

File 1164 Bosque 15

Milam 1st Class  
alt 128 + 129

John W Carpenter

2 Surveys 1 League  
1 Labor

See 1165 Milam Transfer

See old wrap inside

CERTIFICATE NO. 45

Patented Sept 13 1857  
Oct 24/57  
to John C. Duval

S.S. 644 Vol 11 11

S.S. 645 Vol 11

3/7/53

Mgl. 11484

Contents.

No. 1. Certificate.

2 Transfer  
" 2. Field Notes.

" 3. "

" 4. Protest

" 5 & 6. Transfer

" 7 & 8. Letters

" 9 & 10. Letters

" 11. Old wrap

Dec 9/75

Jessie

A. B. Vol. \_\_\_\_\_ P. \_\_\_\_\_

No 45

THIS IS TO CERTIFY, that *John W. Carpenter* has appeared before the Board of Land Commissioners for the County of Nacogdoches, and proved according to law that *he* arrived in this Republic *Jan'y, A.D. Eighteen hundred & thirty six* and that *he* is a *Married Man* and entitled to *One league and one labor* of land, upon the condition of paying at the rate of *Seven Dollars* for each labor of Irrigable land *five dollars* for each labor of temporal or arable land and *two dollars & forty cents* for each labor of pasture land which may be contained in the survey secured to *him* by this certificate.

GIVEN UNDER OUR HANDS THIS

*the first* DAY OF *February* 1838.

ATTEST.

*Saml W. Starr* PRESIDENT.

*H. H. Miller* CLERK

*Wm Hart* } ASS'T  
*Adolphus Stone* } COMR'S.  
*J. P.*

Be it Remembered, that in consideration of the Sum of one thousand  
 Dollars to me in hand paid by William M. Strong long since of the  
 City of New York, do hereby assign, transfer, sell, convey, release, rights  
 to the within Certificate to said James and assignors that you  
 have for the same to be located under it may be shown  
 to him - Witness my hand this 10th day of May 1838  
 Wm. M. Carpenter  
 Wm. M. Carpenter

No 45 268  
 J. M. Carpenter

New York April 4<sup>th</sup> 1838

I assign to all the right  
 title and interest that I have in and to the  
 within order of survey upon a tract and a portion  
 of Land, for, a valuable consideration and  
 authority the Surveyor to survey the same in his  
 name and the General Land company to  
 issue a patent accordingly given under  
 my hand and seal, day and date  
 above written before the Subscribing Witnesses  
 To be

John, W. Carpenter (Seal)

1

1851

Tild 11 64  
 Mil and 1<sup>st</sup> Clasp.  


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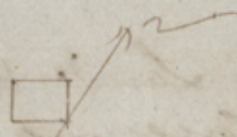
 W R. Culy 1 L. 1 L.  
 John W Carpenter  


---

 Julia K. Lewis 13 13

John W. Carpenter }  
 ————— }  
 Nelson H. Douglass } Transfr  
 ————— }  
 ————— }  
 Levi Jones

22



State of Texas  
District of Milam

Survey for John W. Carpenter of one  
 labor of land situated <sup>in Bosque County</sup> on the  
 waters of the Brazos about  $3\frac{1}{2}$  miles  
 from the river and about  $13\frac{1}{2}$  <sup>3886 from Meridian</sup> miles  
 above Waco being part of the  
 quantity of land to which he is  
 entitled by virtue of Certificate  
 No 45 Issued in Tagocholes City  
 Commencing at the N.W. corner of a  
 survey of one labor in the name of W. W.  
 Sain, Cas assigny of Don Cordova Sain,  
 for the N.E. corner of this survey from  
 with a line cast marked A then  
 N. 30 W. 56 varas and another marked B  
 then N. 31 W. 53 varas then S. 60 W  
 500 varas crossed a branch 1052 varas  
 a pile of rocks for the N.W. corner of  
 this survey then S. 30 E. 950 varas  
 to the S.W. corner a mound then N. 60 E  
 1052 varas to a stake for the S.E.  
 corner then N. 30 W. 950 varas  
 to the begining Surveyed 27 July 1853

Containing all part of land

J. Riggs } Chain  
 P. Spiegle } Carries  
 G. B. Erath  
 J. Spurgey, Dist Milam

I solemnly declare the above  
 survey to be made according  
 to law at the time above written

Waco 29 July 1853  
 G. B. Erath  
 J. Spurgey, Dist Milam

2

No 2

Feb 1/44

Milam Delap

Field notes & Labors

John W Carpenter

Filed Dec 13 53

Patented August 17th 57

Warabow

Patented Amos Sept 30th 1857

Warabow

Proc. Yr. Dies on the  
with in field notes amounting  
to for 14 cents Specie  
from S. C. Dural

Oct 24/57 J. W. Moore

cc April 56 Miller

Examined & Recorded  
in Book K Page 121

John W Carpenter

1 Lab

Altham Durrell Aug

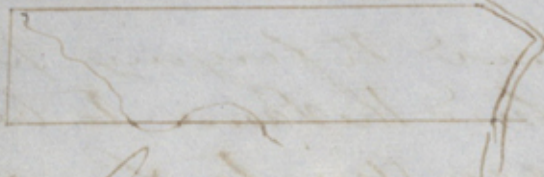
for

450

450

I. W. Carpenter  
No entry has been examined. The foregoing list of  
field notes and for in them correct and  
The survey made according to laws  
given under my hand & seal February 5th 1853

Wm. Armstrong District  
Carpenter for Milam District



State of Texas  
District of Milam

Survey for John W. Carpenter of 2500 acres  
of land situated <sup>in Bogues</sup> on the Bogues river <sup>9 miles</sup> above  
the mouth of Hillcross Creek about <sup>5748 from Meridian</sup> 20 miles from  
Hercules being part of the quantity of land to  
which he is entitled by virtue of Certificate  
No. 45 issued in Valenzuela County

Beginning at the upper or N.E. corner of the survey  
in the name of George Chapman for the S. E. corners  
of this survey from which a cottonwood marked  
A bears N. 89 W. 60000 acres another marked B bears  
N. 50 W. 80000 acres then N. 60 W. with the meanders  
of the river Bogues N. 60 W. 131400 acres N. 23 W  
50000 acres N. 79 1/2 W. 108500 acres to the N.E.  
corner from which a cottonwood marked X bears  
S. 5 W. 80000 acres and an ash marked P bears  
N. 89 W. 90000 acres then S. 60 W. 98800 acres  
to the N.W. corner in prairie with was entered at 16300  
acres then <sup>30</sup> S. 30 E. 24800 acres to the S.W.  
corner a mound then N. 60 E. 251400 acres  
across a creek 35800 recrossed it and S. 19 1/4  
acres recrossed it 101140 acres to the beginning

Containing 12 laborers arable rest pastures and

Surveyed 7 March 1853  
John Robinson } Chain  
S. P. Riggs } Carriers  
J. B. Everts D. S.  
St. Milam

I solemnly declare the above survey to  
be made according to law at the times  
above stated

Witness my hand and seal  
this 31 day of August 1853  
J. B. Everts  
D. S.  
St. Milam

3  
Bosque 66  
1164

Milam 1. Clapz

Full note, 20. Lovers

John W Carpenter

Filed Nov. 13/53

Patented August 12th 54

Marathon.

Patented anew, Sept. 29th

57.

Marathon.

Recd out dues on the

within full note amounting

to \$18.44 in specie

from J. C. Dural

Oct 21/54 J. W. Meade

Register  
at Austin 25 Miller

J. W. Carpenter

25 lbs

Dural

of the printing that says you have been paid for  
writing that show specimens to the printer's plot  
and other notes and find the same to be con-  
fess and make seen they to show  
given in an original Sept 30 1853.  
Present in Books. The printing that says you  
H. Page. 334  
Milam and 20



9338  
11484

Waco Feb'y 26. 1857

Commissioner G. L. Office Austin,

Dear Sir  
(We)

The undersigned pre-emptionists most respectfully beg leave to file the following grounds of protest against your issuing Patents on the following claims, to wit, The S. W. Carpenter, League located in Bosque on the West side of the Brazos River, and numbers of smaller surveys that are in conflict with our pre-emption claims; to any other but pre-emption settlers. And we enter the following grounds of protest, for your consideration. The ~~said~~ Certificates were located on the land while it was yet in litigation between the State and an individual and not yet declared by the Courts, reverted to the State. And since it has been declared vacant the Railroad Reservation has prevented a relocation of the Certificates; and ~~you~~ <sup>the Pre-emption</sup> petitioners, presuming the land vacant, settled upon it in good faith; Knowing that the right belongs to the holders of the Certificates, to relocate them after the first of March, — these Pre-emptors now declare to you that they have settled, in good faith their claims, and

will continue to retain possession of them according to the provisions of the Pre-emption law. Having complied in every respect, with the law giving the settlers a pre-emption of 160 acres, these pre-emptors protest against your issuing patents to opposite claimants.

When the Robertson Leagues were declared void by the Supreme Court, the Certificates asking for patent now, had been filed sometime previous to the decision, and of course were not ~~a~~ valid locations, and <sup>whereby</sup> they could have been located, <sup>the</sup> Railroad reserve prevented; now we settled in full faith and have performed all the requisitions of the law.

Hoping you will favorably consider this protest, we are respectfully yr.

Thomas Ford, S. W.

Ford, A. M. Attaway, Jacob Adams,  
Henry C. Knight, R. D. McCary, R. J.  
Hart, Archibald Roberts, Levi Roberts  
Simpson Holloway, William Holloway,  
and Elijah Birch.

The owners of the John M. Carpenter surveys having made application for patents we have considered your protest, and as I know of no decision of the Court declaring such locations void this method is adopted to inform you

That unless legal proceedings are instituted  
and the Office enjoined from issuing patents  
within fifty days from this date your pro-  
test will not be longer respected.

4  
File 1164  
Milam - 1<sup>st</sup> Class  
The Dord Brothers  
Co.

Commr. Genl. Land Office

Prot

Filed March 5<sup>th</sup> 1857.

Ans<sup>d</sup> March 21<sup>st</sup> 1857.

We wrote to the parties on the 27<sup>th</sup> of March last notifying the parties that the protest would only be respected for 60 days from the date of said letter.

No notice having been given in the substitution of legal proceedings this protest will now be regarded as withdrawn  
April 27/57

## REPUBLIC OF TEXAS.

County of Harrisburg } Know all men by these presents:--  
 THAT J. Kelsey H. Douglass of the Town of Orangeoches and  
 County of Orangeoches, in the Republic aforesaid, for and in consideration of the  
 sum of one thousand Dollars to me in hand paid at or  
 before the encasing and delivery of these presents, the receipt whereof is hereby acknowledged, have  
 granted, bargained and sold, assigned, transferred and set over unto Lem Jones  
 of the Town of Sabraton and

County of Harrisburg  
 in the Republic aforesaid his heirs and assigns forever, all and singular my right, title and  
 interest, property, possession, claim and demand in and to the hadright colonist  
 Certificate number forty five (45) for one league & labor of land  
 as issued by the board of land commissioners for the county of  
Orangeoches on the first day of July 1838 J. H. Carpenter and to all and singular the

said quantity of one league and one labor of Land mentioned  
 in the said Certificate to which the said John W. Carpenter the  
 grantee in said Certificate mentioned was entitled. And I hereby, for myself my heirs, executors  
 and administrators, fully guaranty to the said Lem Jones  
 and his legal representatives the validity, legality and sufficiency of the said Certificate; and do  
 further fully guaranty to the said Lem Jones and  
 his legal representatives the obtaining, receiving and holding by a good, absolute and indefeasible  
 title, the said league and labor of  
 Land, mentioned in the said Certificate—Hereby binding myself and my legal representatives, in de-  
 fault of the obtaining by the said Lem Jones or  
 his legal representatives, of a good and sufficient title to said Land as aforesaid under and by vir-  
 tue of the said Certificate, to pay to the said Lem Jones  
 or his legal representatives, the full value of the said land as the same  
 may be ascertained by appraisment, or according to the value of the Land of which but for such de-  
 fault in reference to said Certificate, he or they might have obtained the title and possession, together  
 with any and all other damages he may sustain by reason of any defects whatsoever in the said  
 Certificate.

IN TESTIMONY WHEREOF I have hereunto set my hand and Seal this  
sixth day of May in the year of our Lord 1838.

Signed, Sealed and Delivered }  
 in presence of }

R. D. Johnson

J. H. Carpenter

Nelson H. Douglas  
1. } transfer of J. W. Carpenter's  
Levi Jones } Head right to one  
League & Labor of land

The certificate sent to  
Liberty for location 7<sup>th</sup>  
May 1838.

5

1050

John W. C. H.  
Miam & Clap  

---

N. H. Douglas  
J. W. Carpenter  
Levi Jones  

---

Filed July 27/37

**TO HAVE AND TO HOLD** the said barg land and premises, with all the rights, rens, issues, profits, members and appurtenances thereunto being, belonging, or in any wise appertaining to *the*

Said Nelsey H. Douglas, *his* heirs and assigns, forever in fee simple, and I the said John H. Carpenter

*my* heirs, executors and Administrators, the said bargained lands and premises, to the said Nelsey H. Douglas

*his* heirs executors, administrators and assigns, shall and will warrant, and forever defend against the claim of *Myself my* heirs, executors and administrators, and

against the claim of all other persons claiming or to claim the same,

And I the said John H. Carpenter

renounce and waive all laws as well as matters of form, which might in any way impair this deed of sale,

IN TESTIMONY OF ALL WHICH, I the said John H. Carpenter

have hereunto set *my* hand and affixed *my* Seal

on the date aforesaid:

Signed sealed and delivered in presence of

*J. H. Carpenter Seal*

*C. M. Gould*  
*R. N. Pinner*  
*Geo. Pollett*

State of Texas  
County of *Nacogdoches* } I, James H. Starr, do Sole  
to the best of *my* knowledge and belief that the within  
foregoing deed, an either deed or residence of  
and the residence of *each* within county me *of* C. M. &

*In the*  
Sworn to and subscribed before me at Nacogdoches  
March 20 one thousand eight hundred & four

*Nathaniel Amory*  
Notary Public Nacogdoches

File 1164

Milam 1 Clap.

John W Carpenter

To & Conveyance

Nesley A Douglass

Filed Feb 27 1857

IN TESTIMONY OF ALL WHICH

on the date aforesaid

Signed sealed and deliv-

ed in presence of

*[Faint handwritten signatures and text]*



REPUBLIC OF TEXAS,}

COUNTY OF NACOGDOCHES:}

BE IT KNOWN, That on this *fourth* day of *April* one thousand eight hundred, and thirty *eight* and of the Independence of Texas, the *Shilob J. John H. Carpenter* of *said* County, for and in consideration of the sum of *four hundred* dollars to *me* in hand paid by *Nelsy H. Douglass* of the same county

the receipt whereof is hereby acknowledged, have this day granted, bargained, sold, aliened, conveyed, and confirmed, and passed over in full perfect, and bonafide sale, and by these presents, do grant bargain, sell alien convey and confirm, and pass over in full, perfect, and bonafide sale to *the said Nelsy H. Douglass* his heirs and assigns, that tract, lot, or parcel of land.

Being the League and Labor of Land to which I the said Carpenter am entitled as a resident Citizen of Texas on the day of the date of the declaration of Independence and for which a certificate has been issued to me by the Board of Land Commissioners of this county on the first day of February Eighteen hundred and thirty Eight Number forty five (45)

State of Texas

14

County of Nacogdoches } We Juan Cruz and Adolphus  
Storne do solemnly swear, that we are acquainted with  
the hand writing of J. W. Carpenter & C. M. Gould  
whose names are signed to the annexed instrument for  
said Carpenter to Nelsy H. Douglass, being a deed dated  
April 4th 1838 and believe said signatures to be genuine

*Juan Cruz*  
*A. Storne*

Sworn to and subscribed before me at the Town of Nacogdoches  
the 25th March A.D. one thousand eight hundred and  
forty nine

*Nathaniel Amor*  
Notary Public Nacogdoches County

File - 7  
MILAM - 1<sup>ST</sup> CLASS  
1164

John W. Carpenter  
Do  
Kelsey G. D. Lang Corp.

Feed of League & Loba

John Carpenter head Right  
Certificate issued  
No 45

Prove handwriting  
Carpenter  
Penning & Co.

State of Texas

I, John A. Rhodes a Notary Public,  
in and for the County of Galveston State aforesaid appeared  
Robert Johnson to me known a subscribing witness to the conveyance  
conveyance from Nelson W. Douglass to Lewis Jones and being duly sworn  
declared that he saw the said Douglass sign and deliver the said  
conveyance as his act and deed.

In testimony of which I subscribe

My name & affix the Seal of my Office  
at Galveston the 21<sup>st</sup> day of February 1849

J. A. Rhodes

Notary Public



MIAM 1ST  
7/10/164

S

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Waco Texas

May 21<sup>st</sup> 1857

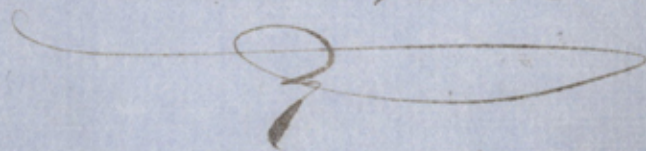
Crosby,

Dear Sir,

You will please file this my Protest which I hereby enter against a Patent Applying to any one claiming a certain League of Land, or any part thereof, which formerly purported to belong to Sterling C. Robinson and is lying land being situated on the West bank of the River Brazos in the County of Bosque and State of Texas and No 34 —

For whereas I and others have settled upon the said League and located our Preemption Claims according to Law, the same being vacant at the time —

Yours with  
Respect —  
Thomas Ford



9  
File 1164  
McLain 1st. etc.

*[Faint, illegible handwritten text, likely bleed-through from the reverse side of the page.]*

Bosque County Texas  
April 8<sup>th</sup> 1857

Mr Crosby

Your kind favors  
of the 21<sup>st</sup> & 27<sup>th</sup> March are  
at hand and I shall get  
the best legal advice I can  
upon the subjects referred  
to, and then institute legal  
proceedings to prevent patents  
from being issued the opposite  
party

Very respectfully yours  
friend  
Thomas Ford

1164 miles

10) 1164

Wilson su claps

---

Thomas Jones

D. M. S.

---



11 July 1864

Milam 1<sup>st</sup> Clap

John W Carpenter

2 Surveys 31 Sea  
1 Lab same

See 1-1165 inland for transfer to  
Dr P. C. Robertson titled league N<sup>o</sup> 18 -  
canceled - otherwise correct on map -  
Labor survey April 22/56. C. W. Peffer

The league lies on Sterling C. Robertson  
titled league N<sup>o</sup> 24 - (canceled) other's  
wise correct on map April 22/56.  
in both, which p'd C. W. Peffer

Patent to Lewis & Jones  
after  
12<sup>th</sup> of  
1864  
shall survey  
11 1864  
(over) over  
18<sup>th</sup> of April 56 Miller

No cert No 2 & 3 fold  
have No 4<sup>th</sup> x 50 transfer  
No 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100  
Saint St. John C.  
Patent applied to the  
ways in Algine

With Surveyors and  
September 30th 1857

W. W. Peffer  
Pat. In. C. Peffer  
Oct 21<sup>st</sup> 57  
S. S. m. 644 vol 11  
L. 645 - vol 11  
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