

Mason Co/86

File

5526

Buxan

PRE-EMPTION.

abt - 1546

J. M. Nichols

N^o 213 - 8 1/4 Acres

Act

Apr 24th 79

Correct on map
of Mason County.
Aug 25th 86 Herman Thiesler

Correct for patenting
to W. J. Gossett up to
Sep 15 86. Wash.

Patented Sept 21/86

No. 5844-46218.

mkd ptd 1886

Mgl.

1887

J. M. Nichols

CONTENTS.

No. 1. Affidavit.

No. 2. Field Notes.

No. 3

No. 4

2/22/89
Johnson
Cert of Occupancy
" 4 Transfers
" 5 9/3/86
Dannit

W. J. Rosenberg

The State of Texas, }

County of Marion

To the County Surveyor
of Marion Co.

By virtue of the accompanying affidavit made in accordance
with art. 3939 and 3940, Revised Statutes, and under the provisions
of "An Act for the relief of actual occupants of the public lands, approved
April 24th, 1879." I, J. M.

Nichols hereby apply for a survey
of the following premises, of about
81 acres, to wit:

Situated on the waters of Honey creek
about 5 miles West from Marion.

Beginning in Northline of survey N^o 19
made for S. W. cor. of Survey N^o 39 in name
of Hooper & Wade

Thence N 95000 to its N. W. cor.

Thence West about 48000 to S. W. cor. of
State Survey N^o 40

Thence S. 95000

Thence E. about 48000 to the Beginning

and I further state that I claim the same for myself, in good faith, under the laws granting Homestead donations; that I am
without any homestead of my own, and that I have actually settled upon the land which I claim, * That I am
a married man. and that I believe the same to be vacant and unappropriated public domain.

Signed,

J. M. Nichols

Applicant.

THE STATE OF TEXAS,

County of Marion

BEFORE THE UNDERSIGNED AUTHORITY, personally

appeared J. M. Nichols Applicant, who being by me duly sworn

according to law, deposes and says that the above and foregoing statement is true and correct.

Signed,

J. M. Nichols

Applicant.

Sworn to and subscribed before me this 1st day of April A. D. 188 2

IN TESTIMONY WHEREOF I hereunto affix my official seal and signature.

Franz Burghard

Notary Public Marion Co.

*Here state if "the head of a family"—it single that applicant is eighteen years of age.

DUTY OF THE SURVEYOR.

ARTICLE 3940. Said application shall be filed with the said Surveyor, and recorded by him in a well-bound book kept for recording pre-emption and homestead applications; and the said Surveyor shall give a receipt therefor, if desired.

ART. 3941. It shall be the duty of the Surveyor of the proper District or County, to convey the land described in the application aforesaid, as soon as practicable, and within twelve months after the date of said application. and the field notes thereof shall be certified to, recorded and mapped, as required by law in other cases, the applicant paying all legal Surveyor's fees.

1886
County of
Bexar
J. M. Nichols
David
Filed 10/10/86
J. M. Nichols
Chy. Oak

THE STATE OF TEXAS,

County of *Marion*.

APPLICATION AND AFFIDAVIT

FOR HOMESTEAD,

J. M. Nichols

Filed the *1st* day of *June*

A. D. 188*8*, and recorded in Book

Page

James W. Humber
County SURVEYOR.

Recorded on the 13th day
of *July* A. D. 188*8* in Book
Page 55
Frank Beardsall
Co. Sec. Marion Co. Tex.

THE STATE OF TEXAS,

County of MasonSurvey No. 213FIELD NOTES of a Survey of 84 Acres
of Land, made for J. M. Nicholsit being the quantity of land to which he is entitled by virtue ofAffidavit and Application
for
HomesteadSaid Survey is No. 213 in MasonSALE: U. S. A. Varas to the inch. Variation N. 9° 45' E.County, situated on the water of Honey Creeka tributary Plano River, about 7 1/2 miles N. ofThe town of Mason beginning at a Stake 5 rods the S. E. Cor.of Sec. No. 17 in name of George Gintzel - the N. W.Cor. of No. 19 in name of Heirs of Joseph Muellerfor S. W. Cor. of this Sec. from which a L. O. 7 inin di. (now dead) vs. N. 13° W. 71 vs. Another Live Oak 15 inin di. vs. N. 62° E. 122 vs. Thence North 95-0 vs.to N. E. Cor. said No. 17 a stake 5 rods the S. E. Cor. No. 15in name of Geo. Gintzel - the S. W. Cor. Sec. No. 40 in name ofHooper & Wade for N. W. Cor. this Sec. from whicha L. O. (now, almost decayed) 10 in. in di. vs. S. 47° W. 12 vs.Another L. O. (also, now dead) 9 in. in di. vs. S. 23° E. 21 vs.Thence E. with S. line said No. 40, 500 vs. to a stonems. the N. W. Cor. Sec. No. 39 in name of Hooper & Wade forN. E. Cor. this Sec. from which a L. O. 26 in. in di. vs. S. 69° E. 106 vs.a L. O. 6 in. in di. vs. S. 37° W. 32 vs. Thence S. 95-0 vs.to S. W. Cor. said No. 39 a stake from which a L. O. 12 in. in di. vs. S. 69° E. 11 vs.Thence West 500 vs. to the place of beginning

Bearings marked

Surveyed Sept. 9th 1882James CarnessW. B. Marshall

Chain Carriers.

I, James M. Hunter Co. Deputy Surveyor Mason Co. District, do hereby
certify that the foregoing Survey was actually made in the field, according to law, and that the limits, boundaries and cor-
ners, with the marks, natural and artificial, are truly described in the foregoing plat and field notes.James M. Hunter
Co. Deputy Surveyor Mason Co. District.I, James M. Hunter Co. District Surveyor Mason Co. District, do hereby
certify that I have examined the foregoing plat and field notes and find them correct, and that they are recorded in my
office in book E No. 1 page 132Given under my hand, at Mason Tex. this 14th day
of Oct A. D. 1882.James M. Hunter
Co. District Surveyor Mason Co. District.

of File 5526

Ryan Prescription

J. M. Nichols

Field Notes

N^o 213 - 84 Acres

Filed 2/22/53

Det. Polman
Chk. Chk.

Correct on map
of Mason County.

Aug 25/86 Herman Fessler

Attended Sept 24/86
Presman

July. 22/83

by Mueller

of Aug. 8/83
1882

Proof of Settlement under Homestead act

The State of Texas }
Mason County }

Before me the undersigned County clerk in and for the County aforesaid this day came and personally appeared W. J. Gossett "assignee of J. M. Nichols and J. A. Huffer" a resident citizen of said County, who being by me duly sworn declares that he is a bonafide settler upon eighty four acres of Vacant public land situated in said County, and surveyed for J. M. Nichols on the 9th day of September A.D. 1882, by James M. Hunter a surveyor of said County, that he and his assignors have occupied, and improved the same as a homestead for a period of three consecutive years, beginning on the 9th day of September 1882, that he is a married man, and that he makes this affidavit for the purpose of obtaining a title to the same, for a homestead under an act, supplementary to, "an act for the Benefit of actual occupants of the Public Lands," approved May 26th 1873, and acts prior thereto, and that he has not a homestead other than the above.

And also at the same time came and personally appeared Thomas Riley and W. J. Brister Two credible resident citizens of said County, to me well known, who being duly sworn, depose, and says that W. J. Gossett the person first above named in this affidavit, and his assignors have actually settled upon, and cultivated as a homestead, the land surveyed for J. M. Nichols on the 9th day of September 1882 by the surveyor aforesaid, for the period of three

years, and they nor either of them have any
interest in said land

W J ^{his} ~~most~~ Gossett

Thomas Riley

W. J. Brister

Sworn to, and Subscribed before me, and
I hereby certify that Thomas Riley and
W. J. Brister are credible and trustworthy
citizens of said county.

I Testimony whereof, I have hereunto
set my hand, and affixed the seal of said County
at office, this 21 day of August 1886 1886.

Wilson Key

Clk of County Court, ~~Mass~~
County

③ Fee 5526.

Deval Property

J. M. Nichols

Cert of

Accompany

Frid Aug 25/86.

D. N. Robinson

Witness

The State of Texas,

COUNTY OF Mason

Know all Men by these Presents:

THAT we J. M. Nichols and Mary Nichols husband and wifeof the County of Mason, and State aforesaid, for and in consideration of the sum of Two hundred (\$200.00) DOLLARS, to us in hand paid by G. A. Muffer the receipt whereof is

hereby Acknowledged at and before the signing and delivering thereof

have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY, unto the said

G. A. Mufferof the County of Mason and State of Texas, all that certain

Our right title claim and interest in and to the following described tract or parcel of Land viz. Eighty four Acres of land, situated in Mason County on Honey Creek, a tributary of the Red River, about 7 1/2 miles west from the Town of Mason, and known as Survey No 213, being the same land surveyed for us as our homestead by James M. Hunter Surveyor of Mason County, on the 9th day of September A.D. 1882. the field notes for which are recorded in the Surveyor's Office of Mason County in B E page 132 to which records is hereby made for a more full description of the said Land.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in any wise belonging, unto the said

J. A. Muffer
his heirs and assigns, forever. And we do hereby bind ourselves our heirs,

executors and administrators, to Warrant and Forever Defend, all and singular, the said premises unto the said

J. A. Muffer
heirs and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

WITNESS our hands at *Mason Texas*, this *26* day of *November* A. D. 188*3*.

Signed and Delivered in Presence of

J. M. Nichols
Mary X Nichols
Mark

THE STATE OF TEXAS,
County of *Mason*
Clerk

BEFORE ME, *Wilson May County*

in and for *Mason* County, Texas, on this day personally appeared *J. M. Nichols*
and *Mary Nichols* Wife of
J. M. Nichols known to me

to be the persons whose names are subscribed to the foregoing Instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed. And the said *Mary Nichols*
Wife of the said *J. M. Nichols*, having been examined by me privily and apart from her husband, and having the same by me fully explained to her, she, the said *Mary Nichols*
acknowledged such Instrument to me to be her act and deed, and she declared she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN under my hand and Seal of office, this *26* day of *November* A. D. 188*3*.

Wilson May
County Clerk *Mason County, Tex*

THE STATE OF TEXAS,

County of..... } I, Clerk of the
County Court of said County, do hereby certify that the above instrument of writing, dated on the day of
..... 188....., with its Certificate of Authentication, was filed for record in my office this
day of..... A. D. 188, at o'clock M., and duly recorded the day of
..... A. D. 188, at o'clock M., in the Records of said County, in Vol.
on Pages No.

WITNESS my hand and the Seal of the County Court of said County, at office in.....
the day and year last above written.

.....
Clerk C. C. County.

② Fee 5526.
Dea. Prumpt
J. M. Nichols
To Transfer
G. A. Huffer.
Filed Aug 20/86
D. N. Robinson
Chas. H.
Aug 25/86

WARRANTY DEED.

WED. D. BARNARD & CO., PRS., N.Y. LOUIS

—FO—

FILED FOR RECORD.

188

at _____ o'clock _____ M., and Recorded

188 , in

County _____

Record of _____

Book _____ Page _____

CLERK.

DEPUTY.

The State of Texas,

Mason County.

KNOW ALL MEN BY THESE PRESENTS:

THAT

W. J. Huffer and M. E. Huffer wife of
the said W. J. Huffer

of the County of Mason and State of Texas, for and in consideration

of the sum of \$240.00 Two Hundred, and Forty DOLLARS,

to us in hand paid by W. J. Gossett

of the County of Mason and State of Texas, the receipt of which

is hereby acknowledged, do by these presents BARGAIN, SELL, RELEASE AND FOREVER QUIT-CLAIM unto the said

W. J. Gossett his

heirs and assigns, all our right, title and interest in and unto that tract or parcel of Land lying in the County of

Mason

and State of Texas, described as follows, to-wit:

Eighty four acres of land situated in Mason County on Honey Creek a tributary of the Land River about 7 1/2 miles west from the Town of Mason, and known as survey W 213, being the same land surveyed for J. M. Nichols as a home stead, on the 9th day of September A.D. 1882, by J. M. Hunter Surveyor of Mason County, the field notes for the same being recorded in the Surveyors Office in Mason County, State of Texas, in Book E page 132, to which reference is here made for a full and complete description of said land.

TO HAVE AND TO HOLD the said premises, together with all and singular, the rights, privileges and appurtenances to the same in any manner belonging, unto the said W. J. Bassett.

Said G. A. Huffer ^{his} heirs and assigns, so that neither we the
nor our heirs, nor any person or persons claiming under us shall at any time hereafter have claim,
or demand any right or title to the aforesaid premises or appurtenances, or to any part thereof.

WITNESS our hands this the 31st day of August 188 5.

G. A. Huffer
M. E. Huffer

THE STATE OF TEXAS,

COUNTY OF Gonzales

BEFORE ME, E. W. Walker a Justice of
the Peace & Ex-officio a Notary Public

in and for Gonzales County, Texas, on this day personally appeared G. A. Huffer
and M. E. Huffer wife of
G. A. Huffer known to me

to be the persons whose name are subscribed to the foregoing instrument, and acknowledged to me that they
executed the same for the purposes and consideration therein expressed. And the said M. E. Huffer
Wife of the said G. A. Huffer

having been examined by me privily and apart from her husband, and having the same by me fully explained to her, she,
the said M. E. Huffer acknowledged such instrument to me to be her
act and deed, and declared that she had willingly signed the same for the purposes and consideration therein expressed, and
that she did not wish to retract it.

Given under my hand and Seal of office, this 31st day of
August A. D. 188 5.

E. W. Walker Justice of
the Peace & Ex-officio Notary Public
Wardor, Gonzales county

THE STATE OF TEXAS, }

COUNTY OF _____ }

I, _____, Clerk of the

County Court of said County, do hereby certify that the above instrument of writing, dated on the _____

day of _____ 188_____, with its Certificate of Authentication, was filed for record in my office, this

_____ day of _____ A. D. 188_____, at _____ o'clock _____ M., and duly recorded the

_____ day of _____ A. D. 188_____, at _____ o'clock _____ M., in the records of said

County, in Volume _____ on Pages _____.

WITNESS my hand and the seal of the County Court of said County, at office in

_____ the day and year last above written.

Clerk _____ County.

Quit Claim Deed.

FROM

Hopper

TO

W. L. Gassett

Filed for Record on the

day of _____, 188____, at _____

o'clock _____ minutes _____ M.

Clerk _____ Co., Texas.

By _____ Deputy.

Recorded the _____ day of _____

_____ 188____, in Book _____

Page _____ of the Registry of Deeds of _____

County, Texas.

Clerk _____ Co., Texas.

By _____ Deputy.

W. L. Gassett

⑤ Dec 3326.
Susan Hopper
H. A. Hopper
W. L. Gassett
John H. Hopper
W. L. Gassett
W. L. Gassett