

File A. (me.)

Davis **SCRIP.**
Ab-246

J. C. Beard.

640. Acres.

Old map included

Certificate No. 546

Revised
April-5-1847

to original

No 62 vol 2

Mgl. _____

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No. 1. Certificate.

Nos. 2 ~~and 3~~. Field Notes. +

No. 4. Old map.

10/31/90.
Vol.

Handwritten notes at the top of the page, including "I have not seen the original of this scrip" and "I have seen the original of this scrip".

TEXAS SCRIP.

FIRST.

No. 544



640 ACRES OF LAND.

James Cause of the City of New Orleans 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 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

James Cause
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 to the following firm, 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. 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 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, hereunto subscribe my name and affix my Seal, at the City of **NEW-ORLEANS,** on this **2nd** day of **Septem^r.** 1836.

Witness,

Wm. H. J. Ricker Jr.

Thomas Toby

L. WILLIAM CHERRY,

PRINTED BY WM. M'KEAN

Handwritten notes and signatures at the bottom left of the page.

Handwritten notes and signatures at the bottom right of the page.

For value rec^d & Study transfer, assign and set over all the
right, title and interest which this scrip gives me to the land
shown named to Franklin C. Howard - of Mobile Ala. &
and his legal representative

Witness
Amos Williams

New Orleans 8th Sept 1836
James H. Hance

H. T. Jeff

TEST



~~I hereby appoint, for and in full power of attorney or attorney
to have the within called and titled scrip of the
in my name in the form of the scrip of
the said scrip to be made in my name
to name a grant for the same~~

United States of America
Mobile 8th February 1837

~~In witness whereof I have signed at my
hand and seal the day and date first written
within~~
W. J. Hammond

~~The scrip to be transferred, I hereby transfer, assign and set over all the right, title and interest
which this scrip gives me to the land herein named to F. C. Howard~~

~~Which appointment 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 TOOK, Agent of said
lands, subscribe my name and affix my seal at the City of
New-Orleans, on this 2nd day of September, 1836.~~

~~Witness
Amos Williams~~

Franklin C. Howard
Agent

Attest
R. M. Smith
T. Smith

Received
1836

**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 expense 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 with **ALL POWER and AUTHORITY** to carry this **TRUST and AGENCY** into effect, and we do **RATIFY and CONFIRM** all that he may **LAWFULLY 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 judgement as to the terms with the 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.

W. Christy
Notary Public

For and on behalf of the State of Texas
Know all men by these presents that the State of Texas
has granted unto the said Thomas Torgue
and his heirs and assigns forever
the right and privilege
of making and selling
and conveying
in fee simple
the public lands
of the State of Texas
in and for the City and County
of Dallas
in the State of Texas
the following to-wit:

KNOW YE, That the Executive Government of Texas, exercising the
Plenary Power conferred upon them respecting special trust and confidence in the ability and
Integrity of **THOMAS TORGUE**, a Citizen of NEW-ORLEANS of the State of Louisiana,
has 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 Orders hereinafter prescribed, to-wit:
Article 1—The said **THOMAS TORGUE** is authorized to sell of the PUBLIC LANDS OF TEXAS, and 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 to give a proper Proviso, however,
no sale shall be made at a less price than **FIFTY CENTS PER ACRE**.
Article 2—No sale shall be made of lands to be sold, inasmuch as the said **THOMAS TORGUE** is authorized to sell of the PUBLIC LANDS OF TEXAS, and 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 to give a proper Proviso, however,
no sale shall be made at a less price than **FIFTY CENTS PER ACRE**.
Article 3—The Agent upon making sale of any lands shall issue **SCRIP** to the purchaser, which shall be evidence of title or his assignee's
right of location for so many acres of land as are contained in the scrip.
Article 4—No person 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 purchased from **THOMAS TORGUE** under the power in this act granted, inasmuch as it is the object of
this Government to organize **LAND OFFICES** in every practicable section of the country, in which the notice will be given to
the world in time for all to claim to making their locations on equal and available terms.
Article 5—The holder of scrip shall receive his title, without any other expense than the purchase money, and should there be mistake or other
error in the location made upon lands to which the scrip is applicable, the holder may withdraw his location of title, and make a location on other
lands by paying the additional expense and cost of location, survey, &c.
Article 6—In order to hold lands purchased by virtue of this authority from **THOMAS TORGUE**, a residence in Texas shall not be necessary.
Article 7—The Agent upon making sale of any lands, shall issue his receipt, **FIRST, SECOND, and THIRD**—First shall be de-
livered to the purchaser, second retained in his office as a record.
Article 8—The proceeds of sale of said lands shall be held and disposed of by order of the **PRESIDENT**, and contingencies by the
Secretary of the Treasury.
Article 9—There shall be no **ONE AGENT** possessing authority to dispose of the Public Lands of Texas, who shall hold his powers
during the pleasure of the Government, and the necessity of raising means in the manner contemplated by this power.
And the said **THOMAS TORGUE** is hereby invested with **ALL POWER AND AUTHORITY** to carry into effect the **FIRST** and **SECOND** articles
herein, and we do hereby ratify and confirm all that the said **LAWFUL AGENT** shall do in and about the premises.

DAVID G. BURNETT
File 1.
Travis County- Scrip
Franklin C. Heard
EXECUTIVE DEPARTMENT
STATE OF TEXAS
VERMILION MAY 25, 1836.
TO THOMAS TORGUE, Esq., Vice-Organs.
DEAR SIR—I herewith forward to you a Commission, authorizing you to sell 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 in the sale of negotiable bills, and as
to the best price you can procure over and above the minimum price of **FIFTY CENTS PER ACRE**.
DAVID G. BURNETT
Respectfully, your Obedient Servant.

WM. H. JACK, SECRETARY OF STATE.
WILLIAM CHRISTY, a Notary Public, in and for the City and County
of New-Orleans, do hereby certify that the originals of the foregoing Documents are deposited in my
Office.
Wm. H. Jack
Wm. H. Jack
Wm. H. Jack
Wm. H. Jack
Wm. H. Jack

File 1. ⁷⁵⁵ ~~755~~
Travis County Scrip

Franklin C. Heard
640 acres. No 546

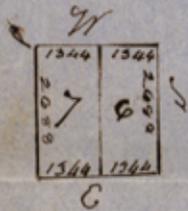
Received in full
Philip St. Victor
Nov. '47

Court for Patenting
Crosby

Patented April 5th 1847
J. M. Johnson

No 62 vol 2

Vol 575 M & P. ink



State of Texas. }
 District of Travis } Survey of 640 acres of Land, made
 for Franklin C. Heard, by virtue of Land Scrip
 No: 546, issued to James Hance, dated New Orle-
 ans, September 2^d 1836 and by him transferred to
 Franklin C. Heard.

Said Survey is No: 6, situated on the waters of the Rio Blanco, a
 Branch of the San Marcos, in the district of Travis

Beginning on the North West corner of Survey No: 5 made for David
 Hodder for the North East corner of this Survey, from which a Live oak
 20 inches in diameter bears North 59 East 100 varas and another Live oak
 9 inches in diameter bears South 45 West 75 varas. Thence West 1344 varas
 a stake and mound for the North West corner of this Survey. Thence South
 2688 $\frac{3}{4}$ varas a stake for the South West corner of this Survey from which
 a Live oak 14 inches in diameter bears South 65 East 140 varas and a
 ditto 12 inches in diameter bears North 88 East 170 varas. Thence
 East 1344 varas to the South East corner of this Survey, a stake from
 which a Black jack 10 inches in diameter bears North 6 East 12 varas,
 and another 16 inches in diameter bears North 10 East 20 varas.
 Thence North 2688 $\frac{3}{4}$ varas with the West boundary line of David Hod-
 der's Survey to the place of Beginning. Bartlett Sims D. S. D. &

John J. Clark } Chain carriers.
 Grant. }

I, J. Bartlett Sims, Deputy Surveyor of Travis District, do
 solemnly swear under my official oath, that the Survey, designa-
 ted by the preceding plot and field notes, was made by me on the
 3^d day of February A. D. 1847, and that the lines, boundaries and
 corners together with the marks, both natural and artificial are tru-
 ly described therein.

Bartlett Sims D. S. D. &

March 18th 1847

I do certify that I have examined the foregoing field
 notes and find them correct and the survey made
 according to law - Given under my hand at Austin
 10th March 1847

Recorded

James H. Pace

Deputy Surveyor

2
File 1.
Travis County Scrip

Franklin C. Hearse

Field Notes

640 acres

Patented
J. M. Johnson