Diary of a Boundary Dispute Involving the Harlingen Army Air Field and Cullen and Thompson

Norman Rozeff, Harlingen Historical Preservation Society
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This long and complicated story begins in the last half of the 19th Century. In this period Cameron County was given, by the State of Texas, parcels of non-Spanish or Mexico Grant lands. The county had the right to sell this land in order to generate funds for school development. These parcels were known as "school lands."

One such large parcel of 64.35 sq. miles was north of the Arroyo Colorado and where the City of Harlingen would once stand. In it was Survey 272, a tract two miles east to west and one mile north to south. It contained the ranch community of Cotio along the trail from the north leading to the arroyo crossing at the Palmito Ranch. By 1884 Survey 272 belonged to Thomas G. McGehee. In time it would become part of the northeast section of Harlingen and encompass the Valley International Airport.

With the coming of the Harlingen Canal from the river to Harlingen and its environs in March 1908, the land became more valuable since its productivity could be raised with irrigation. Over time Survey 272 was broken up into smaller farm parcels. The soil types in the area were heavy, poorly drained clays, so crop selection was limited. Cotton was one option.

In a tangential event which will later fit into the whole story, on 5/1/27 the partnership of Davis Wade of San Benito, Jesse N. Elrod of Harlingen, and Fleming Newton of Jacksonville, Texas was formed to purchase the Harlingen Gin Company facility at 321 W. Jefferson Street. The gin's name becomes the Wade-Newton-Elrod Gin Co. By 1935 it is simply run as the Elrod Gin Co. When a later purchaser looked into the title of the land upon which the gin sat, a convoluted history of exchanges, debt incursions, and murky transactions were uncovered. The initial sale was Lot 1 in Block 23 from the Lon C. Hill Improvement Co. to Osco Morris, this occurring 8/10/11. The adjacent Lot 2 went to P. S. Waterwall, who later conveyed it to his son Earl. Possibly before April 1926 T. A. Henderson and (Mrs.) F. S. Webb obtained both lots, and they went to a multi-part partnership which had formed the Harlingen Gin Co.

It was sometime in 1930 that Louis Cullen and his wife Violet T. Cullen came to Harlingen from Memphis, Tennessee. We know this because they are not listed in the 1930 Harlingen phone directory but are in the 1931-32 one. His occupation is noted as vegetable shipper. The Georgia-born Cullen (b. 5/31/1880, Milledville, Ga.) had moved around in his younger days. He spent his first employment years in Birmingham, Alabama where he worked as a store clerk then became a commercial traveler and salesman by 1909. When he registered for the WWI draft at age 38 in 1918, he noted his occupation as a self-employed broker for car lot distribution. He was yet to be married at this time. Ten years later he was manager in Birmingham for the Exchange Distributing Company. He likely married the Mississippi-born Violet around 1927. She may have been his second
wife. They reside 501 E. Madison in Apt. 1, from which he conducts his business. Cullen is 50 years old at the time.

In the early 1930s Cullen had a shed and equipment in both Combes on Highway 96 and Raymondville. He also had business property in Birmingham, Alabama. He is to ship 287 freight carloads of produce in the period 6/1/35 to 5/31/36.

Cullen, still working out of his residence, is listed as a buyer broker-shipper (of fruit and vegetables) in 1935 but by 1937 has his office at 1105 E. Fillmore, his new residence. By this year also his daughter and son-in-law, Lillian S. (24) and S. Eugene (Gene) Thompson (32) have moved to Harlingen but no occupation is noted for him.

In July 1937 Cullen was to purchase a 1/3 interest in the Elrod Gin. He bought it from the San Benito Bank and Trust which acquired it when partner Davis Wade defaulted on a loan. By mid-1942 Cullen and his by then partner, Gene Thompson, would purchase an additional 1/3 from Jesse Elrod. The third party, Newton, conveys his 1/3 share to Horace Etchinson of McAllen by 1943.

Having expanded his enterprise, Cullen, by 1939, moves his offices into the Commerce Building at 121 W. Van Buren. His son-in-law is also in that business building and involved in the same line of work as grower-shipper of fruits and vegetables. By 1941 they will form a partnership which will promote the label "Rio Grande's Best Brand" at Adams Gardens and Carrizo Springs and once again be doing business out of the Fillmore Street residence. They advertised that they specialized in cabbage, onions, corn and tomatoes. Over the following years the place of business will move to various locations. In 1944 the Cullen and Thompson Produce Co. will be at 404 N. 1st Street, in 1946 at 112 S. Commerce, and in 1948 at 419 N. Commerce. By 1950 Louis and his wife will have moved their residence to 1809 S. 1st Street. Both partners would be out of town for long periods while working vegetable deals throughout Texas and adjacent states.

When the Harlingen Army Air Field (HAAF) wished to expand its facilities in late 1943, the Federal government purchased 286.8 acres of 443.82 acres of Survey 272 from Horace F. Waters and his wife Aileen Moore Waters. The Waters had acquired this acreage from Aline Beckham, a widow, in April 1941. It was at this point that the problems arose though not recognized, for the survey conducted and marked was in error. Ms. Beckham had also sold nearby land to G. J. Weikel and his wife Margaret. They were to sell the government 98.6 acres of a 445.03 acre south parcel in Survey 272 in November 1943.

On 12/27/45 Cullen and Thompson purchased from H. F. Waters 151.7 acres in the northwest portion of survey 272 out of a tract of 443.82 acres. The minor balance of the acreage apparently contained a small reservoir. They paid $100/acre and assumed a debt of $4,667 with Travelers Insurance Co. This averages out to an average of $130.76/acre.

The boundary controversy began after March 1946 when Cullen and Thompson signed a contract with bachelor Lester F. Garling for 140 acres in the west half of Survey 272 for
$21,000 or $150/acre. As a side note it is pointed out that with each transaction a previous owner preserved the oil, gas and mineral rights, so eventually Waters, Cullen & Thompson, and Garling had shares in any leases. On 4/30/47 these principles signed an oil, gas and mineral lease on 143.22 acres. Waters had by 1947 moved to Colorado Springs, Colorado and formed a real estate partnership known as Wood and Waters.

In surveying for the Garling sale, it was discovered that the 140 acres was short 6.67 acres. Cullen and Thompson had to return to Garling the $150/acre for this missing acreage. The fact was that the HAAF had moved into the 6.67 acres, fenced it, and dredged a drainage ditch within it. A re-survey by knowledgeable surveyor Alfred Tamm confirmed the proper boundaries of the 140 acres. Tamm had in his possession original maps of this section.

Cullen and Thompson commenced action to be compensated by the government for the lost property. Upon the cessation of World War II the government no longer needed the field. On 2/5/46 it was declared surplus. In an agreement dated 2/17/47 the War Assets Administration turned over to the City of Harlingen Tract No. HA-9. Now a new course of action had to be pursued. On 6/20/47 the law firm of Greenwood, Johnson and Phillips drafted a lengthy clarification letter seeking to deed the 6.67 acres to the City of Harlingen for $1000 but retaining some mineral rights on it and also requesting the use of water in the drain ditch. This latter request only "muddied" the negotiations more.

The Korean War began in June 1950 and by April 1, 1952 the U. S. Government has resumed control of the Harlingen airfield to transform it into the Harlingen Air Force Base. Legal correspondence commenced (3/26/52) with the United States Army Corps of Engineers, located in Galveston in order to resolve the conflict. No resolution took place, even with the intercession of Congressman Lloyd Bentsen and later Joe Kilgore. The law firm representing Cullen & Thompson in 1952 was Gibbon and (Orrin W.) Johnson, which by 1954 was Gibbon, Klein & Johnson. In March 1955 Lester Garling for one dollar signed a "Warranty Deed" to Cullen & Thompson for 8.58 acres. This was a legal technicality. He had done the same on 6/10/47 for the 140 acres.

On May 11, 1955 the Corps informs Gibbon, Klein & Ferrero that the issue is nearing finalization where some title data being needed. The mineral rights are a matter of confusion. On June 15, 1956 the Corps informs the lawyers that $3,000 is being appropriated for the condemnation purchase of Tract No. A-140. On January 16, 1957 the U. S. district Court, Southern District issues a $2,800 check to Cullen and Thompson. On June 30, 1958, the law firm notifies Gene Thompson that the court will send the remaining balance less $100 to be held for outstanding mineral interest.

It has taken 12 years to settle this claim. After lawyer fees it is speculative how much Cullen and Thompson finally netted for all their pain. The settlement of $2,900 divided by 8.58 acres calculates to $338/acre. Cullen and Thompson had by then sold much of the area acreage to farmer Hatto Berg for $550/acre.
In September 1945 the partnership had used the Elrod Gin as $15,000 collateral to obtain funds for land purchases. In 1953 they valued their Weikel Farm land at $39,000. By 1956 the partnership had invested in a $20,000 stake in the Valley Cotton Co. The Elrod Gin closed in 1960. Both Cullen and Thompson were by then retrenching on their shipping activities. The year 1957 was the last when they were members of the Texas Citrus and Vegetable Growers and Shippers Association. By 1959 Thompson was farming for himself, mostly cotton. By 1961 Cullen was retired.

Gene Thompson was to die in October 1975 at age 71. His wife Lillian, eight years younger than him died in November 1984. Louis Cullen, a teetotaling, "hardshell" Baptist, was to die August 1972 at 92 years of age. The 28 acre Cullen-Thompson Reservoir lying between the north boundary of the Valley International Airport and FM 508 remains a reminder of the history of this section as does the Beckham Reservoir to the east of the airport.