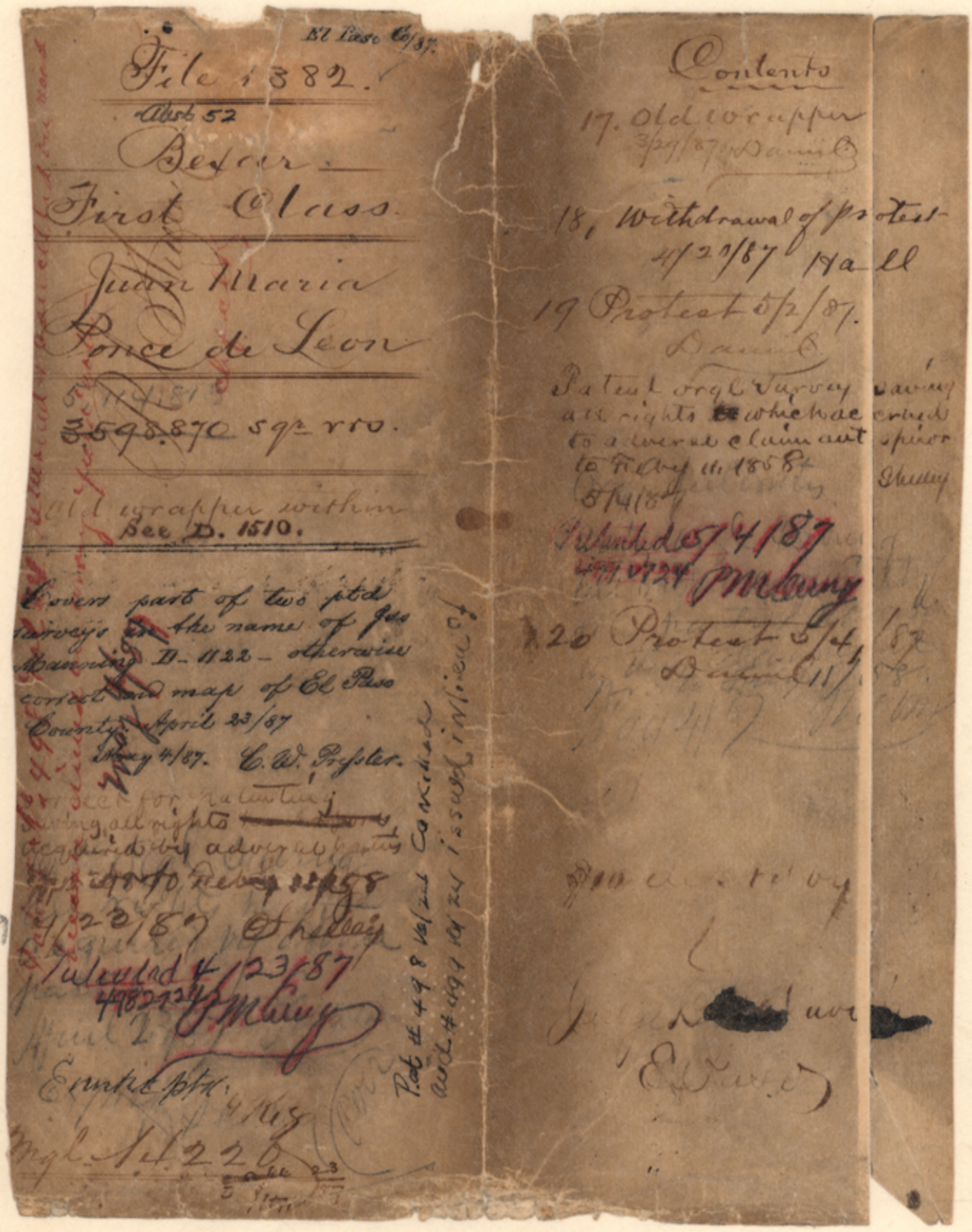


Pat. no 499, Vol 24, issued 4-23-87 to
Juan M. Ponce de Leon for 637.48 acres
in lieu of Pat. 498, Vol. 24

Translations { Pat. no. 498, Vol. 24, returned and cancelled
on record because issued on wrong field notes"

El Paso. Co.

File 1382

Bexar 1st class.

Juan Maria Ponce de Leon

3,598,870 Square varas

See Page 155 Acts 1858.

Contents.

No. 1. No. 1. Field Notes.

" 2 P.K. Hagaman

per R. J. Calder. B-1510 & corresp. with surveys No. 3 & 4 Jas. Manning D-1612 Patents. The original title calls only for two Caballerias of land on Rio Grande & its N. line is a straight line — also meandering of river must be given. Oct. 25/51

E. W. Pfeuffer

The meanders of the river must be given

June 10/61

P.K.H.

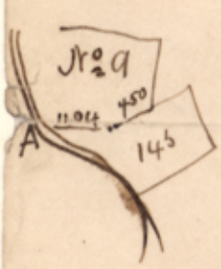
Myl. 11226

S. Crosby

15th Leads

57

S. No. 412



Field notes of resurvey of a part of 320 Acres of land made for J. Hart at his request being the division lines between Survey No 9 — and Survey 145 known as the P. de Leon tract Commencing at a stake in mound marked A. on diagram at the intersection of the old acequia of Xavier Bernal & the present acequia at the foot of the hills and edge of roads leading to the hills — from which a cotton wood 2 feet in diameter bears S. 26 E. 18 feet distant a cottonwood 2 ft in diameter bears north 50 W. 20 Varas distant thence East along the foot of hill — at 480 Varas top of a spur of the hills descend & continue along the foot of the hills 1104 Varas to a stake from which the South East Corner of Francisco Robles Adobe bears N. 41 1/2 E 15 Varas distant thence N. 53 E. 450 Varas to a stake from which the South East corner of Dr Vangles house bears N. 69. W 62 1/2 Varas distant

Surveyed Oct 29th 1860.

B. S. Dowell
J Hubbell } Claim Carrier

O. K.

George Villars
Dep Sur E P & P.D.

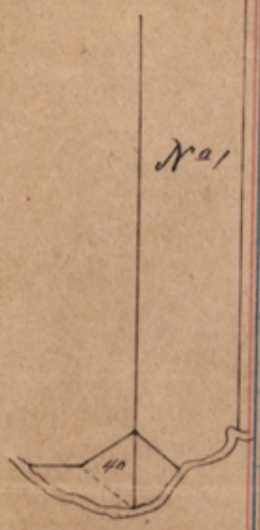
J Jarvis Hubbell Surv
O K as recorded in BK A. No 1
Page 201
J. Hubbell
D. Surv. & E P
& Reside Lisb.

San Elizario 22 Oct 2/60

2/ File 1382
Dosa
Susan 1st Place
Juan Moore defendant
Filed Notes
Party 320 Acres
Filed Jany 21/87
Dock Robinson
Atty ock

J. Cudell - Asst. Atty.

Canceled.



State of Texas
District of El Paso } Survey No 40
Field notes of a plat of a survey of 599 acres and 3215 varas of Land made for Mariano Barrio ap. of Juan Mn Poncy it being land to which he is entitled in part by virtue of a Grant of Land made to Juan Mn Poncy on the 24th day of September A.D. 1827 by Agapito Albo as Justice of the Peace of the town of El Paso, in part by an additional Grant made to said Juan Mn Poncy on the 4th day of May A.D. 1830 by Jose Maria Cordova as Justice of the Peace of the town of El Paso. Said survey is No 40 in section No 1 situated on the Rio Grande opposite the town of El Paso Del Norte. Beginning at a stake set on the bank of the Rio Grande which bears N 67 1/4 W 2428 varas from the S.W. corner of survey No 1, A cottonwood 10 inch in diam, bears N 58 E 35 varas Thence E. 1104 varas to a stake and stone heap, Thence N. 53 E.

A

1861 varas to a stake and mound (no natural objects near) Thence S 26½ E 1341 varas along a ridge of Earth to the bank of the Rio Grande to a stake, A Tornis or Screw tree 6 inches in diam, bears N 10 W 20 vrs another Screw tree 8 inches in diam bears N 25 E 14 varas. Thence along the Rio Grande with its meanders 3903 varas to the place of beginning. Bearings marked ≡
Surveyed March 25th 1853
William Bonner } Chain Carriers
Pelejio Garcia }
All Arable land
I W. L. Diffenderffer Dist Surveyor for El Paso Dist hereby certify that the survey designated in the foregoing Plot and field notes was made according to law and that the limits boundaries and corners of the same together with the marks natural and artificial are truly described therein and that the same is recorded in my office in Book 1 page 29. San Elegario March 25th 1853 W. L. Diffenderffer
District Surveyor of El Paso Dist.

A'

I B. Mariany County Surveyor of El Paso County Texas do hereby certify that the foregoing plat and field notes is a true and correct copy of the original now upon the records of my office. Witness my hand this the 1st day of July 1881

B. Mariany
Co Sur. El Paso Co Tex
By A M R Rudolph
Dep.

A2

3/ File ~~2080~~ 1382

Bexar 1st Class

Juan M Ponce de Leon

Field Notes

Survey No 40

~~5 Leagues~~

Filed Jany 24/84

D. N. Robinson

Chf Clk

Differences fieldnotes
March 1853

Decline —

The course and meanders
of the river are omitted
by the S.

~~Surveyor Genl's Office~~

~~Examined &c~~

~~Geo. Hosp of the~~

~~Geo. Hosp Genl~~

~~Surveyor Genl's Office 1854~~

A3

1218816 sqvs.

Field notes of a survey of Two Caballerias or one million two hundred and eighteen thousand eight hundred and sixteen square varas of land made for Juana Maria Ponce de Leon by virtue of an Act of the Legislature of the State of Texas passed the 11th day of February 1858. (See Parch als Digest Vol. 1 page 737 article 4466) confirming to the said Juana Maria Ponce de Leon a grant for two Caballerias of land.

Said survey is situated on the Rio Grande about 9 miles S.W. of the town of Ysleta and is known as survey No 140 in Section No 1.

Beginning at a stake and pile of stones on the bank of the Rio Grande 1104 varas West of the most Southerly S.E. corner of the John Barker survey No 9. This point is known and recognized as the original beginning point of the Ponce de Leon grant.

Thence East along the foot of the hills 1104 varas to the most Southerly S.E. corner of the John Barker survey No 9 a pile of stones for the corner.

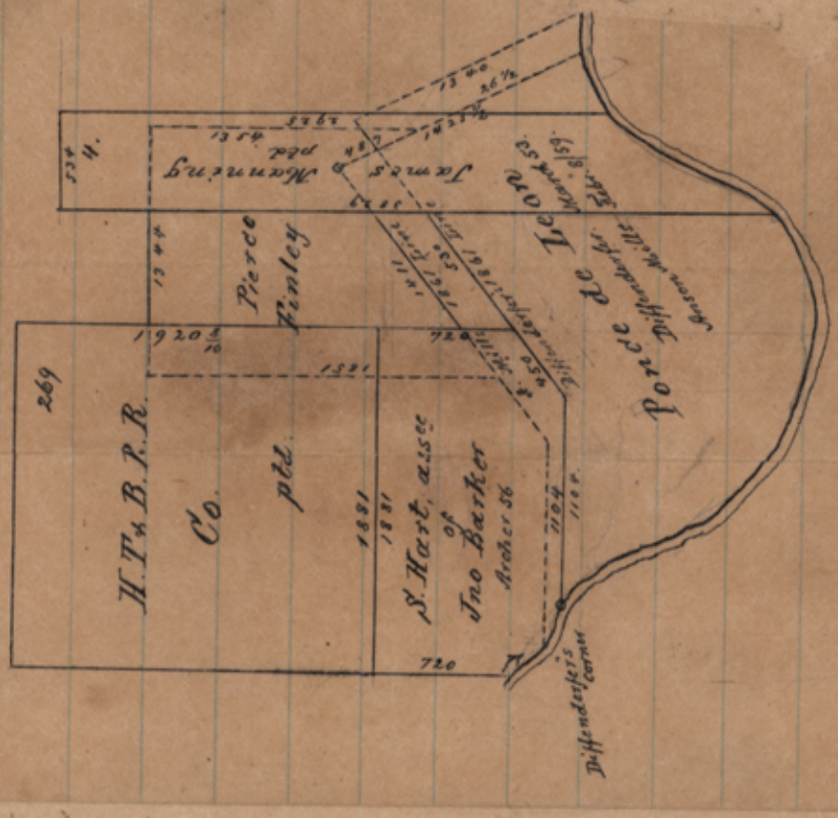
Thence N. 53° E. continuing along the foot of the hills with the S.E. boundary line of said John Barker survey at 450 vrs, passing

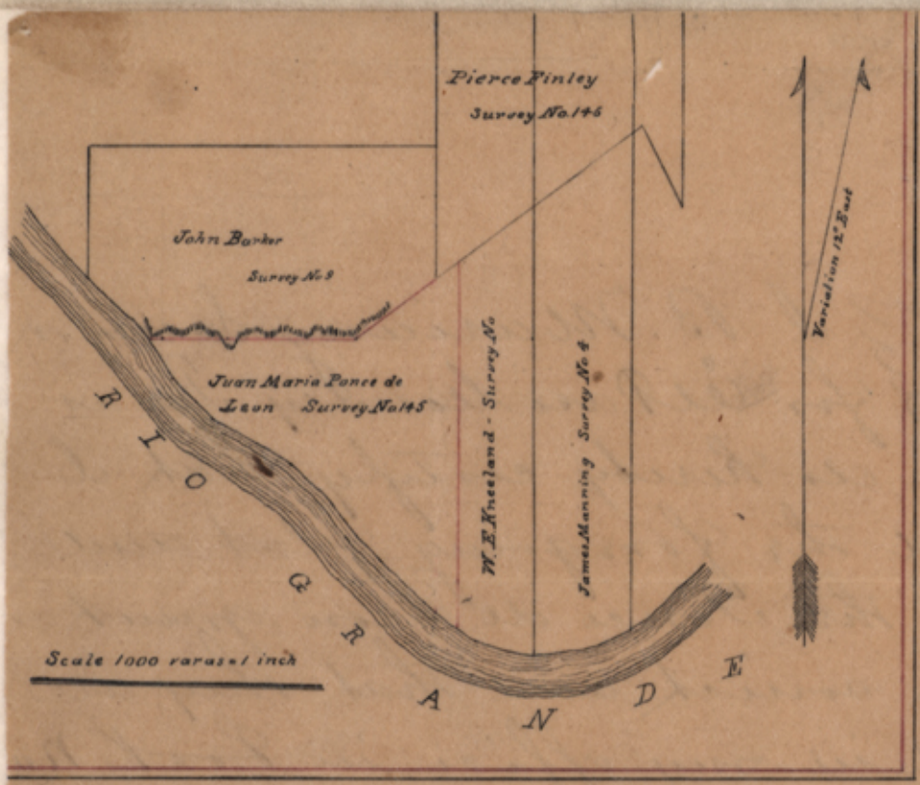
his most Northerly S.E. corner and the S.W. corner of the Pierce Finley survey No. 146 and with said Finley's S.E. boundary line 86 varas, in all 536 varas to a pile of stones on said Finley's line for the corner.
Thence South 1817.2 varas to a stake on the bank of the Rio Grande, No natural objects near.
Thence up said river with its meanders as follows. viz; N. 53 W. 71.3 vrs. N. 46 W. 360 vrs. N. 44 W. 162 vrs. N. 38 W. 216 vrs. N. 46 W. 311.4 vrs. N. 50 W. 492 vrs. N. 45 W. 300 vrs. N. 36 W 98.8 vrs. - [illegible] 44 W 134.6 vrs. N. 34 W. 55 vrs. to the place of beginning. All irrigable land.
Surveyed the 16th day of December 1881.
Rico Dolores } Chain
Antonio Gonzales } Carriers
State of Texas } I A M Randolph Deputy
El Paso County } Surveyor of said County do hereby certify that the above plat and field notes are correct, that said survey was actually made by me upon the ground according to law and in conformity to the metes and bounds as designated in the original grant to Juan Maria Ponce de Leon.
Witness my hand this the 16th day of Dec, 1881.
A. M. Randolph
Dep Sur, El Paso Co. Tex.

State of Texas } I B. Mariany Surveyor
El Paso County } for El Paso County Texas
do hereby certify that I have examined the foregoing plat and field notes of the Ponce de Leon grant and find them correct and that they are truly recorded in my office in Book No 1 page 4 & 5

In testimony whereof I hereunto sign my name this the day of Dec. A.D. 1881

B. Mariany
County Surveyor of El Paso County





Survey No. 145

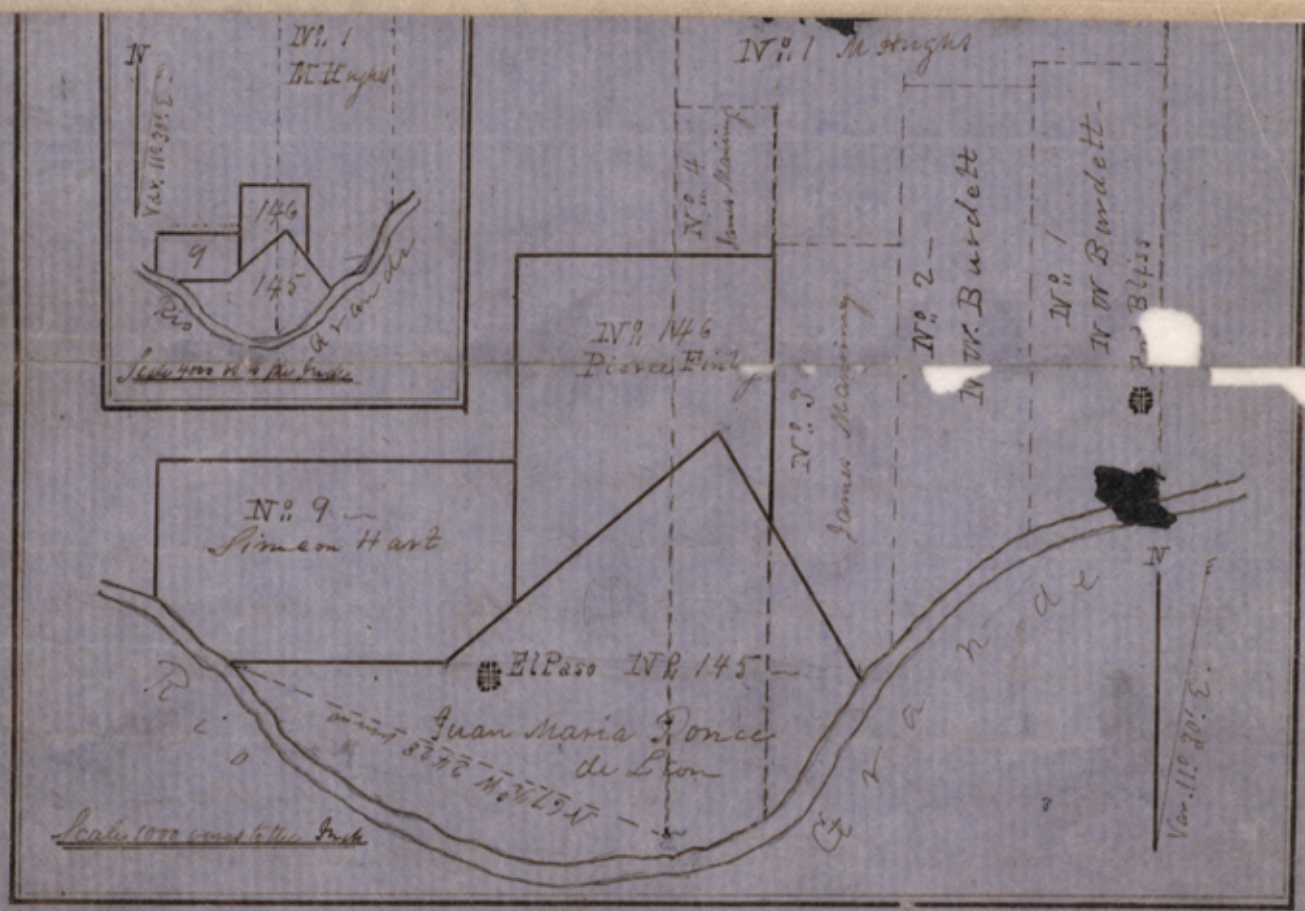
State of Texas
County of El Paso

Surveyor

Filed 2080
Bexar 1st Class
Juan M. Ponce de Leon
Field Notes
1.218.816 pg ms
Filed Jany 2/82
Chas Fitzer
Chief Clk

A. Manning Dec. 16/51

Surveyed



State of Texas
El Paso & Presidio
District

Plat and Field notes of a Survey of 637 acres more or less and 1250 Square varas or 3597000 sq yds of land made for William T. Smith Assignee of Juan Maria Ponce de Leon it being the land to which he is entitled by virtue of an Act of the Legislature of the State of Texas relinquishing all her right and interest in "El Rancho de Ponce" known as the town of Franklin to said Juan Maria Ponce de Leon

Approved Feb. 11th 1858 —

Said Survey is No. 145 in Section No. 1 situated on the East bank of the Rio Grande in El Paso County about 1 mile below Fort Bliss containing the present town of El Paso — —

Beginning at a cottonwood tree 8 In dia on the bank of the River between two acequias from which a cottonwood 10 In dia marked x bears S 55° E 7 varas and a little cottonwood back. Stake 5 In dia marked x bears S 55° E 67 varas (I found the Stations and bearings all obliterated so much so that Mr. W. L. Diffenderffer the former District Surveyor who made the Survey

1

could not establish any point save the 2nd Station near Holdings Grave I took this Point and ran back to the River to find tree for a beginning point which bears N 67½° W 2428 varas from the South west Corner of Survey No. 1 made for Moses Hughes —

Thence E (177 varas to a pile of Stones and lime monument on the point of a hill) 1104 varas to a pile of Stones and lime monument from which the head of Dr. F. M. Holdings monument bears S 83° E 136 varas

Thence N 53° E 1861 varas to a Stone heap from which a Cottonwood 24 In dia marked x bears S 57° E 236½ varas —

Thence S 26½° E 1423½ varas to a Stake and three large Stones on the bank of the River from which a Domio 4 In dia marked x bears N 36° E 7 varas and another 3 In dia marked x bears N 79° W 6 varas —

Thence up the river with its meanders to the place of beginning. Surveyed Feb. 8th 1859 —

Conflicts with supposed Illegal Surveys shown in the above Plat

Wm Davis
Antonio Bergrundor } Chain Carriers

I Anson Mills Deputy Surveyor for El Paso and Presidio District do hereby certify that the foregoing Survey is 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 —

Anson Mills
Dep. Sur. El Paso & P.D.

I Rufus Doane District Surveyor for El Paso & Presidio 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 A No. 1 Pg 165 — San Elario Feb. 18th 1859

R. Doane
Dist. Sur. El P. & P. D.

File 1382 1382

Bexar 1st dist.

Fieldnotes 3,596,870

Juan Maria Ponce de Leon

Filed 16th March 87

These fieldnotes do not agree with the copy of original title on file with survey B_1510.

April 16/73
Sikenit

[illegible] covers part of J. Manning's [illegible] surveys D. 1122. otherwise cor[illegible] to old map of El Paso Co.
[illegible] May 4/87 C.W. Pressler.

[illegible] filed May 4th 1887
[illegible]

#125

1382

Plat and Field Notes
Survey No 1145 for 637 acres
for William J. Smith
Assignee of
Juan Maria Ponce de Leon

158 Acres 58

Appr[illegible]

J. Crosby

Field Notes of a resurvey of the "Pasco Grant" Known as Survey No 145 as Made by Anson Mills, and to correct Said Survey with the James Manning Sur No 4 West line Said Survey is Situated in El Paso County on the Rio Grande at the Town of El Paso

Beginning at Dr Giddings grave running N 83° W 136 Varas I found an old Monument of Rock Said to be the point from which Anson Mills began his Survey, from which Point the Spire of the Church in El Paso del Norte bears S. 16 E, A perpendicular cliff at the East end of El Paso del Norte Mountains bears S 13¼° West And the Extreme Peak of a lone Mountain bears N 38° W

Thence N 53° East 450 Varas to the East Side of Oregon Street Continuing to 1363 Varas to the west line of the James Manning Sur No 4

Thence South 2462.5/10 Varas to the bank of the Rio Grande

Thence up the river with its meanders as follows

North 82° W. 424 Varas
" 61° 30' W 260 "
" 49° W 280 "

Thence North 45° 30' W 130 Varas
" " 40° 30' W 574 "
" " 52° 15' W 602 "
" " 42° 30' W. 514.4 " to a
Rock from which the western abutment
of the Pumping Station across the El Paso
ditch bears N 42°30', W 31 Varas —
Thence East 1060 Varas to the
place of Beginning, containing 2.570.239
square varas.
On information that the former line
was run by Mr Mason Mills with Mex-
ican Chainmen and on the ground
I rechained the East and West
line from the monument near Geddings
grave to the river I was enabled to
make the 1104 Varas called for by
Mr Mills in his "Survey by running
the Chain on the ground following
the surface on account of the ground
being very broken and running on
the Sand Bank to waters edge 24 Varas
West of the Point found by me to be
1060 Varas west of the monument
(with the chain leveled) where I
placed a White granite Rock such
point is 8.4 Varas outside of the Stone
abutment of Pumping Station

Chain Carriers { Alfred Hampton
H. A. Horsfall

I Ward B Blanchard County Surveyor of El Paso County do hereby certify that the foregoing field notes and accompanying Plat truly represent the above Survey and that it was made according to law, and that the limits boundaries and corners of the same together with the marks Natural and artificial are truly described therein and that the same is recorded in my office in Book of Private Surveys No 2 Page 116 El Paso Jan 25th 1884

Ward B Blanchard
County Surveyor
El Paso Co Texas

6/

File 1382

Bexar 1st class

Juan Maria Ponce de Leon
Corrected
Field Notes

Filed Feby 6/84
D A Rolinn
Chief Clk

Corrected.

Check for 2,570.239 acres.
or 457 acres.
Feby 6/84
MHG

Field Notes of a
Survey of the Ponce
Grant

James, McClurg & Co.
Chicago, Ill.

Hon. W. W. Walsh
Comr Genl Land Office

We the undersigned who in common with others own land in City of El Paso which is claimed to be embraced in the limits of the Ponce Grant of two Caballerias do protest against the issuance of any patent on the said grant which calls for or recognises in any way a Survey of Anson Mills made Feby 10th 1859 purporting to be a Survey of two Caballerias granted to Ponce de Leon by the State (See Pas Dig Arts) or any recognition of that, as the North boundary line of the Ponce grant or the South line of the Hart No Nine. The parties claiming under the Ponce are of them except those not interested in the North line are now parties plaintiff in Suits here against these petitioners and others, which suits involves directly the location of the North line of the Ponce and South line of Hart. A Patent under these circumstances would work injustice to us and others. This is evident when you reflect that the Hart calls for the upper line of a Survey made by Hoffman & Hoffman in 1858. a copy of which is Enclosed. This Survey as claimed by Hart, and acted on, is represented on the plat accompanying by the lines Marked A. B. C & D. The Mills Survey which was made

4A

in 1859 is represented by the upper line
marked E. F. G. etc. the space between
these lines represent the territory in conflict.
If Mills Survey is accepted this entirely changes
the burden of proof and materially changes
also the East line of Hart. The North line of
both versions of the Offenderoffer is the same
in length and course and run parallel
From the mid they run East 1104 varas
and are about 280 feet apart. then when
they move North they each run 1861 varas
and are 620 feet apart. The S Brooks are
250 feet the S Hart's 70, the figures first above
given are under the mark. From this
you see what an enormous addition
the Mills Survey makes to the Legislative
and original grant of Don Caballerius, which
is about 810 acres. an addition of, which
equals ~~nearly a million & a half square feet~~ over half a million square varas
~~varas~~ considerably more than one third the amount
named in the grant or the Act of Legislature,
which addition is on the North alones & the mind of others
You will observe by consulting the act
requires the Survey to be made according
to Metes & bounds of original. no fears by
whether this would entitle them to any
accretions made before title under the act,
by referring to field notes of the Ponce
which if sent in your office will be found
in the case of Johns. vs. Schultz 47. T. p.
you will see there is nothing in them to control
quantity materially and an actual cal-
culation will show the metes & bounds in the

original (as we can for some) we embrace within a trifle of 210 acres or two Caballerias. There can be no pretence that the immense additions were due to accretions from the river. This either in part belongs to the Hartnag or else to the The State. The latter is far more probable than that Pona ever took in his Omaw allotment, such a proportion of untillable land. This Survey of Miles would require us to assume that while Pona called for cultivable land no other Sort bring of growth, he yet laid off on the barren, timberless grassless waterless hills one half his grant. For the different survey bounds on the lower line A. B. C. we must take in thirty or forty acres uncultivable land. This extension of Miles of the line to the North was an afterthought, born of a desire to utilize the land for town lots and was in fact so laid off by him at or within six months of his survey. In support of this we ask your attention to the following. The legislature required the Survey to be according to original metes & bounds of the grant. Yet Miles Survey does not call for any of these except the River, a good call at the mouth of it. The grant calls for the Barranca acaguia - the foot of a hill - the foot of the hills. Course, distance. These natural objects are there now. Why are they omitted?

4B

the case for the foot of the hills was in Johns. vs. Schultz 47. Tex in passing on this same grant had to construe the call for course. (there is nothing to control the distance but quantity) - yet Mills disregards the course in 2° Caballeria and disregards the call for foot of the hills by running entirely on the very summit of the range and away from the foot or edge of the hills. As a matter of fact Mills never knew what the Ponce field notes were when he made the Survey he has specifically declared that such was the case and that his only object was to retrace the Diffendorfer survey of 1853. and a comparison of his field notes with the Diffendorfer indorsed voice shows that such was the case, it is probably an alleviated copy, as his survey is not in accord with the book in its courses distances or natural objects. it is entitled to think to little consideration - Mills was a bitter enemy of Hart and received as we understand part of the land surveyed for his fee.

You will also see that the Diffendorfer survey shows that it is a survey of two grants to Ponce ~~the~~ first one named bung, the two Caballerias - the adoption of this survey is not a survey of the 2 Caballerias by original meters and bounds.

Janssen, McClurg & Co.
Chicago, Ill.

I state further that the line between the Hart survey and the Diffendorffer survey of 1853. claimed to be the Ponce upper line was made Octr 1860 the year following the Miles Survey and this survey by the Dist. Surveyor shows the lower line to be the Hart survey and Ponce upper line we send copy and say that the Rebel and Wm Langle buildings cattle from are standing yet. Further the Diffendorfer survey of 1853 was made for Barela the owner of land of Ponce and franchise with his wife and another the claimants under the Ponce grant held, the said parties appear by deed of record to have sold to W. T. Smith at the time of the survey which was made for that purpose. This W. T. Smith after the survey and deed to him and in June following the survey of Diffendorfer in July 1853 or March 1853. located his Certificate of 320 Acres almost wholly within the limits of the Miles survey and South of it, crossing that line in running North a small distance. this survey was wholly to the North of the Diffendorfer as claimed by Hart and shown by the Villars survey of 1860 copy of which is enclosed as stated.

The objects called for in both the Miles and Hart version of the Diffendorfer Survey are common to each as the starting point - Cottonwood. thereafter they are the same except the call for Gatlings

4e

grants which is put in the Buffendorfer
The case commence to both beginning
at S.W. corner of Moses Hughes survey, thence
thence N 67¼ W 2428. It is a copy
interpolated into the Miles from the
Buffendorfer as Miles himself has
declared although he subsequently denies.
but the S.W. cor of Hughes is from his
case for objects as common as Forked
trees and the fact that the river called
for has entirely shifted is sufficient if
not impossible of exact location and
such was the case in 1850 & 1853. Nothing
but two forked exactly fixed cores
account for the exactness
in the Miles & Buffendorfer calls.
and neither was so fixed. yet the call
though over a mile in length is exact
to a fraction. Further in the suit of
Johns vs Schultz 47. Tex you will see
that the lower line was recognized
as the upper Porce passing Schultz house
which still exists on the lower line. No
one contended for any other. So in another
hotly contested case in Federal Court
all parties recognized that Miles
Survey was at fault. The increase
from two Caballerias to 637 Acres as
demanded by Miles Survey is not
due solely to movement of the river
South ward but the extension to four
East of the North line. and the extension

to the North of the upper. If Patent is issued on the Ponce by the Mills Survey it certainly gives the patentee a valuable tract of land belonging to the State of not to North No 9. It entirely changes the burden of proof from those who ought to establish the identity of that Survey with the Spanish grant to Ponce as required by the legislative grant under which patent is sought, if on denial it would not entirely deprive defendants of any claim, by changing an effect the lower line of the North which calls for Duffy or for Survey assumes by the fact of patent to be the same as Mills Survey.

With Respect

J. A. Campbell

J. A. Buckler

In addition above one add that the call for the edge of the hills in Ponce grant does not apply to 2° Cabullona as the hills all terminate before the completion of the first one, and thereafter there is nothing in grants to control course which is East while both Duffy or Jones & Mills Surveys run North 5 3/4 E. Neither of these Surveys are known to be according to Ponce grant ~~Except the Duffy or~~ as ~~report~~

J. A. Campbell

J. A. Buckler

for N. R. Brooks

4-D

4x/ File 1382 ~~2080~~

Bexar 1st Class

Juan M Ponce de Leon

Protest

Filed Jany 21/84

D N Robinson

Chf Clk

Cumings Lt

Jan 21/84

Brown

Thomas Bay

Pierce Finley Survey

State of Texas } Field Notes of a
County of El Paso } Reservey of 203½
acres of land as corrected by the
Anson Mills Survey No 145
and correcting the East line with
the James Manning Survey No 4
West line, Said certificate was
issued to Pierce Finley by the
County Court of Matagorda County
on the 9th day of May AD 1854
Said certificate is unconditional
Scrip No 244 of the 3rd class
This Survey is known as Survey
No 146 in Sec No 1 on the waters of
the Rio Grande in El Paso County
Texas imiadately back ~~or North~~
of the Town of El Paso

Beginning at a point on the
East side of Oregon Street at a
place said to be the S E Corner of
Survey No 9 according to the Anson
Mills Survey and 45 d Varas N
53° E from the Point Established from
the Dr Giddings grave

Thence North 1851 Varas to a
Pile of Stone

Thence East 729 Varas to
a pile of Stone on the west line of Sur

8-A

No 4 in Name of James Mannung

Thence South 1301.5 Varas along the west line of the James Mannung Survey No 4 to the place where the Ponce Grant intersects Said line according to the Mills Survey

Thence South 53° W 913 Vrs to the place of beginning

Sur Jan 30th 1884

Chain carriers { A Hampton
H A Horsfall

I Ward B Blanchard County Sur of El Paso County do hereby certify that the foregoing field Notes and accompanying Plat truly represents the above Survey and that it was made according to law and is truly described with refference to adjoining Surveys and is Recorded in my Office in Book of Private Sur No 2 Page 117 El Paso Jan 30th 1884

Ward B Blanchard
County Sur El Paso Co
Tex

8-B

8/ File 1382

Bexar 1st Class.

Juan Maria Ponce de Leon

Explanation

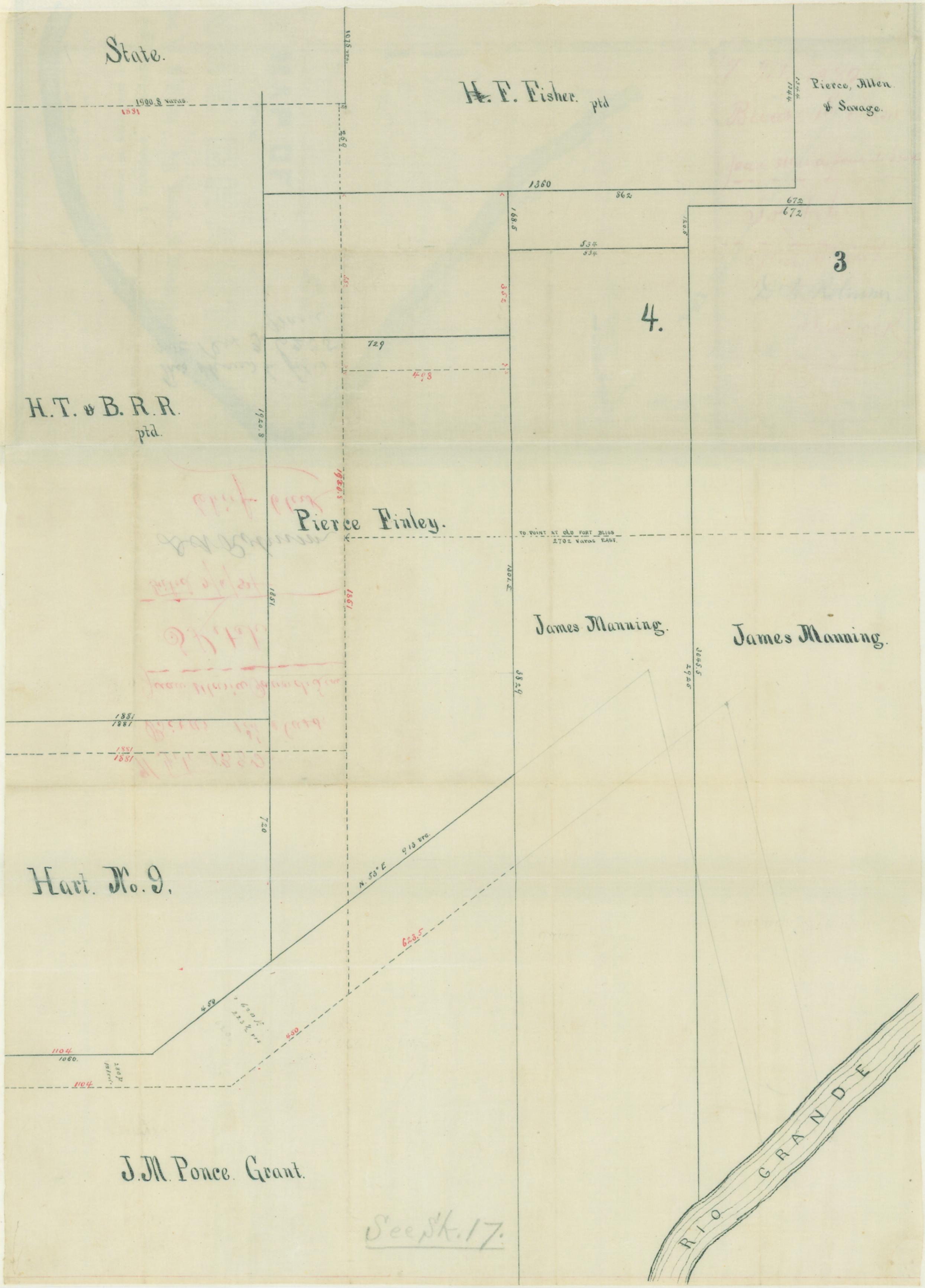
being a copy of P. Finley's fieldnotes.

Filed Feby 5/87

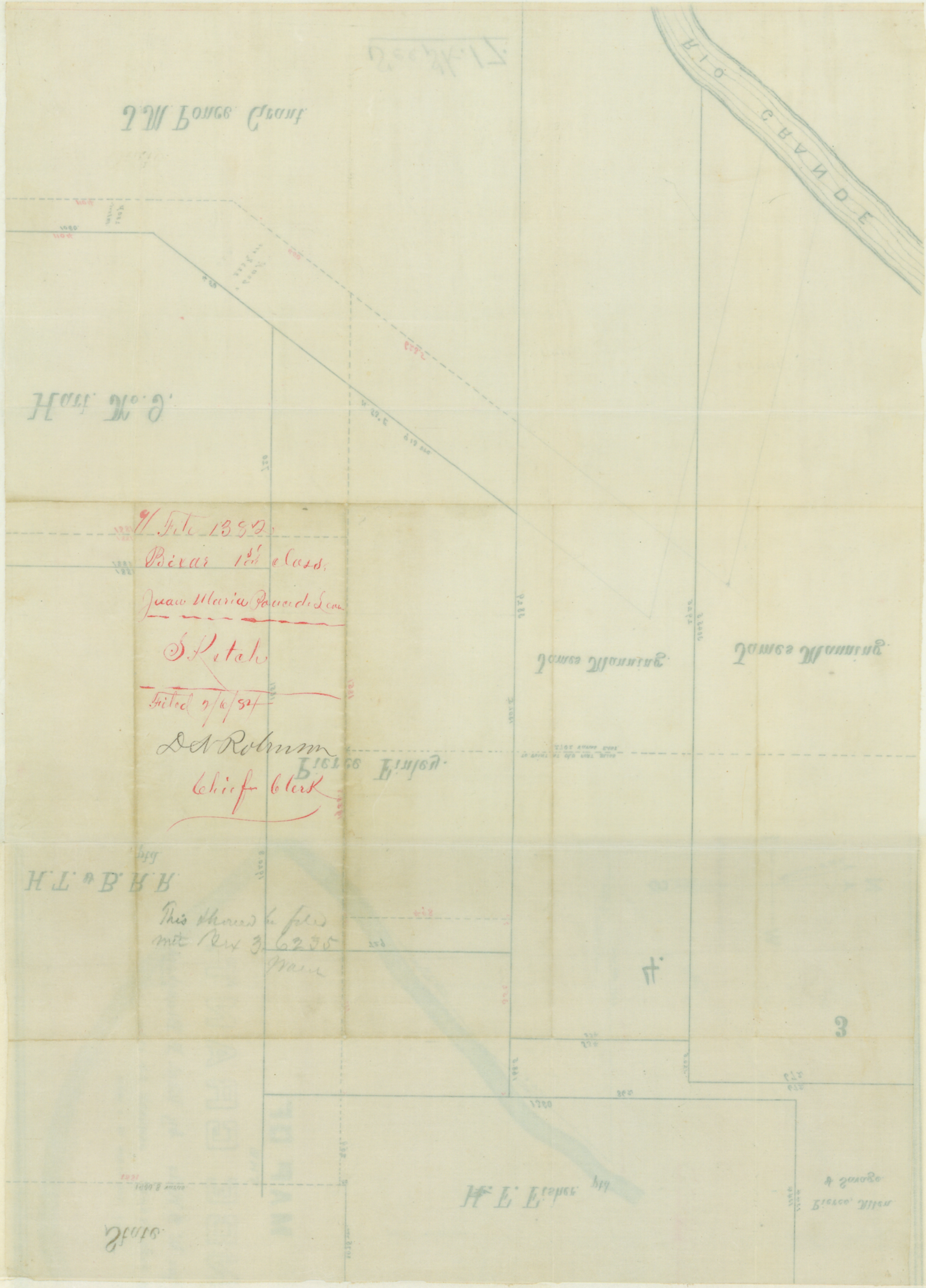
D A Rolinn

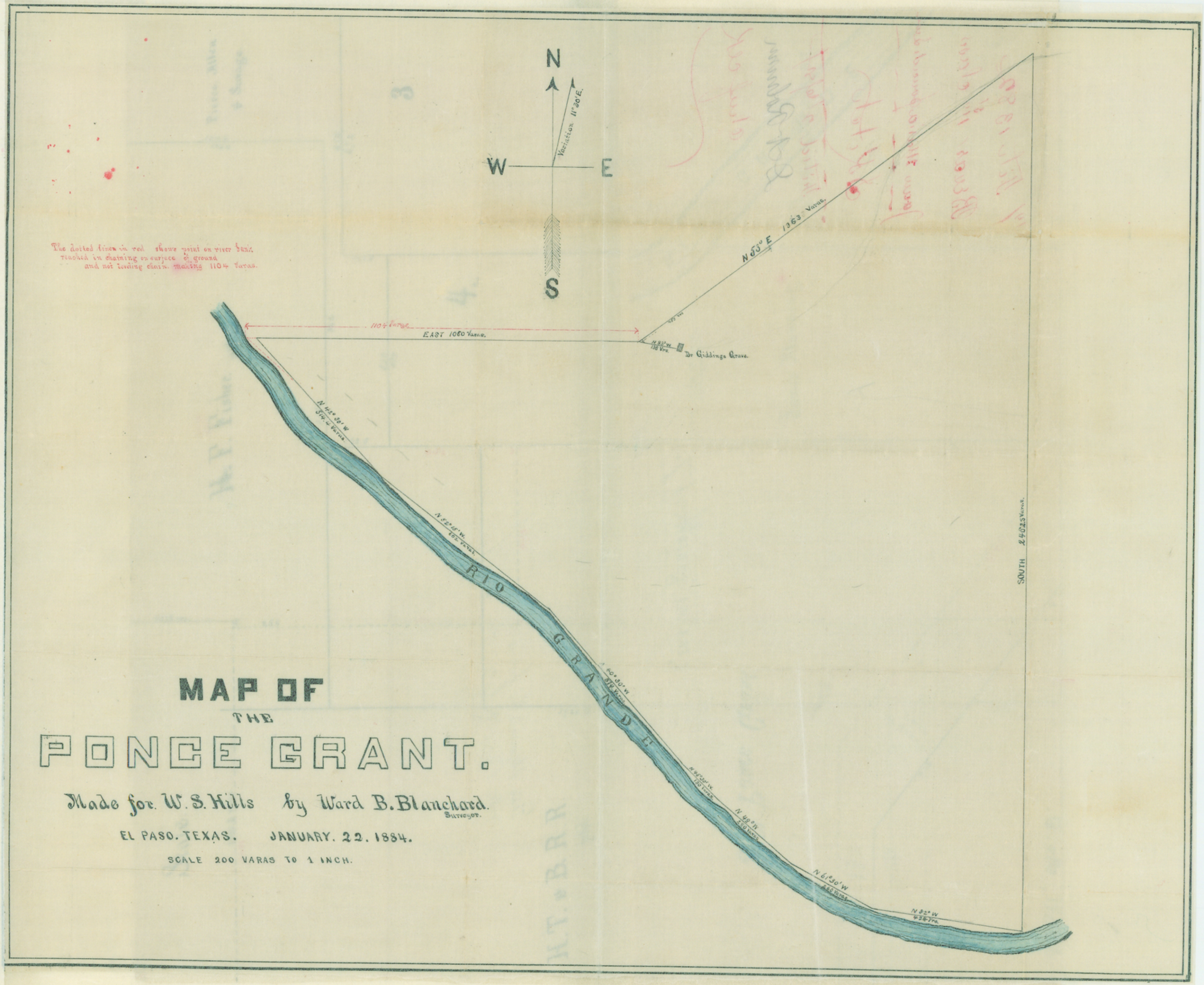
Chief Clk

United States of a
Survey of the Texas Mining
Grant


State.
1075 vrs.
H. F. Fisher. ptd
Pierce, Allen & Savage.
1900.8 varas.
1360
862
672
672
534
534
3
4.
729
498
H.T. & B.R.R. ptd.
Pierce Finley.
TO POINT AT OLD FORT BLISS 2702 VARAS EAST.
James Manning.
James Manning.
1881
1881
720
N. 53° E 913 vrs.
623.5
450
450
1104
1060.
1104
Hart. No. 9.
J.M. Ponce. Grant.
RIO GRANDE

See Sk. 17.


RIO GRANDE
9/ Feb 1882.
Bexar 1st class.
Juan Maria Pacheco
S. Letch
Filed 7/6/82
D A Rolann
Chief Clerk
This thereof be filed
not Rec 3 6235
Main
3

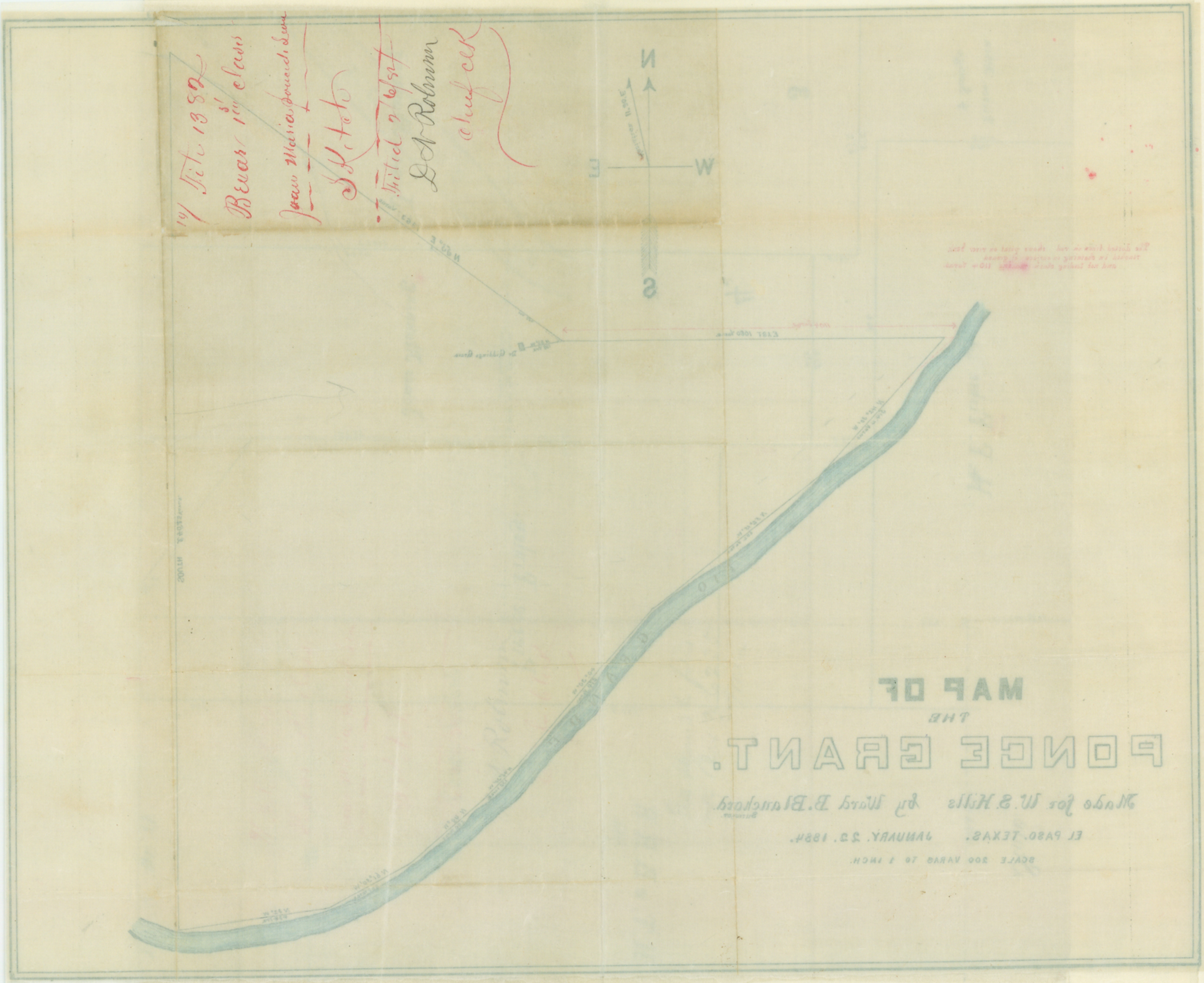


MAP OF THE PONCE GRANT.

Made for W. S. Hills by Ward B. Blanchard. Surveyor.

EL PASO. TEXAS. JANUARY. 22. 1884.

SCALE 200 VARAS TO 1 INCH.


N
W
S
Rio Grande
Rio Grande
Rio Grande

LEGHORN ABSTRACT
FROM
CO. D. BARNARD & CO
ST. LOUIS.

No 882

State of Texas
County of El Paso

Know all Men by these Presents that Mrs Dolores Traya Ponce de Leon, Jorge Ponce de Leon — Varela and Mariano Varela citizens of the Republic of Mexico for and in Consideration of the Sum of Ten Thousand Dollars to us in hand Paid The Receipt whereof is hereby Acknowledged, at and before the Signing Sealing and Delivery of these Presents have bargained Sold Transferred and Conveyed And by these Presents do Bargain Sell Transfer and Convey unto Wm T Smith of El Paso County State of Texas all of that Certain Tract or Parcel of Land, lying and being situate (in the county) in the County of El Paso, and State aforesaid And known as "Ponce's Ranch" but more definitely designated and described by the following Marks and Bounds to Wit Beginning on the Bank of the Rio Grande about 1200 Varas west of the Improvements in said Ranch: Thence running East 4104 Varas to a Stake & Stone Heap:- Thence North 53° E 1861 Varas to a Stake and Mound: —

LEGHORN ABSTRACT
FROM
GEO. D. BARNARD & CO
ST. LOUIS.

Thence South 26½° E. 1840 Varas
along a ridge of earth to the Bank
of the Rio Grande to a Stake - Thence
along up the Rio Grande, with its
Meanders 3903 Varas to the Place
of Beginning - Containing (599) Acres
Five Hundred and Ninety Nine Acres and
92/15 Varas of Land More or Less -
Together with all and Singular the
Rights, Ways Houses and Improvements
of Whatsoever nature and Appurtenances
and Hereditaments thereunto belonging
or in Anywise appertaining. To Have
and to Hold unto him the said -
Wm T. Smith his heirs assigns
or legal representatives forever -
And we, Dolores Zozaya Vouce de
Leon Jorja Vouce de Leon Varela
and Mariana Varela aforesaid
Bind ourselves jointly and Severally
as well as our Heirs or legal
representatives by Warrant and forever
defend the Title to the afore granted
premises against the Claim or Claims
of any and all Persons Whomsoever
Claiming or to Claim the said
premises or any part thereof unto
the said Wm T. Smith his Heirs
or Assigns forever -
In Witness whereof we have
hereunto Signed our names and
affixed our Seals (using seaweed)

11-A

LEGHORN ABSTRACT
FROM
GEO. D. BARNARD & CO
ST. LOUIS.

This Twenty Fifth day of March
AD 1854

Dolores + Zoraye (Seal)
Josefha Ponce de Leon X (Seal)
Mariano Varela (Seal)

Signed Sealed and
Delivered in
presence of
Owen Cannon
Wm T Evans

State of Texas
County of El Paso

Before me Jarvis Hubbell a notary public of El Paso County personally appeared Josefa Ponce de Leon Varela Wife of Mariano Varela parties to the foregoing or to a certain Deed on writing — bearing Date on the Twenty Fifth day of March AD 1854 and hereunto annexed & having been by me privily examined apart from her Husband & having the same fully explained to her: she the said Josefa Ponce de Leon Varela acknowledged the same to be her act and deed & declared that she had willingly signed sealed & delivered the same and that she wished not to retract it — To-certify which I hereunto sign my name and affix my seal

11-B

LEGHORN ABSTRACT
FROM
GEO. D. BARNARD & CO
ST. LOUIS.

This Twenty Fifth day of March
AD 1854

Seal

Jarvis Hubbell
Notary Public
El Paso Co

A True Copy: Filed for registration on the 10th day of June AD 1854 and duly Recorded Same day & date before Mentioned

S Magoffin
C.C.C. & P.C.
By F.A. Percy Dpy

11c

1632 CERTIFICATE OF TRUE COPY.—Printed and for sale by Geo D. Barnard & Co., Printers and Stationers, St. Louis. Class 6

The State of Texas,
COUNTY OF El Paso } Manuel Flores

Clerk of the County Court of El Paso County, Texas, do hereby certify that the foregoing is a true and correct copy of the original

Deed

now on file in said Court, in Book A. on page 472

Given under my hand and the seal of said Court, at office in El Paso Tex this the 1st day of February A. D. 1884

Attest: Manuel Flores, Clerk.

By M. Ottumoy, Deputy.

11d

11

File 1382

Bexar 1st class

Juan Maria Ponce de Leon

Dolores Zozaya Ponce de Leon

Josefa Ponce de Leon Verela

and Mariano Verela

certified copy

For Transfer

Wm T. Smith

Filed Feby 6/85

W. C. Walker

Commissioner

Certified Copy

of

Deed

Before Thomas Pease & Ann

Sample Pease Justices Travis

Cnty

Alameda Estate

to

Manuel Lozada

LEGHORN ABSTRACT
FROM
GEO. D. BARNARD & CO.
ST. LOUIS.

The State of Texas
County of El Paso

I, Manuel E. Flores, Clerk of the District Court of El Paso County Texas, do hereby certify, that the following numbered and styled causes, have this day been filed in my office to wit

Thomas C. Clark vs No 465. Wm S. Hills Thos. J Beall Executor of the Estate of Wm W. Pierson decd. Frank Bell et al } Trespass to try Title & for Damages.

Thomas C. Clark vs No 464 William S. Hills & Josiah F. Crosby } Trespass to try Title & for Damages

Thomas C. Clark vs 466 William S. Hills } Trespass to try Title & for Damages

Thomas C. Clark vs #467 Thos. J. Beall et al } Trespass to try Title & for Damages

Thomas C. Clark vs #468 Josiah F. Crosby } Trespass to try Title & for Damages

Witness my hand and of

That citation have been ordered in all of said suits, and that the nature of Plaintiffs' demand in said suits are as follows, respectively to wit:

Being a suit of Trespass to Try Title and alleging in substance as follows: That on the 1st day of September 1883, plaintiff was the legal and rightful owner of the tract of land or premises described as follows: which is the same as first described in cause No. 465. to which reference is hereby made for a particular description, being 47 Acres, in the city of El Paso Texas North of the Ponce Grant, according to said description.

That on the day and year aforesaid defendants entered upon and ejected plaintiff from said tract or premises and withholds them from the possession thereof to his damage, One Thousand Dollars

That Plaintiff was the legal and rightful owner of said tract of land or premises by virtue of the location and survey (and a regular chain of transfers down to him) of a genuine and valid land certificate to wit: Unlocated Balance Bounty warrant Land Certificate, for 640 Acres, No 1225, issued to R. S. Calder December 31st 1837, by Bernard Bee, Secretary of war, on said tract or premises, said location and survey on said lands was duly made on the 12th day of November 1872, the said tract or premises so surveyed and located then being a part of the unappropriated public domain of the State of Texas and subject to location as aforesaid. And that said certificate, location and survey was duly returned to the General Land office of the State of Texas, according to law, where they now are on file, as

LEGHORN ABSTRACT
FROM
GEO. D. BARNARD & CO.
ST. LOUIS.

will appear more fully and at large from a copy certified under the seal of the General land office of the State of Texas and which said copy will be in introduced in the trial of said causes.

Prayer for judgment establishing title of Plaintiff and for restitution of possession and for ~~rents~~, damages, and all costs of suit, and for general relief.

And that an approved bond for costs has this day been filed, by the Plaintiff Thomas C. Clark, in said causes respectively

Witness my Hand and seal of the District Court of El Paso County Texas this 6th day of March A.D. 1884.

Manuel E. Flores Clerk Dist Co.
by A. G. Foster Deputy.

12-B

12/ File 1382

Bexar 1st class

Juan Maria Ponce de Leon

District Clk Cert of

Suit having been instituted

Filed Mar 13/84

D N Robinson

Chf Clk

1382

Minutes 1884

Robinson

Thomas C. Clark under Regulare chain of title is the owner of 47 acres located by R. J. Colder Donation warrant on file in the General Land Office Bexar Cty — 1510, upon which sundry persons reside claiming said land as a part of the Ponce de Leon grant of two cabalerios of land. Thomas C. Clark has instituted Suits in the District Court of El Paso County against sundry parties so claiming and occupying adversely to the R. J. Colder Donation, as evidenced by the Certificate of the Dists. Clerk of said County showing five causes pending in said Court Nos 463. 464. 466. 467 and 468 Trespass to try Title and for damages. The Ponce de Leon grant being confirmed for 2 cabalerios equal to 1.218816 square varas "within the lines of the original grant"; the fieldnotes of resurvey do not confirm to the original lines and include more than double the quantity originally granted, viz: 3,598870 sq. vrs instead 1.218816 sq. vrs. The suits instituted are for land wrongfully included in said resurvey.

This is to protest in behalf of Thomas C. Clark against patent being issued on the fieldnotes of said resurvey of the J. M. P. de Leon grant. Austin the 29th March 1884

Thomas C. Clark
by W. Van Rosenberg, Agt.

13

13) File 1382

Bexar 1st Class

Juan M. Ponce de Leon

Statement

Filed Mch 29/84

D N Robinson

Chf Clk

I. John P Randolph Surveyor of El Paso County Texas do hereby certify that the above and foregoing survey was actually made by me on the ground according to law, and that the limits boundaries and corners with all marks both natural and artificial are truly described in the foregoing fieldnotes and that they are recorded in my office in Book No 1 page 146.-147

Given under my hand at El Paso this the Eighteenth day of December 1885

Jno. P. Randolph
Sur. El P. Co Tex

(14) File 1382
Bexar 1st Class.
Juan Maria
Ponce De Leon
Corrected
Field Notes
Filed Dec 29/85.
D N Robinson
Chief Clk.
~~Covers part of Hennig's survey~~
C.D. 1122 otherwise;
Correct and map of El
Paso County. April 23/87
C. W. Pressler.
Patented 4/23/87
G M Bury
Cancelled
Patented
c/c apl 23 HH. 87

J. M. Ponce de Leon
Corrected Fieldnotes

1st Cl

Daniels
Dec 29 85
Mar
Am BH Davis
c/c apl 23 HH. 87

1382 Box 1

Variation. 11° 15' East

12-17-85

State of Texas Survey No. 145.
El Paso County Corrected Fieldnotes of
a Survey of ~~894 ½ acres~~ 5.114.813 Square varas of Land made
William P Smith assignee of Juan
Maria Ponce de Leon. it being the land
to which he is entitled by virtue of
an act of the Legislature of the State
of Texas relinquishing all her right
and interest in El Rancho de Ponce
now known as the Town of Franklin
to said J. M. Ponce de Leon. Approved
February 11th 1858. Said survey is
No. 145 in El Paso County and is
situated on the Rio Grande - at El Paso City -
Beginning at a stake set on the bank
of the Rio Grande. from which the
S. W corner of. Moses Hughs Survey No 1
bears. S 67½ E 2428 vrs. A Cottonwood.
40 in dia marked A bears. N 47¼ W. 46. vrs.
Thence East at 4 vrs. Touch the Rock
wall of a large well 74 vrs. center of
A. T & S. F. Ry. 112 vrs. center of S. P. Ry
294. small. aroya 414. vrs. a large deep
aroya. 714. vrs. aroya. with Rock bluffs
1088 vrs. a large pile of stone from
which the monument over Dr. Geddings
Grave bears S 83 E 136. vrs. a stone set
at the N E corner of the Old Ponce

15

corral. bears. N. 72½ E 350 vrs.
Thence N 53 E at 450 vrs. a stone set in East side of Oregon Street for the S.W corner of Peirce Finley Survey No 146. from which the S.W. corner of Block No 21. (Mills map of El Paso) bears S 43½ E. 45 2/5 vrs. at 1280 vrs. a stone set on the West line of James Manning Survey No 4. at 1861 vrs. a stake for N.E. corner of this Survey.
Thence S 26½ E at 163 vrs centre of G. H. & S. A. Ry. at 240 an old. Acequia at 673. Magoffin adobe wall. 800 vrs an Acequia 1045 vrs centre T & P. Ry 1380. vrs old bank of Rio Grande at 1423 vrs. a stone set in the ground for line monument from which a Cottonwood 8 in dia marked X bears. N 46¾ W. 10 4/5 vrs. a Cottonwood marked XX bears N 86¼ W. 14 3/5 vrs. - at 2590 vrs. a stake on bank of Rio Grande. for S.E. corner of this survey —
Thence up the Rio Grande with its meanders. as follows. S 66 W. 900 vrs. S 84 W. 730 vrs. N 76¼ W. 331 vrs. N 53 W. 1205 vrs. N 45 W. 970 vrs. N 55 W. 270 vrs to the place of beginning
Surveyed December 17th 1885
A. M. Randolph } C
Mike Nolan } C

To. W. C. Walsh. Commissioner of the General Land Office. Austin Tex

Sir.

In the matter of J. M. Ponce de Leon. Corrected survey made by me on the 17. instant I would respectfully report.

1st That I found and identified the monument over Dr. Giddings grave as called for. by Anson Mills. Deputy surveyor. in 1859. and from it established the second corner of the Ponce.

2nd That I found and identified the N.E corner of the old corral or enclosure called for by. W. L. ~~Deffindiffirl~~ in his survey of William Haddon No 41. made. June 5 1853. and established the second corner of Ponce from it and found the point to be identical with that established from Giddings monument.

3rd That I established the West line of James Manning Survey No 4. by careful measurements from the Astronomical Point at old Fort Bliss. on N. W. Bordon No 1.

4th That I established the S.E. corner of the Simon Hart preemption survey No 2. by

15A

carefully measuring West 2542 vrs from the West line of the Manning No 4. and thence South to the bank of the Rio Grande. (See Field notes of S. Hart Preemption No 2.)

5th That I established the First corner of the Ponce by running due west from the second corner established as aforesaid 1088. vrs to the bank of the Rio Grande

6th That from the SE corner of S Hart preemption No 2. which is also the beginning corner of John Baker No 9. as established aforesaid to the West corner of Ponce established aforesaid is S. 55 E 530 vrs.

7th That the West Corner of the Ponce thus established bears. N 67½ W. 2428. vrs. from a frame on the old bank of the Rio Grande said to be the Chihuahua. Ford. and S.W corner of Moses Hughs. No 1.

8th That the true Magnetic variation at El Paso in 1853-1859 - as shown by Boundary Commissions survey was 12° 15'. These surveys were made at a variation of 11° 30' 3/4 of a degree less than a true Meridian. I have therefore used 11° 15' in retracing these surveys the true variation at El Paso at the present time being 12°

I also find that this

Survey corresponds with the Survey made by. W. L. Duffer duffer, in 1853 and Anson Mills. made in 1859.

To all of which I do hereby certify officially — Recorded. Book No 1 pgs. 147-148

Jno. P. Randolph
Surveyor El Paso Co. Tex

15-B

(15) File 1382
Buxar 1st " Class.
J.M. Ponce DeLeon

Surveyors
Certf -
File Dec 29/85.
D N. Robinson
Surfak
See Sketch No. 17
and 16 x 20 -
B.H. Davis

1st & 3d - claims
filed papers & sketch
with Frier to Chandler

J.M. Ponce de Leon

Certificate of
Surveyor.

Affidavit & Sketches
filed with Affidavit
Dec 29-85
Davis

Sketch #17

Daniel
Dec 29-85
Appeal for Granted
Express
Wain
Non B.H. Davis
El Paso

FIREMAN'S FUND INS. CO.
OFFICE OF
RICH & COMSTOCK, AGENTS
THE LARGEST PACIFIC COAST COMPANY.

El Paso, Tex. April 5 1886

Sec-1-1382

Col W. L. Marsh
Comr G. L. O.
Austin Tex.

My Dear Sir:

I write to protest against any patent issuing on the Poncy De Leon or Torbin tract of El Paso - I have a suit now pending in which the north line of said survey will be litigated and should you issue patent it would place me at a disadvantage in this suit - I don't know your duties in this matter and if it is my duty to make a further showing I would be glad to have a suggestion from you - I will be in Austin about first prox

Respectfully
R. A. Campbell

16 File 1382

Bexar 1st

Protest by

R. F. Campbell

filed april 9/86

D. N. Robinson

Chief Clerk

BLEMISH CONC. CO.
RICH & COMPANY
10 OFFICE
SAN ANTONIO
Texas Pacific Railway
Wm. Murphy
Contractor

File (4) 1382

Bexar

FIRST CLASS.

Juan Maria Perez de Leon

3.598.870 = square varas
See Letter file 19976 for
Protest of Mr. Massey

old wrapper within
See 6130 Bx. P. for new
Massey's petition to Dis
Court for certificate for damages
See page 155 Acts of 1858.

See decisions of Supreme Court. Vol 47. page: 578.

Contains 2.570.239 sq. vrs.
Est correction is based on Anson
Mills survey of Feb. 3/59. The
joining survey Simeon Hart asks
for a resurvey of Perez de Leon
by Diffenderfer for Anson Mills, did
not find the corner of Diffenderfer
but started from Dr. Fildings grant
which call I do not find in the
of Diffenderfer, a copy of which
on file within. The protest Dated
that Diffenderfer's line (or S. line of
of John Barker or Simeon Hart) and
Anson Mills line are not the same
but are 280 feet apart. Febr. 6/87
C.W. Ryffes

Mgl. 11276

correct for 2.570.239 sq. varas
J. A. Fulton 8/1/88

CONTENTS.

No. 1. ~~Certificate~~.

Nos. ~~2 and 3~~. Field Notes.

No. 4. 2 old wrapper
3. Field Notes
4. " "
5. Transfer
6. corrected Field notes
7. Protest
8. Explanation
9. Sketch
10. Sketch 2/6/87
Reynolds
11. copy of Transfer
12 District Clerk certifies Suit having been instituted 3/13/87
13 - Statement 3/29/84 Bledsoe
14. Cor. Field Notes
15 Surveyors Certificate Jany 2/86. Daniel
16 protest

Zimalemanz

El Paso April 15: 87

Judge J B Rector
Austin

Friend John

My motive for writing is to say that I withdraw my opposition to the issuing of Patent in the Ponce de Leon Case and request that you assist Judge B H Davis who will hand you this note in procuring Patent to said survey,

Yours &c
R D H Campbell

18) File 1382
Bexar
1st Class
Withdrawal of
protest

Filed Apr. 20th/87
Rimpall
Com.

Austin Tex May 2nd 1887.

Hon R. M. Hall
Commissioner of the General Land Office
Austin Texas

Sir:

We the undersigned attorneys of W. G. Denny, O. M. Booth, and H. G. Lee who have as preemptors settled upon and are now claiming patents from the State of Texas, for certain tracts of land situated in El Paso County Texas, adjoining the town of El Paso, do most respectfully protest against the issuance of a Patent to the heirs of J. M. Ponce de Leon or to their assignees for the tract of land claimed by them upon what is known as the Ponce de Leon grant or Rancho, which Rancho was granted or confirmed by an act of the Legislature of the State of Texas of February 11th 1858, upon the so called corrected field notes of said grant made by one J. P. Randolph, they being the last set of corrected field notes filed in the Land Office of said grant, for the following reasons.

1st. Because said field notes cover and includes the three several tracts of land preempted by the said Denny, Booth and Lee, field notes of which are herewith the Land Office

2nd Because said field notes include a far greater amount of land that was

more land than is included in the original field notes of said de Leon grant filed in the Land Office in 1858 by a competent surveyor when its boundaries were well known to the people and citizens of El Paso County and the people of the State.

~~Very Respectfully~~
~~Chalmers & Ruggles~~
~~Attorneys for W. C. Denny, C. M.~~
~~Booth and H. G. Lee~~

4th. For other good valid and sufficient reasons which will be hereafter furnished to the Gen

Very Respectfully
Chalmers & Ruggles
Attorneys for W. C. Denny, C. M.
Booth & H. G. Lee.

(19) File 1382.
Buxar 1st Class.
Juan Maria
Ponce de Leon
Protest
Filed May 2/87.
R Shelley
Inspect.

5/2/87
Shelley
File in Buxar 1-1382
(Ponce de Leon) in
Patent room

Austin Texas May 4/87

Hon R M Hall

Comr Genl Land Office

Dear Sir

Suit is instituted by claimants of the Ponce de Leon grant of 2 Cabelerias in El Paso County against the owner of John Barker patented survey adjacent to the said de Leon on the North side involving the division line between said surveys - said suit is pending in the Dist Court of El Paso County and has never yet been tried - Being myself interested in the outcome of said suit I respectfully ask suspension of the issuance of patent on the Ponce de Leon grant untill evidence can be procured from El Paso that a suit is pending as above stated

Very Resply Yrs

J C Kerbey

(20) File 1382
Duran 1st Class.
Juan Marin
Ponce de Leon
Protest
Filed May 4/87
R. Shelley
Chief Clk

Filed May 4/87
Rudall