

7/82

E-7

G. NUSSBAUM, EDWARD RANDALL
& ISLAND CITY SAVINGS BANK

TO

LEON & H. BLUM LAND COMPANY.

PARTITION DEED.
DATED: December 23rd, 1899.
FILED: April 6th, 1908.
RECORDED: In Vol. 4 on Page 302,
DEED RECORDS,
YOAKUM COUNTY, TEXAS,
FILE NO. 146.

---oOo---

THE STATE OF TEXAS, |
COUNTY OF GALVESTON. |

KNOW ALL MEN BY THESE PRESENTS:

THAT WHEREAS, The Leon and H. Blum Land Company, a Corporation duly incorporated under the laws of the State of Texas, L. Fellman, Dr. Edward Randall and The Island City Savings Bank, all of the State and County aforesaid, were the owners and holders of a number of land certificates issued to John H. Gibson by the Commissioner of the General Land Office, on the 16th day of July 1877, by virtue of and in accordance with the provisions of an act to improve the navigation of Oyster Creek, San Bernard River and Caney Creek, approved March 15th, 1875, the Certificates owned by the parties above named having been duly located in Yoakum and Terry Counties, State of Texas and filed notes properly filed in the General Land Office at Austin; and

WHEREAS, suit was instituted by the State of Texas against the above named parties, jointly as defendants, to teste the valifity of said certificates, and the locations thereunder, said suit having been brought by agreement in the District Court of Travis County, Tex. and,

WHEREAS, on the 23rd day of December, 1898, in Cause No. 12,293, styled The State of Texas, Vs. The Leon H. Blum Land Company et al, judgment was rendered in the 26th Judicial District Court of Travis County, Texas, Judge R. E. Brooks presiding, decreeing and vesting title in the defendants to two hundred and forty-six (246) Sections of land out of the whole number of odd numbered sections located as aforesaid, upon the public Domane of the State of Texas, by virtue of Certificates issued on account of work done on the San Bernard River, giving said Defendants the privilege and right to select their two hundred and forty six sections, the decrec further providing that nothing contained therein should be held to determine or affect the rights or equities of the said defendants themselves concerning which they, or any of them, may proceed when and how they may be advised, and

counter 40832

WHEREAS, The Defendants in said numbered and entitled cause within the time allowed did select two hundred and forty-six sections of land which two hundred and forty six sections are fully set out and described in the decree aforesaid and to which decree, or a certified copy thereof duly recorded in the Deed Records of Yoakum and Terry Counties, Texas, special reference is here made for further particulars, and

WHEREAS, at the time said decree was rendered the two hundred and forty six sections above referred to, were owned as follows:

- | | |
|---|-----------------|
| G. Nussbaum,
Successor of L. Fellman | 104 Sections, |
| The Leon and H. Blum Land
Company | 84 Sections, |
| The Island City Savings
Bank | 34 Sections, |
| Dr. Edward Randall | 24 Section, and |

WHEREAS, in February 1899, a designation in writing covering the 246 sections above referred to, together with one hundred and four (104) transfers of Certificates with the name of G. Nussbaum inserted therein, eighty four transfers of Certificates with the name of The Leon and H. Blum Land Company inserted therein, thirty four transfers of Certificates with the name of The Island City Savings Bank inserted therein, and Transfer of One Certificate with the name of Dr. Edward Randall inserted therein, were filed in the General Land Office at Austin, for the purpose of having patents issue. Transfers of twenty three additional certificates belonging to Dr. Edward Randall having been destroyed by fire, (said twenty-three sections being properly designated for said Randall in said designation of writing) patents to issue as the rules of the Land Office may require, At the time of the burning of the Twenty-three transfers in question, John H. Gibson was dead and the deed from Fannie MacAlpine Gibson, wife of John H. Gibson and other heirs of said John H. Gibson to Dr. Edward Randall, dated April 20th, 1882, is filed for record in Volume One Pages 3 to 6 inclusive of the Deed Records of Yoakum County, in Martin County, Texas, and to which deed, or the record thereof reference is here made; and

WHEREAS, L. Fellman and N. Grumbach, on December 30th, 1896, executed a Deed of Trust to Isaac H. Kempner, Trustee, conveying all John H. Gibson Certificates and the land thereunder owned by the said L. Fellman, said Deed of Trust being recorded in the Deed of Trust Records of Yoakum of Yoakum County, Texas, in Book No. One, Pages 1 to 18, inclusive, and

WHEREAS, the said I. H. Kempner, Trustee as aforesaid, did convey said certificates and lands thereunder, formerly owned by the said L. Fellman to G. Nussbaum of the City and State of New York by deed dated Sept. 1st, 1893 recorded in Vol. One Pages 7 to 9, Records of Yoakum County, also recorded in Volume 2 pages 10 to 13, inclusive Records of Terry County, and

WHEREAS, at this date, although the decree of the District Court of Travis County has become final, patents have not issued to the said G. Nussbaum, The Leon and H. Blum Land Company, The Island City Saving Bank and Dr. Edward Randall, in accordance with the designation and transfers filed in the office of the Commissioner of the General Land Office hereinbefore referred to, covering the two hundred and forty six sections decreed to said parties. The designation referred to being the ownership of the respective parties in and to said two hundred and forty six, sections, and

WHEREAS, the parties above named desire there respective ownership designated and defined on the Records of Yoakum and Terry Counties, Texas, have decided to execute this conveyance of segregation by and between each other.

THEREFORE, WE, the Island City Saving Bank, and Dr. Edward Randall, of the City and County of Galveston and State of Texas, and G. Nussbaum, of the City, County and State of New York, for and in consideration of the premises, and One Dollar to us paid in cash by the Leon and H. Blum Land Company, a corporation duly chartered under the laws of the State of Texas, the receipt of which is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, alien and convey unto the said Leon and H. Blum Land Company, all the following described premises, viz:

(By virtue of John H. Gibson Certificates 85 Sections of land aggregating 54,300 acres as follows:) Inserted with Lead Pencil inside of parenthesis.

LOCATED ENTIRELY IN YOAKUM COUNTY, TEX.

Cert. No. Two Hundred and Thirty eight	(238)
Sur. No. One Hundred and Forty seven	(147)
Cert. No. Two Hundred and Seventy	(270)
Sur. No. Four Hundred and One	(401)
Cert. No. Two Hundred and Seventy-Three	(273) ✓
Sur. No. Two Hundred and Seven	(207)
Cert. No. Three Hundred and Ten	(310)
Sur. No. Two Hundred and fifty-nine	(259)

Cert. No.	Three Hundred and twelve	(312)
Sur. No.	Two Hundred and sixty seven	(267)
Cert. No.	Three Hundred and thirty seven	(337)
Sur. No.	Three Hundred and seventeen	(317)
Cert. No.	" " " thirty eight	(338)
Sur. No.	" " " nineteen	(319)
Cert. No.	" " " forty	(340)
Sur. No.	" " " twenty seven	(327)
Cert. No.	" " " sixty six	(366)
Sur. No.	" " " seventy nine	(379)
Cert. No.	" " " sixty five	(365)
Sur. No.	" " " seventy seven	(377)
Cert. No.	" " " sixty seven	(367)
Sur. No.	" " " eighty three	(383)
Cert. No.	" " " sixty eight	(368)
Sur. No.	" " " eighty five	(385)
Cert. No.	" " " sixty nine	(369)
Sur. No.	" " " eighty seven	(387)
Cert. No.	" " " seventy	(370)
Sur. No.	" " " eighty nine	(389)
Cert. No.	" " " seventy one	(371)
Sur. No.	" " " ninety one	(391)
Cert. No.	" " " seventy two	(372)
Sur. No.	" " " ninety three	(393)
Cert. No.	" " " seventy three	(373)
Sur. No.	" " " ninety five	(395)
Cert. No.	" " " seventy four	(374)
Sur. No.	" " " ninety seven	(397)
Cert. No.	" " " seventy five	(375)
Sur. No.	" " " ninety nine	(399)
Cert. No.	" " " eighty one	(381)
Sur. No.	Four " " fifteen	(415)
Cert. No.	Three " " eighty two	(382)
Sur. No.	Four " " seventeen	(417)
Cert. No.	Three " " eighty three	(383)
Sur. No.	Four " " nineteen	(419)
Cert. No.	Three " " eighty four	(384)
Sur. No.	Four " " twenty one	(421)
Cert. No.	Three " " eighty five	(385)
Sur. No.	Four " " twenty three	(423)
Cert. No.	Three " " eighty six	(386)
Sur. No.	Four " " twenty five	(425)
Cert. No.	Three " " eighty seven	(387)
Sur. No.	Four " " twenty seven	(427)
Cert. No.	Three " " eighty eight	(388)
Sur. No.	Four " " twenty nine	(429)
Cert. No.	Three " " eighty nine	(389)
Sur. No.	Four " " thirty one	(431)

Cert. No. Three Hundred and Ninety	(390)
Sur. No. Four " " Thirty three	(433)
Cert. No. Three " " Ninety one	(391)
Sur. No. Four " " Thirty five	(435)
Cert. No. Three " " Ninety two	(392)
Sur. No. Four " " Thirty seven	(437)
Cert. No. Three " " Ninety three	(393)
Sur. No. Four " " Thirty nine	(439)
Cert. No. Three " " Ninety four	(394)
Sur. No. Four " " Forty one	(441)
Cert. No. Three " " Ninety five	(395)
Sur. No. Four " " Forty three	(443)
Cert. No. Three " " Ninety six	(396)
Sur. No. Four " " Forty five	(445)
Cert. No. Three " " Ninety seven	(397)
Sur. No. Four " " Forty seven	(447)
Cert. No. Three " " Ninety eight	(398)
Sur. No. Four " " Forty nine	(449)
Cert. No. Three " " Ninety nine	(399)
Sur. No. Four " " Fifty one	(451)
Cert. No. Four " " " " " " (400)	(400)
Sur. No. " " " " " " (453)	(453)
Cert. No. " " " " " " (407)	(407)
Sur. No. " " " " " " (467)	(467)
Cert. No. " " " " " " (408)	(408)
Sur. No. " " " " " " (469)	(469)
Cert. No. " " " " " " (409)	(409)
Sur. No. " " " " " " (471)	(471)
Cert. No. " " " " " " (410)	(410)
Sur. No. " " " " " " (473)	(473)
Cert. No. " " " " " " (411)	(411)
Sur. No. " " " " " " (475)	(475)
Cert. No. " " " " " " (412)	(412)
Sur. No. " " " " " " (477)	(477)
Cert. No. " " " " " " (413)	(413)
Sur. No. " " " " " " (479)	(479)
Cert. No. " " " " " " (414)	(414)
Sur. No. " " " " " " (481)	(481)
Cert. No. " " " " " " (415)	(415)
Sur. No. " " " " " " (483)	(483)
Cert. No. " " " " " " (416)	(416)
Sur. No. " " " " " " (485)	(485)
Cert. No. " " " " " " (417)	(417)
Sur. No. " " " " " " (437)	(437)
Cert. No. " " " " " " (420)	(420)
Sur. No. Five " " " " " " (503)	(503)
Cert. No. Four " " " " " " (421)	(421)
Sur. No. Five " " " " " " (505)	(505)

Cert. No. Four Hundred and Twenty two	(422)
Sur. No. Five " " Seven	(507)
Cert. No. Four " " Twenty three	(423)
Sur. No. Five " " Nine	(509)
Cert. No. Four " " Twenty four	(424)
Sur. No. Five " " Eleven	(511)
Cert. No. Four " " Twenty five	(425)
Sur. No. Five " " Thirteen	(513)
Cert. No. Four " " Twenty six	(426)
Sur. No. Five " " Fifteen	(515)
Cert. No. Four " " Twenty seven	(427)
Sur. No. Five " " Seventeen	(517)
Cert. No. Four " " Twenty eight	(428)
Sur. No. Five " " Nineteen	(519)
Cert. No. Four " " Twenty nine	(429)
Sur. No. Five " " Twenty one	(521)
Cert. No. Four " " Thirty six	(436)
Sur. No. Five " " Thirty five	(535)
Cert. No. Four " " Thirty seven	(437)
Sur. No. Five " " Thirty seven	(537)
Cert. No. Four " " " eight	(438)
Sur. No. Five " " " nine	(539)
Cert. No. Four " " " nine	(439)
Sur. No. Five " " Forty one	(541)
Cert. No. Four " " " "	(440)
Sur. No. Five " " " three	(543)
Cert. No. Four " " " one	(441)
Sur. No. Five " " " five	(545)
Cert. No. Four " " " two	(442)
Sur. No. Five " " " seven	(547)
Cert. No. Four " " " three	(443)
Sur. No. Five " " " nine	(549)
Cert. No. Four " " " four	(444)
Sur. No. Five " " Fifty One	(551)
Cert. No. Four " " Forty five	(445)
Sur. No. Five " " Fifty three	(553)
Cert. No. Four " " Forty six	(446)
Sur. No. Five " " Fifty five	(555)

(Located in Yoakum and partly in)
(Terry Cos. Texas)

Cert. No. Four Hundred and Eighteen	(418)
Sur. No. Four " " Eighty nine	(489)
Cert. No. Four " " Nineteen	(419)
Sur. No. Five " " " "	(501)

LOCATED ENTIRELY IN TERRY COUNTY, TEXAS.
(Not under examination herein)

counters 70837

together with all and singular the rights, members, hereditaments, appurtenances, tenements unto the same belonging or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular the premises aforesaid unto the said The Leon and H. Blum Land Company and to its successors and assigns, forever, and we, Edward Randall and G. Nussbaum do hereby bind ourselves, our heirs, executors and administrators, and The Island City Savings Bank does hereby bind itself, its successors and assigns, to warrant and forever defend all and singular the premises aforesaid unto the said The Leon H. Blum Land Company, its successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, by through or under us, and no further.

IN WITNESS of all _____ which we have hereunto signed our names this 23rd day of December, in the year of our Lord, Eighteen Hundred and Ninety Nine.

(NO SEAL OF BANK SHOWN)

Gust Nussbaum
Edward Randall
Island City Savings Bank
By M. Lasker,
President.

THE STATE OF TEXAS

COUNTY OF GALVESTON.

BEFORE ME, E. R. Cheesborough a Notary Public in and for said County and State on this day personally appeared M. Lasker, President of the Island City Savings Bank, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he signed the same for the purposes and consideration therein expressed.

GIVEN under my hand and seal of office at Galveston, Texas, this 23rd day of March, 1900.

(SEAL)

E. R. Cheesborough
Notary Public in and for the County of Galveston, Texas.

THE STATE OF TEXAS,

COUNTY OF GALVESTON.

BEFORE ME, E. R. Cheesborough a Notary Public in and for said County and State on this day personally appeared Dr. Edward Randall, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for

counter 10838

purposes and considerations therein expressed.

GIVEN under my hand and seal of office at Galveston,
Texas, this 14th day of March, 1900.

(SEAL)

E. R. Cheesborough,
Notary Public in and for the County
of Galveston, Texas.

THE STATE OF NEW YORK, |

COUNTY OF NEW YORK, |

BEFORE ME, G. H. Pearsall, a Notary Public in and for said County and State, this day personally appeared G. Nussbaum, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

GIVEN under my hand and seal of office at New York
this 5th day of March, 1900.

(SEAL)

G.H. Pearsall
Notary Public in and for the County
and State of New York.

THE STATE OF TEXAS, |

COUNTY OF MARTIN. |

I, Richard Crosby County Clerk in and for said County do hereby certify that the foregoing Deed dated Dec. 23, 1899, with its Certificate of authentication was filed for record in my office on the 26th day of March, 1900 at 10 o'clock A.M. and duly recorded the 4th day of April A.D. 1900 at 4 P.M. in the Deed Records — Yoakum County, in Vol. One on Pages 56 to 63 inclusive.

WITNESS my hand and the seal of the County court of said County at office in Stanton Texas, the day of your last above written.

(SEAL)

Richard Crosby
County Clerk, Martin County, Texas.
By Paul Konz,
Deputy.

RECEIVED

SEP 1900

GENERAL LAND OFFICE

---o0o---

counter 40839

Yoakum County
 Sketch File 19
 Partition Deed Relating to
 Judgement No. 12293
 District Court of Travis County
 December 23, 1898
 Filed September 28, 1948
 Bascom Giles, Com'r.
 M. Uvorn Rosenberg
 File clerk

RECEIVED

SEP 1 1948
 GENERAL LAND OFFICE

(SEAL)

County Clerk, Martin County, Texas.
 Deputy,
 Richard Crosby

above written.
 said County at office in Stephon Texas, the day of your last
 WITNESS my hand and the seal of the County court of

in Vol. One on pages 56 to 63 inclusive.
 April A.D. 1900 at 4 P.M. in the Deed Records — Yoakum County,
 March, 1900 at 10 o'clock A.M. and duly recorded the 4th day of
 and application was filed for record in my office on the 26th day of
 for record on the 23rd day of Dec. 23, 1898. with its Certificate of auth-
 said County do hereby certify that the
 said Richard Crosby County Clerk in and for

and State of New York.
 Notary Public in and for the County
 G.H. Ferrisall

1900.
 my hand and seal of office at New York
 expressed.
 the same for the purposes and
 to the foregoing instrument and
 known to me to be the
 said County and State.
 G. H. Ferrisall, a Notary Pub-

(SEAL)

of Galveston, Texas.
 Notary Public in and for the County
 E. J. Chesaprough

Texas, this 14th day of March, 1900.
 GIVEN under my hand and seal of office at Galveston,
 purposes and considerations therein expressed.