

MEMORANDUM

SUBJECT: JIM HOGG - DUVAL - BROOKS COUNTY BOUNDARY LINE

TO: JACK GIBERSON, Chief Clerk

FROM: HERMAN FORBES

July 26, 1966

By Act approved March 31, 1913 (H.B. 191 - Chap. 73, p. 133) Jim Hogg County was created from the existing counties of Duval and Brooks.

By Act approved February 27, 1917 (S.B. 235 - Chap. 47, p. 81) certain territory was detached from Duval County and attached to Jim Hogg County pursuant to the result of elections held January 6, 1917. The caption limits this bill to changing only the line between Jim Hogg and Duval counties. The field notes recited for Jim Hogg County call to go southerly 35 miles with the present dividing line between Brooks and Jim Hogg counties.

By Act approved April 3, 1945 (H.B. 260 - Chap. 60, p. 84) the Jim Hogg - Brooks county line was corrected or amended to clearly fix this common line. The title and the caption of this bill clearly limit it to this purpose as does the emergency clause which states that the governing bodies of the counties of Jim Hogg and Brooks are now in agreement as to the correctness of the field notes. This Act, to correct this line, had to amend the Act of 1913 as the 1913 Act gave the only prior field notes to the Jim Hogg - Brooks line.

CONCLUSION

The 1917 Act will govern as to the line between Jim Hogg and Duval counties and the 1945 Act will govern as to the line between Jim Hogg and Brooks counties.

Copies of the three Acts are attached hereto.

Sec. 2. The amounts paid as bounties for the destruction of predatory animals in any county shall be paid by a warrant drawn upon the General Fund of the county by the Judge of said county upon the filing with him of such proof as the Commissioners Court may require.

Sec. 3. The fact that there is no law providing for the payment of bounties for the destruction of predatory animals creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Passed the House, March 21, 1945: Yeas 131, Nays 0; passed the Senate, March 29, 1945: Yeas 26, Nays 0.

Approved April 3, 1945.

Effective April 3, 1945.

JIM HOGG AND BROOKS COUNTIES—BOUNDARIES

CHAPTER 60 ⁴⁷

H. B. No. 260

An Act to amend Section 1 of House Bill No. 191, Acts of the Regular Session, Thirty-third Legislature of the State of Texas, being the Regular Session of the Legislature held at Austin in 1913, so as to clearly fix and define the location of that portion of the East line of Jim Hogg County, which is a common boundary to both Jim Hogg and Brooks Counties; providing that all laws and parts of laws in conflict herewith are hereby expressly repealed; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. Section 1 of House Bill No. 191, Acts of the Regular Session, Thirty-third Legislature of Texas, approved March 31st, 1913, is hereby amended so as to hereafter read as follows:

"Section 1. That a new county to be called the county of Jim Hogg is hereby created containing a superficial area of about one thousand and seventy-eight (1,078) square miles taken from the territory of the existing counties of Brooks and Duval, the boundaries of which are as follows:

"BEGINNING on the south line of Brooks County and the north line of Starr County at mile post #33, a concrete monument eight (8) inches square standing three and one-half (3½) feet above the ground, marked "B" on the north side and situated one (1) mile east from a cedar post marked "B" on the north, and "S" on the south, on same county line, and being 1150.9 varas eastward from the intersection of the east line of the Santa Teresa Grant, and west line of La Blanca Grant with said county line, said beginning point being where the prolongation of the east line of San Rafael Grant intersects said county line;

"THENCE northerly with the general direction of the east fence of San Rafael Grant at 1285.4 varas pass the southeast corner of the San Rafael Grant fence;

"THENCE continuing with a very old fence generally known as the Jno. P. Kelsey fence dividing San Rafael and La Blanca Grants at 6185.0 varas pass a concrete monument marked 1936, the northwest corner of La Blanca Grant, (from whence a fence runs eastward), at 9828.5 varas to the northeast corner of the San Rafael Grant and the southeast corner of Las Animas Grant;

⁴⁷ Vernon's Ann. Civ. St., art. 1606 note.

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"THENCE northerly with the division lines of the said Las Animas Grant and La Mestena Grant to the northeast corner of the Las Animas Grant;

"THENCE west with the north line of said Las Animas Grant about three (3) miles to the southeast corner of the App. J. Johnson survey No. 406;

"THENCE north with the west line of surveys 407, 408, 320, 319, 412, 413, to the northeast corner of said survey No. 416 in the name of Santos Roach;

"THENCE west about one and one-half (1½) miles with the north line of 416 and 417 surveys to the southwest corner of 421 in name of C. & M. Ry. Co.;

"THENCE north with the west line of survey No. 421, and continu- ing north across the San Antonio Baluarte and Palo Blanco Grants to the center of Palo Blanco Creek;

"THENCE up said Palo Blanco Creek with its meanders to the south line of Duval County;

"THENCE west with said south line of Duval County about four (4) miles to the east line of section 128 B. S. & F.;

"THENCE northerly with the east lines of sections 128 and 127 B. S. & F. about four (4) miles to a point in the Diego Hinojosa Grant, which point is about one and one-half (1½) miles east and parallel to and with the north lines of sections 182 and 183 T. T. R. CO.;

"THENCE westerly across said Diego Hinojosa Grant and along the north lines of said sections 182 and 183 twelve (12) miles to a point in the east line of Webb County;

"THENCE south with the east line of Webb County and about four (4) miles to the southeast corner of Webb County;

"THENCE west along the north line of the former Brooks County about ten (10) miles to the northwest corner of the former Brooks County for the northwest corner of Jim Hogg County;

"THENCE southerly with the east line of Zapata County, about thirty (30) miles to the south corner of the former Brooks County for southwest corner of Jim Hogg County;

"THENCE easterly with the north line of Starr County about thirty- three (33) miles to the place of beginning."

Sec. 2. All laws or parts of laws in conflict with the provisions of this Act are hereby expressly repealed to the extent to which they con- flict.

Sec. 3. The crowded condition of the calendar, and the fact that for years misunderstandings have existed between the assessing and taxing bodies of the Counties of Jim Hogg and Brooks because of an original faulty survey; and the fact that the governing bodies of the Counties of Jim Hogg and Brooks are now in agreement as to the correctness of the field notes contained herein, create an emergency and an imperative pub- lic necessity requiring that the Constitutional Rule requiring all bills to be read on three several days in each House be suspended, and the same is hereby suspended, and that this Act shall be in force from and after its passage, and it is so enacted.

Passed the House, March 21, 1945: Yeas 123, Nays 0; passed the Senate, March 28, 1945: Yeas 29, Nays 0.

Approved April 3, 1945.
Effective April 3, 1945.

(6) Jim Hogg & Brooks Counties

2/ Boundaries -

H.B. 260 Regular Session

1945 - Page 84 -