File 84 Ha

Bastrop 2nd Class

~~abst 148 - 1~~

Anthony G. Davy

1/3 League

April 20/39

See old wrap inside

CERTIFICATE No. 386

Rufus R. Smith
Assignee

Patented Apl 18/73
3,4/8
Appears correct on
map of Hays County
10/20/97 Hill

Mgl. 1309

Contents.

No. 1. Certificate.
" 2. Field Notes.
" 3. Transfer
" 4. "
" 5 Old wrap
Nov. 16/75
Josselyn

Patent delivered to
Spence & McClure
April 23, 1873

A. B. Vol. P.

No. 384

THIS IS TO CERTIFY

THAT Anthony G. Lacy

has appeared before us the Board of Land Commissioners for the County of Brazoria and proved according to law, that He arrived in the Country previous to 1st August 1835 and that He is a Single man and entitled to one third of a league of land upon condition of paying at the rate of Five Dollars ~~for each labor of Irrigable land~~ for each labor of Temporal or arable land Two dollars and forty cents for every labor of Pasture land which may be contained in the survey secured to him by this Certificate. Claimed as a volunteer, located in second class.

Given under our hands this 1st day of March 1838.

President.

Commissioners Associate

Attest

Thomas Blackwell Clerk Theodore Gennett

A. C. Hyde

(1)

File 84.

Bastrop Co. 2nd Class

Headright Certificate

Anthony G. Davy

1/3 League

Variation 10°30' East

Surry of Eight and One third Labors of Land for Rufus R. Smith Situated in Hays Co On the West Side Of the Collorado River 2 miles N. 17 W. from San Marcos On Spring Creek being the Quantity Of Land to which he is entitled by virtue of a Certificate No. 386 Issued By the Bord of Land Commissioners for the County of Brasoria Dated the 1st day of March 1838. to Anthony G. Davy & By him Transferd to Philip Howard and By Philip Howard transferd to the said Rufus R. Smith

Beginning On the S. Corner of Surry No. 42 at a stake for the N.E. Corner of Surry No. 38. from which a Live Oak 20 inches in diameter Bears N. 30. E. 10 v. distant Marked X. a Live Oak 8 inches in diameter bears N. 6 W. 50 v. distant. Thence N. 60° W. 2600 to Cr. and 2719 v. to a stake for the N. Corner of Surry N. 38 a Live Oak [illegible] in diameter bears S. 10° E. 20 v. distant an Elm 18 inches in diameter bears S. 15 E. 8 v. distant. Marked X. thence S. 30° W. 2270 v. to Cr. runs E. and 3065 to a stake for the N. W. Corner of Surry No. 38. from which a live Oak 10 inches in diameter Bears S. 64° E. 60 v. distant. a Live Oak 8 inches in Diameter bears S. 84° E. 65 v. distant. Marked X. thence S. 60 E. 2719 v. to a Stone Mound for the S. W. Corner of Surry N. 38. thence N. 30. E. 3065 v. to the place of Beginning Containing two Labors of Temporal & Six and One third Labors of Pasturn Land

April the 20th 1839

Wm. S. Wallace
D.S.C.B.

Jno. Angel &
Wm. Rayhouse } Chainners

I William S. Wallace deputy Surveyor for the County of Bastrop do Solemnly declare that the foregoing Surry was made according to Law and that the Surry was made Since the Opening of the Land office

Sept. the 11th 1839

Wm. S. Wallace
D.S.C.B.

I do certify that I have examined the foregoing Survey ... of land ... Correct and that the Survey was made according to Law.
given under my hand at Bastrop Sept. the 11th 1839

Bartlett Sims C.S.C.B.

#42

File 84
Bastrop Co. 2nd Class
Field notes 1/3 League
Anthony C. Ray
by Assee:

Pat. Issued to Rufus R. Smith
asse. April 18th 1878,
A. Schultze

Rufus R. Smith
1/3 League No. 35

R

88
Anthony C. Ray
1/3 League 1st Class
Bastrop Co

1447
9-126

Know all men by these presents —

That I Philip Howard, for & in consideration of the sum of Six hundred dollars to me in hand paid the receipt whereof is hereby acknowledged, have bargained, sold and transferred; and do hereby bargain sell and transfer to Rufus R Smith all my right title and interest in and to one third of a League of Land to which Anthony G Davy was entitled as appears by the certificate hereto prifixed, which was sold me by H. R. Wriggington; who held the same by purchase from said Davy as appears by a deed of sale from said Davy to said Wriggington; and prifixed hereto including also a power of attorney from said Davy to said Wriggington; which deed and power with all the rights therein named I do transfer, without Reserve, and as fully as they have been by the said Wriggington to me to the said Rufus R Smith his Heirs and assigns. And I do hereby invest the said Rufus R Smith and his assigns with all the authority and rights invested in me by virtue of my purchase from said Wriggington. In witness whereof I hereto affix my Name & Seal this fifth day of April One thousand eight hundred and thirty eight, in the Town of Matagorda.

Philip Howard (Seal)

Witnesses
Myles Shaw
John Delafe

Thos. Harvey
Notary Public

Republic of Texas
County of Matagorda } Before me Thos. Harvey
Notary Public, duly commissioned & sworn
personally appeared Philip Howard, who
acknowledged his signature to the foregoing
Deed & that the same was done in good faith
for the purposes therein mentioned. which I
hereby Certify by affixing my hand & the
impress of my seal of office in the Town of
Matagorda 5th April 1838 - Thos. Harvey
Notary Public

R. Smith
1 third leagues

No. 38. R

File 84

Bastrop Co. 2nd Class

Philip Howard
to Conveyance
R. R. Smith

Republic of Texas }
County of Brazoria }

Know all men by these presents that I Anthony G. Davy of the Republic of Texas and County of Brazoria Having full faith and confidence in my true and worthy friend H R A Wigginton of the County and Republic aforesaid do by these presents constitute and appoint him my true and lawfull attorney for me and in my name to ask and Receive from the Government of Texas one third of a League of Land due me as a Head right Having arrived in this Republic previous to the first of August as a Volunteer as appears by the annexed certificate of the Hon board of Land Commissioners for the County aforesaid

and whereas the said Wiggentor
having this day paid me the Sum
of five Hundred Dollars as a consid-
eration for the same this act therefore
witnesseth that I the said Anthony
I Dary for and in consideration
of the premises Hath Given Granted
bargained and sold the said prem-
ises as above described unto him
the said Whiggentor his heirs and
assigns to his and their only
proper use and behoof forever
Ratifying and confirming all
said H.R.A. Whiggentor do in
Recovery the same and warranty
and defending likewise renounce-
-ing the Laws of Non numerata
Pecunia. No Entrega y Prueba
and all other laws that may
favour me in holding the Law
against me my heirs and
assigns and against the claims

of all and every person or persons whatsoever by these presents — Given under my hand and seal this 3rd March A.D. 1838

Anthony G Davy (Seal)

Sig'd Seal and Delivered in presence of

John H Beale
W. P. Scott

Rep of Texas
County of Bragoria

Anthony G Davy personally appeared before me Wm P Scott Chief Justice of the County aforesaid and ex officio Not Public and acknowledged the with act to H R A Wiggington to be his act and deed for the purposes therein — mentioned this 1st March 1838

Given under my hand and seal of office the day and date above

W. P. Scott
Chief Justice & Ex N.P.

Know all men by these presents that
Mr. R. A. Wiggington for and in consideration
of the sum of Five hundred Dollars to
me in hand paid the receipt whereof is hereby
acknowledged have bargained sold & transferred
to Philip Howard all my right title and
interest in & to one third League Land to which
Anthony G. Davy was entitled by virtue of the
Certificate hereunto prefixed & sold me by Jas.
A. G. Davy as will also appear by an
nexed Deed & Power of Attorney & I hereby
transfer to the said P. Howard or his assigns
all the authority vested in me by virtue
of said Power of Attorney. Done in Columbia
this 5th Day of March 1838 in Presence
of R. M. Forbes Thomas D. McCoy
and Joseph Martin

R. M. Forbes

W. R. A. Wiggington

Thos. D. McCoy

Joseph Martin

Transfer to Hoyt & Co
not acted against

File 84 4

Bastrop Co. 2nd Class

J. G. Davy
to
Wiggington
Conveyance
to Conveyance
Philip Howard

The State of Texas }
County of Victoria }

Before me Wm J Neely Clerk of the District Court in and for said State & County personally appeared R M Forbes to me known who upon oath declared that he was present and saw H R A Wigginton sign the deed of conveyance hereto attached - dated 5th day of March 1838 and that he acknowledged the same to be his act and deed for the purpose and consideration therein stated and that he signed the same as witness at the request of the grantor

In testimony whereof I hereunto set my hand and official seal this 8th day of February A D 1873

Wm J Neely Clerk
D. C. V. C.

5 Hays Co. 75 Travis Co. Hays Co. 58

File 84.

1. Bastrop Co. 2nd Class

Anthony G. Davis

— 1/3 League —

Carried on Map of Travis Co.

Apr. 17/73. E. Schutze Hector

& mkd. ptd. Thomas Ed.

Patent to Rufus R. Smith assee

Mkd. ptd. Reg. April 17/73

Jacob Kuechler

Patented to Rufus R. Smith assee

April 18th 1873.

A. Schutze

not Authenticated

No. 84 – vol 8

314 – vol 8

774

1309 Mf 1309

774

1309

Transfer from Anthony Davis to H. R. A. Wiggington from Wiggington to Philip Howard ded. to Spence & Wellis for the purpose of having the latter transfer authenticated. Both transfers on one sheet of paper 1. Jan 30/73

Transfer retd. Mar 1. 73 Milne

Contents

No. 1 Conveyance

" 2 do – 34 –

" 3 Field notes

" 4 H. R. Ctf.

Callahan

See p. 327 vol 1 2nd class for patent by writing of cert no 349 from Hays Co. not recorded.

349

535 repeated