

Contents
1. Certf,
2. B/Notes,
4/12/95' Smith,

File 2. Map 50
Davis County Scrip

Ab-436
David Hodder
640 Acres no 526

Charts on Maps
of the State of Iowa
March 1847

Chart for Patenting
to original County

Patented April 5th 1847
J. Johnson

no 63 vol 2

Map 51. Map # 49. a. insd.

**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.

Wm. Christy
Not. Pub.

TEXAS SCRIP.

FIRST.

No. 526



640 ACRES OF LAND.

James Kane 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, two copies of which Documents are hereto annexed for reference. The said

James Kane 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 *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*. 1836.

Witness,
James Pickens Jr.

Thomas Toby

Handwritten notes and signatures at the bottom of the page, including a large signature on the left and several lines of text on the right.

Of Value received hereby transfer a pipe and set over all the
right, title and interest which this scrip gives me to the land
here in named to David Hodder of Mobile, Alaba
his legal representative.

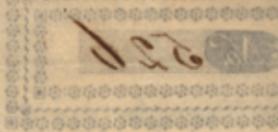
New Orleans 8th September 1836.

Witness

W. T. Webb

James Hanse

Samuel Williams



~~In Value received hereby transfer a pipe and set over all the right
title and interest which this scrip gives me to the land here named to~~

~~and his legal representative~~

~~Witness~~

~~Calvin Norris~~

~~Wm. A. Ford~~

~~James Hanse~~

~~James Hanse~~

~~This scrip to be transferred by endorsement on the back hereof in the following form:
to wit: For value received I hereby transfer, open and set over, all the right, title, and interest
which this scrip gives me to the land herein named to~~

~~which endorsement must be made in the presence of the 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, As the said THOMAS TONY, Agent of said
Republic, do hereby certify my name and office my seal at the City of
NEW-ORLEANS, on this 2nd day of September, 1836.~~

~~THOMAS TONY~~

~~THOMAS TONY~~

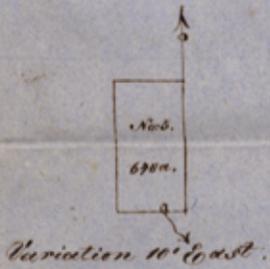
Both accounts approved

610 here

David Hodder

Shreve County Sheriff

James Hanse
Wm. A. Ford
Calvin Norris



State of Texas } Survey of 640 acres
 District of Travis } of Land made for
 David Stodder } by virtue of Scrip
 No 520. found at the City of New Orleans
 on the 2d day of September 1836 to James
 Vance and by him transferred to David
 Stodder

Said Survey is No 5, situated on the Waters of the Rio
 Blanco, a Branch of the San Marcos.

Beginning on the N. W. Corner of Survey No 11 made for
 Lion Oyer Thence West 13444 varas, a Post for the N. E. corner of this
 Survey from which a Live Oak 10 inches in diameter bears N. 59 E 100
 varas & a ditto 9 inches in dia bears S. 45 W. 75 var. Thence South
 2688 ³/₁₀ varas, a Stake for the S. W. corner from which a Black Jack
 10 inches in dia bears N 6 E 12 var. & a ditto 16 inches in dia bears N.
 10 E 20 var. Thence East 880 varas to a Large Spring Runs S. E.
 13444 var to the S. W. corner of Survey No 11 made for Lion Oyer
 Thence with the West Boundary of said Lion Oyer survey 2688 ³/₁₀
 varas to the place of Beginning

John J. Clark }
 Grant }

Bartlett Sims D. S. D. }
 Cham Carrury. }

J. J. Bartlett Sims, Deputy surveyor of Travis County, do solemnly
 swear under my official oath, that the survey, designated by the preceding
 plot and field notes, was made by me on the 3^d day of February A. D. 1847,
 and the lines, boundaries and corners together with the marks, both natural
 and artificial, are truly described therein.

Bartlett Sims D. S. D.

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 18th
 day of March 1847.

Recorded

James R. Pace (Deputy D. S. D.)

~~File 2~~
File 2
Travis County Scrip

David Stodder
Hula Notes

640 Acres

Patented
J. M. Johnson