

SURVEYED F. 2- 1980

SOUTH CHIEF CON EX 1980

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Surveyed by J. D. F REEMAN doted Apr. 2, 1956.

MAP & REPORT NO 28 C.N. COOKE RANCH LA SALLE CO.

MISC. MAPS ETC IN METAL CABINET

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[a.k.a.] 83338

MAP & REPORT Nº 28

540°E, 19 Miles - Baport & Mak - (Jose Flatonis Geal)

A report as to office study and field work done in making a retracement of surveys in the vicinity of the Cooke Tanch, LaSalle County, Texas, for the purpose of relocating old lines and corners and fixing, upon the ground, as nearly as possible, their original position as established by previous surveyors from time to time.

We find from the current Land Office map, dated September, 1923, that the draftsman appears to be in some difficulty, when he attempts to place the Jose Antonio Leal Survey upon the map, and since the Leal is one of the surveys in the immediate area in which we are definately interested, we feel that a brief history of this and surrounding surveys would not be amiss.

In March, 1848, R. A. Howard, Deputy Surveyor of Bexar Land District, locates a group of surveys on both sides of the Nueces River, beginning on the 8th day of March at the upper (northwest) corner of Survey No. 109, now abandoned, and which had been located by J. J. H. Grammont, Surveyor of San Patricio County, on May 10, 1839, at the crossing of the San Antonio and Laredo road. Howard then starting on the said road crossing at the Grammont corner, continues up the west side of the Nueces with a series of surveys numbering from 261 to survey No. 281, some ten or twelve miles up the river, where he crosses to the east side and begins Survey No. 282, fifty varas east of northeast corner of Survey 281. He dates the survey of 281 and 282 as March 15th. He continues surveys down the river on the east side, from Survey 282 down to Survey No. 304. Although he builds his surveys down from No. 282, he calls for the date of the survey to be the same as the opposite survey across the river, showing Survey 303 to have the same date as Survey no. 265 across the river. This indicates that he made his run on

one side of the river only, it taking him seven days to complete his work, from March 8th to the 15th. Thus, it appears that he did not run any of the back lines of his surveys, although he calls for stone mounds at a number of back corners. No witness trees are called for however, except for corners on the river.

While it seems to be impossible to find witness trees for the river corners of the surveys as laid down by R. A. Howard, we find in the General Land Office, an old sketch made by the District Surveyor of Bexar District, August 11th, 1850, showing the Howard group of surveys, from which we can prepare a tracing on the same scale as an aerial map, which indicates that Howard's work is checking the river so accurately that we can, by tying in the Northwest corner of Survey 287 and Southeast corner of 261 on the ground determine the length of the vara as used by Howard in his work of 1848. We find his vara to be thirty four and a half inches as compared to one of thirty three and a third as used today. By using the river as our base and the corners heretofore mentioned, we are able to figure the course or bearing of Howard's lines, which we find to be some fifty four minutes anti-clockwise to those of the H. & G. N. surveys farther east.

The next survey of interest is the Jose Antonio Leal, surveyed by John W. Garretson on November 28th, 29th, 1874, some twenty six years after Howard made his survey. Garretson begins at the upper corner of Survey No. 287, at a stake on the East bank of the Nueces River, where he notes that original trees are down, so he calls for an eleven inch Ash as N  $16\frac{1}{2}$ ° W 5 varas and a five inch Ash S  $58^{\circ}$  E 2 1/5 varas.

He then runs East 4215 varas for the Southeast corner of the Leal Survey, and from this corner he runs N 18° 24' W 4966 varas for the North corner and then South 45° West 6640 varas where he sets a stake on the high bank of the river because the original corner of Survey 285 is under water. At this point, Carretson sets a stake and gives two elms as witness trees, one a seven inch, bearing N 23½ W 3 varas, the

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other five inches in diameter, bearing S 23 E 1 3/5 varas. Garretson explains in his field notes that this is merely a reference corner and that the original corner of 285 is then under water.

From this reference corner, Garretson meanders through the survey to the beginning corner.

The next surveyor in the area we find to be L. H. Luckett, who in May of 1875 laid down a block of H & G N Railroad Surveys, and on September 25, 1875, Luckett runs a connecting line from the Southwest corner of Survey No. 238, South 338 varas and then West 3658 varas to the Southwest corner of River Survey No. 288, claiming that he found said corner on the ground.

At the Northeast corner of Survey 157, Luckett calls for a Live Oak in a clump to bear N 40° W 475 varas. At this point we find a clump of Live Oaks, which appear to be the only ones in the immediate vicinity.

In April of 1878, Lafayette Caldwell builds two square sections, Nos. 319 and 320, off of Luckett's H & G N surveys, and in March of 1879, he makes a bunch of fill-in surveys, numbering from 761 through 766, in which he attempts to take up the space between the river surveys as located by Haward, the Leal by Garretson and where he presumed the H & G N surveys were located by Luckett. Caldwell has made several surveys at different times, making entirely different constructions, and on October 10, 1879 he wrote the Land Commissioner a letter in which he states that it is impossible to find any of the witness trees of the early surveys along the river. Then in 1881 he laid down the J. G. Alexander, Survey No. 577 and the Pablo Salinas, both of which are in conflict with his former work and also in conflict with other surveys.

In 1888, Thos. Prandy in trying to make Caldwell's work of 1879 and 1881 conform to the H & G N surveys as located by Luckett, laid out Survey No. 764, in between Surveys 764, 765, and 766, originally located by Caldwell in 1879, and in doing so entirely disregarded their calls for adjoinder.

In making a re-survey of the area, I have used the Nueces

River for control in that group of surveys laid down by Howard, and we find that in order to use the river as a base, that as near as we can determine, Howard was using a vara of thirty four and a half inches.

I have placed the Leal Survey between river surveys 285 and 287 as its field notes call, and for a retracement of the H & G N surveys as located by Luckett, I have used the clump of Live Oaks at the Northeast corner of Survey 157 as same is fenced and occupied. Running North from this corner, Luckett calls for numerous marked corners, none of which I could find, however I find on running South from Southwest corner of Survey 238 a distance of 338 varas and then West to the river that our distance of 3740 varas compares with 3656 as called by Luckett, except we strike the river at the Northwest corner of Survey No. 292, whereas Luckett calls to be at NW corner of Survey 289. This would indicate that Luckett, if he did find a corner of one of the river surveys, failed to identify it properly, or else his system of surveys are either three quarters of a mile to far south or the River Surveys are too far north, neither of which is probable.

To support the construction I have placed on the surveys in the area of the Jose Antonio Leal, I would like to call attention to a sketch filed in the Land Office by Lafayette Caldwell, September 24, 1879, and found in Bexar Scrip 27909, and as an argument against his location of the J. G. Alexander and Pablo Salinas Surveys, I would like to point out that Caldwell owned the Certificate for the Salinas at the time the Survey was made, January 10, 1881, which seems to indicate that he might have had a personal reason for moving the Leal east to make room for the Salinas and Alexander. And the explanation and sketch by J. C. Caldwell found in Bexar Donation 1900, seems to be a rather poor argument for moving the Leal from its original position.

Very truly yours,

J. D. Freeman, Licensed State Land Surveyor

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Filed with: R.S. No. 28 La Salle Co.

Filed with Map & Report No. 28

C. N. Cooke Ranch in LaSelle County
April 2, 1956

(Old Large Metal Cabinet)

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