as 8 on the attached quadrangle).

Under separate cover, I am sending the 8 quadrangles noted above with the areas of conflict keyed to this letter.

DEPARTMENT OF PUBLIC WORKS

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Special Assistant Attorney General  
State of Louisiana  
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Page 5

It should be recognized that the location of the boundary as agreed upon by the representatives of both states may be in error in certain places. To provide for this contingency, the injured riparian owner or owners should be allowed a certain period of time in which to present evidence that the boundary is in error, after which time the decree of the court would become final. Such a provision would also save considerable surveying expense.

Referring to your letter of February 8, 1974, to Mr. Thomas Black, I have pretty well covered in this letter the three items in the third paragraph of his letter to you of February 6, 1974.

We are now busy on the items requested in your letter of February 7 and should have some of the work completed in a few days.

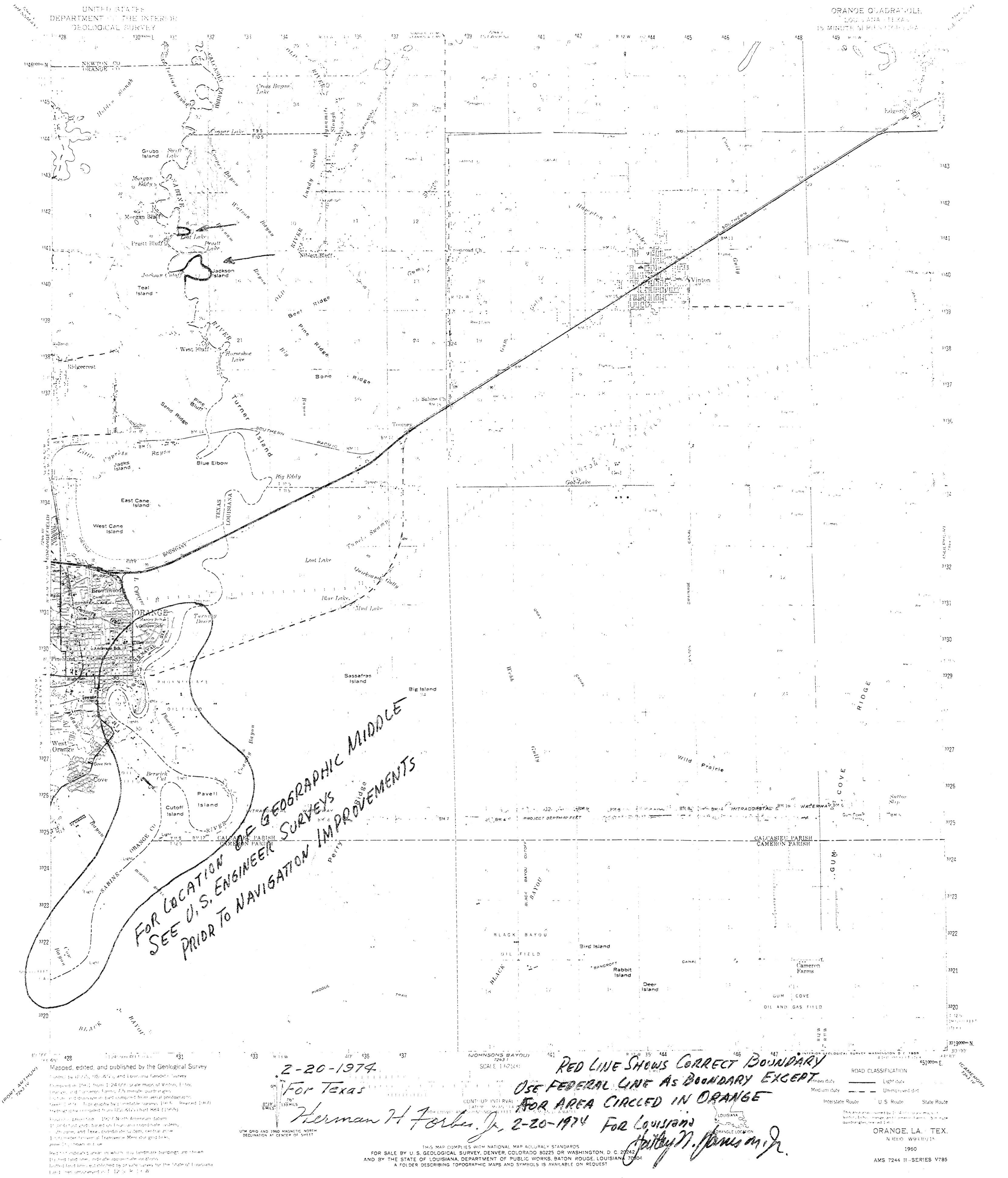
Sincerely yours,

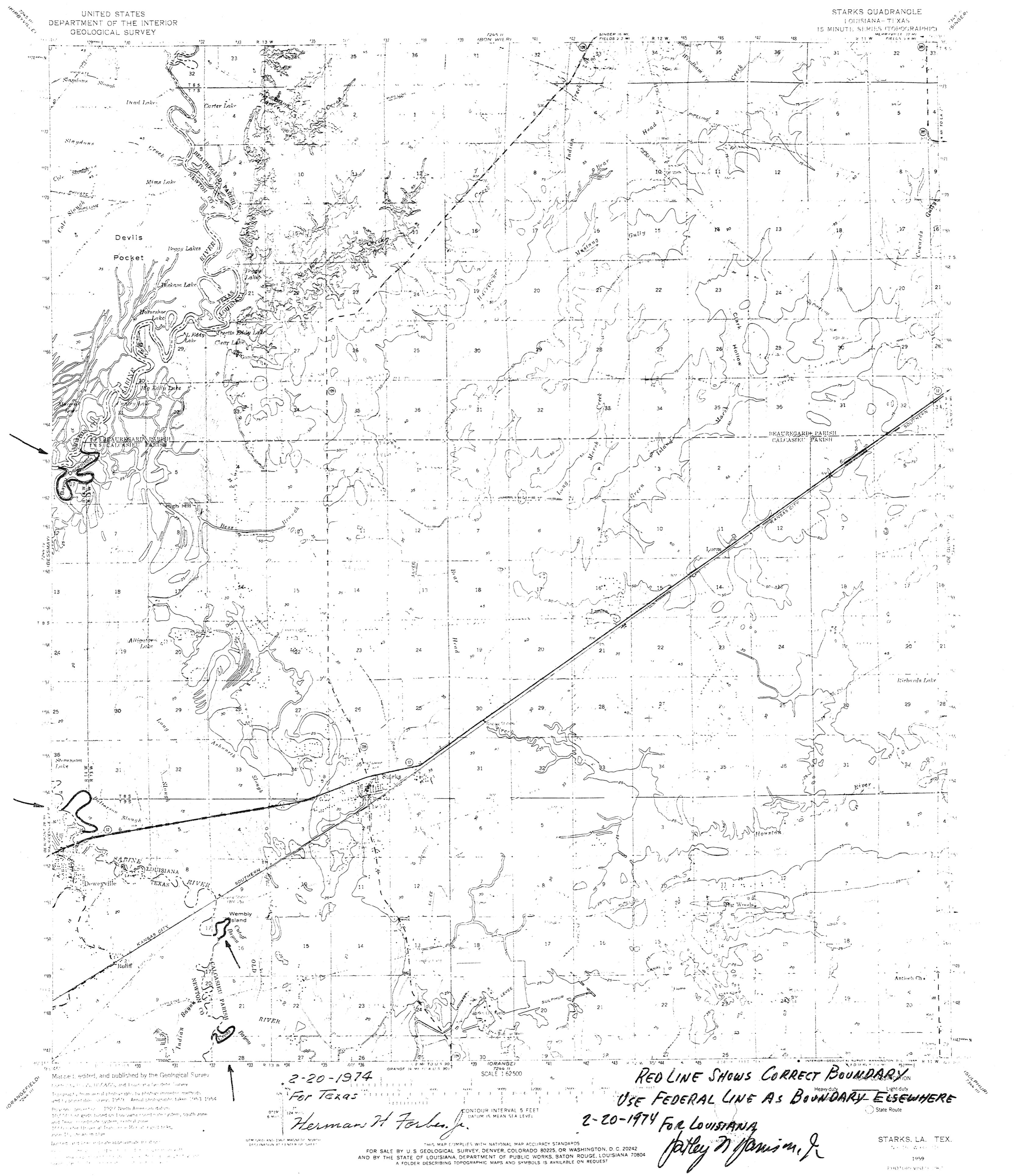
*Hatley N. Harrison, Jr.*  
HATLEY N. HARRISON, JR.  
Chief, Lands & Surveys Division

HNH:ean

Enclosures (under separate cover)

counter 6722





434 435 401 436  
2-20-1974  
For Texas

For Tex

*Herman H Forbes Jr*

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS  
FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR WASHINGTON, D. C. 20242  
D BY THE STATE OF LOUISIANA, DEPARTMENT OF PUBLIC WORKS, BATON ROUGE, LOUISIANA 70801  
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

**RED LINE SHOWS CORRECT BOUNDARY**  
**USE FEDERAL LINE AS BOUNDARY ELSEWHERE**

2-20-1974 For Louisiana  State Route

FOR LOUISIANA

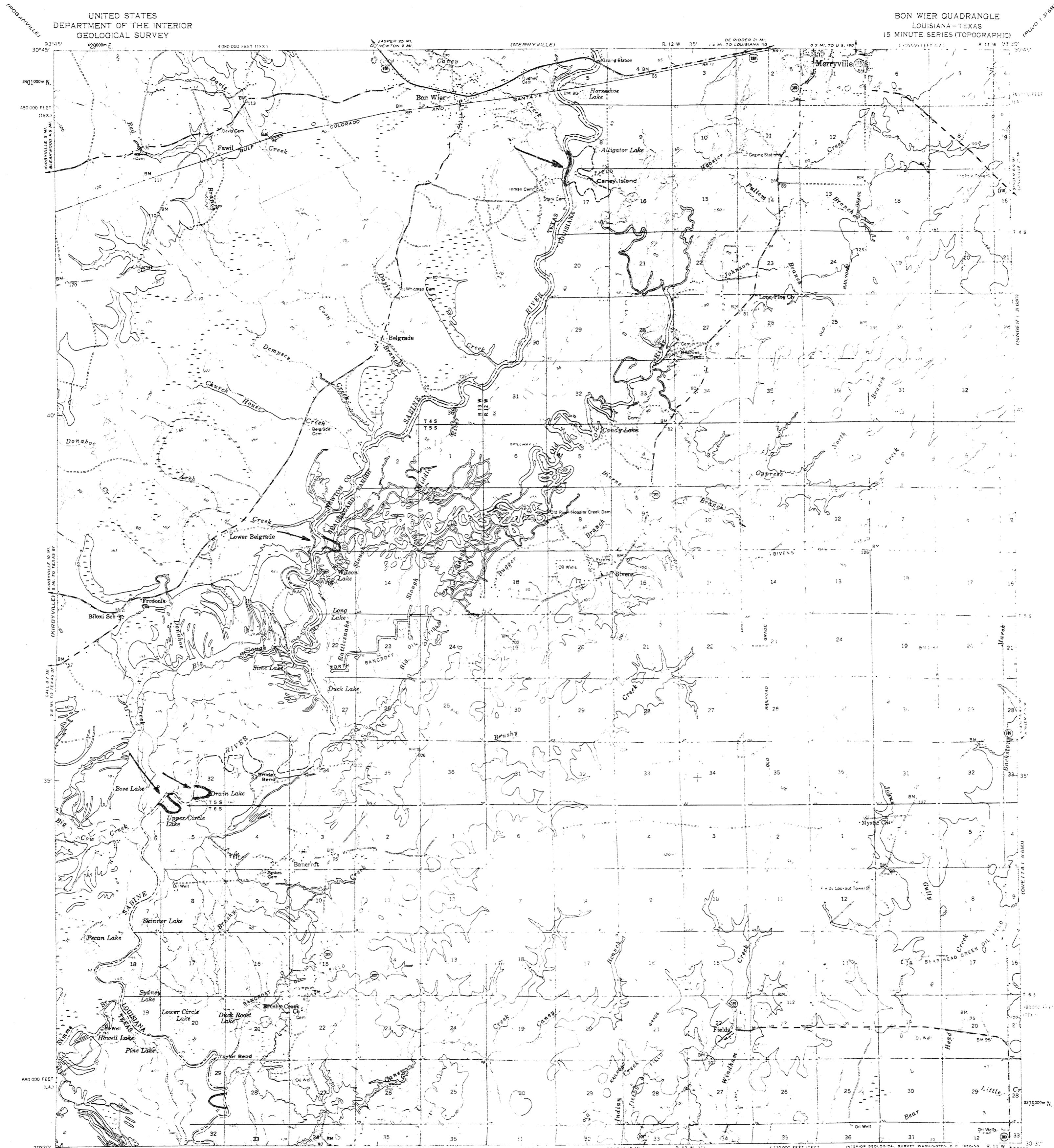
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APDS  
WASHINGTON, D. C. 20242

STARK  
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STARKS, LA. TEX.  
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1959



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Mapped, edited, and published by the Geological Survey  
Control by USGS, USC&GS, and Louisiana Geodetic Survey  
Topography from aerial photographs by photogrammetric methods  
and by planimetric surveys 1959. Aerial photographs taken 1954  
Polyconic projection. 1927 North American datum  
10,000-foot grids based on Louisiana coordinate system,  
south zone, and Texas coordinate system, central zone  
1000-meter Universal Transverse Mercator grid ticks,  
zone 15, shown in blue

R. 13 W 40' 2-20-1974  
TRUE NORTH MAGNETIC NORTH  
For TEXAS Herman H Forbes CONTO  
Herman H Forbes

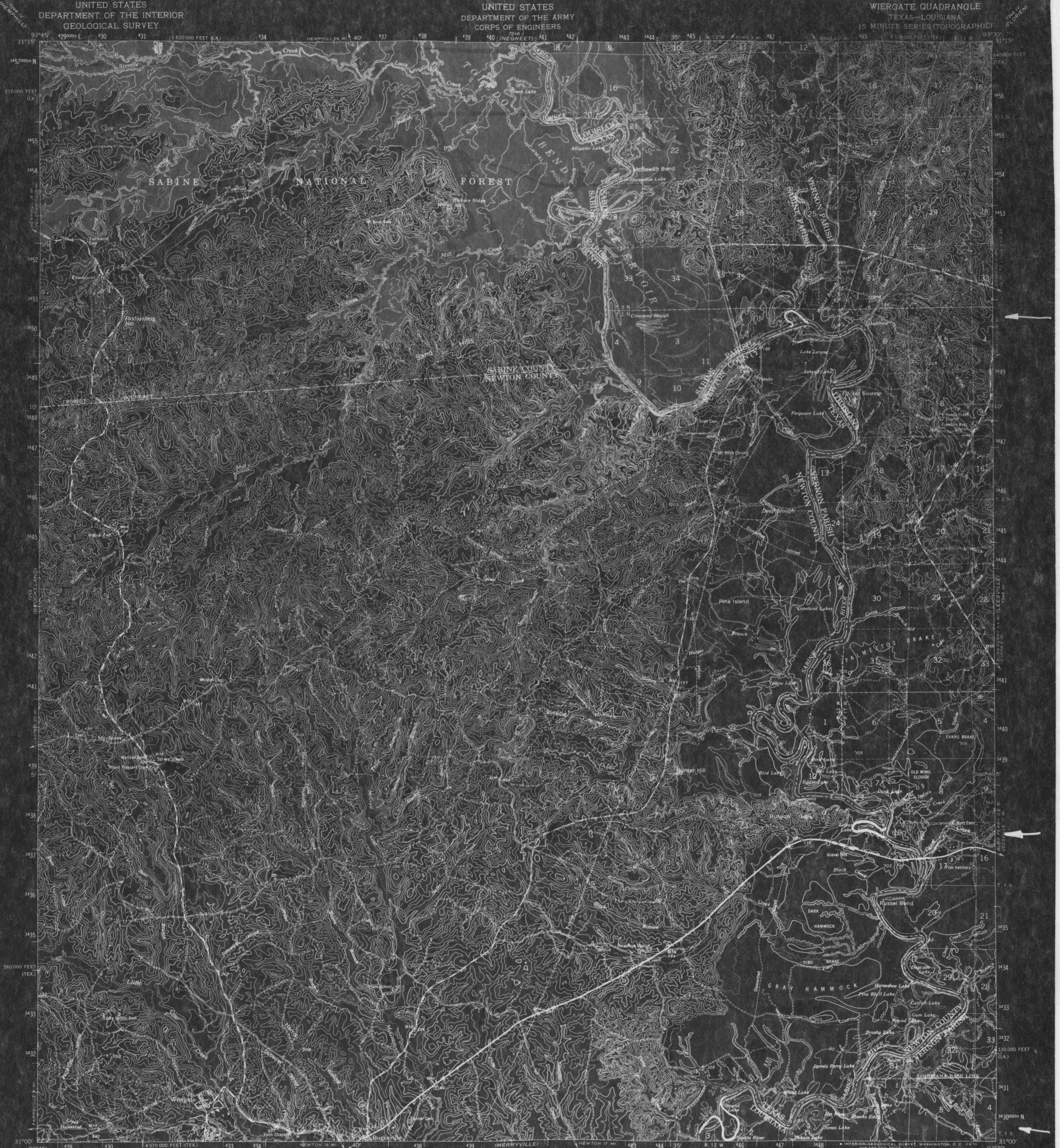
THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARD  
FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER 25, COLORADO OR WASHINGTON 25, D. C.  
AND BY THE STATE OF LOUISIANA, DEPARTMENT OF PUBLIC WORKS, BATON ROUGE 4, LOUISIANA  
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DEPARTMENT OF THE INTERIOR  
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WIERGATE QUADRANGLE  
TEXAS—LOUISIANA  
15 MINUTE SERIES (TOPOGRAPHIC)



RED LINE SHOWS CORRECT BOUNDARY  
USE FEDERAL LINE AS BOUNDARY ELSEWHERE

SCALE 1:62,500

0 1 2 3 4 5 KILOMETERS

For Texas  
5 April 1974  
Herman H. Forbes, Jr.

CONTOUR INTERVAL 20 FEET

DASHED LINES REPRESENT 10-FOOT CONTOURS

ATMOSPHERIC PRESSURE

ATMOSPHERE IS MEAN SEA LEVEL

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LOGANSPORT

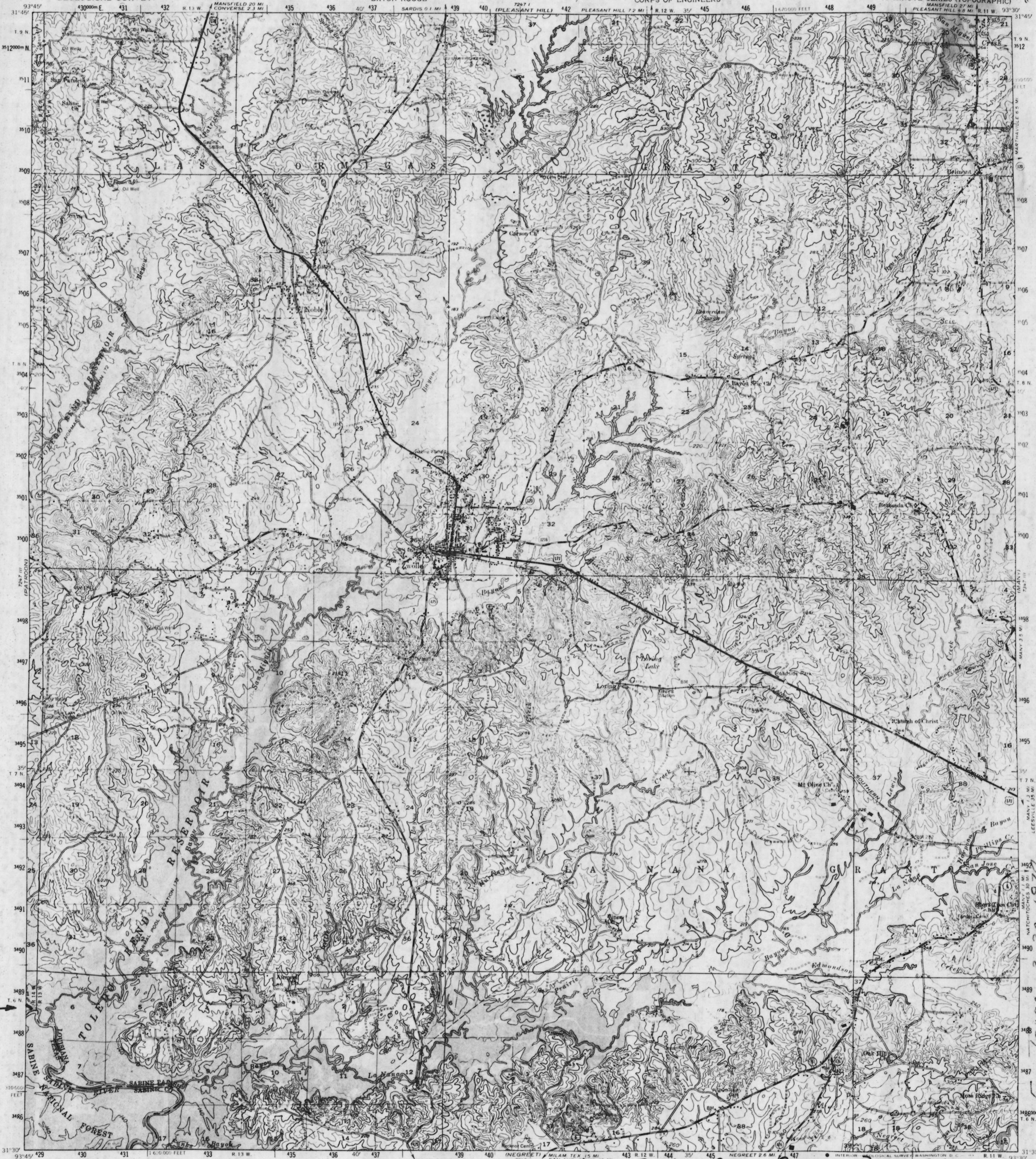
UNITED STATES  
DEPARTMENT OF THE INTERIOR  
GEOLOGICAL SURVEY

STATE OF LOUISIANA  
DEPARTMENT OF PUBLIC WORKS  
BATON ROUGE

UNITED STATES  
DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS

ZWOLLE QUADRANGLE  
LOUISIANA-TEXAS  
15 MINUTE SERIES (TOPOGRAPHIC)

TOWN CHANNA



Mapped, edited, and published by the Geological Survey

Control by USGS, USC&GS, and Louisiana Geodetic Survey

Topography by planimetric surveys 1942-1943. Culture and drainage revised from aerial photographs taken 1956. Field check 1956-1957

Polyconic projection. 1927 North American datum. 10,000-foot grid based on Louisiana coordinate system, north zone. 1000-meter Universal Transverse Mercator grid ticks, zone 15, shown in blue.

Revisions shown in purple compiled from aerial photographs taken 1969. Louisiana topography in cooperation with Louisiana Department of Public Works. This information not field checked

Woodland revised within Toledo Bend Reservoir

UTM GRID AND MAGNETIC NORTH DECLINATION AT CENTER OF SHEET

0°20' 2.4 MILS

GN

0°20' 6 MILS

FOR SALE BY U.S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR WASHINGTON, D.C. 20242  
AND BY THE STATE OF LOUISIANA, DEPARTMENT OF PUBLIC WORKS, BATON ROUGE, LOUISIANA 70804  
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

SCALE 1:62500

0.5 MI TO LA 6

1 MILES

3000 0 3000 6000 9000 12000 15000 18000 21000

1 2 3 4

5 KILOMETERS

CONTOUR INTERVAL 20 FEET

DATUM IS MEAN SEA LEVEL

2-20-1974 FOR Louisiana

Jestly M. Garrison, Jr.

ZWOLLE, LA.-TEX.

N 31°30' - W 93°30'

1957

PHOTOREVISED 1969

AMS 7247 II-SERIES V785

FLORIDA

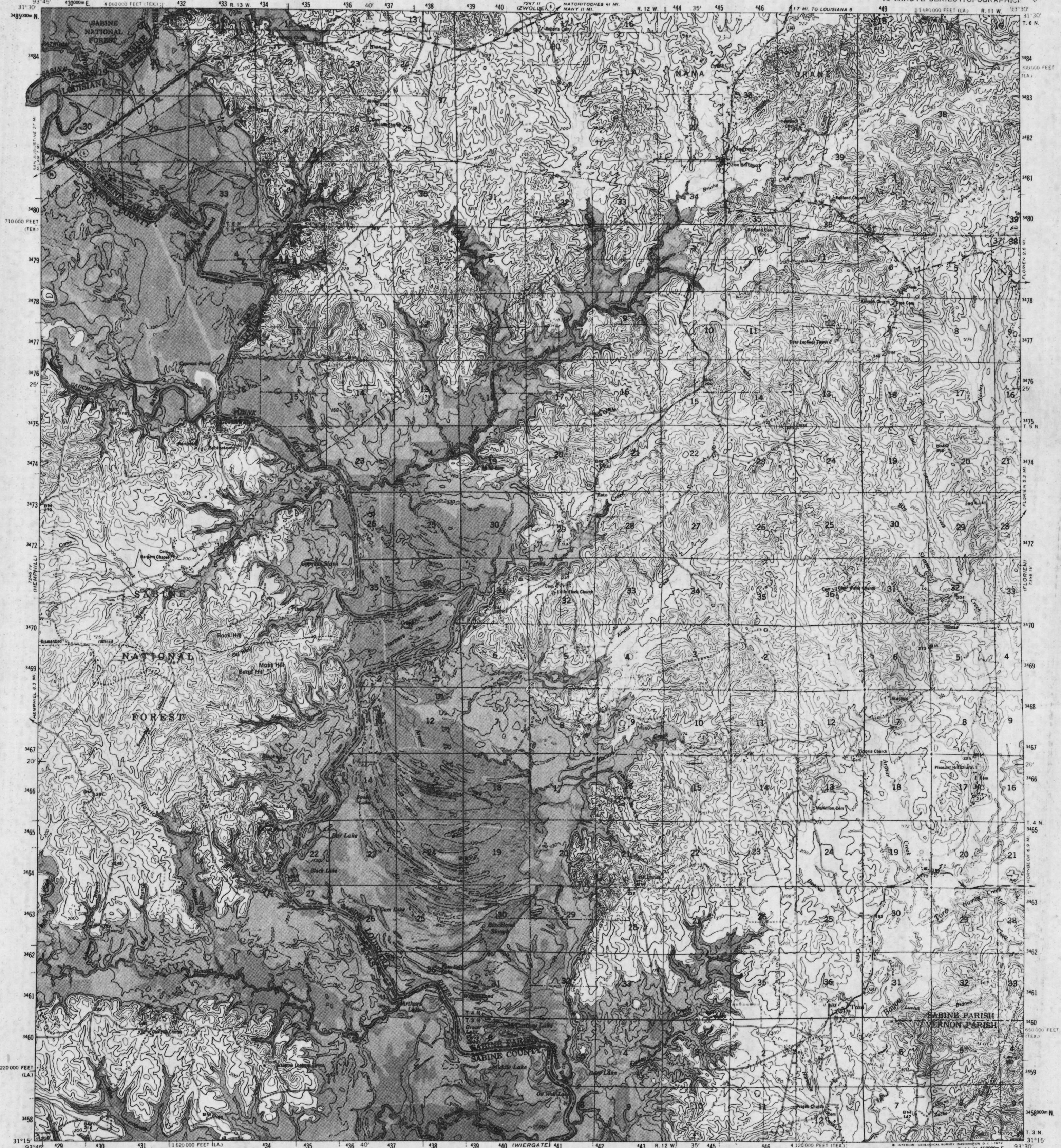
LA

TEXAS

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
GEOLOGICAL SURVEY

UNITED STATES  
DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS

NEGRET QUADRANGLE  
LOUISIANA-TEXAS  
15 MINUTE SERIES (TOPOGRAPHIC)



BROOKLAND  
7246 II

Mapped by the Army Map Service  
Published for civil use by the Geological Survey  
Control by USGS, USC&GS, USCE, and Louisiana Geodetic Survey

Compiled in 1956 from 1:25 000 scale maps of Negret,  
Salter Creek, Negret SW, and Toro 7.5 minute quadrangles  
Topography by photogrammetric methods from aerial  
photographs taken 1953-54. Field checked 1954

Polyconic projection. 1927 North American datum  
10,000-foot grids based on Louisiana coordinate system,  
north zone and Texas coordinate system, central zone  
1000-meter Universal Transverse Mercator grid ticks,  
zone 15, shown in blue

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aerial photographs taken 1969. Louisiana portion in cooperation with  
Louisiana Department of Public Works. This information not field  
checked

Woodland revised within Toledo Bend Reservoir

For Texas 2-20-1974  
Herman H. Tolson Jr.

SCALE 1:62500

1 2 3 4  
0 3000 6000 9000 12000 15000 18000 FEET (TEXAS)  
1 2 3 4  
0 5000 10000 15000 20000 25000 30000 METERS  
1 2 3 4  
0 1000 2000 3000 4000 5000 KILOMETERS

CONTOUR INTERVAL 20 FEET  
DASHED LINES REPRESENT 10-FOOT CONTOURS  
DATUM IS MEAN SEA LEVEL

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS  
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A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

USE FEDERAL LINE AS SHOWN  
2-20-1974

For Louisiana  
Hector M. Tolson Jr.

ROAD CLASSIFICATION  
Medium-duty — Light-duty —  
Unimproved dirt - - - - -

State Route ○

This area also covered by 1:24 000 scale maps of  
Negret, Salter Creek, Negret SW, and Toro 7.5  
minute quadrangles, surveyed 1954-1969

NEGRET, LA.—TEX.  
N 31°15'—W 93°30'

1954

PHOTOREVISED 1969

AMS 7246 I-SERIES V785

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
GEOLOGICAL SURVEY

UNITED STATES  
DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS

PATROON QUADRANGLE  
TEXAS—LOUISIANA  
MINUTE SERIES (TOPOGRAPHIC)



421 INTERIOR GEOGRAPHICAL SURVEY WASHINGTON D. C. 1969 1:100,000 FEET L. A. 427 428000 M. E. 45° 45' 4 MILES  
**REO LINE SHOWS CORRECT BOUNDARY**  
ROAD CLASSIFICATION  
**USE FEDERAL LINE AS BOUNDARY ELSEWHERE**

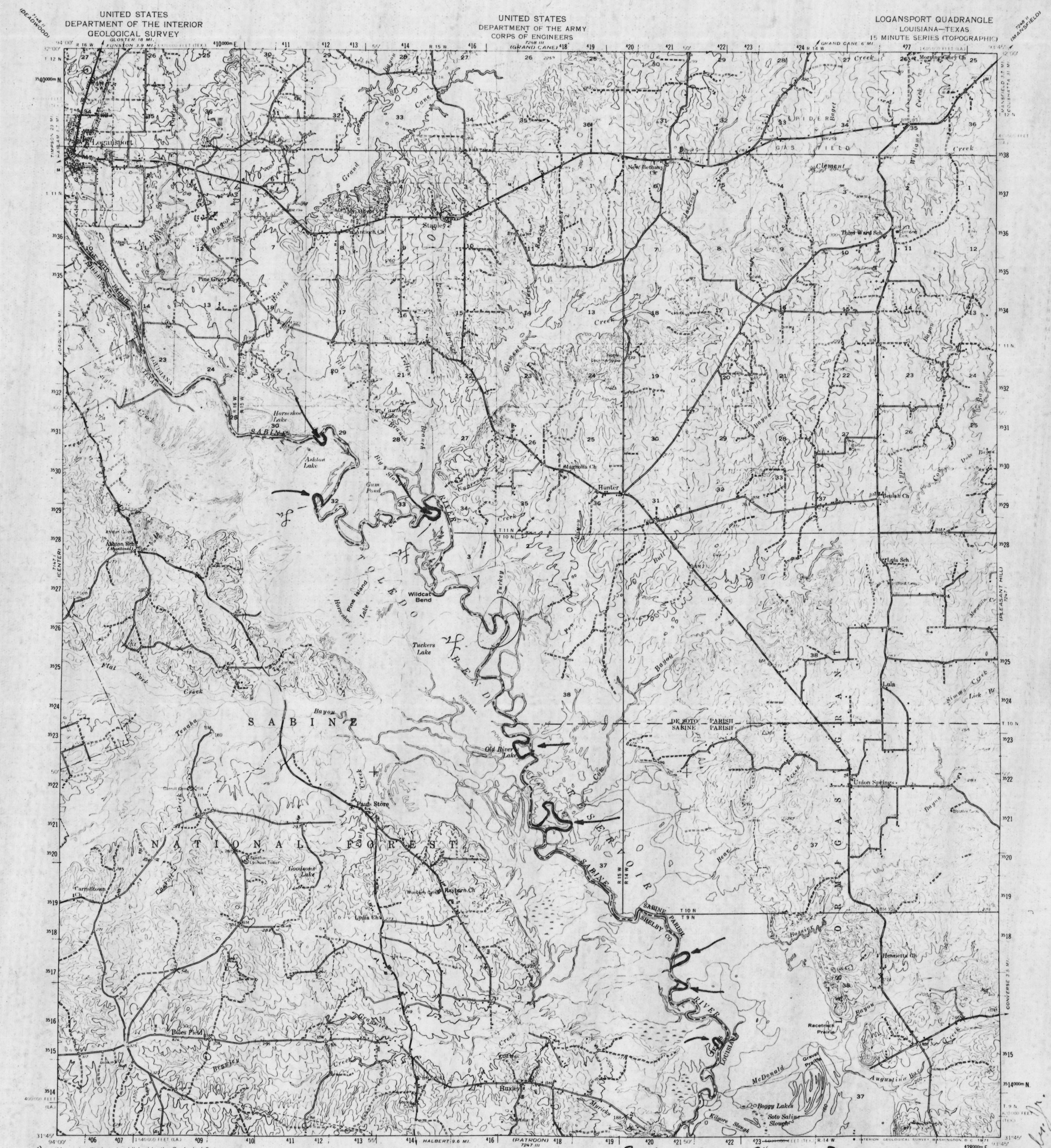
USE FEDERAL LINE AS  
5 KILOMETERS  
2-20-1974 FOR Louisiana  
Jolley M. Garrison, Jr.  
QUADRANGLE LOCATION  
C. 20242  
SIANA 70804

PATROON, TEX.—LA.  
N 3130—W9345/15

32

PHOTOREVISED 1969  
AMS 7247 III-SERIES V782

AMS 7241 III-SERIES V102



19 420 421 50' 422 423 4400 FEET (TEX.) R. 14 W. • INTERIOR GEOLOGICAL SURVEY  
RED LINE SHOWS CORRECT BOUNDARY ROAD CL  
4 MILES Heavy duty  
USE Federal Line as boundary elsewhere. Medium duty

5 KILOMETERS  
For Louisiana

2-20-1974

LOUISIANA

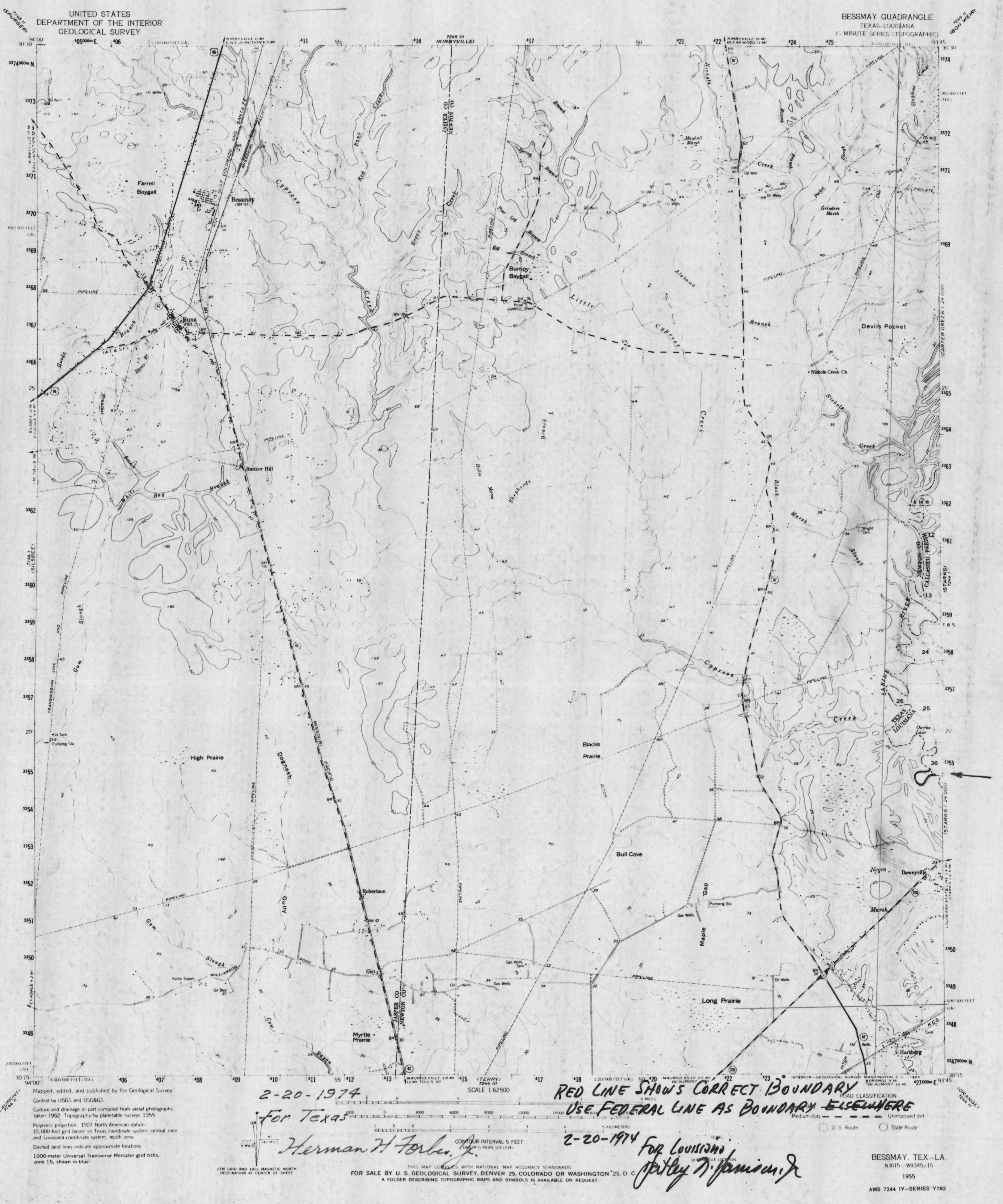
John N. Yancey, Jr.

LOGANSPORT, LA.—TEX.  
N 3145—W 9345/15

**1956**  
**PHOTOREVISED 1969**

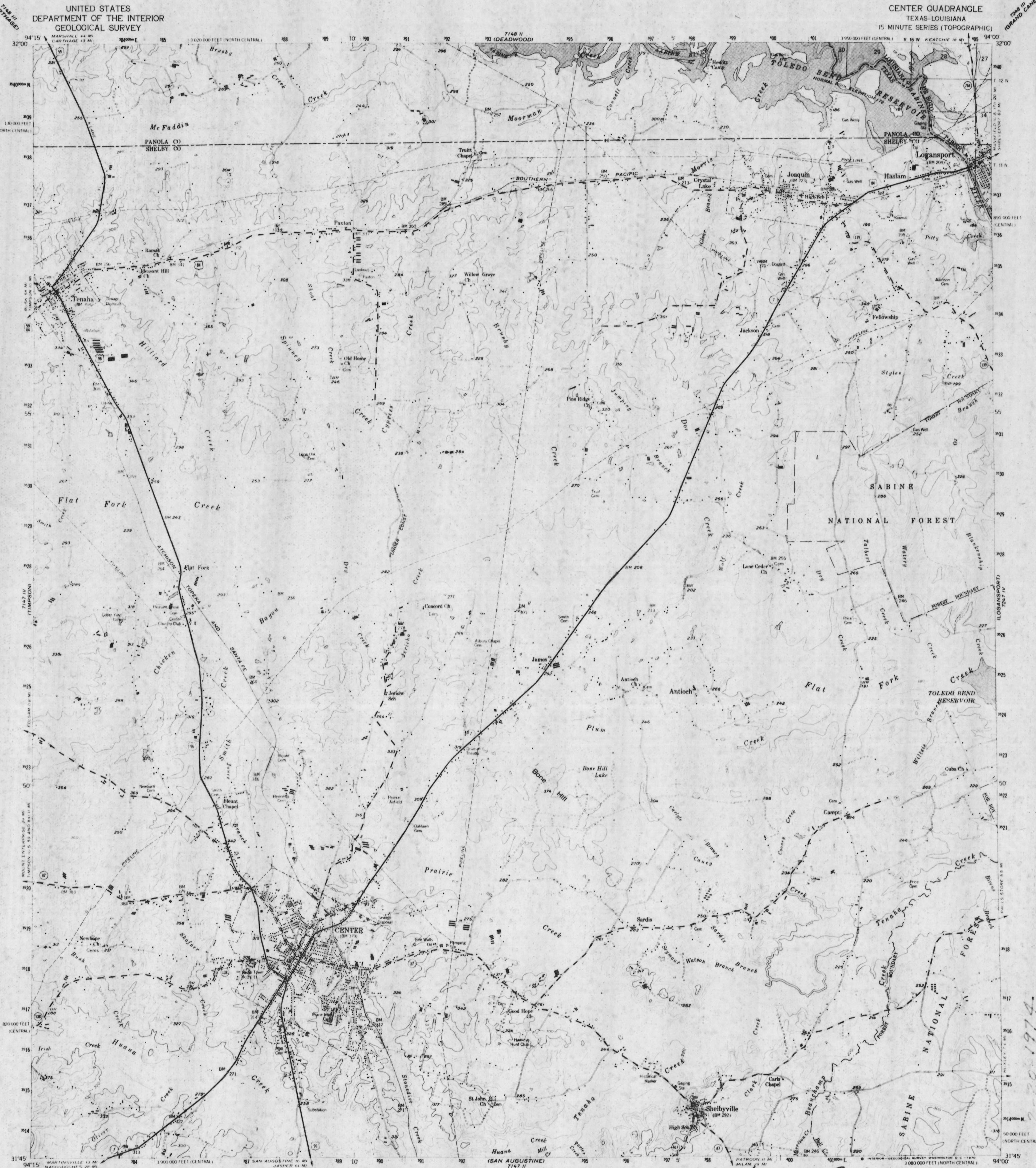
AMS 7247 IV-SERIES V785

2-20-74  
For Texas  
Herman H.



UNITED STATES  
DEPARTMENT OF THE INTERIOR  
GEOLOGICAL SURVEY

CENTER QUADRANGLE  
TEXAS-Louisiana  
15 MINUTE SERIES (TOPOGRAPHIC)



(MARTINSVILLE)  
7147 II

Mapped, edited, and published by the Geological Survey  
Control by USGS and USC&GS

Topography from aerial photographs by photogrammetric methods  
Aerial photographs taken 1956 Field check 1958

Polyconic projection 1927 North American datum  
10,000 foot grid based on Texas coordinate system,  
central and north central zones  
1000 meter Universal Transverse Mercator grid ticks,  
zone 15, shown in blue

Revisions shown in purple compiled from aerial photographs  
taken 1969. Louisiana portion in cooperation with Louisiana  
Department of Public Works. This information not field checked

Woodland revised within Toledo Bend Reservoir

UTM GRID AND 1969 MAGNETIC NORTH  
DECLINATION AT CENTER OF SHEET

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS  
FOR SALE BY U.S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR WASHINGTON, D.C. 20242  
AND BY THE STATE OF LOUISIANA, DEPARTMENT OF PUBLIC WORKS, BATON ROUGE, LOUISIANA 70804  
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

No Change in River Boundary  
use Federal Line as Show

For Louisiana 2-20-1974

Patley M Garrison Jr.

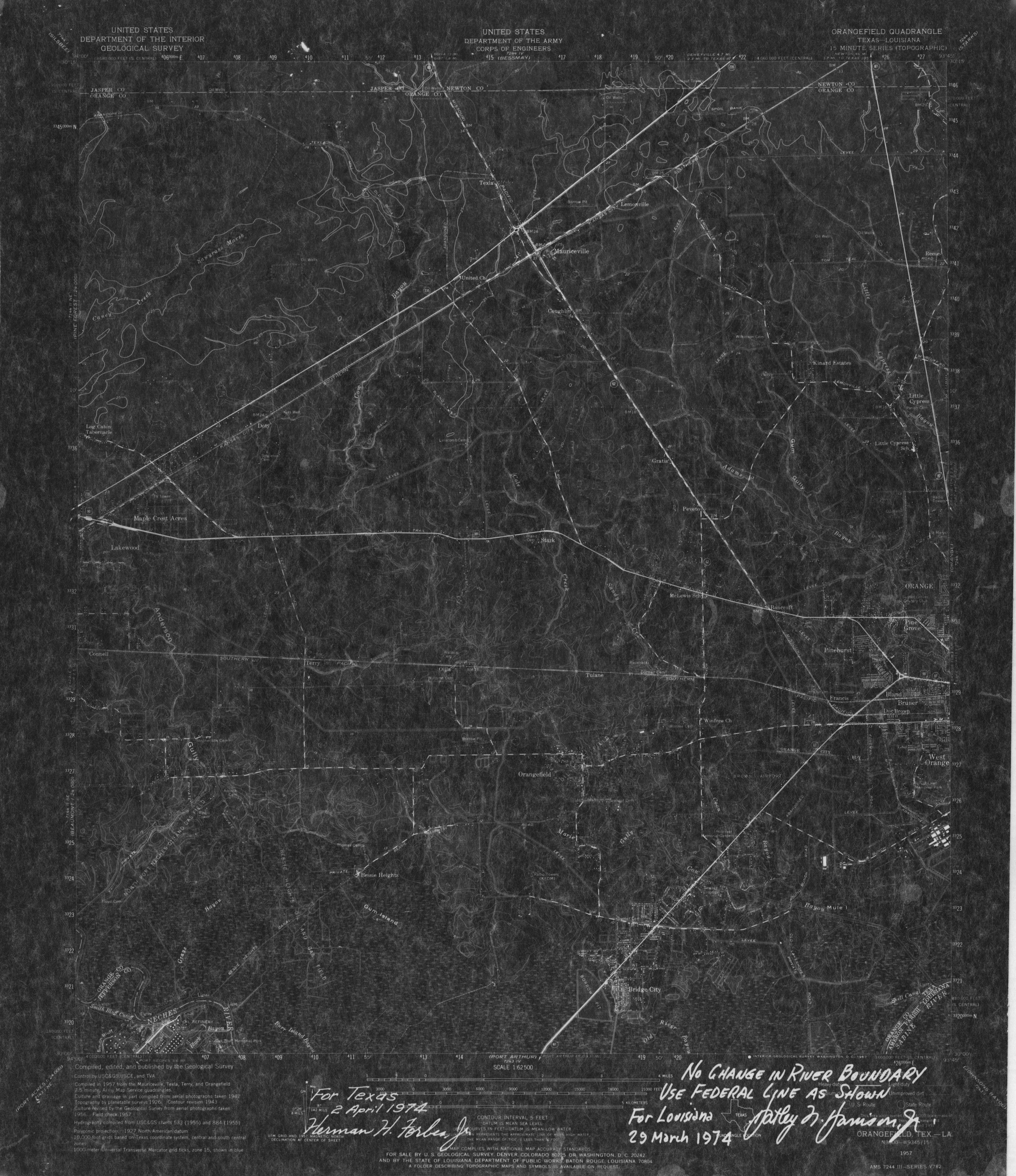
CENTER, TEX.-LA.  
N3145-W9400/15

1958

PHOTOREVISED 1969

AMS 7147 I-SERIES V785

7258 H  
(GRAND CAME)



UNITED STATES  
DEPARTMENT OF THE INTERIOR  
GEOLOGICAL SURVEY



Mapped, edited, and published by the Geological Survey

Controlled by U.S. Army Corps of Engineers Geodetic Survey

Completed in Project Item 1-24000-16 maps of Matagorda County

and adjacent parts of Galveston, Chambers, and Harris counties

and the northern part of Matagorda Island

Revised 1960  
Published by the U.S. Geological Survey, June 1960

Scale 1:250,000  
Approximate scale 1:240,000

SUPPLEMENTAL PLAT

protracted of

Ts. 9 and 10 S., R. 13 W., La. Mer.

LOUISIANA.

Scale, 40 Chs. to an inch.

215

20

15

14

T. 9 S., R. 13 W., La. Mer.,  
2559.49 Acres.

22

23

26

A

35

A

11

J

T. 10 S., R. 13 W., La. Mer.,

5567.90 Acres.

14

23

C

23

J

TURNERS ISLAND

32 28

26

35

Topo 173-C § 176-Ac

The above plot of the survey dated Feb 28, 1907,  
of the Islands in the Sabine River, in T. 9 and 10 S., R. 13 W., La.  
Mer., Louisiana, executed by E.L. Gorham, Parish Surveyor of  
Calcasieu, has been protracted from the corrected returns of  
the survey as transmitted by the Register of the State Land  
Office by letter dated July 21, 1913.

The areas as shown are approximate, owing to inaccuracies  
in the survey far beyond the ordinary limits, also differences  
shown between the Surveyor's plot and his field notes. (See  
letter from E.L. Gorham to Judge T.J. Dugan, dated May 30,  
1913, inclosed with Chas. M. Pidgeon's report, wherein it is  
stated "the survey should be considered impossible.")

The lands of this survey were examined by Chas. M.  
Pidgeon, U.S. Surveyor, and reported by him by letter of  
June 2 and 17, 1913, as swamp and subject to overflow.

The areas are therefore estimated only, and are not  
to be taken as the exact contents of the sections shown.  
They are protracted for the purpose of adjusting the claim of the  
state to the lands herein shown, an official survey thereof  
by this office not being deemed essential.

General Land Office,  
Washington, D.C., Sept 2, 1913.

*Edgar Allan*  
Commissioner and ex officio  
U.S. Surveyor General for Louisiana.