

Sept. 19, 1930

Mr. J. S. Boyles,  
County Surveyor, Harris County,  
Houston, Texas.

Dear Sir:

Under date of Sept. 15th., Mr. Jos. S. Myers Assistant District Attorney, sent to this office a blue print sketch and statement by yourself relative to the existence of the Walton, Hill & Walton survey lying immediately to the Westward of the HT&B Ry Co., Survey No 1 Blk 6 and WC Ry Co Section 4.

I have looked into this matter and made a sketch which is compiled from information on file in this office. From this investigation, I conclude that at least some land exists for the Walton, Hill & Walton survey, which will be situated between HT&B Ry Co Survey 1 on the East and the G. P. Burnett Survey on the West, the S O Hawkins survey having been sold to G P Burnett and subsequently patented.

For your information, I will state that Survey 1 HT&B is patented on corrected field notes by W. A. Polk having been surveyed Dec. 7th and 8th 1893. You will find these field notes in your office in Book H page 261. They call to begin at the NW corner of the Luke Hemenway Survey on the east line of the Geo. Dedrick; thence they run N 810 varas to the NE corner of the Jesse Pruett; thence West 330 varas to the SE corner of the Walton, Hill & Walton survey; thence North with the east line of said Walton, Hill & Walton survey 922 varas, etc.

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The G P Burnett survey calls to begin on the north line of the Pruett at the SW corner of the Walton, Hill & Walton survey and run thence North 808 varas with the west line of the Walton, Hill & Walton survey to a stake in the south line of Juan Sutton survey, 223 varas West of its SE corner. This Burnett survey was patented on corrected field notes by A A Stimson, the survey having been made Sept. 15, 1894.

In view of the fact that the 2 above mentioned surveys call to run to end with the Walton, Hill & Walton survey, they must respect it. There is on file here, a report or statement giving a connection from the North corner of Thos. Choate grant, which apparently was identified northward and westward to the SE corner of the Callahan and Vince grant. When the intervening surveys are platted in along said connecting line, the call on the west line of Survey 3 H&B for this SE corner of the Callahan & Vince grant, agrees.

Referring to the field notes of the Walton, Hill & Walton survey, there is a call on its south line for the H&GN Ry Co track at a point 213.33 varas West of the SE corner; also the Geo. Dedrick field notes call for its north line to cross said track at a point 330 varas West of its NE corner. According to this sketch, when the distance is scaled off, it would appear to be 200 feet from the NE corner of the Dedrick to the railroad track.

It appears that either the surveys, as now recognized on the ground are in a more westward position than call for by the original field notes; or else the railroad has moved quite a distance. I am of the opinion that before this department could arrive at any conclusion as to the area of the Walton, Hill & Walton survey further information should be submitted. A connection should be run out from the North corner of Thos. Choate

league in order to determine the correct east line of the Dedrick, which of course, will be the lower west line of Survey #1 HT&B.

Your attention is called to the fact that the Burnett survey, according to its field notes, has a distance of 4348 varas on its north line, which does not agree with the distance indicated from the north line of S O Hawkins survey on your sketch.

The position of the H&GN Ry Co track, as called for in the field notes of Survey 4 HT&B, the Walton, Hill & Walton survey and the Dedrick survey agree fairly well when extended. However, they call mentioned for this tract in the field notes of survey 3 HT&B does not agree, as you place it quite a bit to the Eastward.

I am sending you photostatic copy of my pencil sketch for such information as it may give you. I might say in conclusion that the connecting call between surveys 3 and 4 HT&B do not appear consistent. Yet the field notes of both surveys appear to have been made originally by the same surveyor and not far distant apart as to time.

The field notes of said #3 at its SE corner call to be on the west line of #4. The WC Ry Co surveys were made in 1874. According to sketch submitted with your field notes of surveys in this vicinity, it would appear that surveyors found sufficient width between HT&B surveys on the West and WC Ry Co and HT&B surveys on the East to admit the Walton, Hill & Walton survey as called for in its field notes.

At <sup>the</sup> this time the last mentioned survey was made, apparently the bearings given at some survey corners could still be correctly determined. These

bearings were given to the upper point of timber on Vince's Bayou; also point of timber on Middle Bayou; also timber at the head of Berry's Bayou. I note at the lower SW corner of Survey, 1 H&B., a call for Ross' windmill to bear N 24 1/2 West.

I do not know whether these bearings can at this time, be located with sufficient degree of accuracy to give them any locative value; but it does seem to me that in the investigation, looking to the extent that the Walton, Hill & Walton survey may be free of conflict, will require a re-tracing of survey lines, beginning at the North corner of Thos. Choate league.

Any further information and sketch which you might submit will have my careful attention.

Very truly,

Commissioner

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O'BRIEN STEVENS  
CRIMINAL DISTRICT ATTORNEY  
HARRIS COUNTY

2761



CIVIL DEPARTMENT  
JOSEPH S. MYERS

HOUSTON, TEXAS. September 15, 1930.

Commissioner of the General Land Office,  
Austin, Texas.

Dear Sir:

*1771  
368*  
Please be referred to letter from this  
office, dated July 8th, and your reply of  
July 12th.

Should further information or action  
be necessary it is requested that you communicate  
with the State and County Tax Assessor of Harris  
County.

Yours very truly,

*Joseph S. Myers*

Assistant District Attorney.

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At the request of District Attorney O'Brien Stevens, whose department bore the expense, a survey has been made of the Hill, Walton & Hill Survey by County Surveyor Boyles.

The County Surveyor found, after investigation, that the above named survey did not exist. Taxes were being carried in error since 1906, and amounted to \$3,376.79.

While at it Survey Boyles established the correct lines on 23 other adjoining and nearby surveys, as follows:

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J. P. Rockwell, ~~Ex~~ John Randon, Jacob Cordova, Wm. T. ~~Bis~~ Bissonett, J. P. Hagerland, R. Cameron, John Robinson, R. Boatwright, George McDougal, D. Putnam, S. O. Hawkins, Juan Sutton, Jesse Pruitt, George Hedrick, August Whitlock, Luke Hemenway, H. T. & B. R.R. Section # 1, Block 6, W. C. R.R. Co., Section #4, and also Section #5, R. W. Knowx, Patent, H. T. & B. R.R., Section #2, Block 6, and S. B. Smith.

Harris 62.

Commissioner's letter to  
J S Boyles, Surveyor, in re  
to the Walton, Hill & Walton  
Sur.

Dated Sep. 19, 1930,

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