

Republic of Texas  
County of Fort Bend

To Henry Louis, Wm. Lusk  
Jos. F. Johnson Wm. M. Head, and Alex.  
F. Johnson

You or a majority of you have been appointed by the probate Court of this county, Commissioners to make partition, of the real estate, found in this county, belonging to the succession of James Stuart dec'd. among the heirs and legal distributees of the said dec'd. - There are five heirs, between whom you are to make distribution to wit, Nancy Hammon formerly Nancy Stuart surviving wife of the said James Stuart dec'd. and four minor children. you will assign to the surviving wife, one half of the real estate having due regard to quantity and quality, the remaining half or moiety you will cause to be laid off into four equal shares between the four minor children having regard also to quantity & quality you have the right of calling to your assistance one or more surveyors, who you will cause to lay off the same in the proper number of lots or shares and return to this court a correct plat of the same. showing to which heir, each lot or share belongs, as accorded to them by you.

You will be governed by an act of Congress entitled an act regulating the duties of probate courts, and the settlement of Successions - approved 5<sup>th</sup> of February 1840. And more particularly by Sections 37, 38, 39, 40, 41, and 42 of that act, when you have finished the business assigned you, you will make a written

report to me, of the whole matter as performed  
by you. All which is respectfully  
submitted -

Wily Martin  
Chief Justice &  
Judge of Probate

I. J. upon a full view of the premises,  
should you be of opinion, that a sale of the  
property, will result more to the benefit  
of the heirs, than a division, you will  
appraise the same under oath, and  
make return to me of the result of your  
deliberation, as soon as practicable.

Wily Martin  
Judge of Probate

We the undersigned Commissioners, referred to in the  
afore<sup>mentioned</sup> report are of the opinion that the property  
of the estate cannot be justly divided, and we therefore  
recommend a sale of the same

We consequently have estimated  
the Land at one dollar <sup>per acre</sup> as Commissioners

P. W. M. Hean  
Wm. Lusk

Henry Jones  
Joseph H. Johnson  
A. G. Johnson

Filed 28<sup>th</sup> June 1821

J. H. Birmingham Clk. Ck.