

This Contract made the twenty ninth day of January eighteen hundred and forty four, Between Sam Houston President of the Republic of Texas, acting in behalf of the Republic, of the first part, and Charles Denton Mercer late of the State of Virginia but now of the City of Dallas in the Territory of Florida in the United States of America and such associates as he shall choose of the second part, Witnesseth, that, whereas, by an act passed by the Congress of Texas, entitled an "act granting land to emigrants," approved February 4th 1841, the President of the Republic of Texas was authorized to make a contract with sundry persons named in the said act, for the introduction and settlement of emigrants, upon the vacant lands of the Republic of Texas, upon certain terms and conditions, therein expressed: the provisions of which act were extended and made general; and perpetuated, by a subsequent act, amendatory thereof, approved the 5th of February 1842; and, whereas, by a joint resolution of the Congress of Texas, "to modify the provisions of an act entitled an act granting land to emigrants," approved the 16th of January 1843, the President of the Republic of Texas was authorized to make such further contract, or contracts with the grantees named in the aforesaid act, or with their assigns, or legal representatives, as

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shall be deemed by him, for the benefit
of the Republic; and as shall not be incon-
sistent with the provisions of the said
act: and, Whereas, the said Charles Denton
Moerker is the legal representative of part
of the said grantees, one of whom died in
London prior to the passage of the act of
the 4th of February 1841 before mentioned;
and five others of whom, assigned to the
said Charles J. Moerker, among others, their
interests in the said act, and all contracts
made pursuant thereto; by an assignment
and Transfer of their interests dated, in London,
the 22nd day of September eighteen hundred and
forty one and the said Charles Denton Moerker
is desirous to make a new contract, in behalf
of himself and others his associates, to be
united in one company or association, for
the purpose of colonizing part of the un-
granted, or unappropriated lands of the
Republic of Texas; Now this Contract witness-
eth that the parties thereto have mutually
covenanted and agreed and do hereby cov-
enant and agree to the terms and condi-
tions of this contract and bind themselves
to each other for the faithful fulfilment
of the same as follows, viz: The party of the
second part for himself and his associates
his and their heirs, Executors, Administrators