

Received July 2<sup>d</sup> 1914 from  
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County Engineer  
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R E P O R T

Of the examination and location of the corners and boundary lines of the JOHN WALKER SURVEY of 2953-1/5 acres of land in Garza County, Texas, made according to the original field notes of said survey for Mrs. Clara C. Starr of Marshall, Texas.

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On September 24th, 1909, in company with Mr. H. W. McGee, attorney in fact for Mrs. Clara C. Starr, Judge Prendergast, Attorney at Law, both of Marshall, Texas, Mr. F. M. German, Ex County Surveyor of Scurry County, Texas, Thomas Hughes, Eli Jones, Albert Winn and Tom Wilkes, citizens of Garza County, Texas, I began my examination of said Walker Survey at a stone set in the ground marked N. W. 1302-721- which indicated the N. W. corner of Survey No. 1302, B. S. & F. as described in the corrected field notes of said survey made by W. D. Twitchell, State Surveyor, July 14th, 1906. From this stone, a peg set by F. M. German in 1902, for same corner, bears S.  $63\frac{3}{4}$  W.  $10\frac{1}{2}$  varas; assuming said stone as the N. W. corner of Survey No. 1302, I measured a line north 285 varas to a point where Mr. German said there was a stone mound in 1902. No trace of this mound is now visible, but another stone mound bears N.  $89\frac{1}{2}$  W. 104 varas from this point. Mr. Twitchell, in his corrected field notes of Survey No. 721, E. L. & R. R. R. R. Co., says: "Beginning at the N. E. corner of Survey No. 1305; thence N. 20' E. 900 varas cross a draw, at 1334 varas a stone 16x12x2" marked 1302-721, whence German's peg bears S.  $63\frac{3}{4}$  W.  $10\frac{1}{2}$ , at 1603 varas a stone 18x14x8" marked S. W. J. W. in place where original corner was moved from". This last mentioned stone should be at a point 269 varas North from the one marked 1302-721, but I failed to find it.

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A R G U M E N T.

The John Walker Survey was made in 1878, and as Mr. Twitchell was then a lad of only ten or twelve years, and not on the ground with the original Surveyor, how does he know where the original S. W. corner of John Walker Survey was made, or whether it was made at all or not.

The original field notes of the John Walker Survey call to begin at a stone mound, the N. W. corner of Survey No. 1302, Beaty- Seale & Forwood, etc. Having assumed Twitchell's rock marked 1302-721 as the N. W. corner of Survey No. 1302, B. S. & F., I determined that to be the beginning corner of the John Walker Survey, and measured thence east, at 1900 varas no evidence of N. E. corner of Survey 1302, at 3690 varas pass an old stone mound in valley, at 4083 varas a point for S. E. corner of the John Walker Survey where we made a stone mound, and marked one stone S. E. J. W. About 300 varas southwestward of this corner, and on the east and northeast edge of a high point, are two stone mounds, neither of which shows age. From the S. E. corner of the John Walker Survey made by me, I measured north through mesquite brush in valley, at 292 varas pass 4-7/10 varas west of a stone set in ground and marked S.E.J.W., and supposed to be W. D. Twitchell's S. E. corner of the John Walker Survey. This stone was taken up and broken into small pieces by Mr. H. W. McGee, agent for Mrs. Clara C. Starr, owner of the John Walker Survey, for the reason that the said W. D. Twitchell had no authority to resurvey and make corners for the John Walker Survey. Continued North at 1505 varas the south bank of the Yellow House River, at 1573 varas the north bank, course down nearly east, at 1900 varas point in sand bed on S. E. bank of said river for N. W. corner of Survey No. 645, and S. W. corner of Survey No. 24, awarded to J. W. James, at 1950 varas the S. E. bank of Yellow House River, at 2211 varas the N. W. bank, course down southwest, at 3390 varas south bank

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of said river, at 3489 varas the north bank, course down about east by south at 3673 varas cross J. W. James' west fence, course S. 3<sup>o</sup> E. and N. 3<sup>o</sup> W., at 4083 varas + 12 a stone mound for the N. E. corner of the John Walker Survey, from which a stone set in ground at N. W. corner of J. W. James' fence, bears N. 69 W. 30 $\frac{1}{2}$  varas, a stone mound bears north 167 varas, the north end of James' main dwelling house bears S. 55 E. about one half mile.

NOTE: In measuring this line no allowance was made for lost distance over mesquite brush and irregular ground, hence the apparent 12 varas excess. J. W. James has something over one acre of the John Walker Survey inclosed at the N. W. corner of his fence.

I did not measure the North line of the John Walker Survey but went with said persons to a stone mound pointed out to me by Mr. German as the N. W. corner of said survey, from which another stone mound bears east 167 varas; thence south at 1605 varas pass a stone set in ground, marked 722-J. H. at 2600 varas a draw, at 2850 varas a small dry branch, at 4083 varas Twitchell's rock marked 1302-721 for N. W. corner of survey 1302, whence I began my investigations. I found no evidence on the ground of footprints of the original surveyor of the John Walker Survey. He says he began at the N. W. corner of survey 1302, and he makes the south line of the Walker Survey and the north line of surveys 1302 and 1304, a common line which ties these surveys together and renders them inseparable in the absence of incontrovertible evidence that the John Walker Survey was located elsewhere. I did not find any such evidence. Stone mounds are movable objects, hence unreliable. The call for a branch at 550 varas on the west line of the Walker Survey in the original field notes is

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clearly an error, as the only branch on that line is 1233  
varas by my measurement from the N. W. corner of survey No.  
1302. In my opinion no vacancy exists between the John Walk-  
er Survey and surveys 1302 and 1304.

*A. S. Howden*

Ex State Surveyor.

Sketch File 21  
GILES  
John Walker Survey  
Jan 5  
(DODD HOWARD)

Howden

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~~Garza Co Roll Sk. P~~

File No. Sketch File 31

Garza County  
John Walker Survey

Filed Jan. 2 1914 or 16

GARRY MAURO, Com'r  
By (DOUG HOWARD)