The State of Texas, } Know all men by these presents that whereas I,
County of Bexar, } Sam. S. Smith, of the City of San Antonio, County
~~and State aforesaid, being Executor of the last Will and Testament of~~
Francis Mackay, Deceased, which Will was admitted to Probate, &
Letters testamentary were granted to me thereupon by the Honorable
the County Court for the Settlement of Estates &c, in and for said County, at
the August Term thereof, A.D. 1849; and whereas having filed Bond with
satisfactory security, & taken the oath prescribed by the Statute, I am now acting
as such Executor, & recognized in that capacity by said County Court; ——
—— And whereas upon petition filed and a sufficient representa-
tion made to said County Court, an order was made and entered of record by said
Court, at the March Term thereof, A.D. 1851, in substance as follows, towit: ——
"244, Estate of F. McKay, Dec.d } In this case comes the Executor by his attorney,
—— S. S. Smith, Executor, — } Wm. F. Weeks, & presents to the Court an Exhi-
bit & a Petition for an order of sale of a certificate of claim for services & losses sus-
tained by deceased while a San Antonio prisoner, amounting to Five Hundred & Three
Dollars, being Certificate No. 850, 2.d class, which Exhibit & Petition being considered
by the Court, is approved & ordered to be recorded. — And it is further ordered and
decreed by the Court, that the order of Sale as prayed for in said petition be granted,
& that the Executor of the last Will & Testament of F. McKay dec.d after hav-
ing given Ten days notice as required by law, proceed to sell all the Right, Title &
Interest of the said Estate in & to an audited claim against the late Republic of
Texas, it being Certificate No. 850, 2.d class Public Debt of the late Republic of Tex-
as, audited at Five Hundred & three Dollars in Par funds, issued by the Auditor &
Comptroller of the State of Texas, Oct. 12th 1850, to the said F. McKay per Executor S. S.
Smith; to the highest bidder for Cash, on Saturday the 19th day of April, A.D. 1851,
between the hours of 10 o'clock A.M. & 4 o'clock P.M., in front of the door of the office
of the Clerk of the County Court of Bexar County, (there being no Court House in said
County) — And it is further ordered by the Court, that the Executor return an ac-
count of said sale to this Court within thirty days thereafter, & according to law." —
—— Whereupon I, Sam. S. Smith, Executor as aforesaid, in obe-
dience to said order of sale, after having given due notice for ten days previous
by advertisements, posted up, one on the door of the County Clerk's office, three