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 B. Mercer, late of the State of Virginia, but now of the City of Dallas, in the Territory of Texas, 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 1848, the President of the Republic of Texas was authorized, to make such further contract, or contracts, with the grantees named in the aforesaid act, as with their assigns, or legal representatives, as
shall be deemed by him, for the benefit of the Republic; and as shall not be in con-

sistent with the provisions of the said act. And, Whereas, the said Charles Denton

Mercer is the legal representatives 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. Mercer, 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 Mercer it desires 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 with-

eth that the parties thereto have mutually covenant and agreed and do hereby cov-

enant and agree to the terms and conditions of this contract and bind themselves
to each other for the faithful fulfillment of the same as follows, viz: The party of the
second part for himself and his associates,
his and their heirs, executors, administrators,