

File 656. ^{2nd Cherokee Co} 76150

Nacogdoches 3rd class

No. 172 of 178
Samuel A Cook.

2 of 324 Acre
Survey of each.

but No. 18

Both surveys correct on map,
in Cherokee County

Jan. 23/50 (Quibbans)

Nov. 20/50.

Franklin Co.

Both Surveys correct for
Patenting, See endorsement
on field notes

Cook

Both Survey & Patent

Nov 26 AD 1850

" 27 "

James S. Duffan

1 for Saml. Rutherford on

No. 652 Vol. 3

1 for Black Tubbs

No. 798 Vol 5,

cc. How

Ms. 6516. in Rutherford

Contents.

- 1. Cond. Cert.
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- 384. Field notes
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Decr 17/78
Cook

Republic of Texas
County of Tascogeechus

Second Class
N. 75

640 Acres

This is to Certify that Samuel A. Cook is entitled to a
conditional headright of ~~thirty~~ ^{forty} acres of land
agreeably to the ^{provisions of the} act passed January 4th 1839: standing
donations of land to late Emigrants

Given in my hands this 1st day

November 1839

John Hunt Secy. N. C.

Jos. David Saory

& Secy. P. O. N. C.

Clk. Co. Comm.

off. Clk. Assent.

James Blakely Secy. Comm.
B. H. Whitaker Secy. Comm.

J. A. Cook

To be applied to
the Pres. of the

Same of the
Elisha Tabb

[Faint, mostly illegible handwritten text, possibly bleed-through from the reverse side of the paper. The text is arranged in several columns and appears to be a list or account.]

1 File 436
Macogd. 3rd Class.

Cond. Cert. 640 Am.
Sam. A Cook.

County Court Oct
Term ad 1847

The State of Texas } - 2 - Chap -
Cherokee County } No 18,

This is to certify that Samuel A. Cook
has appeared before the County Court
of said County and proved according
to Law, that he arrived in the Republic
3 Years prior to 1841 and that he has
performed all the duties required of him
by Law as a citizen, he therefore is
entitled to an unconditional grant
of six hundred and forty acres of
Land

Witness My hand
Chief Justice of said
County and Seal of
Office in the Town of
Park Oct 11th 1847

Attest
J. Thompson
Clerk of Court

or come }
Wm. Parks
R. J. Burtis
W. H. Gracks

The State of Texas } For and in consideration
Cherokee County } of the sum of Thirty Dollars
to me in hand paid by Samuel Rutherford
I do hereby transfer to him half of my
right being 320 acres of the within Certificate
and authorized a title to Issue to him for
the Same. - Witness My Hand this 30th Oct
A. D. 1847

Samuel A. Cook

W. conditional Certificate

Nov - 16 -

640 acres

This certificate has this day
been applied to the
Superior claims of

Samuel Rutherford 320 ac

Elisha Tubb 320

Nov 9 / 47

A. A. Wilson
D. D. Dray
P. H. Tubb

The State of Texas } For and in consideration
Cherokee County } of the sum of thirty Dollars
to me in hand paid by Elisha Tubb I do hereby
transfer to him half of the within Certificate
and authorized a title to Issue to him for
320 acres of Land - Witness My Hand 30th
Oct. A. D. 1847

P. H. Tubb

The State of Texas }
 County of Cherokee } Before Me Stockton P Donley Notary
 public of Cherokee County personally appeared
 Philip H Lubbe to me well known and
 acknowledged that he signed and ^{executed} ^{executed} the
 above annexed transfer of three hundred
 and twenty acres of the land Certificate
 issued to Samuel A Cook by the board
 of Land Commissioners for Cherokee
 County which is also annexed and it being
 the one half of said Certificate to
 Samuel Rutherford for the purpose and
 consideration therein expressed as and for his
 act transfer and deed. To certify which
 I here to sign my name and affix my seal
 of office done at office at Rush this
 14th day of March AD. 1850

Stockton P Donley

The State of Texas }
 County of Cherokee } Notary public of Cherokee County
 Before Me Stockton P Donley Notary
 public of Cherokee County personally appeared Philip H Lubbe with
 whom I am personally acquainted and acknowledged that he
 signed and executed the above annexed transfer to Phiba Lubbe of three
 hundred and twenty acres of the land Certificate issued to Samuel
 A Cook by the board of land Commissioners for Cherokee County which
 is also annexed and it being the one half of said Certificate
 for the purpose and consideration therein expressed as and for
 his act, ^{transfer} and deed. To certify which I here to sign my name
 and affix my seal of office done at office at
 Rush this the fourteenth day of March AD. 1850

Stockton P Donley

Notary public of Cherokee County

P+

2 File 156
Wacoqd. 3rd Class.

Wacoqd. Cat. 6110 Acq.
Sam^l. A Cook

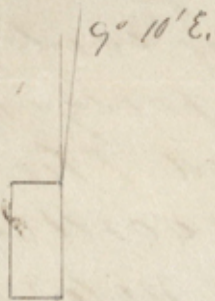
J. H. Tubb
To 4 Transfer of
4 320 Acq.

Elisha Tubb

J. H. Tubb
To 4 Transfer of
4 320 Acq.
Sam^l. Rutherford

not authenticated

State of Texas Survey No. 261
 Trazochoy County



1000 m. to an Inch

Field notes of a survey of
 Three hundred and twenty acres of Land made
 by virtue of Affidavit No. 19 made and subscribed
 before me by Samuel Rutherford on the
 25th day of February A.D. 1845

in Cherokee County
 Situated on the waters of the river Angelina
 about 3 miles S.E. from the town of Ruth
~~one mile S.W. from the residence of E. M. Thomson~~

Beginning at the N.E. corner of survey No. 172 a Post from which a
 Hick. 8 in. dia. bears S. 60° W. 4¹⁰/₁₀ m. dist. a Hick 7 in. dia. bears S. 8° W. 2
 m. dist. ~ Thence North 88¹/₂ m. Br. Co. West 569 m. Br. Co. West 1008 m.
 Br. Co. West 1635 m. Br. Co. West 2320 a Br. Co. N.E. 2330 m. to S. B. of
 No. 118 a Post from which a Hick. 10 in. dia. bears N. 51° W. 2¹⁰/₁₀ m.
 a Hick. 5 in. dia. bears S. 39° W. 5 m. dist. ~ Thence West with
 said Br 351 m. to ^{S.W.} corner of same, 775 m. a Post from which a
 Blk. Jack 10 in. dia. bears S. 43¹/₂° W. 5 m. dist. a Blk. Jack 7 in. dia.
 bears N. 27¹/₂° W. 14 m. dist. ~ Thence South 682 m. Br. Co. S.E.
 2330 to ~~N.B. of said No. 172~~, a Post from which a Hick. 6 in. dia.
 bears N. 82¹/₂° E. 3¹/₂ m. dist. a Pin 10 in. dia. bears S. 8° E. 10 m. dist.
 Thence East with said N. B. 350 m. small Cr. Co. south. 775 m.
 to the Beginning Surveyed 26th February 1845

T. Liff. Hays & Co. Chain Carvers
 S. Rutherford

Thos. J. Hays
 Dept. Survr. Nac. Co.

I Thos. J. Hays a deputy surveyor for Nacoydochos County do hereby solemnly
 swear under my official oath that the survey designated by the foregoing
 plat and field notes was made by me on the 26th day of February 1845
 and the lines boundaries and corners of the same together with the marks
 natural and artificial are truly described therein Witness my hand
 this 1st day of June 1845 Thos. J. Hays Dept. Survr. Nac. Co.

I A. Nelson County Surveyor for
Macon do hereby certify
that I have examined the foregoing
plot and field notes and find them
correct and the survey made according
to law and that the said field notes are
Recorded in Book G pages 384/85
given under my hand this 1st day of
June A.D. 1846

A. Nelson
County Surveyor
Macon Ga. County

I hereby certify that one half the unconstitutional
certificate of Samuel A. Cook ^{for 54 1/2 acres of land} No 18 2nd Class
issued by the Board of C. Com^{rs} of the County
of Cherokee has as this day been applied
to this field note in accordance with provisions
of the preemption law approved 22nd day of
January A.D. 1845

A. Nelson
N.S. D.H.

Republic of Texas Affidavit No. 19
Nacogdoches County? Before me (Tho. J. Hays, a Deputy
Surveyor for said County) Personally appeared Samuel
Rutherford and being duly sworn deposed and says that
that he believes the land on which he is settled and
has made improvements is vacant and that he is entitled
to the same by virtue of an act of Congress entitled an
act Granting to Settlers on vacant Public domain
pre-emption privileges and approved 22nd day of

January A. D. 1845
Sworn to and subscribed
before me this 25th day
of February A. D. 1845
Tho. J. Hays
Dept. Surv. Nac. Cty.

Samuel Rutherford

I Tho: J. Hays a deputy Surveyor for Nacogdoches County do hereby solemnly swear that on the 26th day of February 1846 I survey in the said County three hundred and twenty acres of land upon the within claim Witness my hand this 1st day of June 1846

Tho: J. Hays.

Dept. Surve Nac. Co.

Affidavit
No. 19
D. Rutherford

ot

3 File 656

N^o 261

Macquod's 3rd Class Sam^l Rutherford

Field Notes 320 Acers.

Presump^s
320 a

Sam^l A Cook.

+

Count for Publishing to Recorded
Sam^l Rutherford

Acct. Settled in office
June 3rd 1846.

Patented Nov 21/50

Ca Nelson
con S R con

James J. Duffield
Rutherford
Oct. 5/48
Crombain

cc. ~~H. W.~~

Has 1. no pd.

Republic of Texas

No. 237

Nacogdoches County } Survey of Three hundred and twenty acres of land
made by virtue of Affidavit No. 9 made before me on the 11th
day of February A.D. 1846 by Elisha Tibb

Situated ^{in Cherokee Co.} on the waters of the river Angelina about ^{3 1/2 miles} ~~four miles~~
North by ~~East~~ East from the tower of Rust
~~East from the same road and one mile South from the residence~~
of E. Jenkins and including the residence and improvements of the said

E. Tibb Beginning on S.B. of No 236 - 500 vs ^{west} East from the S.E. Cor.
of the same a Post from which a Post Oak 12 in. dia. bears East 11^{1/2} vs.
dist. a Blk. Jack 9 in. dia. bears N. 86° W. 10 vs. dist.

Thence South 1344 vs a Post from which a Blk. Jack 4 in. dia. bears
N. 42° E. 2 1/4 vs. dist. a Blk. Jack 4 in. dia. bears N. 85 1/2° E. 5 1/2 vs. dist.

Thence West 170 vs. Br. Co. N. W. 794 vs. Co. 3 vs. wide Co. North 970 vs. Co.
Co. North 1344 vs. a Post from which a Hick 18 in. dia. bears N. 32° W. 11 vs.
dist. Hick 7 in. dia. bears N. 70° W. 14 vs. dist.

Thence North 980 vs. Br. Co. N. E. 1344 vs. to S.B. of No. 236 a
Post from which a Blk. Jack 12 in. dia. bears N. 83° E. 8 1/2 vs. dist.
a Post oak 12 in. dia. bears N. 38 1/2° E. 2 1/2 vs. dist.

Thence East with said B. 748 vs. Co. 3 vs. wide Co. North 1344 vs.
to the Beginning Surveyed 11th day of February 1846

E. Jenkins }
P.H. Tibb } Chainman

Thos. S. Hayes
Deput. Chvr. Nac. Co.

Scale, 40000 ft. to an Inch

Variation, $9^{\circ} 10'$ East



I Thos. J. Flays a deputy surveyor for Macogdoches County do hereby solemnly swear under my official Oath that the survey designated by the foregoing plat and field notes was made by me on the 11th day of February 1845 and the lines boundaries and corners of the same together with the marks natural and artificial are truly described therein Witness my hand this 17th day of April A.D. 1845

Thos. J. Flays
Dept. Survr. Mac. Co.

I S. A. Nelson, county surveyor for Macogdoches County do hereby certify that I have examined the foregoing plat and field notes and find them correct and the survey made according to law and that the said field notes are recorded in Book G Page 19770 given under my hand this 1st day of June A.D. 1846

S. A. Nelson
County Surveyor
Macogdoches County

Republic of Texas } Affidavit No. 9
Nacogdoches County } Before me (Thos. J. Hays a
deputy surveyor for said County) Personally ap-
-peared Elisha Tubb and being duly sworn depos-
-eth and sayeth that he believes the land on which
he is settled and has made improvements is vacant
and that he is entitled to the same by virtue of
an act of Congress entitled an act granting to
settlers on vacant public domain pre-emption
privileges and approved the 22nd day of January A. D.
1845

Sworn to and Subscribed }
before me this 11th day }
of February A. D. 1846 }
Thos. J. Hays
Dept. Sur. Nac. Cty

Elisha Tubb

I Thos. J. Hays a deputy Surveyor for Macoydochy County
do hereby solemnly swear that on the 11th day of February
1845 I surveyed in the said County three hundred and twenty
acres of Land upon the within claim. Witness my hand
this 18th day of April A.D. 1845

Thos. J. Hays
Deputy Surveyor Macoy Co,

237

Affidavit, 1845
E. S. [unclear]

320 acres

I hereby certify that one half the unconditional
cubical case of Samuel A Cook for 1411 acres
of Land 2nd Class N^o 13 issued by the Board
of Land Commissioners of the County of Cherokee
has this day been applied to cover the land
designated by this survey

Given under my hand this 14th day
of April a d 1845

A. A. [unclear],
[unclear] [unclear].

No. 237
320 acres
E. J. [unclear]

m+

4 File 656.

N^o 287

Nacoga 3^d class Elisha Tubbs

Field Notes 320 acres
Sam^l A Cook

320 ac
Preemption

epistolary

Com^{rs} of Patents &

Elisha Tubbs

Cust^o

Filed in office
June 1 1846

Patented Nov 26 1850

Francis J Duffau

Wm Nelson
Cot. N.C.

716

cc. H. M.

For C. J. Duffau

The State of Texas }
Cherokee County } Know all Men by these
A. Crook of the County and State aforesaid } presents That I Samuel
in consideration of the sum of One Hundred }
Dollars to me in hand paid by P. H. }
Lubbock also of said State and County - then }
granted bargained sold and conveyed - and by }
these presents - do grant bargain sell and }
release and deliver unto said P. H. Lubbock his }
Heirs and assigns - all the right title and }
interest and claim that I have upon the }
Government of Texas now the State of Texas }
for Six Hundred and forty seven of land }
as a Citizen or Emigrant - the same being }
issued by conditional certificate No 275 }
Issued by the Board of Land Commissioners }
of Tarrant County and dated the Tenth }
Day of November 1839. also all My }
interest in the unconditional Certificate }
calling for 540 acre land - Issued by }
the County Court of Cherokee County and }
State aforesaid - No 18 and dated the }
11th Oct. A.D. 1847 - and which certifies }
to Herewith delineated - to said purchaser - }
together with all and singular the right power }
and privilege vested in me by the same }
authority - is hereby granted to said P. H. }
Lubbock - to have the same surveyed - and }
obtain a patent therefor - and after the }
same shall have been obtained - to }
dispose and make title in my name }
or in his own as he may deem proper }
to have and to hold all and singular

the said bargain - claim - to the within
described Land - belonging or in any
wise appertaining to the said P. H. Tull
his heirs or assigns forever In full
and I do hereby bind myself my heirs
executors and administrators to
defend all and singular the Right
title and claim to the property here
sold unto the said P. H. Tull his
heirs and assigns against any
person or persons - whose ever claim
ing or to claim the same - which
I have hereunto set my hand -
and affixed my Seal in the
presence of Sec^{rs} - in the Town of
Rusk on the 20th Oct. 1847

In presence of Samuel A. Cook
J. G. Thompson
Hiram Summers

The State of Texas }
Charolette County }
} Personally Came before

me Samuel A. Cook
and acknowledged that he did sign
and execute the foregoing instrument to
S. P. H. Tull for the purposes therein
contained - Given under my hand
and Seal in the Town
of Rusk - 20th Oct 1847

J. Thompson
Ch. & Just. C.

I do hereby Certify. that the foregoing instrument of
Writing from L A Cook to P H Tull. Was
Recorded for Record. 20th Oct. 1847 - and Entered
on the 11th Nov 1847. in Book B page
103 - Given Under My hand & seal in
the Town of Westport Nov 1st 1847

J R Thompson
Clerk of Court

M. 76

and

Samuel A Cook

To

P. H. Tubb

Recd for account

20th Oct 1847

J. Thompson

Chas Cook

CB

for \$1.50

5 File 154

Waco, Tex. 3rd Class

Sam. A Cook

To G. Conroyman

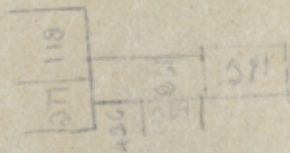
P. H. Tubb

Rusk Texas Dec-14-th 1859

Mr - George M. Smith Com Genl Land
Office

Sir you will find inclosed
a sketch showing the connection of
Survey No. 261 on the Map.

Jas M. Srimble
C. S. L. C.



J. W. Smith

C. G. L. O.

6 Folio Lab 6.

Acad. 37 Glass

Sketch

Rusk Texas Dec 15th 1829

Mr J. W. Smith C. J. L. O

Sir you will
find inclosed a sketch showing
the connection of Survey No 237

Yours M. Trimble
C. J. L. O

236	
237	
343	343
	244

