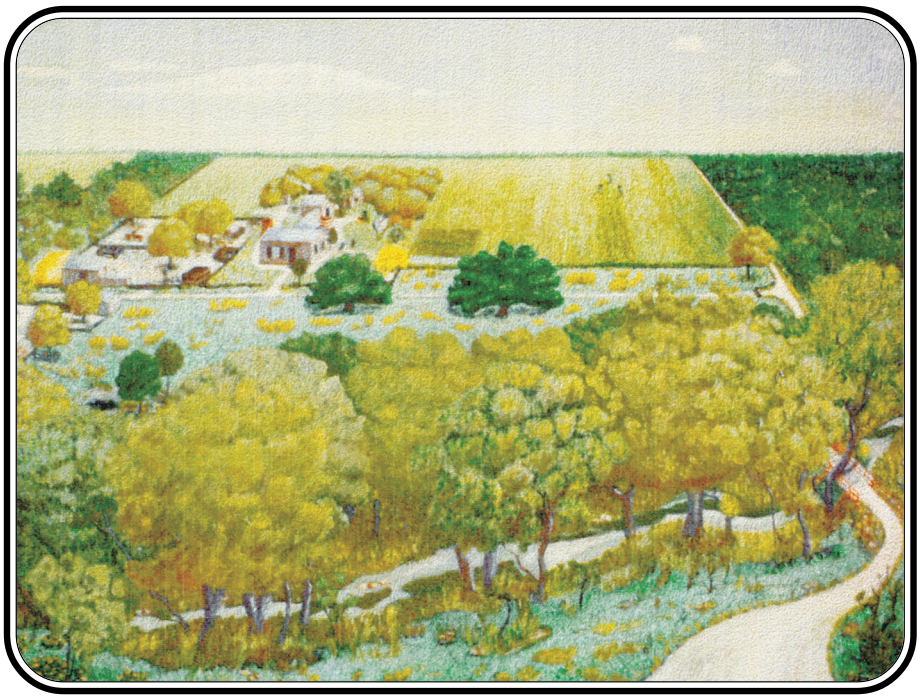
Archaeological Survey for the Proposed Salado Creek Hike and Bike Trail, City of San Antonio, Bexar County, Texas



by
Jason D. Weston, Bruce K. Moses, Russell D. Greaves,
Barbara A. Meissner, and Richard B. Mahoney

Prepared for:
HNTB Corporation
85 NE Loop 410, Suite 304
San Antonio, Texas

Prepared by:
Center for Archaeological Research
The University of Texas at San Antonio
Archaeological Survey Report, No. 338

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Texas Antiquities Committee Permit No. 2917

Steve A. Tomka
Principal Investigator

CSJ: 0915-12-375

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Cover image courtesy of Horace and Tudie Alsbury.

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Abstract

In November of 2002 and March of 2003, a crew from the Center for Archaeological Research at The University of Texas at San Antonio conducted archeological and geoarcheological investigations along Salado Creek in San Antonio, Bexar County, Texas. The purpose of this fieldwork was to investigate, using shovel testing and backhoe trenching, the impact of the proposed construction of an approximately three-mile-long hike and bike trail along the creek. The work included testing for the presence of the historic Alsbury Family Cemetery and Homestead that may be in close proximity to the trail's right-of-way. Work was performed under contract with HNTB Corporation of San Antonio. This work was conducted under Texas Antiquities Permit No. 2917, with Steve A. Tomka serving as Principal Investigator.

Shovel testing and backhoe trenching yielded no significant archeological deposits. No cultural material was collected during the survey. A backhoe trench and shovel tests placed along the trail's path in the vicinity of the cemetery encountered no signs of graves and archival research suggests the cemetery is well outside the trail right-of-way. It is believed that locating the Alsbury Family Cemetery may require pedestrian survey and subsurface investigations that are outside the scope of this project. Finally, it is recommended that the construction of the proposed hike and bike trail proceed as planned since it will not impact intact cultural deposits of significant research potential.

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Acknowledgments

The authors would like to thank Al McGraw, Texas Department of Transportation Staff Archeologist, for assisting with the current archival research and for allowing the Center for Archaeological Research to review TxDOT's collection of archival documents pertaining to the Alsbury property. Thanks also to Alamo Backhoe for their good work. We would also like to thank F.D. (Dean) Bayer and John Cantu of the City of San Antonio Department of Public Works and Marlin Sawyer of the HNTB Corporation. Their assistance and coordination have made this project progress smoothly despite unforeseen circumstances.

Thanks also to Steve A Tomka, CAR Director, and CAR staff Bruce Moses and Rick Young for drafting the figures and Johanna Hunziker for preparing the final report.

The field crew consisted of Project Archeologist Richard Mahoney and field technicians Bruce Moses, Bryant Saner, Matthew Senn, and Stacy Wagner. Rusty Greaves was the project geomorphologist, Bruce Moses and Barbara Meissner did the archival research.

Introduction

In November 2002 and March 2003, a crew from the Center for Archaeological Research (CAR) at The University of Texas at San Antonio conducted an archeological survey of the proposed Salado Creek Hike and Bike Trail (hereinafter Trail). The Trail is to be found along the lower reach of the Salado drainage between Willow Springs Golf Course and Southside Lions Park. In addition to the actual path, the planned Trail also includes six crossings of Salado Creek. The Trail is located on the *San Antonio East* (2998-133) 7.5′ USGS quadrangle (Figure 1). Topographically, the Trail is relatively flat, with elevations ranging from 580 feet AMSL in the floodplain to 600 feet AMSL along the terraces. Subsurface impact resultant from construction of the Trail will be limited to 6–12 inches (15–30 cm) along the path

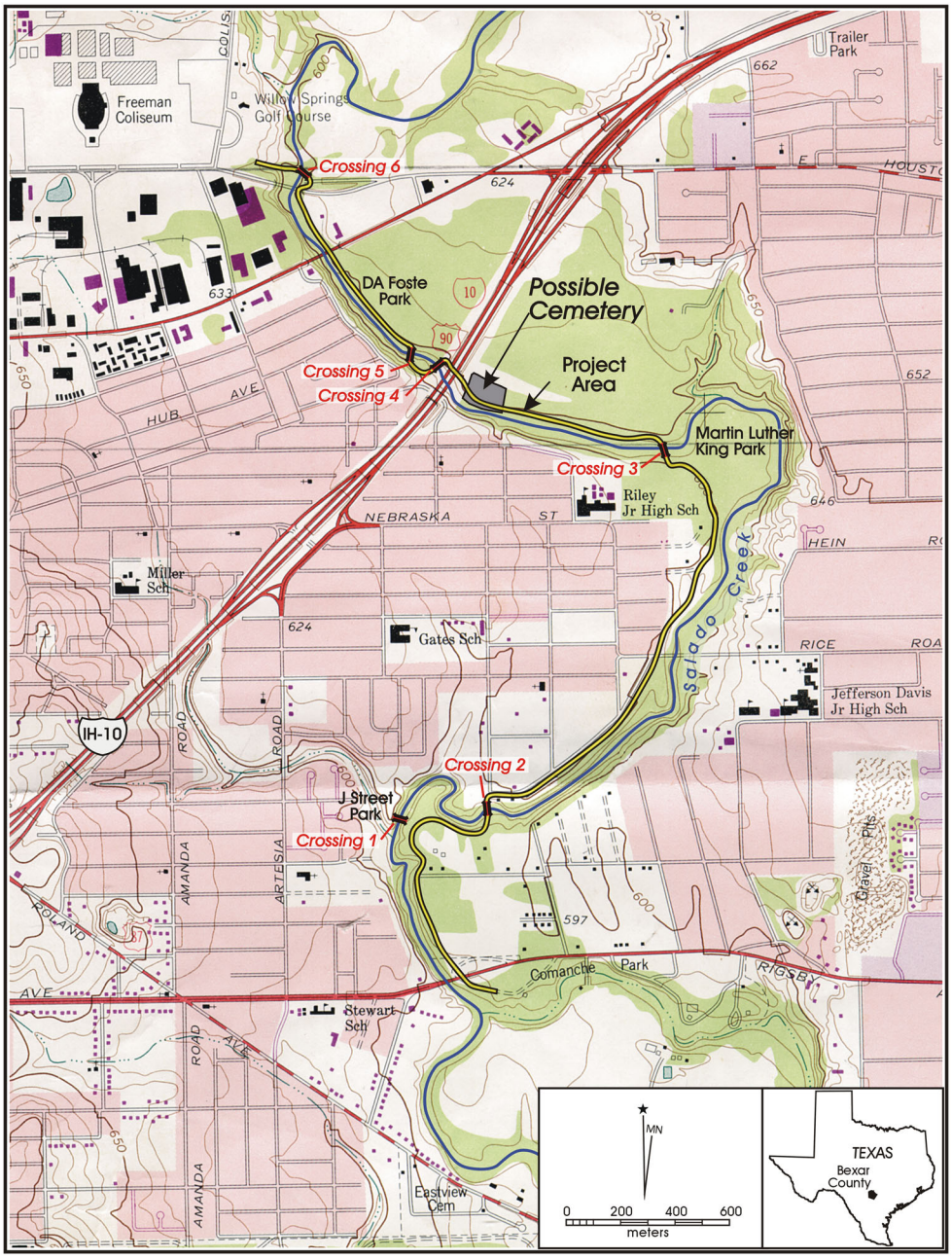

Figure 1. *Location of the project area (indicated in yellow).*

and approximately 12 feet (3.7 m) at both banklines of each stream crossing. The length of the Trail is 16,210 feet (approximately 3 linear miles or 4.8 km) contained within a 50 foot (15.2 m) corridor. Due to an array of roads, sidewalks and bridges, shovel testing was not possible along the entire three-mile route, limiting the survey area to 12,960 feet or 2.45 linear miles. This survey included a pedestrian surface survey, nine backhoe trenches, and 39 shovel tests along the Trail's route passing near the area of the possible location of the historic Alsbury Family Cemetery.

The Trail is an improvement project under the Texas Department of Transportation (TxDOT) Statewide Transportation Enhancement Program, partially funded by the Fedeeral Highway Administration and locally administered by TxDOT. Accordingly, and in order to comport with cultural resources regulations of Section 106 of the National Historic Preservation Act and the Antiquities Code of Texas, CAR conducted these intensive cultural resources investigations. Work was carried out under contract with the HNTB Corporation for use by the City of San Antonio and under Texas Antiquities Committee Permit No. 2917.

Environment of the Project Area

The lower reach of Salado Creek stretches across the southeastern portion of Bexar County, where it flows into the San Antonio River. Located at the southwestern extent of the Blackland Prairie in the West Gulf Coastal Plain physiographic area, the associated floodplain and terraces of Salado Creek are dominated by native grasses and stands of pecan trees. Soils within the project area consist of the Venus-Frio-Trinity association of deep calcareous soils. More specifically, recent soil maps plot the project area atop Frio clay loam (Taylor et al. 1991). These soils are well drained with moderate permeability.

Bexar County has a subtropical climate, with warm winters and hot summers. The average winter temperature is 58°F (14°C) and the average summer temperature is 80°F (27°C; Bomar 1995). The growing season averages around 245 days in the northern half of the county and 275 days in the southern half of the county. The prevailing winds are light (8 knots) and blow predominantly from the southeast. The average annual precipitation is 31 inches, with rainfall evenly distributed throughout the year (Taylor et al. 1991:118). Atlantic hurricanes occasionally affect the county, causing high winds and sporadic, heavy rainfall. Rainfall in the area has caused the frequent flooding of Salado Creek. The U.S. Army Corps of Engineers (COE) reports that between 1900 and 1969 flooding along Salado Creek occurred in October 1913, September 1921, September 1946, May 1958, May and December 1965, and January 1968 (COE 1969). Flooding along Salado Creek experienced throughout the 1970s and 1980s lead to the construction of a series of flood control structures in an attempt to tame the creek (San Antonio River Authority 1980). Despite these efforts, some of the worst flooding has occurred in recent years (i.e., October 1998 and July 2002).

Cultural Background

Numerous archeological investigations have been conducted in Bexar County. On a regional scale, Hester (1995; see also Black 1989) concludes that the chronology of South Texas remains poorly known.

Bexar County, however, contains a rich archeological record that has been subject to intense research over the recent past. Intensive investigations at sites such as 41BX228 (Black and McGraw 1985) have allowed for the further delineation of cultural chronology relative to Bexar County. Similar to other archeological regions of the state, Bexar County archeological sites and components range in age from the Paleoindian through the Early, Middle and Late Archaic, Late Prehistoric, and Historic periods.

Paleoindian Period

The earliest known cultural period, the Paleoindian, dates to 9000–6000 B.C. (11,000–8000 BP). This period is often seen as populated by big game hunters, although this idea has recently begun to be challenged (Collins 1995:381). The fact that most lithic materials found at Paleoindian sites are of a non-local origin indicates a highly nomadic cultural pattern (Mahoney et al. 2002). With the emphasis on big game hunting, the artifacts seen as typical of the early portion of this period are fluted Clovis and Folsom projectile points. Non-fluted points such as Plainview, Golondrina, Angostura, and Scottsbluff characterize the later portion of the Paleoindian period (Black and McGraw 1985).

Archaic Period

The Archaic period, dating from 6000 B.C. to A.D. 800 (8000–2800 BP), marks a long time span of hunting and gathering as the main life style (Black and McGraw 1985).

The period is divided into three sub-periods based on changes in patterns perceived in the archeological record.

Early Archaic (6000 B.C. to 3000 B.C.)

Human populations in the Early Archaic were highly mobile groups sparsely scattered across the land continuing the patterns seen in the Paleoindian period. Early Archaic archeological sites are dispersed and show no specialization, meaning that each site looks much like the others showing no focus on one particular type of activity (Black and McGraw 1985). As opposed to the apparent hunting specialization of the previous period, these site assemblages demonstrate generalized hunting and gathering of a wide range of food sources (Black and McGraw 1985).

Middle Archaic (3000 B.C. to 1000 B.C.)

Middle Archaic sites are more numerous, perhaps reflecting a population increase. The artifact assemblages and the site locations show specialized adaptations to different environments. A wider range of site types are present including campsites, lithic workshops, and a variety of special activity sites. Populations seem to concentrate near streamsides and general settlement patterns suggest the early stages of territoriality (Black and McGraw 1985).

Late Archaic (1000 B.C. to A.D. 800)

The Late Archaic represents a further development of Middle Archaic patterns with firmly established group territories and certain groups specializing in the use of specific types of food sources found within their territory (Black and McGraw 1985). Burned rock middens (earth ovens) used in cooking plant foods became much more frequent in this period. The spread in earth oven technology may have been due to an increased reliance on plant species resistant to drier conditions (i.e., sotol and lechuguilla; Johnson and Goode 1994).

Late Prehistoric Period

The Late Prehistoric (A.D. 800 to A.D. 1700) is marked by the introduction of ceramics and the bow and arrow. These technological advances seem to be coupled with an increase in population and overall cultural diversity (Black and McGraw 1985). Cyclical changes in bison densities occurred during the Late Prehistoric, with the early part of the Late Prehistoric (Austin Phase) being characterized by a scarcity of bison, while bison were common during the later portion (Toyah Phase; Huebner 1991).

Historic Period

The beginning of the Historic period is essentially defined as first contact with Spanish explorers followed by Euro-American settlers. This period from A.D. 1525 to 1875 (or the close of the west) overlaps with the prehistoric due to the sporadic nature of early contact with Europeans.

Salado Creek was particularly important during the Historic period since it served as a landmark for travelers approaching San Antonio from the east; several notable trails linking San Antonio with East Texas are known to lie within or directly adjacent to the project area. The Goliad Road, also known as *El Camino Real a la Bahia del Espiritu Santo*, served as an important early Spanish route between San Antonio and the settlements at Goliad. While the route of the Goliad Road shifted over time, it is known to have crossed Salado Creek near this project's extreme southern boundary. A ford on Salado Creek, known as the *Paso Hondo,* also served as the easternmost corner of the 1731 eight-league town tract of *San Antonio de Béxar* (Arlitt 1868). Stephen F. Austin's colony, founded in 1823–1824, increased the need for a route between the new Anglo settlements of East Texas and San Antonio. The Gonzales Road was established as an east/west corridor.

Portions of Salado Creek were also used intermittently by various military groups during the Historic period. It should be noted that during the course of archival research, a reference to a large U.S. Army encampment along Salado Creek during the winter of 1848–1849 corresponds with the area currently occupied by Martin Luther King Park:

> *...that portion of said league and labor of land lying in the bend of the Salado occupied last winter by the troops of the third infantry, containing about two hundred acres, alleged to be in the possession of Y.P. Alsbury* (G.W. & I.A. Paschal *v.* Y.P. Alsbury, District Court of Bexar County, 1852; District Clerk of Bexar County [DCBC], Oct. 31, 1852).

Upon further investigation, the Third Infantry was indeed found to have camped along the banks of the Salado. The location was possibly the same as that occupied by Colonel Mathew Caldwell and Captain John Coffee (Jack) Hays during the Battle of Salado in 1842. While the precise location of Camp Salado remains unverified, the above notation suggests that the site of Camp Salado may not lie within the bounds of present Fort Sam Houston as has been commonly accepted.

Also nearby, the 1835 "Camp Salado" used briefly by the Texan Army under the command of Stephen F. Austin is thought to have been located at the old Goliad Road crossing of Salado Creek (Santos 1968).

Previous Research

A review of the Texas Archeological Sites Atlas reveals an abundance of previously recorded archeological sites in Bexar County. As of April 2003, over 1,500 sites have been recorded in the county. The majority of prehistoric sites occur along the Medina and San Antonio rivers and their primary tributaries, such as Salado Creek. Approximately 40 of these prehistoric sites have been recorded along Salado Creek.

The first professional work conducted along the Salado was conducted by the Texas Archeological Salvage Project (later, the Texas Archeological Survey) in 1971 (Dibble 1979). A total of 19 archeological sites was recorded along the stream and its primary tributaries. Site types consisted of lithic scatters and burned rock features. Diagnostic artifacts recovered included Perdiz and Scallorn arrow points. Two caves were also discovered and listed as provisional sites, pending further testing (Dibble 1979:19).

CAR has conducted the majority of the extensive archeological investigations undertaken along the Salado (Black and McGraw 1985; Brown et al. 1977; Burkett 1989; Burkett and Huebner 1989; Hester et al. 1974; Katz 1987; McGraw and Valdez 1978; Miller 2001). The first occurred in 1974 when an archeological survey was undertaken to inventory the prehistoric and historic cultural resources in the area affected by ten proposed floodwater-retarding structures. The work located 29 sites. The sites were mostly lithic scatters but also included rockshelters, quarry sites, burned rock middens, and a historic site dating to the nineteenth century and thought to be Spanish Colonial in origin (Hester et al. 1974).

The next archeological investigation took place in 1977 when CAR staff conducted shovel testing and surface collecting at two of the sites identified in 1974. Site 41BX68 produced a quantity of utilized flakes and thick bifaces. Site 41BX427 yielded biface fragments, untyped corner-notched and stemmed points, and Pedernales, Montell and Lange points (Brown et al. 1977). These projectile points helped date the site to the Middle and Late Archaic periods (Davis 1991).

An unpublished 1978 prospectus for archeological work concerning the location of an 1850s woolen mill along Salado Creek discusses, in depth, the history of the mill based on archival research (Taylor 1978). During 1978, CAR continued the investigation of six more of the sites discovered in 1974. The sites included 41BX442, a lithic scatter on a low terrace; 41BX444, a burned rock midden; and 41BX452 and 41BX362, rockshelter sites. Site 41BX173 was another lithic scatter containing several Clearfork and Guadalupe-like tools. Lastly, site 41BX363 was examined and described as a "deflated quarry/workshop terrace site" (McGraw and Valdez 1978).

In 1988 Prewitt and Associates, Inc. conducted a reconnaissance along Salado Creek where it passes Brooke Army Medical Center and Camp Bullis. This work found eight new sites (41BX318 through 325). All were prehistoric sites containing debitage, bifaces and other lithics. One site included two burned rock middens. Sites 41BX36 and 41BX420 were revisited. Excavations at 41BX36 recovered Meserve, Scallorn, Perdiz, Edwards, Ensor, Nolan, Langtry, Frio, Pedernales, Castroville, Travis, and Marcos projectile points (Quigg 1988). This collection covers a span of time from the Early Archaic to the Late Prehistoric, roughly 7,000 years (Davis 1991). Site 41BX420 consists of a series of historic foundations and artifacts dating from 1832 to 1906 along with a prehistoric component (Quigg 1988). In 1990 Geo-Marine, Inc. located nine prehistoric sites along Salado Creek (41BX22, 41BX442, 41BX444, and 41BX874 through 879; Cliff et al. 1990).

CAR staff returned to Salado Creek in 1988. A pedestrian survey and limited shovel testing revealed a lithic scatter, site 41BX785 (Burkett and Huebner 1989). This site was tested in 1989 and yielded debitage and biface fragments (Burkett 1989). CAR crews conducted a surface survey, shovel testing, and backhoe trenching near Salado Creek in 1999 in response to a planned pipeline. This survey passed near site 41BX785 and included shovel testing in an area of J Street Park close to site 41BX6 (Miller 2001). The current survey project also involves the J Street Park area of Salado Creek, but on the east bank.

In 2000 Prewitt and Associates, Inc., working along Salado Creek, reassessed site 41BX1209, a prehistoric lithic scatter. This survey also discovered four new sites, including two prehistoric sites (41BX1405 and 1406), a multicomponent prehistoric and historic site (41BX1407), and a twentieth-century refuse area designated site 41BX1408 (Scott 2000).

The Alsbury Family Cemetery and Homestead

During the development of the scope of work for the Texas Antiquities Permit application, CAR was alerted to the possibility that the Alsbury Cemetery may be located within close proximity of the Trail right-of way, (Al McGraw, personal communication to Steve A. Tomka 2002). Having been provided a map of the planned right-of-way (ROW), McGraw identified an area in the vicinity of the IH-10 crossing of Salado Creek as the probable location of the cemetery. Based on the suspected location, an archival research component was added to the project to conduct a comprehensive search for resources that may precisely identify the original location of the cemetery.

Young Perry (Y.P.) Alsbury, the youngest son of Thomas Alsbury, Jr., was born in Hopkinsville, Kentucky in 1814 and moved to Brazoria County, Texas, with his family in 1824 (Green 1934; Kemp 2001). The Alsburys were part of Austin's "Old Three Hundred," i.e., one of the first three hundred families in Stephen F. Austin's colony (Fehrenbach 1968:136).

The Alsbury family was deeply concerned with the events surrounding the independence of Texas from Mexico. On the day that Santa Ana arrived in San Antonio, Colonel William Travis, commander at the Alamo, dispatched Y.P. Alsbury's older brother, Horace, with a message to General Houston asking for military support. Young Perry's sister-in-law, Juana Alsbury (the wife of Horace), was one of the non-combatants who remained within the walls of the Alamo throughout the siege (Ragsdale 2002).

Young Perry Alsbury, then only 22, served during the War for Texas Independence as a spy in a cavalry company commanded by Captain Henry W. Karnes. On April 21, 1836, he was one of six men who volunteered to go with "Deaf" Smith to burn a bridge over Vince's Bayou in present-day Harris County, thus cutting off the retreat of Santa Ana. He also participated in the Battle of San Jacinto later that same day (Fehrenbach 1968:230; Kemp 2001). Y.P. Alsbury continued to serve Texas following the war by volunteering as a spy and an interpreter in Captain Bird Lockhart's Spy Company at Victoria. Under the direction of General Rusk, this company began to take possession of all property belonging to the Republic of Texas.

In 1847, Young Perry Alsbury married Maria (Mary) Rodriguez in San Antonio and together they built a home "...on the east bank of Salado Creek, just north of Dittmar Road" (Green 1934:Figure 2). The precise location of this homestead has been somewhat difficult to trace, largely because of a long series of legal disputes that began in 1847 and effectively erased Alsbury's property ownership from the records.

The land on which the Young Perry Alsbury Homestead is located was thought to have originally been conceded to Maria Feliciana Duran in 1807 by Spanish authorities in the form of a land grant. Several years earlier, large tracts of land immediately west of the Duran Grant had been distributed when the San Antonio de Valero mission was secularized. The eastern portion of the Mission Valero's farms, known as the *labor de afuera* or outer farm, had been surveyed by Pedro Huizar in 1793 and distributed to nine Spanish families living at the mission and two other families living in San Antonio de Béxar.

Maria Feliciana Duran was the wife of an influential military officer in San Antonio, Andres Benito Courbiere. Courbiere, a French immigrant, had joined the Spanish military company garrisoned at San Antonio de Béxar in the 1780s and served as an Indian interpreter. By 1804, Courbiere's reputation as a remarkable interpreter had been recognized by the Spanish king and he was appointed Sergeant at Béxar (Chabot 1937).

The 1807 Spanish land grant to Duran, also referred to as the "Curbier" tract (a variation of Courbiere), was loosely described in metes and bounds. Specific references to identifiable corners were vague and became a point of contention in the later dispute over proper title ownership. Also notable in the case made against the validity of the grant was that it lacked a "…confirmation by the *Intendente* of San Luis Potosi" (I.A. Paschal and others *v.* W.H. Dangerfield and others, Supreme Court of Texas, 37 Tex. 273, 1873).

The legal description of the Duran Grant describes a tremendous tract of land measuring two leagues (13,960 by 27,920 ft., or approximately 8,950 acres) beginning at the road "which runs by the property of Don Jose Flores" (Taylor 1978:3). The Duran Grant was issued as a single block and there is no mention in the grant's description about the apparent overlap with the 1731 boundary of the eight-league town tract of San Antonio established by the captain of the presidio. It appears likely that by the turn of the nineteenth century, the eight-league tract was no longer considered a valid representation of San Antonio de Béxar's town

boundary. By 1821, and throughout the remainder of the Mexican Period, the town tract was withdrawn to an area comprising only two leagues of land and centered on the governor's palace (Corner 1890).

The Duran Grant included land located on both sides of Salado Creek and encompassed a ranch house constructed in 1808 along with other buildings situated on the west side of the drainage. The parcel was also noted as having 1,240 varas (3,462 ft.) of river front property. Maria Feliciana Duran's will, dated 1814, also mentions the farmstead being located on the west side of the creek (Bexar County Archives, G1:131, Will #29). Over time, settlement and industrial development continued in the area with the erection of a corn mill and later a textile mill on that portion of the farm known as "Rancho de Molino."

Maria and Andres lived at Rancho de Molino until 1812, but the farm is thought to have been uninhabited during the turbulent period between 1813–1820. Duran and her family servants were forced to seek refuge in Central Mexico during the revolution against Spain and both she and her husband are thought to have been dead by 1814 (I.A. Paschal and others *v.* W.H. Dangerfield and others, Supreme Court of Texas, 37 Tex. 273, 1873).

In 1820, the heirs of Courbiere petitioned the Duran Grant into five portions and their grandson, Ambrosio Rodriguez, and his wife Maria de Jesus Olivarri received one portion (I.A. Paschal and others *v.* W.H. Dangerfield and others, Supreme Court of Texas, 37 Tex. 273, 1873). Rodriguez had served as second corporal in Capt. Juan Seguín's company during the Texas Revolution where he was distinguished for his service during the battle of San Jacinto. Ambrosio Rodriguez died in 1848 leaving his wife and eldest son, José Maria Rodriguez, to deal with his vast inheritance (Rodriguez 1913).

Meanwhile, under the oversight of the Republic of Texas, changes were underway in methods of land conveyance and tenure in Texas. While the Republic's constitution clearly articulated that the General Land Office was to honor all grants made to former citizens by Spain and Mexico, many of the vast South Texas *ranchos* were soon embroiled in legal disputes that effectively snarled the estates until the lawsuits could be resolved. Such was the case with the Duran Grant, which lacked the confirmation signature of the Spanish *Intendente*.

There was a substantial amount of wealth devoted to land speculation in this early period of the Republic, much of which was driven by the need to keep former colonists who had yet to obtain land to remain in Texas. There was also a desire on the part of the new government to continue to attract new settlers into the region (de la Teja 1991).

Beginning in 1837 and 1838, the General Land Office began to register new grants through the headright system. Boards of Land Commissioners were established in each county to accept petitions and record testimony, and these bodies were in turn instructed to issue headright certificates. Through this process, confusion soon arose over details such as entry dates of citizens and ample opportunity arose for abuse (de la Teja 1991).

In San Antonio, the buying and selling of headright grants by wealthy speculators became commonplace. Even prominent Tejano leaders such as Juan Seguin, who would eventually leave Texas because of legal disputes, participated in the buying and selling of headright grants. William Pitts wrote of Seguin's involvement in this practice "…at the time when land speculation occupied the attention of the opportunistic and financially able of the city, he and his friends joined in buying the headrights of their impoverished countrymen" (Daughters of the Republic of Texas Research Library, San Antonio, Casiano-Pérez Collection, Folder 51).

It was in this environment that Guillerma Nuñez, a widow and head of a household in Bexar County during the war, received her grant for "one league and one labor" from the General Land Office. There is not enough information available to fully understand the circumstances surrounding her relationship with the new governmental structure in San Antonio; however, it is clear that on May 12, 1847, Guillerma Nuñez appeared before Benjamin E. Edwards, a Notary Public for the District Court of Bexar County, and signed over her headright grant for one league and one labor to George Washington Paschal for the sum of $400.

> *No 200*
> *State of Texas*
> *County of Bexar*
>
> *Know all men by these presents that I, Guillerma Nuñez, of the county and state aforesaid, for and in consideration of the sum of four hundred dollars to me cash in hand paid at and before the signing, sealing,*

and delivering of these presents, by myself to Paschal, the receipt whereof is hereby acknowledged, and full acquittance are discharged qui_ for the same, have bargained, sold, conveyed and released, and by these presents do bargain, sell, convey and release with the said George W. Paschal, my right, title, interest and claim which I have against the State of Texas for one league and labor of land by reason of my having been a widow and the head of a family once a resident citizen of Texas at the declaration of independence, and which said claim is evidenced by a decree of the District Court of Bexar County and state aforesaid, bearing land[?] the 10th day of May, A.D. 1847, and I do hereby subrogate my said vendee to all the rights, privileges, and claims which I have in and to said league and labor of lands, and the certificate issuing upon said Decree thero [?] bested and surveyed and a patent to the land to obtain in his own name and to hold said land when surveyed and a patented by __ted of said headright certificate to him, the said George W. Paschal, his heirs, and assigns forever, in testimony hereof I have here ____ ___ my hand ____ affix my seal this the 12th day of May A.D. 1847.

____
Guillerma Nuñez
Signed, sealed and delivered in the presents of
H. Huffarry [?] esq.
P.L. Ruguer [?]
(DCBC, Book E2, pages 272–273, May 12, 1849)

George Washington Paschal and his brother Isaiah Adison Paschal were a part of the influx of wealthy Anglo entrepreneurs who arrived in Texas in the wake of the revolution. A third brother, Franklin L. Paschal, had arrived in Texas in 1836 as a three-month volunteer from Georgia. Franklin rejoined the Army of the Republic of Texas in Colonel Joseph H. D. Roger's First Regiment after his initial service period ended. He was eventually wounded in an engagement near San Antonio while serving with the Texas Rangers and returned to his home in Georgia to recuperate. After the war, Franklin Paschal moved to San Antonio and by 1843 was elected to a term as Sheriff of Bexar County.

Isaiah and George Paschal soon followed their brother to Texas. Both Isaiah and George were competent lawyers, being admitted to the Georgia bar in 1830 and 1832, respectively. By 1837, George Paschal had established a notable legal reputation by serving for almost a year as a judge on the Arkansas Supreme Court. Upon entering Texas, George chose to live a short time in Galveston and later moved to Austin, while Isaiah joined Franklin in San Antonio where he established a law practice.

George Paschal's business transactions can be found on the records of numerous counties in the state of Texas between 1846 and 1873. Regarding his Bexar County ventures, it is difficult to ascertain with any certainty what Paschal may have known about the history of the Duran tract four miles east of town. It is also exceedingly problematical to attempt to evaluate the status of the Duran property with regard to the General Land Office agents working in Bexar County at that time. However, it does appear that this grant may have been singled out early on as a tract in contention because the document was clearly lacking the critical confirmation signature of the *Intendente* (I.A. Paschal and others *v.* W.H. Dangerfield and others, Supreme Court of Texas 37, Tex. 273, 1873).

Within one month of George Paschal's obtaining the rights to the Nuñez headright, he had selected the land to which he wished to have the grant applied; a large portion of the Duran Grant now owned by Maria de Jesus Olivarri de Rodriguez.

No 506
State of Texas
County of Bexar
June 11, 1847
To John James Esq. ____
Surveyor for the District of Bexar

You will please have surveyed for Mr. George W. Paschal by nutui [?] of the accompanying certificate for one league and labor of land in favor of Guillermo Nuñez. No 612/7[??] assesed by Thos. Wm. Ward, June 7, 1847, all the vacant land within the following boundaries to wit:
Beginning at the North West corner of one third of a league of land being Survey No. 93 made w/ the name of Ignacio Perez being on the east line of the town tract at the distance of 1381 Varas from the south east corner of said town tract – thence due north (marked through) along the east line of said town tract to Survey No. 75 made for C. F. King, thence due east crossing the Salado Creek to the distance of five thousand varas, thence due south to the north line of Survey No. 94 made in

the name of Juan Manuel Urrtegas, thence west to the point of beginning & obligi.

G.W. Paschal by his agent I.A. Paschal
11th June, 1847
(DCBC, "Copy of Fieldnotes," June 11, 1847)

Meanwhile, Young Perry Alsbury returned to San Antonio from his service with American forces in South Texas where he had been wounded at the battle of Palo Alto on May 8, 1846. Alsbury married Maria Rodriguez in 1847, a descendent of Ambrosio Rodriguez's father, Manuel Ignacio Rodriguez.

A portion of Maria Jesus Olivarri Rodriguez's land holdings was transferred to Young Perry Alsbury on November 21, 1847 in the Bexar County Court. It is clear from the following record that all parties involved with this transaction were aware of the headright claim that had been placed on this property by George W. Paschal.

No 497
State of Texas
County of Bexar

Be it remembered that on this, the 21 day of November, 1847, I Maria de Jesus Olivari y Rodriguez have and do by these presents do make the following agreement with Young Perry Alsbury of said County and State; to wit: I hereby agree to sell, alieu [?] and convey unto the said Young P. Alsbury two hundred acres of land in said County on the waters of the Salado Creek about four miles east of San Antonio. Commencing at a point on the Salado Creek nine hundred and forty varas below and south of the southern line of the tract of land now occupied by George Martin and on which a mill is situated, thence on a straight line south three hundred yards entracing two hundred acres in equal proportion of one hundred acres on each side- east and west of said Creek. The quantity intended to be conveyed being two hundred acres and whereas the title of said land being now unsettled and in dispute upon the termination of said dispute and in the course of recovering said suit, I hereby bind myself and Representatives to convey and make good and sufficient title of fee simple to two hundred acres of land as before described to the said Y.P. Alsbury or his representation in the condition that at the time said deed in fee simple is made he pay to her the sum of one hundred dollars in cash and execute his note for the sum of one hundred dollars payable in twelve months bearing eight percent annum. In witness whereof I have hereto set my hand and office my seal by my of seal this day and date aforesaid,

Ma. Jesus Olivarri Rodriguez
In presence of witnesses
_ J. D__ey
J. M. Rodriguez
(DCBC, 1847)

Young Perry Alsbury moved onto the property in the early spring of 1848 and soon began clearing the land along Salado Creek. In 1849, Young Perry's mother, Leah Catlett Alsbury, joined her son at his new home in Bexar County. Y.P.'s brother, Hanson, and his family also took up temporary residence along the Salado.

On October 10, 1849, tragedy visited the homestead. While on a hunting trip, Thomas Quitman Alsbury, son of Hanson and Harriet Plummer Alsbury, was killed when his gun accidentally discharged as he dismounted his horse. The Texas State Gazette reported "…a load passed through his body killing him instantly." Thomas Quitman Alsbury was the first to be interred on the property (Texas State Gazette 1849).

By December of 1849, George Paschal was well aware of the activity occurring on his newly acquired land. On December 5, 1849, Paschal began to attempt to remove Alsbury from the Nuñez tract and sued Alsbury with a writ of sequestration. Two days later, Paschal forwarded the writ to the Sheriff of Bexar County with orders for him to "sequestrate and take into…[his] possession" the Alsbury property.

The State of Texas
County of Bexar
G.W. & I.A. Paschal vs. Y.P. Alsbury
To the Sheriff of Said County

Greetings:
In the name and by the authority of the State of Texas. You are hear by commanded to sequestrate and take into your possession, the following described land, being a portion of the league and labor of land located by the defendant in the above entitled cause, and lying and adjoining survey 93. of one third league of land granted to Ignacio Perez, and patented to Geo. W. Paschal, as described in said petition of plaintiff, viz., all that portion of said league and labor of land lying in the bend of the Salado occupied last winter by the

troops of the third infantry, containing about two hundred acres, alleged to be in the possession of Y.P. Alsbury and said land safely keep. (upleurable on security by said defendant) so that you have it…to deliver unto possession of Geo. W. Paschal and I.A. Paschal, they the said plaintiff having filed their petition under oath and bond as required by statute, for wit of sequestration,
Herein fail not but of this writ and
your service make due return
Witness my hand and seal of office in
The City of San Antonio this the 7th
Day of December A.D. 1849

Jno. M. Corolau D.C.
N.A. Coleman Deputy
(DCBC, Dec. 7, 1849)

It is clear from the Bexar County District Court proceedings from February 1850 that there was an attempt to serve the writ to Alsbury, but it appears that the sheriff was threatened and left the property without serving the papers. On January 1, 1850, Young Perry Alsbury, seconded by his wife and Rafael Herrera, a relative and San Antonio alderman, offered the Bexar County Court a security bond worth $1,200 along with the agreement not to injure the sequestered property.

The lawsuit, G.W. and I.A. Paschal *v.* Y.P. Alsbury (District Court of Bexar County, Fall 1850 Term), was initially tried during the February 1850 term of the Bexar County District Court. Alsbury's attorney presented evidence of the land conveyance and title obtained from Maria de Jesus Olivarri de Rodriguez. George W. and Isaiah A. Paschal, co-plaintiffs in the case, attempted to demonstrate that they held the valid title for the land and that Y.P. Alsbury had been destructively altering the property by "…cutting, felling, and destroying [the] timber" (G.W. & I.A. Paschal *v.* Y.P. Alsbury, DCBC, Feb. 1850). Lawyers representing the Paschal brothers requested the court to order Alsbury to pay five hundred dollars in damages and leave the land.

There appears to have been no clear ruling at the conclusion of the Spring 1850 term and by July, George and Isaiah Paschal sought to have the court require additional security be given by Young Perry for the sequestration bond.

The U.S. Census of 1850 indicates that Hanson Alsbury, and what remained of his family after the death of his son, had already left the Young Perry homestead. The records indicate that the only residents of the farm at that time were Y.P. himself, Mary, their one year old daughter Lea and Young Perry's mother Leah (United States Census, Bexar County 1850).

The attempt to evict Alsbury from the property seems to have remained rather quiet through 1851, but a decision in favor of G.W. and I.A. Paschal was handed down during the Spring 1852 term of the District Court. This time, the Bexar County Sheriff was ordered by the court to "…put the said G.W. and I.A. Paschal into quiet possession of said land." However, Young Perry Alsbury's lawyers appealed the ruling and Alsbury and his family remained on the land.

Y.P. and Mary went on to raise four children in their new home: (1) Lea Jane Alsbury, born in 1849; (2) Thomas Jefferson Alsbury, 2nd, born December 8, 1851; (3) Young Perry Alsbury, Jr., born in 1855; and (4) Mary Ann Alsbury, born in 1859 (Green 1934). Young Perry's mother, Leah, passed away in 1853 and was also interred on the Alsbury property near Thomas Quitman.

In 1853, records show that Alsbury contracted with H.D. Stumburg, another San Antonio alderman, to sell him "…all the crop of corn and fodder now growing and standing on my farm in the Salado Creek…" for the sum of one hundred dollars (Bexar County Deed Records [BCDR], Book L1:441).

In September of 1854, Alsbury once again appeared before the Bexar County Court in San Antonio, this time to sell approximately 100 acres of land from his deeded tract. Young Perry sold his holdings on the west side of Salado Creek to James Bohanan for the sum of five hundred dollars.

Entry 246
The State of Texas
County of Bexar

Know all men by these presents that I, Y.P. Alsbury, of the county and state foresaid for and in consideration of the sum of five hundred dollars, to me in hand paid, the receipt whole of is hereby acknowledged have this day bargained, sold, and transferred, to James Bohanan of the said county and state, all of my right, title, and interests in and to one hundred acres of land, known and described as follows, to wit:
The one hundred acres of the two hundred acres bought by me of Mr. J. Alivarin [?] Rodriguez and situated on the Salado Creek, and being a portion of the "Cuvier Tract." The said one hundred acres being situated on

the west side of the Salado Creek. In Testimony whereof I have here __ to set my name and seal using ___ for seal, this 12th day of September, A.D. 1854.

Y.P. Alsbury
Witness: F.J. Pryer, Jas. Denison
(BCDR, Book M2:224)

Also during 1854, Alsbury's appeal made it to the Texas Supreme Court as a part of a larger class action suit against the Paschal's land dealings. The case was reviewed in Dangerfield *v.* Paschal but the original judgment in favor of Paschal was affirmed (Dangerfield and others *v.* Paschal and others, Supreme Court of Texas, 11 Tex. 579, 1854).

As the result of a second appeal, the case returned to the Texas Supreme Court in 1857 on the grounds that, among other things, the 1854 Court had erred by overruling a motion for a continuance that had been requested in order to obtain testimony that could prove title before the former judgment. This resulted in the initial ruling being overturned and appeared to validate the title held by Alsbury (Dangerfield and others *v.* Paschal and others, Supreme Court of Texas, 20 Tex. 536, 1857). However, George W. Paschal also continued to maintain his claim to valid title on the disputed tracts and appealed the 1857 ruling.

Political squabbling culminated in Texas preceding the Civil War and both George and Isaiah were soon identified as staunch Unionists. George Paschal held a prominent position in Governor Sam Houston's cabinet and was at the forefront of the debate over reopening the slave trade in Texas. He strongly supported Houston's opposition to secession before the war and chose to leave Texas shortly after hostilities ended. Paschal moved to Washington D.C. and opened a law office where he became increasingly identified with the Republican Party.

On July 31, 1873, while still awaiting a judgment in his appeal to the Texas Supreme Court, George W. Paschal sold his interest in the disputed property to his son, George W. Paschal, Jr:

George Paschal of the city of Austin in the State of Texas in consideration of the sum of five Thousand Dollars in Gold to me paid by George W. Paschal Junior of the city of Austin and State of Texas have granted, bargained, sold and released and by these presents do grant, bargain, sell and release unto said Geo. W. Paschal Junior all my undivided and remaining interest in all that tract or parcel of land in Bexar County on the Rio Salado which conflicts or was supposed to conflict with what is called the Curbier [Courbier] grant being the same land involved in litigation in what is known in the Bexar District Court and the Supreme Court of Texas as the suit of Dangerfield vs. Paschal and others including all of said lands including the tract bargained to Elder and which bargain he repudiated with the right of equitable partition with the estate of I. A. Paschal whose original interest was equal to my own. The land intended to be sold are described on the locations survey and patents in that suit. And also for and in consideration of the sum of Fifteen Hundred Dollars to me paid by the same George W. Paschal Junior I granted bargained sold and released and by these presents do grant bargain sell and release to the said George W. Paschal Junior all my interest in a certain other tract assigned to me in a partition decree had in a certain decree known as the Rodrigues grant. Where in Thonvenin and Dangerfield were parties and if necessary I will give further description, conveyances of said land with assurance of warranty. Together with all and singular the results…

Signed 31st Day of July AD 1873.
(BCDR, Book W2:583)

The Texas Supreme Court handed down a final decision in favor of George W. Paschal later that year. This decision was allowed to stand and was not examined again by the Court (I.A. Paschal and others *v.* W.H. Dangerfield and others, Supreme Court of Texas, 37 Tex. 273, 1873).

Young Perry Alsbury continued to live on the land he had called home for several more years. In an article written for the *Daily Democratic Statesman* on May 14, 1876, the then 64-year-old Alsbury was found to be "…a man…now suffering for bread." The article confirms that Alsbury still maintained his home on the Salado with his wife and seven children, and also elaborated that Alsbury "…although old, infirm and palsied…toils steadily, hauling fire wood to San Antonio" (Daily Democratic Statesman 1876).

Young Perry Alsbury died at his home on November 17, 1877 and was buried in front of his house. Mary Rodriguez Alsbury died three years later in 1880. In a 1934 interview, Young Perry's son, Thomas Jefferson Alsbury, 2nd described the cemetery location:

> *"Y.P. Alsbury died November 17, 1877, and was buried only a few yards from the home he loved. A huge pecan tree marks the head of his grave. To his right lies the body of his wife, and to his left is that of his mother"* (San Antonio Express 1934).

Records submitted by a family member to an online archive indicate that the five individuals listed in Table 1 are buried in the cemetery (San Antonio Genealogical and Historical Society 1999).

It is unclear what happened to the home after the death of Mary Alsbury. In 1936, some 56 years after Young Perry Alsbury's death, the State of Texas honored his contributions to Texas Independence by erecting a Texas Centennial Marker near the site of his former home and cemetery (Figure 2). The text on the monument reads as follows:

Young Perry Alsbury
San Jacinto Veteran
Born in Kentucky, 1814
Died November 17, 1877
His wife
Mary Rodriguez Alsbury
Born in 1832
Died in 1880

Two of Young Perry Alsbury's descendents, Horace Alsbury and D.W. Whittaker, maintain that the centennial marker was erected at the cemetery site, and that a wrought iron fence approximately 25 feet square surrounded the cemetery at that time. The wrought iron fence was later removed, probably just prior to or during World War II (Al McGraw, personal communication 2002).

Locating the Alsbury Family Cemetery

Investigations as to the whereabouts of the Young Perry Alsbury Family Cemetery were initiated by the Texas Department of Transportation (TxDOT) in 1995 in response to a letter written by one of Y.P. Alsbury's descendents, Mr. D.W. "Tex" Whittaker. Whittaker, along with another descendent, Horace Alsbury, expressed concern that the cemetery, which they had visited as children, was actually buried beneath the cemented embankment on the south side of the IH-10 East Bridge (Alsbury 2001). As construction of IH-10 began in the area in the late 1950s, they maintain that the Texas Centennial Marker was moved to a new location outside of the proposed highway ROW (Al McGraw, personal communication 2002). Mr. Alsbury and Mr. Whittaker also stated that they remember the cemetery being located on a low terrace just above the creek and that the marker "…was moved up onto a higher terrace above the creek" (Alsbury 2001).

Both the Texas Department of Transportation (Al McGraw, personal communication 2002) and the Texas Historical Commission (Dan Potter, personal communication 2002) attempted to find archival evidence for the location of the cemetery, using, among many other sources, the deed records for the area, but were unable identify the precise location of the cemetery.

Very little documentary evidence remains regarding the initial placement of the Texas Centennial Marker. In the available documents, nothing illustrates how the monument may have related to the cemetery and homestead at the time it was erected. TxDOT's Environmental Affairs Division collected numerous documents pertaining to the Alsbury Family Cemetery, but no record has yet been identified to demonstrate that the 1936 Centennial Marker was ever located within the boundary of the IH-10 ROW. Additionally, no records are known to exist that would indicate that the monument was ever moved.

Several people involved with the IH-10 construction project were contacted during the course of TxDOT's investigations, including the project engineer and the chief inspector. Neither person had any recollection of the centennial marker or of a cemetery, which they maintain couldn't have been missed because brush was cleared from the entire area.

Table 1. Persons Buried in Alsbury Cemetery (based on information in Alsbury 2001)

Name	Date of Death	Notes
Young Perry Alsbury	November 19, 1877	San Jacinto Veteran
Mary Rodriguez Alsbury	1880	Y.P.'s wife
Leah Catlett Alsbury	1853	Y.P.'s mother
Thomas Quitman Alsbury	October 10, 1849	Nephew to Y.P. Died in hunting accident
Unknown relative	?	Killed by alligator in creek

Figure 2. *1936 Texas Centennial Marker.*

Sonny Joseph, the now retired surveyor who originally laid out the centerline for IH-10 in the early 1960s and later cross-sectioned the area adjacent to the current marker location, stated that he never saw the granite marker during the time he worked in the area.

A chain of title was traced for the parcel of land bought by TxDOT in 1967 but failed to identify Alsbury as a former landowner since the Supreme Court's final ruling in favor of Paschal effectively removed Alsbury from the ownership records. Instead, Survey No. 151, Section No. 4, made for George W. Paschal in the name of Guillerma Nuñez appears as the first in a string of title conveyances currently on record for that parcel.

Consequently, it is difficult to document that the tract adjacent to Salado Creek, where the planned hike and bike trail is to run, was actually occupied by Alsbury's family. While the land conveyance from Maria Jesus Olivarri de Rodriguez to Y.P. Alsbury did contain a general description of the property that he was to receive, the details are rather vague (with the possible exception of the beginning point) and lack specific calls for courses and distances. George Paschal's 1852 plaintiffs' petition in the case against Alsbury (G.W. & I.A. Paschal *v.* Y.P. Alsbury, 1852) actually serves as a better source for relocating the Alsbury Homestead. In the petition, a general outline of Alsbury's holdings is described as follows:

> *"…adjoins and lies immediately north of Survey 93-of one third of a league of and made for Ignacio Perez, and patented for the said George W. Paschal, and extends up the Salado on both sides about three hundred yards above the Paso Hondo Ford on the Salado, and running back from the said Salado east and west to the front of the hill, upper line of this tract*

> *being parallel with north line of Survey No. 93, including all the bend of the Salado, occupied last winter by the troops of the third infantry, and about the quantity of two hundred acres"* (G.W. & I.A. Pascal *v.* Y.P. Alsbury, DCBC, Oct. 31, 1853).

This description proves useful in several respects. Since the case was ultimately decided in favor of Paschal and against Alsbury, very little platted information exists on modern maps to demonstrate how tracts originating from the Duran Grant would have been depicted.

Paschal's description begins by noting that the Alsbury tract "*…adjoins and lies immediately north of Survey 93*." Based on maps drawn by F.H. Arlitt (1868) and W.C. Walsh (1879), it can clearly be established that the southern boundary of the tract is roughly congruent with the modern Martin Luther King, Jr. Boulevard (the old Dittmar Road). Next, Paschal references a long forgotten ford, the Paso Hondo "*…and extends up the Salado on both sides about three hundred yards above the Paso Hondo ford on the Salado*." The Paso Hondo actually used to be a fairly familiar landmark located at the easternmost apex of San Antonio's 1731 eight-league town tract (Arlitt 1868; Gentilz 1886; Walsh 1879). The ford would have been located on Salado Creek directly adjacent to modern Aransas Boulevard that closely parallels the boundary of the old town tract. Thus, a relatively accurate fix can be made on this location allowing the distance of 300 yards to be measured to obtain the northern boundary of the Alsbury tract.

The location of this northern line is confirmed by the description given in Maria Olivarri Rodriguez's land conveyance to Alsbury:

> *"Commencing at a point on the Salado Creek nine hundred and forty varas* [approximately 2,625 feet] *below and south of the southern line of the tract of land now occupied by George Martin and on which a mill is situated."*

Using these northern and southern lines as delimiting the respective boundaries of the Alsbury tract (the two lines lying parallel approximately 2,500 feet apart), a box can then be created, roughly 2,500 by 3,500 feet, and containing approximately 200 acres (dotted line in Figure 3). Maintaining the northern and southern limits outlined above, a polygon containing a similar 200 acres can be generated that more closely follows the general direction of Salado Creek in this area (solid line in Figure 3).

While this method establishes a very general probable area for Alsbury's property, the eastern and western boundaries were likely more irregular than can be ascertained simply by reading Paschal's description. The reference to "*...east and west to the front of the hill"* and "*…all the bend of the Salado, occupied last winter by the troops of the third infantry"* suggests that Alsbury's holdings would have probably encompassed the majority of land now lying in Martin Luther King, Jr. Park.

Having thus established the northern and southern limits of the Alsbury tract along Salado Creek and a general target area, we searched for signs that would indicate a potential homestead site within this area. First, we inspected the 1903 *San Antonio*, *Texas*, USGS Quadrangle map (Figure 4). An unimproved road can be seen running parallel to the creek and entering the area from Dittmar Road to the southeast. This unimproved road runs the entire length of the area that Paschal described as being held by Alsbury and appears to terminate in the vicinity of the current location of the Texas Centennial Marker. It is also possible that this road may have at one point crossed the creek in the vicinity of the Paso Hondo and connected with several roads converging on the west bank of the Salado including Aransas Avenue and Paso Hondo Street. This possible southern entrance to the Alsbury's homestead also seems to correspond to a reference by Young Perry's son, Thomas J. Alsbury, in 1934 when he recalled "…early in the spring of 1848 he [Y.P. Alsbury] moved to the east bank of the Salado Creek just north of Dittmar Road and made this his home" (Green 1934). Unfortunately, there are no dwellings or outbuildings on the east bank of Salado Creek within the area in question shown on the 1903 topographic map. The 1903 *San Antonio*, *Texas* USGS Quadrangle map was published only 23 years after Mary Alsbury passed away and was interred on the property. Therefore, it seems reasonable to assume that during the intervening period, the Alsbury home probably fell into a state of disrepair and was not sound enough to be indicated on the topographic map.

Around 1936, Helen Mae Byrd Burnum, the granddaughter of Thomas Jefferson Alsbury, made an oil painting depicting the Alsbury Homestead on the Salado (Figure 5). Although she never saw the standing structures on the property, she spoke with her grandfather about the farm and he described the homestead to her in great detail. After their conversation, Helen Burnum undertook the task of painting the images of her grandfather's boyhood home. Thomas Jefferson Alsbury viewed the completed painting and remarked that it portrayed the homestead exactly as he remembered it (Horace Alsbury, personal communication 2003).

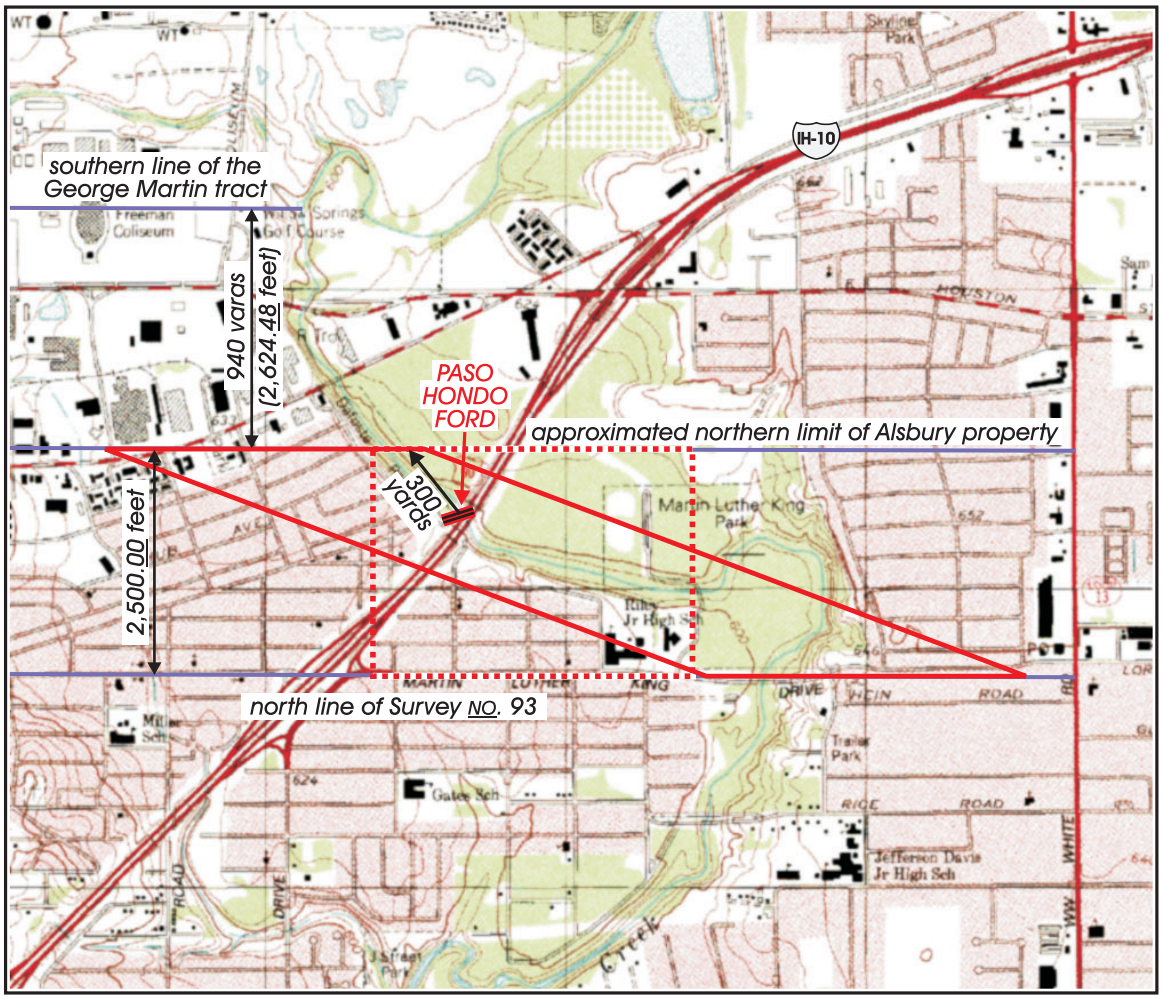

Figure 3. *Reconstruction of the Y.P. Alsbury property along Salado Creek.*

In Burnum's painting, the viewer is looking toward the southeast across Salado Creek and a broad stretch of farmland extending to the horizon. The unimproved road that traversed the property on the 1903 topographic map corresponds well with the road rendered at the right of the painting between the field and tree line. Near the bottom right of the illustration, a low bridge spanning the Salado is located in the approximate spot for the crossing of the Paso Hondo.

It is also interesting to note that the painting includes a great amount of detail about the orientation and relationship of the various buildings with each other and with other features on the landscape. The main door of the home appears to open to the northwest and towards the present location of IH-10, and two large trees are depicted between the home and the creek. Horace Alsbury maintains that one of these trees is actually the "…huge Pecan…[that] marks the head of his [Young Perry's] grave" (Green 1934; also Horace Alsbury, personal communication 2003).

In order for us to place the homestead onto the old Alsbury tract, we searched for the earliest available aerial photographs showing the target area. An aerial photograph taken in 1939 by Edgar Tobin further confirms the presence of the unimproved road traversing the property as depicted in the 1903 topographic map and corroborated in Burnum's painting (Figure 6). This lane can be accurately traced from its origin at Dittmar Road and appears to closely conform to the route indicated on the USGS quad map published 36 years earlier. A wide drive or turnaround angles to the northeast near the road's terminus, in roughly the same

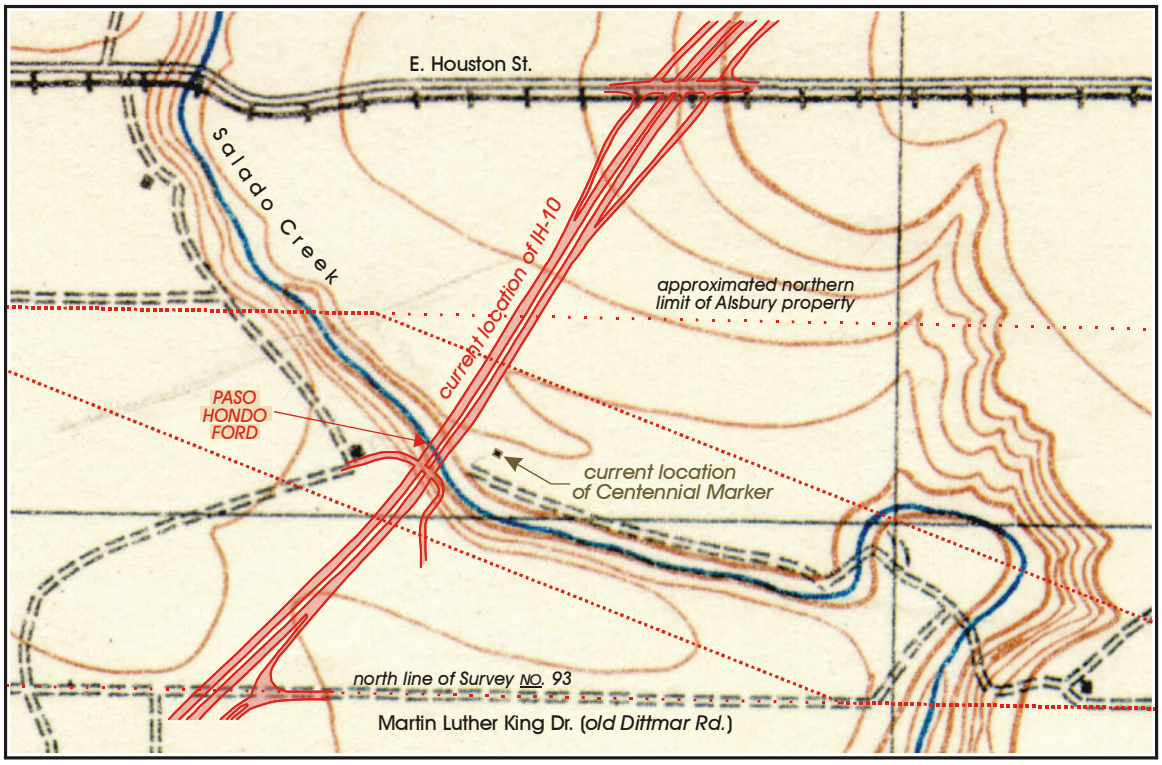

Figure 4. *1903 USGS map showing unimproved road.*

position as the end of the lane at the time the 1903 map was drawn (Figure 7). This turnaround also seems to correspond with the Burnum painting in the placement of a secondary drive running perpendicular to the main road and directly in front of the house.

It was hoped that the Texas Centennial Marker, placed at the site in 1936, or other notable features mentioned in personal accounts describing the site (the wrought iron fence around the graves, the large pecan tree at the head of Y.P. Alsbury's grave) might be discernible in the 1939 photo (Figure 7). After considerable effort, hope of finding these specific landmarks was abandoned.

If we are correct in matching the location of the turnaround seen in the 1939 aerial with the entrance of a second drive which passes in front of the house in the Burnum painting, and if we can further assume that the homestead is located adjacent to the northeastern corner of the fence line, as in the Burnum painting, the front yard of the property where the cemetery would have been located would be found to the northwest of the main house. Finally, if we further assume that the large tree under which the cemetery was located is one of the large trees shown in the Burnum painting, we could conclude that the cemetery is indeed located within the IH-10 ROW somewhere within the hypothetical 60-degree arc shown in Figure 8. It would therefore be logical that at the time of highway construction, the marker would have been moved out of the ROW directly southeast of its previous location, the shortest possible distance.

However, we cannot be certain that the possible turnaround shown on the 1939 aerial photo correlates 100 percent with the drive passing in front of the main house in the Burnum painting. Note for instance, that the 1939 aerial photo shows a possible older road immediately to the north of the well-worn road with the possible turnaround (Figure 7). The relationship of this older road trace to the Alsbury Homestead is not known. Furthermore, if we cannot reconstruct with confidence the location of the Alsbury Homestead, we also cannot establish with confidence the location of the cemetery within or associated with the homestead. Therefore, if all or some of the previous assumptions are incorrect, they place into doubt the previous reconstruction that the cemetery lies within the present IH-10 ROW.

Figure 5. *Oil painting of Y.P. Alsbury homestead by Helen Mae Byrd Burnum.* Courtesy of Horace and Tudie Alsbury.

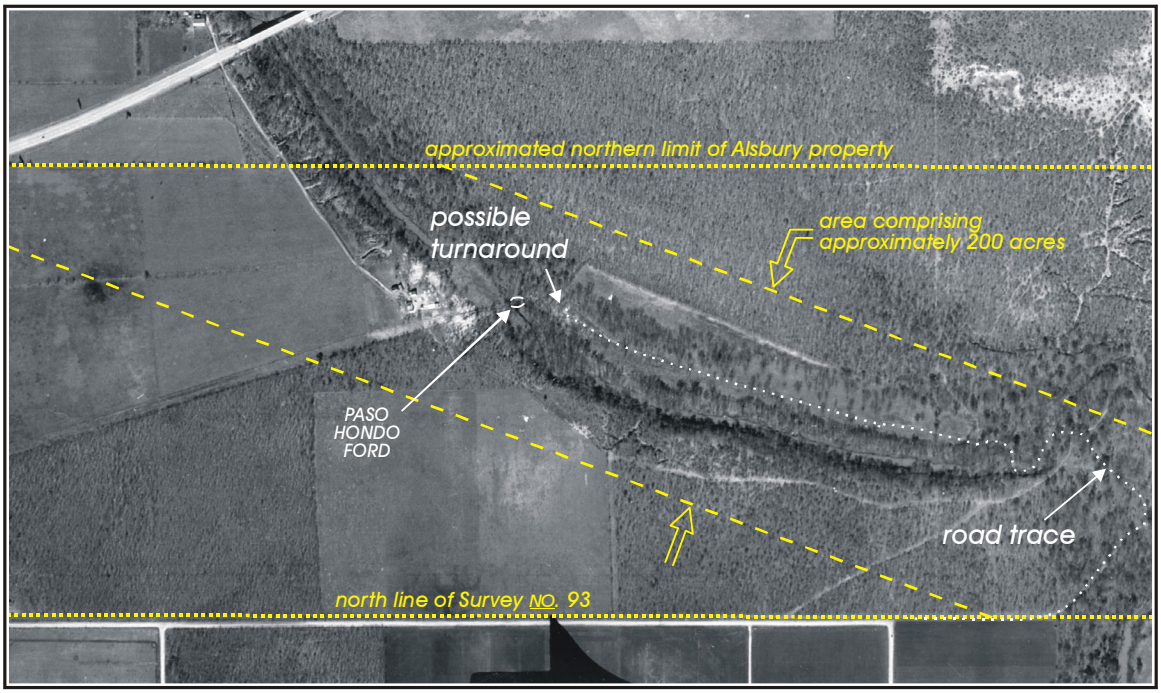

Figure 6. *1939 Edgar Tobin aerial photograph.*

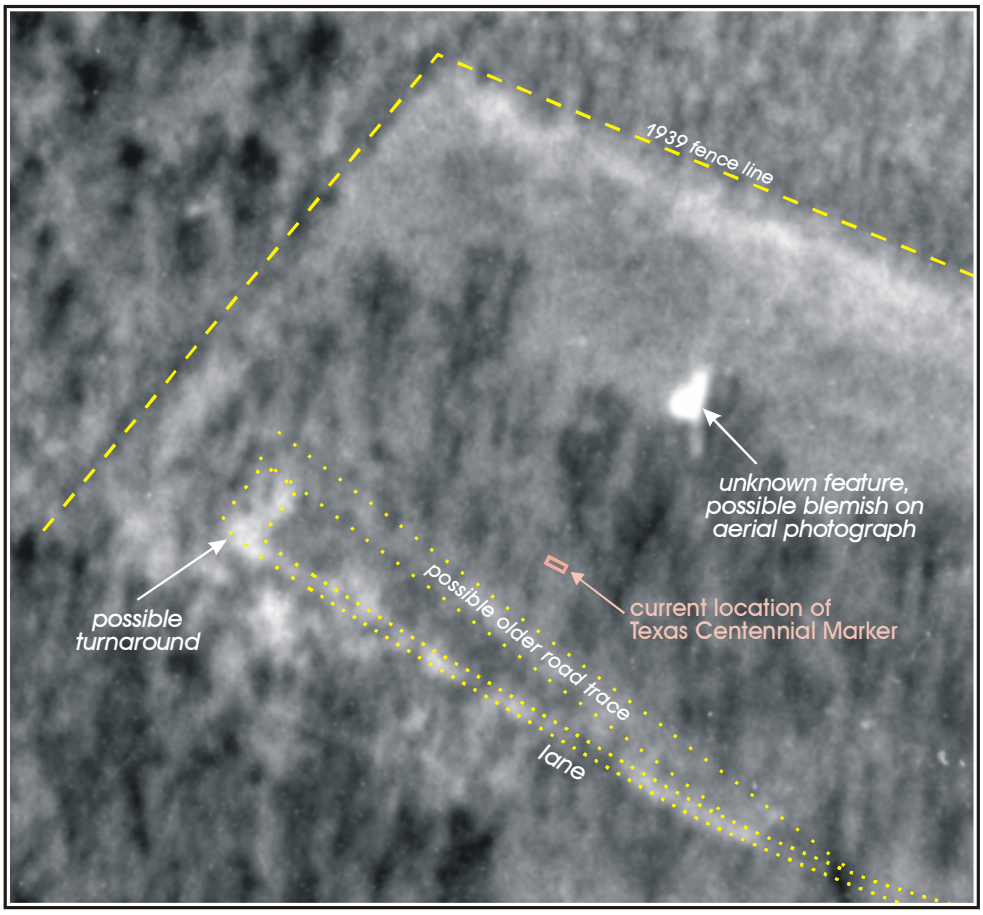

Figure 7. *Close-up of the 1939 aerial photograph.*

It is, for instance, possible that the Texas Centennial Marker is in its original location and actually marks the Alsbury Family Cemetery. This would imply that the homestead would have been located farther to the southeast of the marker. Considering this possibility, a zone measuring 40 feet in all directions and radiating from the center of the monument could be used to designate the most likely location of the cemetery (Figure 8). This distance includes 25 feet to account for the roughly square 25-foot fence the Alsbury descendents recall and an additional 15 feet to provide a buffer for the placement of the marker adjacent to the cemetery.

In conclusion, using legal documents, historic maps, and early aerial photographs, we have been able to accurately establish the northern and southern limits of the original Alsbury tract along Salado Creek. However, these same documents have not allowed us to define precisely the location of the Alsbury Homestead and Family Cemetery. It is clear that additional fieldwork, in the form of a systematic archeological surface survey, would be necessary to identify artifact distributions and potential features related to the Alsbury Homestead and these indications would in turn would potentially allow the identification of the Family Cemetery.

Field Methods

Shovel Testing

CAR conducted a pedestrian survey involving 39 shovel tests in a single transect extending along the length of the planned Trail route (Figure 9). The shovel tests were 30 cm in diameter and were excavated to a depth of 70 cm or until the sterile substrate was encountered. This was the maximum depth of the planned area of potential effect. Excavation levels did not exceed 10 cm in thickness. A minimum rate of 16 shovel tests were excavated for every linear mile. Where excavation was possible along the approximate three miles of the Trail, shovel tests were spaced every 100 meters.

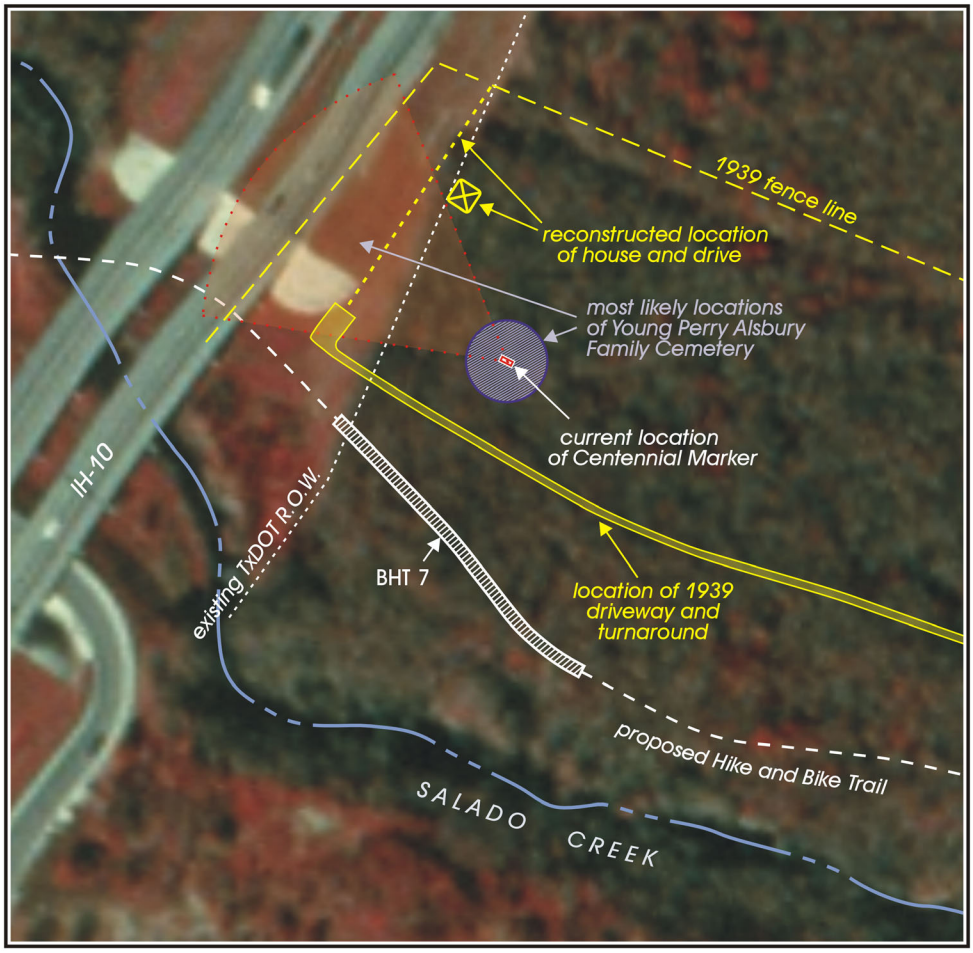

Figure 8. *Location of the centennial marker, probable cemetery area and Backhoe Trench 7.*

Information on shovel tests was recorded on standardized forms and included soil/sediment descriptions and observations of any natural and cultural inclusions encountered. Soils from these tests were screened through ¼-inch mesh and all artifacts were collected. All shovel test locations were recorded using a Trimble Geo Explorer II Global Positioning System (GPS) unit.

Backhoe Trenching: Geomorphic and Cemetery Investigations

Mechanical excavations (backhoe trenching) were conducted to test for deeply buried cultural deposits, signs of the Alsbury Family Cemetery and for geoarcheological investigations. Eight backhoe trenches (BHTs 1, 2a, 2b, 4, 5a, 5b, 6a, and 6b) were excavated at creek crossing locations (Figures 1 and 9) for the geomorphological investigation and to test for cultural deposits. The final backhoe trench (BHT 7) was excavated along the Trail route beginning approximately 40 m south-southeast of IH-10.

Given the possibility of deeply buried cultural deposits, whenever possible backhoe trenches were excavated at each stream crossing where Trail construction will impact subsurface deposits (see Figure 9). Concrete pilings for the new bridges will impact approximately 12 feet (3.7 m) below current ground surface. Six stream crossings are planned for Trail development. A bridge at Crossing 3 is already in existence leaving five new crossings impacting 10 bank lines. Both banks of a crossing were examined whenever practical, however, of the 10 bank lines two were not examined. These two crossing locations (1 and 4) presented difficulties for backhoe excavation and only one bank at each of these proposed bridge sites was trenched. Only the eastern bank of Crossing 1 was examined. No trenching was performed on the western bank of Crossing 1 because of the presence

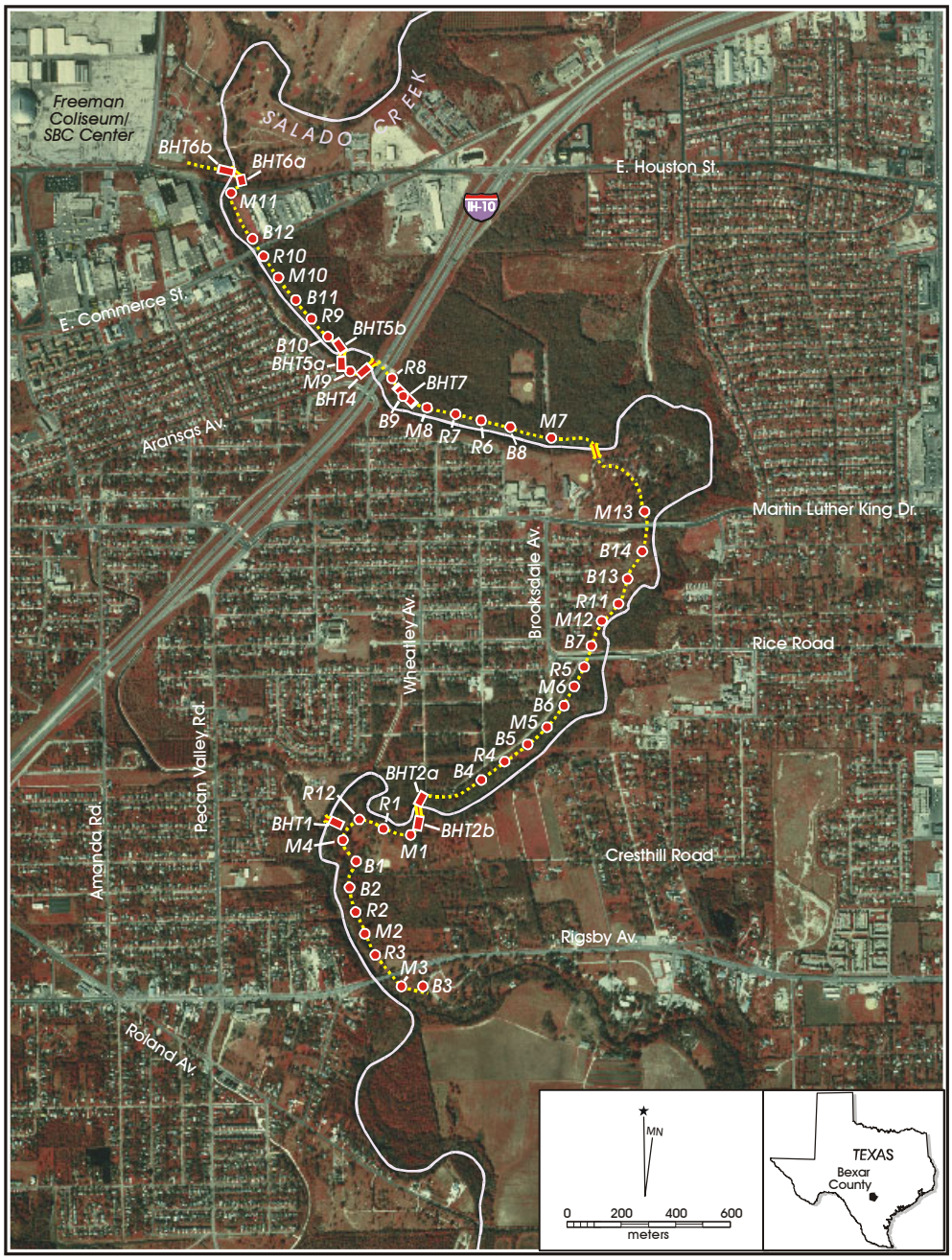

Figure 9. *All shovel test and backhoe trench locations.*

Figure 10. *Disturbances along west bank of Salado Creek at Crossing 1.*

of underground electrical lines within J Street Park that were unmarked at the time of the field investigation (Figure 10). Only the western bank of the Crossing 4 location was trenched and examined. The eastern bank presented only a small area that could be accessed and it had extensive recent disturbances. Bridge pylon construction and highway overpass buttressing affected the eastern and western portions of this crossing. A buried flood gauge cable was located in the only area where backhoe excavation was possible. Supersaturation of the sediments also posed problems for backhoe access and examination of excavation profiles. Standing water was present in much of this location. The western bank at Crossing 4 contained only very recent sediments and the terrace on the eastern side was at an identical elevation. Both the northern and southern banks of Crossings 2 and 5 were trenched and two trenches were excavated to examine the eastern and western banks of Crossing 6.

All trenches were approximately 10 m long and were excavated to a depth of 1.5 m unless conditions warranted shallower excavation (i.e., unstable sediments, or obviously modern deposits). Both walls of all trenches were inspected for the presence of cultural materials and to identify the exposed soil and sedimentary units. A profile drawing and soil description was completed for each backhoe trench. Soil and sediment descriptions were performed for these profiles. Characteristics recorded include the texture, wet consistence, structure, boundary, and dry color (Soil Survey Staff 1993) of each identified horizon.

Fieldwork Results

Shovel Testing Results

Shovel testing began at Rigsby Avenue and proceeded north along the Trail route (Figure 9). Shovel tests were placed every 100 meters where possible. Shovel testing was not possible along the entire length of the Trail. Based on the station markers for the proposed Trail, the project area measures 16,210 feet in length. However, not all of that distance can be used in the calculation of the density of required shovel tests. Within the Martin Luther King, Jr. Park, approximately 1,460 feet of the proposed path will use existing paved surfaces, and as such were not shovel tested. Near the northern terminus, the proposed Trail follows the former roadbed of East Houston Street for about

720 feet. Due to significant disturbance, this area was not subject to shovel testing. Approximately 450 feet of the Trail is comprised of proposed bridge structures spanning Salado Creek at various points (see Figure 1) and was not included in the total distance for the calculation of shovel test intervals. The 400-foot-wide corridor of IH-10 was similarly discounted due to significant disturbance. Lastly, the Trail crosses three paved streets (Cresthill, Rice, and Yucca), which comprise a combined 240 feet of untested area. The resulting actual length is a project area that consists of 12,960 feet, or 2.45 linear miles. Using this project length, a total of 39 shovel tests was excavated along the footprint of the proposed Trail (see Figure 9 for all shovel test locations). Within the 2.45 miles subject to testing, the shovel test density was consistent with Texas Historical Commission Standards.

The shovel tests noted the presence of recent (late-twentieth/early-twenty-first century) debris such as plastic fragments, glass shards, asphalt chunks and natural angular chert fragments. The depositional context is recently river-eroded soils. Of the debitage recovered, a portion upon cleaning was found to be naturally battered gravels or road gravels and was subsequently discarded. A single edge-modified flake was recovered from Shovel Test R1 (ST R1), near Crossing 2 (Figure 9). This brown chert flake, with some cortex present, had one heavily modified edge. It was recovered within a deposit of eroded river-worn chert gravels and as such it had been heavily battered. Since it was not a temporally diagnostic artifact and had eroded from its original location, it was noted but not collected. Small numbers of mussel shell were present in the shovel tests. Given the proximity to the creek, the presence of mussel shell was not surprising and that the specimens were incorporated into the gravel deposits. Shovel testing yielded no significant prehistoric or historic cultural deposits within the project area and what was present was not *in situ* but rather in erosional, secondary contexts. The artifacts noted in the shovel tests were primarily of recent origin and the single edge-modified flake occurred in highly disturbed soils. The disturbances were the result of construction or natural flooding.

Backhoe Trenching Results

A total of nine backhoe trenches was excavated in the course of this project. Eight of the trenches were excavated for geomorphological analysis of the soils to assess their potential to contain archeological deposits. The ninth was excavated to test for the presence of the Alsbury Family Cemetery adjacent the IH-10 crossing of Salado Creek within the planned Trail ROW.

Testing for the Alsbury Family Cemetery

On March 26, 2003, a single backhoe trench (BHT 7) was excavated along a segment of the proposed Trail near the area believed to be the Young Perry Alsbury Cemetery. The trench was located 48 m southwest of the Young Perry Alsbury Texas Centennial Marker. The overall length of BHT 7 extended approximately 107 m, from station 118+07.11 (roughly 40 m from IH-10) to 121+50 (Figures 9 and 11).

Excavation of BHT 7 began in a dense thicket of hackberry, elm, pecan, and oak approximately 30 m north of Salado Creek at the Point of Curvature (P.C.) station 118+07.11 of the proposed trail (Figure 11). It was excavated to an average depth of 45 cm below surface (bs) for approximately 85 m to station 120+75 in order to account for the maximum depth of the proposed Trail construction. Soils in the upper 20 cm remained a consistent very dark grayish brown (10YR 3/2) silty clay loam and gradually transitioned into a dark grayish brown (10YR 4/2) clay loam between 20–45 cm below surface. Figure 12 shows the excavation of BHT 7.

The depth of BHT 7 was increased beginning at station 120+75 to reach a maximum of 100 cmbs between stations 121+00 and 121+50. The greater depth was necessary to allow for slope adjustments of the Trail related to the Americans with Disabilities Act regulations. In this area, grayish brown (10YR 5/2) clay loam alluvial sediments extended between 50–100 cm below surface. Several pieces of mussel shell (Three Ridge, *Amblema plicata*) were observed in the northern trench wall approximately 60 cm below the surface near station 121+10. One additional mussel shell fragment was noted in the bottom of the trench near station 121+20 but no cultural artifacts were found associated with the mussel shell.

One historic ceramic sherd was recovered from the bottom (approximately 100 cmbs) of the trench near station 121+00. This rim sherd, not found *in situ*, has a Flow Blue design on a white earthenware body and was probably manufactured sometime between 1835 and 1900. This type of ceramic was in common use in many San Antonio homes during the mid/late-nineteenth century and is a type likely to be found at the Young Perry Alsbury Homestead. No other historic artifacts were observed from BHT 7. No evidence of burial features or human remains was observed during the excavation of BHT 7.

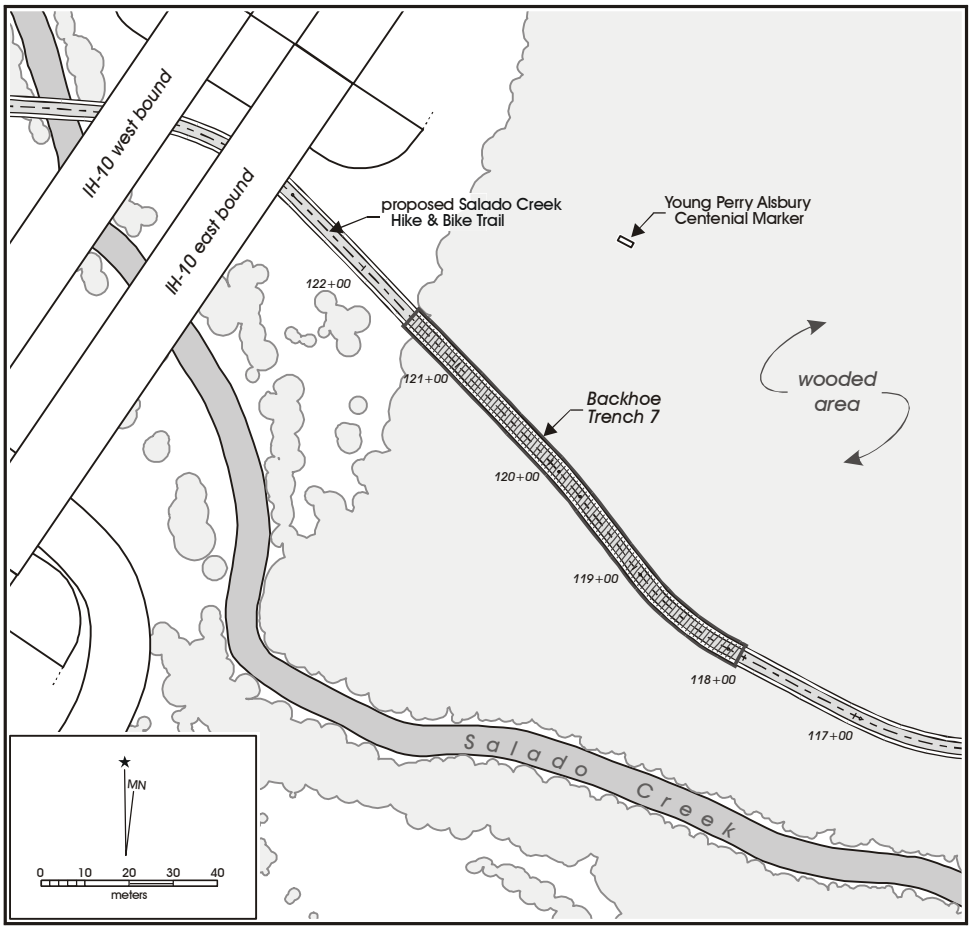

Figure 11. *Location of Backhoe Trench 7.*

Geomorphological Investigations

Most of the backhoe trench profiles examined revealed only very recent sedimentary deposits with minimal pedogenesis. No absolute dates are available for any of the described horizons. Only the northern trench at Crossing 5 produced buried archeological material. A single chert flake in this profile suggested the presence of a surface that could contain archeological deposits. No prehistoric artifacts were identified in any of the other trenches and most contained significant amounts of recent debris that is probably less than 30 years old.

Crossing 1

The eastern bank of Salado Creek Crossing 1 was examined with a backhoe trench (BHT 1) on the T_0 surface (T=terrace) within the unused YMCA property (see Figure 1). The trench was oriented 117°-297° from magnetic north. It was 10.5 m long and maximally 1.5 m deep. The northern wall was profiled and described. There is much evidence of recent flooding of this area from overbank flow approximately one month before this field investigation. This trench was within 2 m of the stream channel and sampled exclusively young deposits with no evidence of archeological material or older soil or sediments. No excavation of the western bank was performed at this crossing location (Figure 9). As noted previously, unmarked buried electrical lines precluded safe excavation within J Street Park. The western bank is a high, older terrace (T_3) surface that is being actively eroded at the creek channel margin. The T_0, T_1, T_2, and T_3 surfaces are apparent on this bank. The highest T_3 unit is equivalent to the T_3 surface trenched on the northern bank of Salado Creek at the Crossing 2 location (BHT 2a).

BHT 1

Very recent debris was encountered throughout the uppermost 25–65 cm (Figure 13). The C1 horizon may have been deposited as recently as the 2002 floods. This unit contains abundant alluvially transported garbage (plastic

Figure 12. *The excavation of Backhoe Trench 7.*

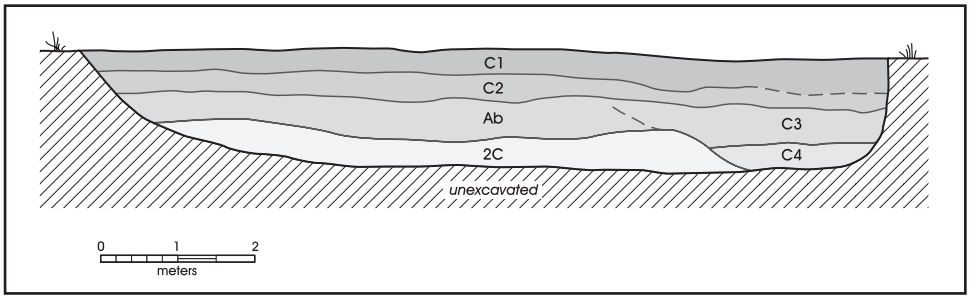

Figure 13. *Backhoe Trench 1 profile, north wall.*

bags, plastic bottles, aluminum cans, etc.) and organic material. One other recent C horizon overlies a moderately developed Ab horizon that is 35–50 cm thick. The C2 also contains abundant alluvial organics and garbage. This unit has a clear, wavy-irregular boundary with an unmodified 2C horizon that is >50 cm thick. The 2C unit exhibits strong development and prismatic structure. Although there is no erosional unconformity separating the 2C unit, it appears to have formed slightly earlier than the recent C1 horizon alluvial deposits. At the western end of the trench (nearest the Salado Creek channel) there are two other sedimentary horizons that are visually similar to C1 and C2. These deposits, C3 and C4, also had much alluvially transported organics but do not contain garbage debris. There are significant amounts of undecomposed wood within all the C horizons. The Ab is a relatively young soil indicating a short period of stability before it was buried by very recent flood deposition. No prehistoric artifacts, indications of paleosols, or older buried sediment or soil units were identified in BHT 1. All of the units identified in this trench are conformable. Most of the separations are gradual. The contact between the 2C horizon and the lowest C horizon sediments (C3 and C4) is an abrupt, conformable transition. None of these horizons have the potential to contain prehistoric material in primary context.

Crossing 2

Two trenches were excavated at Crossing 2 (Figure 9). The northern bank is in a former residential area that has been purchased by the City of San Antonio following flood damage in this location. The trench on the northern bank (BHT 2a) was placed on a higher surface (T_3) than the trench (BHT 2a) examining the southern bank (T_1). The southern bank is on YMCA property and the crossing is located at a bend in Salado Creek where a point bar has formed. Significant amounts of modern alluvial debris (including much brush) have accumulated on this point bar deposit.

BHT 2a

The trench on the northern bank (BHT 2a) sampled the high T_3 surface that is in an equivalent position to the untested western side of Crossing 1. This terrace is not represented on the southern side of Salado Creek. BHT 2a was oriented 18°-198° from magnetic north and was 11.6 m long. This trench was excavated to a maximum depth of 1.8 m. The older high terrace was selected as the best opportunity to encounter older deposits and the other three terraces are expressed only as narrow surfaces on a steep bank. The T_0 surface at this location appears to be very recent. Much of the deposit is probably from not more than a year previous to these investigations and the landform appears unlikely to be more than a few years old. The T_1 surface also has abundant recent deposits.

The western wall of BHT 2a was profiled (Figure 14). This trench exhibited a sequence of three weakly developed A horizons overlying two moderately developed B horizon soils. The A horizons extend approximately 50 cmbs and the B horizons are maximally 50 cm thick. This appears to be the most mature solum examined during this project. Although representing an older surface adjacent to Salado Creek, very recent debris was encountered within the uppermost A1–A3 and B1 soils of BHT 2a to a depth of at least 75 cmbs. The underlying B2, C1, and C2 horizons are only moderately developed and also appear relatively young. The C3 horizon, identified below 1.65 m in the southern portion of the trench, is strongly developed and may represent an older sediment. No evidence of archeological material was encountered in this examination. This horizon is the only context other than the 2C3 unit in BHT 5b that appears old enough to contain prehistoric archeological remains.

BHT 2b

The trench on the southern side of Crossing 2 (BHT 2b) sampled the T_1 surface of a point bar deposit. A relatively broad T_0 area was not sampled and is almost certainly very recent. There was a very large amount of brush and trees recently deposited on this formation, probably from overbank flow in October 2002. The trench was oriented 147°-327° from magnetic north, perpendicular to the bend in Salado Creek and sampling older deposits of this point bar. This trench was 10.95 m long and maximally 1.95 m deep. Some building debris was visible on both the T_0 and T_1 surfaces that had recently been partly buried. The eastern trench wall was profiled (Figure 15).

The trench profile through this point bar exhibited a series of moderate-high energy alluvial sediments with no evidence of any buried stable soil surfaces. The uppermost 25–50 cm is a very recent (July and possibly October 2002) overbank C1 deposit. The lower boundary of C1 is an erosional unconformity. A weakly developed A horizon that is 15–35 cm thick represents a minor period of surface stability. Some of the organics in this horizon are likely contributed directly from the alluvial deposition of this unit. A very weak 15–25 cm thick B or A/B horizon underlies the A unit. It is distinguished by being slightly lighter in color and containing more clay. Some of these differences could be solely from time-transgressive sedimentary changes between the A and B horizon depositional events. Both of these soils are very weakly developed and reflect minimally modified

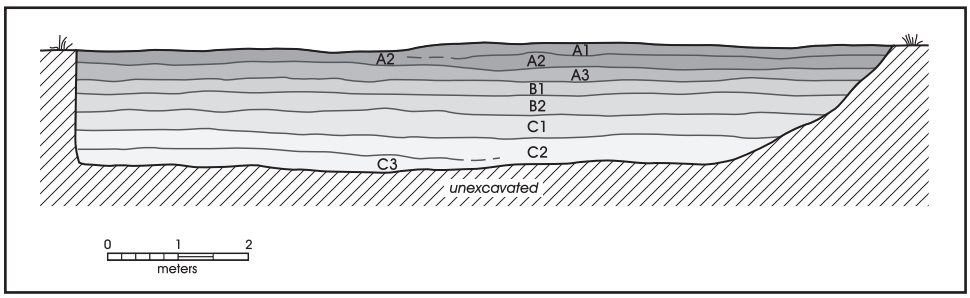

Figure 14. *Backhoe Trench 2a profile, west wall.*

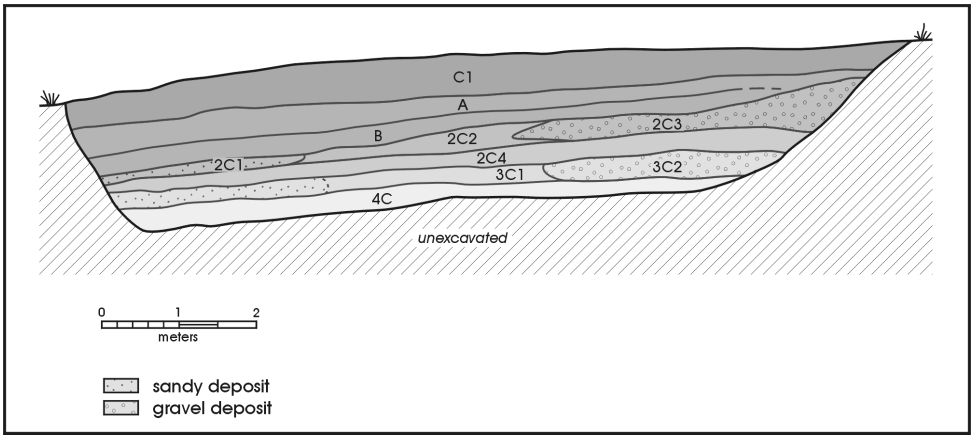

Figure 15. *Backhoe Trench 2b profile, east wall.*

characteristics of their parent materials. All of the deposits in this profile suggest significantly active depositional environments. There would have been minimal periods of surface stability when accumulation of archeological material could occur and a low probability for preservation of archeological remains in this setting. Intact archeological deposits are not expected at this location.

Crossing 4

Trenching was only performed on the western bank of this proposed crossing location (Figure 9). This is located on the T_0 surface. There is extensive evidence of very recent alluvial deposition. Material from flooding in October 2002 was apparent and significant amounts of brush from flooding in July 2002 also were common on portions of this surface. Modern debris (<20 years) was encountered to a minimal depth of 1.65 m below surface. There are no horizons that could contain intact archeological deposits within the maximum tested depth of 1.7 m. The eastern bank did not provide an adequate area of undisturbed sediments for subsurface examination. That bank is partially underneath the IH-10 roadway and has been significantly modified for bridge construction. As noted previously, this area was supersaturated and had standing water approximately 20 cm deep covering much of the proposed crossing location. A flood monitoring line extends across the only portion of this terrace where backhoe trenching was possible. This area is at approximately the same elevation as the western bank and also represents a T_0 surface. Given the extensive disturbance and evidence of very recent sedimentary deposits on the opposite bank (BHT 4), there is an extremely low probability that the untested eastern bank contains any intact ancient deposits.

BHT4

This backhoe trench was placed on the western bank of Salado Creek and excavated perpendicular to the channel at an orientation of 93°-273° from magnetic north. BHT 4 was 15.05 m long and was maximally 1.7 m deep. The northern wall of BHT 4 was drawn and described (Figure 16). There was a slight natural levee apparent in the northwestern end of the trench. This levee is present in all of the upper sedimentary unit horizons (C1–C4). The BHT 4 profile exposed only deep, very recent sedimentary deposits on this T_0 floodplain deposit. There is recent trash

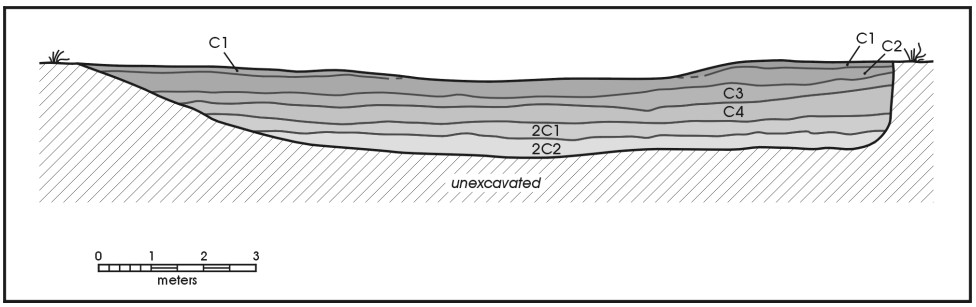

Figure 16. *Backhoe Trench 4 profile, north wall.*

to a depth of at least 165 cmbs. All of this material is from alluvial transport of rubbish from upstream locations. Plastic bottles, plastic shopping bags, and aluminum cans are the most common materials and there also is some cloth and wood building debris. Much of this material has light weighting package characteristics indicating very recent material that is probably less than 20 years old. The C1–C4 horizons exhibit erosional unconformities and each sedimentary unit represents a fining upward sequence. The fining upward evidence of particle size indicates slackening energy after the initial higher energy erosional flood event. These upper C horizons are maximally 1 m thick and rest unconformable on two sediments (2C1 and 2C2) that contain slightly more clay. The 2C units represent a separated depositional regime from the upper C1–C4 horizons. A low density of recent trash was observed in the 2C1 horizon but not in the 2C2. The boundary between these two units is not erosional, and there is a strong probability that there is recent debris in 2C2, and possibly deeper. There is no pedogenesis apparent in any of these sediments. The high organic content may mask slight color changes associated with weak development of A horizons during short periods of surface stability. The erosional unconformities between units may indicate that any thin, weakly developed soils that had been present were removed before water velocity decreased and resulted in the deposition of entrained sediments.

Crossing 5

This location is very near to Crossing 4 (see Figure 1). The trench on the southern bank (BHT 5a) sampled a higher energy, and possibly slightly older, point bar formation related to the deposits exposed in BHT 4. There is abundant recent brush debris near this proposed crossing on the southern bank of Salado Creek. Some of this may have been deposited in October of 2002, but the majority is from the July 2002 flood event. The July flooding also affected the northern bank where brush was deposited as high as the T_2 surface.

BHT 5a

A trench on the southern side of the meander of Salado Creek sampled deposits on the T_0 and T_1 surfaces (Figure 9). Most of the trench is on the T_1 unit. This trench is oriented 8°-188° from magnetic north and is 7.85 m long and maximally 1.7 m deep. The western wall of this trench was profiled (Figure 17). All identified horizons were young sedimentary deposits with no apparent pedogenesis. Recent debris was seen throughout the upper portion of the profile to depths of 75–135 cmbs. The visible basal horizons (3C1 and 3C2) are poorly sorted, gravelly clay loams. No recent debris was seen in these units. They have an unconformable contact with the overlying 2C4 and 2C3 sediments. The gravelly 3C units thicken away from the current stream channel. The fine, well-sorted 2C horizons are lower energy sediments that reflect relatively recent overbank deposition of the modern creek configuration. Debris in the 2C2 horizon includes aluminum cans indicating a very recent origin of deposits at least to this depth. There is a very small amount of building debris in the C and 2C1 horizons. The lowest 3C units are too high energy to likely contain any *in situ* archeological deposits. The C and 2C sediments appear to be too young to contain any prehistoric archeological remains.

BHT 5b

The trench excavated on the northern side of Crossing 5 was excavated on a higher surface than BHT 5a (Figure 9). This trench is located on the T_2 surface. The T_0 unit on this bank is in a higher position than T_0 on the southern side of Salado Creek. This portion of the steam appears to be migrating northward so that the T_0 on the northern side may be older than the T_0 and T_1 units on the southern side. BHT 5b is oriented 14°-194° from magnetic north. The trench was excavated 11.15 m long and its maximum depth was 1.88 m. The eastern wall of BHT 5b was selected for profiling (Figure 18). The uppermost sediments (75–150 cmbs) are recent deposits unconformably overlying the 2C units. They contain much recent debris. There is a very weakly developed solum within this upper portion of the profile. The A1 is expressed only at the southern end of the trench, nearest the channel of Salado Creek, where the more recent sediments are thickest. The A1 is approximately 15–25 cm thick, overlying a 15–35 cm thick A2 horizon. A weak-moderately developed B horizon extends 25–35 cm below the A2. The solum overlies a C1 horizon that is relatively thin (15–25 cm) at the northern end of the trench and thickens (35–50 cm) closer to the stream channel. At the southernmost end of the trench there is approximately 35 cm of C2 sediments. The C1 and C2 units are unconformable with the lower alluvial deposits. All of the deposits above the 2C1 and 2C2 contact are relatively recent. Recent debris was noted in the trench walls and in the backdirt of the backhoe excavation. Abundant bovid remains were encountered in the B horizon of the western wall of the trench, opposite the profile that was drawn and described. Some of these bones were identifiable mandible and scapulae fragments, broken by the backhoe. Several construction timbers were present in the upper C1 and solum at the southern end of the trench.

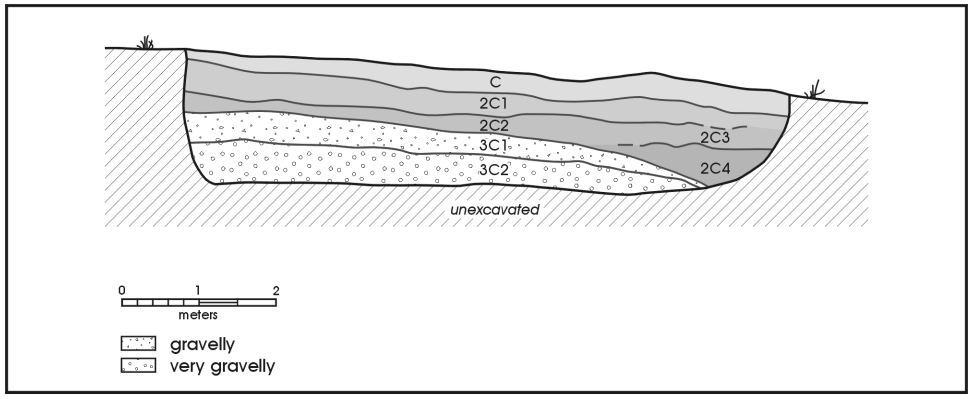

Figure 17. *Backhoe Trench 5a profile, west wall.*

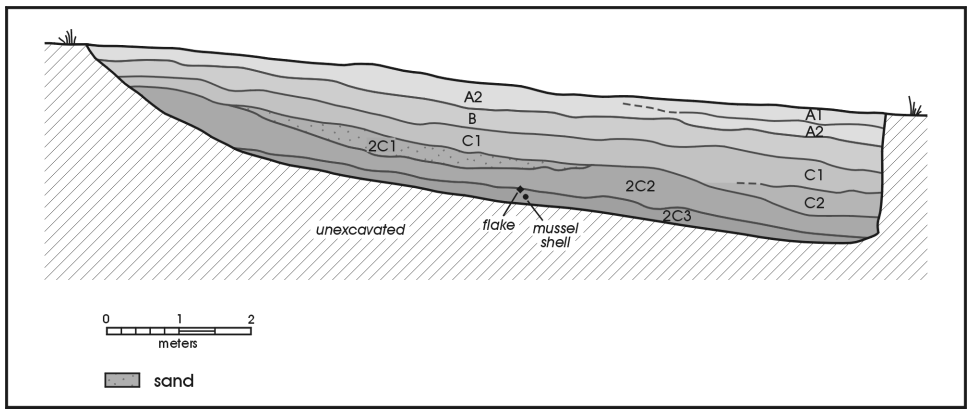

Figure 18. *Backhoe Trench 5b profile, east wall.*

The sedimentary units below the unconformity at the base of the C1 and C2 deposits are older remnant horizons. A single flake in the base of the 2C unit may indicate the presence of archeological deposits in this area. 2C1 is a lens of well-sorted sand visible in a portion of the profile. The lower boundary of this massive sand unit is an erosional unconformity with the 2C2 horizon. Both 2C2 and 2C3 contain slightly more clay than the overlying sediments and exhibit moderate to strong structure. They represent a deposit that may be much older than the C horizons. The flake was found in the profile wall within the upper portion of the 2C3 sediment, at approximately 140 cmbs. Some very dispersed mussel shell valves were seen throughout the 2C3 horizon. One mussel shell fragment, situated approximately 3 cm below the flake, also was collected for possible dating. The low density of mussel shell throughout this deposit makes a cultural association unlikely. One small gravel (<5 mm) was located approximately 1 cm from the flake. The well-sorted clay of the 2C3 horizon contains very few clasts. The one flake is significantly larger (3.7 cm) than the adjacent gravel and is heavier than the mussel shell. It is possible that the flake is a natural alluvial clast.

The flake is 37 mm long, 32 mm wide, and 12 mm thick. It is a platform preparation flake and has less than 50 percent cortex on its dorsal surface. This is the only location where any evidence of potentially *in situ* archeological deposits was identified. No other flakes, evidence of charcoal, or other cultural materials provide clarification of the prehistoric context of this single lithic.

Crossing 6

Both sides of Salado Creek tested at the proposed location of Crossing 6 are within the area of the old roadway of Houston Street (see Figure 1). There is extensive recent

disturbance associated with construction of the modern Houston Street bridge, drainage features, and two dams on Salado Creek. Two groups of buried fiber optical lines are present on both banks in the areas tested. The eastern bank of the Crossing 6 location contained roadbed debris throughout the exposed sediments (maximally 1.7 m deep) in the backhoe trench (BHT 6a). Recent fill containing roadbed materials also was encountered throughout the trench (BHT 6b) excavated on the western bank to a depth of 1.3 m.

BHT 6a

This trench was excavated on a slope adjacent to the Houston Street bridge over Salado Creek (Figure 9). The area examined is the eastern bank of the creek. This area appears to have been subject to extensive disturbance from road and bridge construction to the south, and drainage ditch and dam construction on the northern side of this landform. BHT 6a was oriented upslope 100°-280° from magnetic north. This backhoe trench was 10.5 m long and exposed 1.7 m at its maximum depth. The southern wall of this backhoe trench was profiled (Figure 19). All of the sediments in BHT 6a contained abundant gravels (<7 cm), pieces of concrete, and asphalt. There are no *in situ* deposits at this location to the depth tested that have any potential to contain undisturbed prehistoric archeological remains.

BHT 6b

This trench tested the western bank of Salado Creek in an area that also has been subject to significant construction disturbances (Figure 9). BHT 6b was oriented 104°-284° from magnetic north and was 8.55 m long. The sediments were supersaturated and unstable, so the trench was only excavated to a maximum depth of 1.25 m. The northern wall of BHT 6b was profiled (Figure 20). All of the sediments exposed in this trench contained abundant gravels (<3 cm), fragments of concrete, and asphalt. A few construction timbers also were present in the upper portions of the fill. All of these sediments are thoroughly disturbed and contain very recent debris. There is no potential that any undisturbed prehistoric deposits are present in the area examined.

Summary and Recommendations

After eliminating disturbances by old roadbeds, current highway systems and existing pavements, shovel testing examined 12,960 feet of the planned Trail route. Shovel testing did not recover any significant prehistoric or historic materials. The materials noted in the shovel tests were almost exclusively late-twentieth/early-twenty-first century debris. The single edge modified flake recovered from ST R1 near Crossing 2 was a non-temporally diagnostic artifact found in secondary context.

Backhoe trenching for the Alsbury Family Cemetery encountered a single historic ceramic sherd in secondary context and no evidence of a cemetery within the ROW of the planned Trail. The 1936 centennial marker for the Alsbury Family Cemetery is outside of the project ROW. There is no direct evidence that the marker has been moved from its original placement and no longer identifies the cemetery location. Identifying the actual location of the cemetery may require pedestrian survey with subsurface investigations outside of the ROW of the current project.

Backhoe trenching indicated that all of the areas tested contained almost exclusively recent sedimentary deposits.

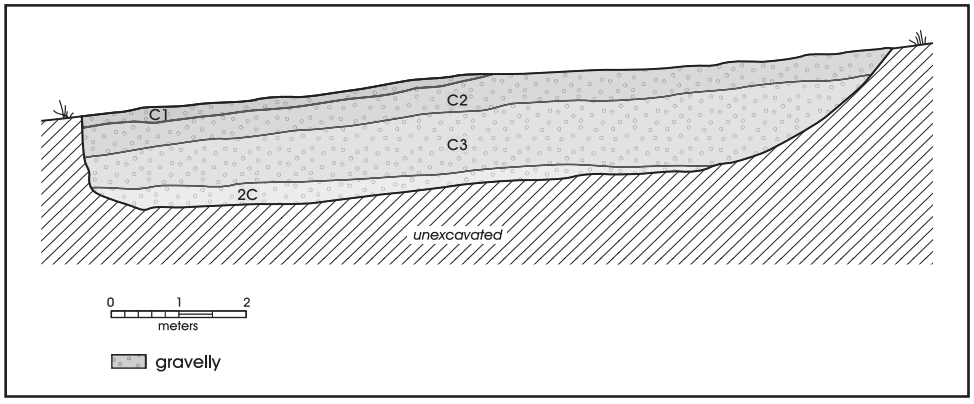

Figure 19. *Backhoe Trench 6a profile, south wall.*

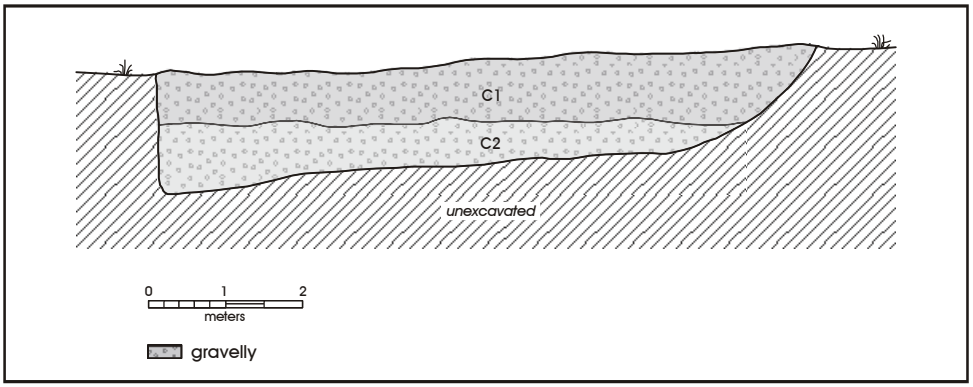

Figure 20. *Backhoe Trench 6b profile, north wall.*

Associated trash suggests that most of these terrace deposits are less than 20 years old. Several of the crossing locations have as much as 35 cm of sediments that probably derive from the flood events of July and October 2002. Only two locations tested during this investigation appear to have any potential to contain deposits of sufficient integrity and age to contain prehistoric archeological remains. At Crossing 2, the lowermost horizon in BHT 2a (C3) on the northern bank of Salado Creek appears to be much older than overlying sediments. This unit is strongly developed with coarse, prismatic structure. No evidence of any archeological material was encountered in this horizon. At Crossing 5, a single flake was recovered from the 2C3 horizon in BHT 5b, on the northern bank of Salado Creek.

The single flake recovered in the lowest sedimentary unit of BHT 5b suggests that prehistoric remains could be present within this deposit. The 2C sedimentary unit where the flake was found is separated from recent deposits by an erosional unconformity. The matrix of this horizon is a fine, well-sorted clay with several mussel shell clasts. The flake is large (10.2 grams) and it appears unlikely that it is a fluvially transported artifact. This single lithic does not indicate whether an archeological site exists at this location. The uppermost part of the 2C2 horizon is more than 100 cm below the modern ground surface, and the flake was found at 140 cmbs in the 2C3 sediment. The northern portion of the T_2 surface where BHT 5b was excavated has only 50 cm of recent deposits above the 2C2 horizon. There was no evidence that archeological material is present in 2C2 or in the northern portion of the trench.

In summary, no significant archeological deposits were encountered in the proposed Trail ROW examined by shovel tests and backhoe trenches. Although a single flake was found within BHT 5b, its isolated nature does not support the need for further testing in the area. No signs of the Alsbury Family Cemetery were noted within the ROW.

It is the opinion of the Center for Archaeological Research that no archeological site eligible for listing on the National Register of Historic Places or warranting designation as a State Archeological Landmark was found within the Area of Potential Effects. It is, therefore, the recommendation of CAR that the proposed undertaking will have no effect on any historic property and the proposed project may proceed. Additionally, if unrecorded deposits are found during construction, activity in the area will cease and emergency discovery procedures will be initiated in accordance with the Programmatic Agreement and Memorandum of Understanding between TxDOT and the Texas Historical Commission.

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