

State of Virginia;
Monroe County 3

Know all Men by these presents that I Michael
Erskine of the County of Guadalupe State of Texas, for and
in consideration of the sum of five dollars to me in hand
paid by Allen T Chapin of the said County of Monroe
and State of Virginia, the receipt whereof I do hereby ack-
-nowledge, as well as for the further consideration of a certain
Bond or obligation, this day executed (by me to Oliver Burne
of the said County of Monroe State of Virginia, for the sum
of eighteen thousand dollars bearing interest at the rate
of eight per cent per annum, payable semi-annually at
the counting house of J Burnside & Co, in the City of New
Orleans, State of Louisiana, from the first day of January
1854 until paid - and due the 1st day of January 1856.
On which Bond, or obligation, the said Allen T Chapin
is jointly bound with me for the payment thereof: The
said Bond being given for monies loaned me by the
said Burne, for my own individual use and benefit
And the said Allen T Chapin having undertaken as
my security merely for said debt, hath this day granted
bargained, and sold, and by these presents doth grant
bargain and sell, and forever convey, unto the said
Allen T Chapin, his heirs and assigns forever, the
following described tract or parcel of land, situate lying
and being in the Counties of Guadalupe and Gonzales
in the State of Texas, on the South Side of the Guadalupe
River, about twelve or fourteen miles below the Town
of Leguin - Known as the Capote Six Leagues, originally
granted to Jose de la Baume, by the Mexican Government
by her Comandante Jose Antonio Navarro, the 1st day of
July, 1837, and being the same conveyed to me, by the
heirs of the said Jose de la Baume Dec^d, by their Deeds
which are of Record in the Counties of Gonzales & Guadalupe

where the land lies - And also the home on which, I the said Michael Erskine now lives - Lef about five hundred and sixty⁴ Acres, heretofore sold, and conveyed - And subject to two Mortgages, heretofore executed, upon two Leagues, lying on the lower, or east side of the said six Leagues - To secure the payment of Nine thousand two hundred, ninety eight 28/100 dollars - One Mortgage executed to the Executors of Henry Erskine Dec^d for four thousand two hundred ninety eight 28/100 dollars, bearing interest from the 1st day of January 1854 until paid - And the other Mortgage executed to Alexander Erskine & James J. Donigan to secure the payment of Five thousand dollars bearing interest from the 4th July 1853 or thereabouts until paid, and due two years after date - But this Deed is intended, and does convey, the entire six Leagues - Lef 568 Acres, And subject to the two Mortgages above named, a reference is here made to the title papers which are on file in the General Land Office, in the City of Austin for the Metes & bounds, and a more general description of said land

To have and to hold the before described tract or parcel of land, with the privileges and appurtenances thereunto belonging, or in any wise appertaining, to the said Allen T. Caperton, and his heirs and assigns forever And I the said Michael Erskine do covenant with the said Allen T. Caperton, and his heirs, and assigns, that I have a good and lawful right to sell and convey the same, unto the said Allen T. Caperton - And do by these presents - Warrant and defend the title of the aforesaid tract or parcel of land unto the said Allen T. Caperton, free from the claim or claims of all and every person or persons whatsoever

Provided nevertheless, that if I the said Michael Erskine my heirs, Executors, & Administrators, do or shall Will and truly pay, or cause to be paid, unto the said Oliver Byrne

his Executors, Administrators, or assigns, the before described Bond of
eighteen thousand Dollars, with the interest accruing thereon, then
this indenture and everything herein contained, shall be void
and of no effect; And all the estate hereby granted shall cease and
determine But it is distinctly understood and agreed upon between
me and the said Allen T. Caperton, that should it ever become neces-
sary that the said Allen T. Caperton would have to proceed in law, to
subject the aforesaid land to sale, for the purpose of paying the afore-
said Bond to the said Oliver Beane, that the property herein con-
veyed is liable for all Costs, Commissions, or fees of Lawyers, who
may be employed to foreclose this Mortgage Debt, as well as any other
Necessary expense, which the said Allen T. Caperton may be at in
collecting and closing up this transaction. And the Courts of
the State of Texas, having jurisdiction are authorized, by this Debt
to enter up Judgment against me, my Executors or administrators,
for all such Cost, Commissions, or expense, so as to hold the said
Allen T. Caperton completely indemnified - in as much as the
said Caperton, has intended as my Security to the said Oliver
Beane, without any Compensation whatever.

In Witness whereof I do hereby sign my Name, and
affix my Seal by way of Seal, in the Town of Union, Monroe
County, Virginia this 14th day of October A.D. 1853

Signed Sealed and delivered

Michael Erskine (Real)

in the presence of Witnesses

W. Echols

W. J. Erskine

The State of Texas Before me Paris Smith Clerk
Guadalupe County of the County Court for the County
aforesaid this day personally appeared Michael
Erskine to me well known, and declared that he
had signed sealed and delivered the foregoing Deed
or instrument of writing on the date thereof, for

the purposes and considerations therein stated

To certify which I hereto sign my name
and affix the impress of the seal of the
County Court of said county at office
in Seguin the 26th of December 1853

Paris Smith, Clerk

Richard Goodwin

Montgomery

Allen Robinson

26,000 acres of land, sold

The Capital Place in Texas

14th October 1853

Filed for Record at

4 o'clock P.M.

Dec 26th 1853

Paris Smith, Clerk

Recording \$1.40

The State of Texas
Guadalupe County. I Paris Smith Clerk of the
County Court of said
County do hereby certify that the foregoing instru-
ment of writing was filed for record in my
office the 26th of December 1853 at 4 o'clock
P.M. and was duly recorded the 5th of January
1854 in Guadalupe County Record of Deeds
&c Book E on pages No 152, 153 & 154

Given under my hand and
Seal of office at Seguin the
5th of January A.D. 1854

Paris Smith, Clerk

The State of Texas } Paris Smith Clerk of the

THE STATE OF TEXAS.

COUNTY OF GONZALES.

I, F. CHENAULT, Clerk of the County Court of the aforesaid County,
certify that the hereunto appended *Deed of Mortgage*
from *Michael Eustice* to *Allen T. Caperton*
was filed in my Office for record *March 13th A.D. 1854* at *4* o'clock, *P.* M., and
was recorded *March 14th A.D. 1854* at *9* o'clock, *A.* M., in Gonzales County,
Record Book of Deeds on page *432 & 433.*

Given under my hand and official Seal, this *fourteenth*
day of *March* A. D. 1854

F. Chenault
Clerk