

TEXAS SCRIP.

FIRST.

No 592



640 ACRES OF LAND.

John B. Budd, of Philadelphia, State of Pennsylvania, his legal representatives ~~was~~ 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

John B. Budd

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. 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, herunto subscribe my name and affix my Seal, at the City of NEW-ORLEANS, on this 26 day of September 1836.

Witness,

W. S. Dewey  
J. Brant Clarke

Thomas Toby



**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.*