

File

2658

MILAM SCRIP

Martin M. Kenney

640 Acres

See endorsement on front
May 8/79 Thomas
for orig cert. see Travis S. 933.

Copy Certificate No. 310

Copy Copy # 1224
Bozeman # 1076

County average Vol VII.

According to surveyors
Certificate correct on
map of Coryell Co.
May 24/79. Ed Beck

Patent to S. St. Piquant
Apr 17/79
Patent June 16/79

See Protest in file

Milam 781 et

No. 706. Vol. 31. 2nd ed. Plat

Mgl 49. 188. Mka Pat Reg

March 20
1877

June 30
1877

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E. Beck

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L.A. Hamma ck
Gatesville.

Texas Scrip
First

N^o 310.

640 Acres of Land

Samuel McWilliams of Quintana (Texas) and his 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 Doby dated on the 24th day of May last past, and to instructions from His Excellency David G. Burnett President of the said Republic to the said Thomas Doby, dated on the 25th day of May last past, true Copies of which documents are hereto annexed for reference. The said Samuel McWilliams 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 & of _____ 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

Thos. Toby Scrip

N^o. 310. ~~2~~ 640 a.

✓ File 2658.

Milam Scrip
Martin M. Kenney.

640 Acres

Copy of Cert. h. 310 Toby

Filed June 14, 77.

M. M. Kenney
Cenir.

33

M. M. Kenney
P. 125

shall be required, to enable the purchaser or purchasers, to enter said land and to take possession thereof.

In Testimony whereof I the said Thomas Doby agent aforesaid have subscribed my name and affix my seal, at the City of New Orleans on this 10th day of August 1836
Witness
My Seal
Thomas Doby Seal
Montclair

For value received, I hereby transfer, assign and convey all the right, title and interest which this Deed gives me to the land herein named to Martin McKenney of Austin County Texas and his legal representatives

Richmond Va June 6th 1837
Witness
Samiel M Williams
Livi James
M.B. Menard

General Land Office,

Austin, Texas, July 17th 1876

I, J. J. GROOS, Commissioner of the General Land Office of the State of Texas, DO HEREBY CERTIFY, that the annexed is a correct and true copy of the Original Certificate on file in this Office, and that the Field Notes of a Survey, located in Coleman county, made by virtue of the aforesaid

Certificate, have been returned to this Office, and having been found to ~~conflict with~~ have been made illegally

that this Copy is floated in lieu of the Original Certificate, for re-location, but without any prejudice to the rights of any person by virtue of such Certificate, in accordance with an act, entitled, "An Act to better protect the Papers, Record and Files in the General Land Office," approved June 2, 1873.

In Testimony Whereof, I hereunto set my hand, and affix the impress of the seal of said office, the day and date above written.

J. Groos
Commissioner.

The State of Texas Field notes of 640 acres
County of Coryell of land made by virtue
of Thomas Loby Sr's No 310. Issued by
Thomas Loby Agt. of the Republic of Texas
on the 10th day of August 1836, to Samuel M.
Williams. Said land is in Coryell and
McClellan Counties, about 13 miles N E
of Gatesville. Beginning at the S.W.
Corner of the James Bailey League. Thence
S 30 E 390 p. to the North line of J. Goodman
a pile of rocks on a rocky Hill. Thence N
60 E 1672.4 to the N E Corner of said Goodman
a pile of rocks from which a Post oak tree
No. 1153 is to a pile of rocks on the East
line of said Goodman. Thence N 60 E 848 p.
to the West line of the Frances Garcia a
pile of rocks in Prairie. Thence N 1153 p. to
the N N Corner of said Garcia. a pile of
rocks. Thence N 60 E 1230 p. to a pile of rocks
on the North line of said Garcia. Thence N 30 W
390 p. to the S E Corner of the James Bailey
League. Thence with his South line S 60 W
675 p. to the place of Beginning
Surveyed June 1st 1877 by
S W Byham & Corrus

I W a Hammack County Surveyor for Cayce
County do Certify that the foregoing survey,
was made according to law and that the
limits, boundaries, and corners are truly as de-
scribed. That I have run the lines and found
the Corners of the Garcia, Goodman and
Smith's Survey, but failed to find the SW
Corner of the Bailey according to the call
of the field notes. But, I found the Bailey
NW Corner plainly marked corresponding
with the call of the Field Notes, from
which I ran N 60 E and found an old
marked line. I then by ran at the same corner
and ran S 30 E, and found an old marked
line, but failed to find the SW corner as called
for in the original Field Notes, given the Bailey
Course and distance, which ^{as you will see by reference to sketches} fell short of
the B. Smith's North line 390, ¹¹ and the
discrepancy in the Call of the Bailey & Goodman
Survey, is caused from the Bailey, in the
Original Field Notes having natural callings
which I had to respect. The Goodman
NW & N, E, Corners have bearings which I
found I had to respect. This survey was made
by careful survey & measurement upon the
ground, Witness my name this June 11th 1877
Recorded Book B Page 215

W a Hammack
C. S. C.

B. Smith

390

T. J. Goodman

J. Bailey

F. Garcia

v/ File 2658.

Milam Scrip.

Martin H. Kenney.

640 acres

Fieldnotes.

filed June 14. 1877.

M. H. Kenney
Comr.

Cancelled by Comr. *M. H. Kenney*

June 30
1877

The State of Texas,

Know all men by these presents that I, Martin M. Kenney of the County of Austin in said State in consideration of \$240.⁰⁰ dollars to me paid by S. W. Bigham of Coryelle County, Texas have granted bargained sold and delivered and by these presents do grant bargain sell and deliver unto the said S. W. Bigham one certain land certificate being No 310 for 640 acres issued by Thomas Toby agent of the Republic of Texas on the 10th of August 1836. to Samuel M. Williams and by said Williams transferred to me by endorsement on the back of the said certificate. said certificate was located in Coleman county and the survey being rejected by the Commission of the General Land Office. A certified copy of the original certificate aforesaid was issued in lieu thereof by the Commission of the General Land Office. Which certified copy of the certificate and transfr endorsed thereon is hereby transferred together with the original now on file in the land office to the said S. W. Bigham together with all and singular the rights members hereditaments and appurtenances to the same belonging or in anywise incident or appurtenances, to have and to hold unto him the said S. W. Bigham and to his heirs and assigns forever and I do hereby bind myself my heirs and legal representatives to warrant

and person defend the title to said certificate
and all rights thereunder to the said S. W.
Bigelow and to his heirs and assigns
against all persons lawfully claiming the
same or any part thereof - In testimony
whereof I have hereunto signed my name
and affixed my seal on the 16th day of
September 1876.
Martin M. Kenney

R. V. Boeckmann, Blank Book Manufacturer, Austin.

STATE OF TEXAS,

County of Travis.

BEFORE ME, **W. S. HOTCHKISS**, a Notary Public for said county, duly
commissioned and qualified, this day personally appeared *Martin M. Kenney*

to me well known, who acknowledged that *he* executed the foregoing Instrument of
Writing, and declared the same to be *his* act and deed for the uses, purposes and consid-
erations therein expressed.

To CERTIFY WHICH, I hereto affix my hand and Official seal, in the
City of Austin *16th* day of *September* 187*6*.

W. S. Hotchkiss
Notary Public, Travis County, Texas.

File 2658.
Milam Scrip
Martin M. Kenney

To { Transfer
640 acres
J. W. Bigham.

Filed June 14. 1877.
M. M. Kenney

The State of Texas Corrected Field Notes
County of Concho of 640 acres of land
made by virtue of Thomas Toby Senr. No 310-
Spued to Tho. Toby, agent of the Republic
of Texas on the 10th day of August 1836 to James
M. Williams. Said Survey is in Concho County
about 13 miles ³⁸ N E from Galtville.

Beginning at the S W corner of the James
Bailey Survey, thence S 30° E 390-0 to the
North line of the D Smith a pile of rocks
on a rocky hill. Thence N 60 E, at 16070
passed the N E corner of said Smith & the N W
corner of Goodman, continued same course at
4672. Come to the N E corner of said Goodman, a
pile of rocks from a Post oak marked N 60° W
25-0 Thence, S 30° E, 1153-0 a pile of rocks on
the East line of said Goodman, Thence,
N 60 E, 848-0, to the West line of the Francis
Garcia a pile of rocks in prairie. Thence N 30°
W, 1153-0 to the N W corner of the said Garcia
a pile of rocks. Thence N 60 E 1230-0 to a
pile of rocks on the North line of said Garcia
Thence N 30° W, 390-0 to the S E corner of the
James Bailey Survey. Thence S 60° W, 6,750-0
with the South line of the Bailey to the place
of beginning. March 4th 1879,

G. G. Badden Chain
J. W. Bigham Recorder

8-10-36
8-4-79
6-16-79

File 2658
Milam Twp.
Thomas Joby

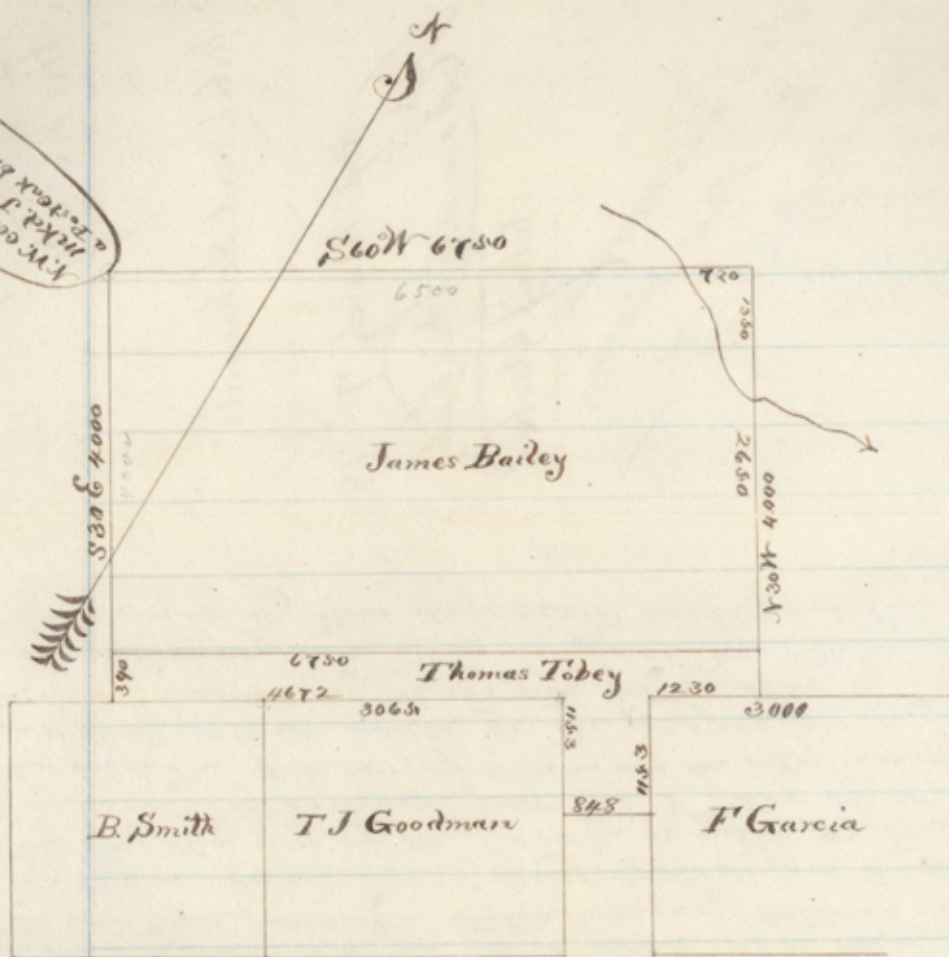
640 acres
Corrected field notes

Filed March 7/79
Khaad Fisher
(Chief Clerk)

According to surveyors
Certificate correct on
map of Coryell Co.
May 27/79. Schätze.

Dated June 16/87
J. D. Davis
the former
returned and corrected
the correct field notes,
patented before that
survey sh^d by her
May 8/79
noted
8/10/79

I D. H. Hammark County Surveyor for Coryell
County do certify that the foregoing survey
was made by me according to law and
that the limits, boundaries, and corners,
with the marks natural, and artificial
or truly described in said corrected
field notes and that the same were made
by actual survey upon the ground and
that they are correct and to be noted in
my Office in Books A Page 218,
of Book 42 1879
D. H. Hammark
Clerk



J. D. A. Hammack, County Surveyor of Ceryll County, do certify that the above Plat shows the true position of the James Bailey, B. Smith, T. J. Goodman and Francis Garcia surveys, by actual survey and careful measurement upon the ground; and that the corner between the Goodman and Smith is a well defined corner, corresponding with the calls of the original Field notes, and there is a plain marked line running from said corner $N 60^{\circ} E$ which leads to the Goodman $N. E.$ corner, which is marked and corresponds with the calls of the original Field notes; which makes an excess in the Goodman North line

of 377 vs. - the Garcia having its full course and distance, leaving a vacancy between the Goodman & Garcia of 848 vs. The James Bailey beginning corner has never been found and there is but one positive corner (the N.W.) found, which is plain, and corresponds with the calls in the original Field notes of the J. Bailey.

From said corner I reversed the survey and found a plain old marked line, but in consequence of the natural calling of the original Field notes (a Branch 420 vs) making an excess in the N line of the Bailey survey of 250 vs. said line is 6750 vs. instead of 6500 vs. long.

March 4th, 1879

D. A. Hammack

Not satisfactory

C. J. C. C.

The Surveyor makes the beginning of J. Bailey's survey N. 60 E. 1230 vs. & N 30 W. 390 vs from F. Garcia's N.W. cor. which would make the sd. Bailey S. line 320 vs. longer than its call, while the stated vacancy between sd. Garcia & F. J. Goodman of 848 vs. would make also sd. Bailey's S. line 848 vs. longer. It is true the N.E. cor. of sd. Garcia as well as the S.E. cor. of the said Bailey are not established, but the S.W. cor. of sd. Garcia is well defined and the N.E. cor. of same can be established thereby and from thence S. 60 W. 1450 vs. would be the proper place for the beginning cor. of sd. Bailey according to its pth field notes, of which the Surveyor makes no showing and it is impossible to make a correct plot on the map by this deficient certificate. April 9/80

This is paper

File 2658

Milam Scrip.

Thos. Teby

Sketch and Statement.

Filed March 7 1879

Charles Fisher,

Chief Clerk

[Faint handwritten notes and signatures at the bottom of the page, including "one will not be..."]

Gatesville Tex

May 20th 1879

Capt W C Walsh

Dear Sir in yours of 13th
you state that the M S Gentle
& McAndrews, cover the same
land, There is but one survey
of record in my office, in the name of
McAndrews, that begins on the
NW corner of McKinzie, near
the W. H. Davis, & Rich, the M S
Gentle, if there is any survey in the
name of McAndrews, covering the
M S Gentle it is erroneous and
was sent up through mistake
& should not be recognized in
your office - you will please find
corrected V. of the J. S. Wear. Pr
Milam 1514-

In yours of the 16th you say that
the statement which I made in
relation to the Kinley 640-acs
by virtue of Thomas Goby Senr.
310 - cannot be recognized, because
the Tr^o of Goodman calls to
begin at the N.W. Corner of the
F. Garcia. If you will examine
the Garcia Tr. you will see that
it calls for course and distance
only. The ^{Goodman} calls for a Post oak
marked N bear N 60th 25th -
which I continue he is bound to,
respect & cannot reach the Garcia
N.W. Corner by 848, ²⁵ I would
be glad if you would give this
matter close attention for I
know that the Vacancy does
exist by actual survey upon the
ground, & it would be doing no

One any injustice for a Patent to
ipsw. parties living. Then and
Dwelling land, adjoining, are perfectly
satisfied with the line as I
have run them, I know that
it is impossible to make the Survey
in this County, harmonize on
the ground with the Map in
your Office, I hope to hear
from you soon

Respectfully

D. A. Hammett
C. S., C. C.,

6 File 2658

Milam Scrip

M. M. Kenney

Scrip 310 = 640 acres

Surveyor's Explanation

May 23, 79.

Wm. A. Fisher,
Chief Clerk