

Bosque Co/39

File 1164
Milam scrip

75

William Henry Austin
Acres
640 acres.

See 54072

Correction map in Bosque County
March 18/61 H. H. Van Buren

1/2 M. H. A. p. 2

Yampers
Court for Patenting

#016 vol 16

Patd. Ch. 18/61
No 16 Vol 9

Callin
One half of this survey covered by
gas title's p. 1 survey 1-675
C. W. Byfield

Corrected survey of 469 1/2 acres corner
and map of Bosque County, Octob. 27/74

M. H. A. p. 2
M. H. A. p. 2

March 11
J. H. H. 41

1. Cert
 2. field notes
 3. " corrected
- Oct 24/74
Jackson

identical showing this survey ac-
cording to corrected field notes and
only 469 1/4 acres of land named
returned to H. H. Van Buren
J. H. H. 41
June 13/87

Link
5/18
3218

da 528
paper for
fisher

Jno C. D. ...
Apr 10/61
5473 114

TEXAS SCRIP.

FIRST.

No. 300



640 ACRES OF LAND.

legal representatives are entitled to SIX HUNDRED AND FORTY ACRES OF THE PUBLIC LANDS, to be located in the REPUBLIC OF TEXAS, agreeably to the conditions contained in a Power of Attorney from the Executive Government of said Republic of Texas to THOMAS TOBY, dated on the 24th day of May last past, and to instructions from his Excellency DAVID G. BURNET President of the said Republic, to the said Thomas Toby, dated on the 25th day of May last past, true copies of which Documents are hereto annexed for reference. The said

having paid the undersigned Agent aforesaid, a valuable consideration for the said SIX HUNDRED AND FORTY ACRES OF LAND, pursuant to the power and instructions aforesaid, the receipt of which consideration is hereby acknowledged.

This Scrip to be transferable by endorsement on the back hereof in the following form, to wit: "For value received, I hereby transfer, assign and set over, all the right, title, and interest, which this Scrip gives me to the land herein named, to A. B. and his

legal representatives." Which assignment must set forth the residence of the purchaser, be dated and signed by the seller in the presence of two witnesses, who must also sign; and no other act of sale or transfer shall be required to enable the purchaser or purchasers to enter the said land, and to take possession thereof.

In Testimony Whereof, I, the said THOMAS TOBY, Agent aforesaid, herunto subscribe my name and affix my Seal, at the City of NEW-ORLEANS, on this 10th day of August 1836.

Witness,

N.S. Dewey
J. Brent Hartz

Thomas Toby

For value received I hereby transfer assign and set over all the right title and interest which this scrip gives me to the land herein named to Matthew Hopkins and his legal representatives. Matthew Hopkins Residing and being a citizen of Texas.

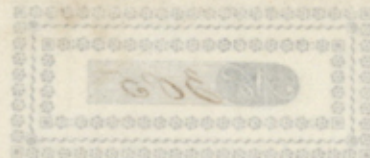
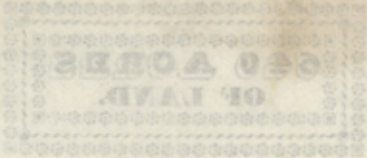
Witness

Baltimore October 26. 1836

Henry P. Williams
Richard T. Price

Samuel M. Williams

FIRST.



For value received, I hereby transfer assign and set over all the right, title, and interest which this scrip gives me to the land herein named, to Wm. Henry Austin and his legal representatives, Wm. Henry Austin being a citizen of this Republic, & residing in Brazoria County. Jan Lewis January 8th 1842

Matthew Hopkins

Witness

J. C. Shaw
James M. Manly

Witness

Testimony of J. C. Shaw, As the said THOMAS TOTT, Agent of said...

James M. Manly

Matthew Hopkins

John M. ...
...

**TO ALL TO WHOM THESE PRESENTS SHALL COME.
GREETING:**

KNOW YE, That the Executive Government of Texas, exercising the Plenary Powers conferred upon them, reposing special trust and confidence in the Ability and Integrity of **THOMAS TOBY,** a Citizen of **NEW-ORLEANS,** of the State of Louisiana, have nominated, and by this Act do nominate and appoint him their **LAWFUL AGENT** for the purpose of **RAISING MONEY FOR THE GOVERNMENT OF TEXAS,** in the manner and form and by the Rules and Articles hereinafter prescribed, viz:

ARTICLE 1.—The said **THOMAS TOBY** is authorised to sell of the **PUBLIC LANDS OF TEXAS,** such amount as he may be from time to time instructed by the Executive Government of Texas, at such price or prices as he may think proper, and be able to procure; *Provided,* however, no sales shall be made at a less price than **FIFTY CENTS PER ACRE.**

ARTICLE 2.—No sales shall be made of Lands to be located in smaller tracts than **SIX HUNDRED AND FORTY ACRES** each.

ARTICLE 3.—The Agent upon making sale of any Lands shall issue **SCRIP** to the purchaser, which shall be evidence of his, or his assignee's right of location for so many acres of Land as are evidenced by the Scrip.

ARTICLE 4.—No preference shall be given to any person or persons who may have obtained Lands from the Government of Texas, or who may hereafter obtain them, over those purchasing from **THOMAS TOBY** under this power, in time or mode of location, inasmuch as it is the object of this Government to organize **LAND OFFICES** as soon as practicable, adapted to the condition of the country; of which due notice will be given to the World in time for all to attend to making their locations on equal and equitable terms.

ARTICLE 5.—The holder of Scrip shall receive his title without any other expence than the purchase money, and should there by mistake or otherwise, be a location made upon Lands to which there is a previous title, the holder may withdraw his location or title, and make a location on other Lands, by paying the additional expense and charges of location, survey, &c.

ARTICLE 6.—In order to hold Lands purchased by virtue of this authority from **THOMAS TOBY,** a residence in Texas shall not be necessary.

ARTICLE 7.—The Agent upon making sale of any Lands, shall issue under his signature, **FIRST, SECOND, and THIRD**—First shall be delivered to the purchaser, Second forwarded to this Government, and Third retained in his office as a record.

ARTICLE 8.—The proceeds of sales of said Lands shall be held and disposed of by order of the **PRESIDENT,** and countersigned by the Secretary of the Treasury.

ARTICLE 9.—There shall be but **ONE AGENT** possessing authority to dispose of the Public Lands of Texas, who shall hold his powers during the pleasure of this Government, and the necessity of raising means in the manner contemplated by this power.

And the said **THOMAS TOBY** is hereby invested **ALL POWER** and **AUTHORITY** to carry this **TRUST** and **AGENCY** into effect, and we do **RATIFY** and **CONFIRM** all that **DO IN AND ABOUT THE PREMISES.**

Dated at **VELASCO,** this twenty-fourth day of **May,** one thousand eight hundred and thirty-six.

DAVID G. BURNET.

WM. H. JACK, Secretary of State,
BAILEY HARDEMAN, Secretary of Treasury,
LORENZO DE ZAVALA, Vice President,
MIRABEAU B. LAMAR, Secretary of War,
P. W. GRAYSON, Attorney General.

EXECUTIVE DEPARTMENT,

**REPUBLIC OF TEXAS, }
VELASCO, MAY 25, 1836. }**

To THOMAS TOBY, Esq., New-Orleans,

DEAR SIR:—I herewith forward to you a Commission, authorising you to dispose of the Public Lands of Texas, in a manner and under restrictions pointed out in your Commission. I have to inform you that the present object of this Government is to dispose of so much of the public domain only as will be sufficient, in conjunction with other resources, to meet the present pressing demands.

Until further advised, you will be careful in the sale of Lands not to exceed the quantity of **FIVE HUNDRED THOUSAND ACRES,** and in making sales to this extent, you will exercise your best judgment as to the terms with purchasers, for cash in hand or negotiable bills, and as to the best price you can procure over and above the minimum price of **FIFTY CENTS PER ACRE.**

Respectfully, Your Obedient Servant,

DAVID G. BURNET.

WM. H. JACK, SECRETARY OF STATE.

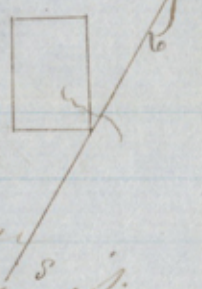
I, WILLIAM CHRISTY, a Notary Public, in and for the City and Parish of New-Orleans, do hereby certify that the originals of the foregoing Documents are deposited in my Office.



Wm. Christy
Not. Pub.

The State of Texas, Tarrant County
County of Bosque of a Survey
of 640 acres of land made
for Samuel M. Williams, it
being the quantity of land to
which he is entitled by virtue
of Joby Scrip, ¹⁰³⁸ dated August
10th 1856. Situation on the head
waters of Leonon Creek a trib-
utary of the Brazos ^{2 1/2} miles
from Meridian.

North 32°
East.



Beginning S30 E 508 rods
from the SE corner of the
Elizabeth Ward Survey for the
SW corner of this Survey from
which a line oak marked
D bears N60 E 52 rods and another
marked E bears N70 W 31
rods thence N60 E 1500 rods
to the SE corner from which
a line oak marked C bears
N50 W 52 rods thence S30 E
¹⁰⁸ 1000 rods crossed a branch
2408 rods to the NE corner
from which a line oak marked
A bears N5 E 38 rods and another
marked B bears N10 W 52 rods
thence S60 W 1500 rods to the
SW corner thence S30 E 2408
rods to the beginning.

Surveyed August 7th 1858
Thos. Claybrook Chain John Avery County
B. H. Jones Surveyor Bosque Co

2
J. H. Duval
File 1162
Milam Scrip

Guided to 6400 ac.
William Henry Austin
Filed 4th Jan'y 59.

Correct on margin of Bosque County,
March 13/61 H. H. Van Hook

Paid Apl. 12/61
Callen

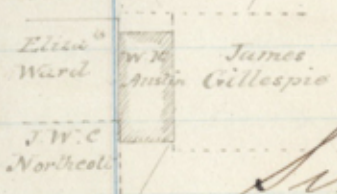
Letter of Oct 10/59
H. S. Dickard states that this
conflicts only 1000 ac with
the Gillespie, which if
correct, would make the
contain 5970 acs.

10/2/96 Hill
e March 11
c J. H. G.

Reviewed in District of Texas 11/04

John Henry County Survey
Boysie County as shown by section
number my office as the that
the survey was made by the judge
my plat & this is noted in no man
according to law and at the time
of the
Merritt's Decree Oct 11/1858
John Henry County
Survey in Boysie County

The State of Texas }
 County of Bosque } Field notes of a
 re-survey of 469 1/4
 acres made for
 W. H. Austin } S. M. Williams by Apoline William
 W. H. Murray } Henry Austin.



Scale 4000 vs to the inch

Variation 10 1/2

Situated (3 1/2 miles East from)

Meridian
 commencing S 30 E 50000 as S. Corner
 of Elizth Ward survey from S. W. corner
 from which a Live oak marked
 (D) has h 600 & 32000 and a Live oak
 marked E, has h 200 & 31000. Thence
 N 60 E 110000 to the S. E. corner, a
 mound of rocks in Prairie
 Thence N 30 W 240000 as to the N E
 corner, a mound of rocks in h. Co.
 Thence S 60 W 110000 as to the h. W. C., a
 mound of rocks Thence S 30 E
 240000 as to the beginning

Surveyed Oct. 2nd 1874

S. D. Greer } chain
 R. G. Childress } carriers
 Wm Macaulay
 Co Surveyor

I hereby certify that the foregoing re-survey
 is correct, and made according to law
 Wm Macaulay
 Co Surveyor

3 File # 64
Milam scrip
Corrected

Wm H. Austin
469 1/4 Acres. Ass^{est}

Filed Oct 9/74
Rheade Fisher,
Clerk

Corrected map
of Bosque Co.
June 13/87
according to connecting
lines run by J. Delord
July, 24/76
Threlkoff

Oct 26
1874

Mission
Oct 19th 1874

Wm Macauley
Columbiana
Bosque Co.

The State of Texas & hereby certify
Locality of Bosque Co. found
the N. E. corner of the James McNehe
a Spanish Oak marked C and a line
one quarter N. W. measured from
thence 200 yds in the McNehe
N. corner. Also found the N. E.
corner of the clay bank and run
1600 yds in N. E. corner of E. corner
and found a couple of 1000 acres
between the 4th section survey and
the McNehe survey which is
marked in these field notes.
Marked in Book B, Page 671