being an Court House in said County, and two others at two other public places in said County and in the same town or City, proceeded by Executor as aforesaid, to offer for sale at Public auction to the highest & best bidder for Cash, on Saturday the 19th day of April, A.D. 1851, between the hours of 10 A.M. & 4 P.M. in front of the door of the office of the Clerk of the County Court, there being an Court House in said County, all the right, title & interest of the said Estate of Francis MacKay, Deceased, in & to the audited claim in the aforesaid order of sale described, when John Twohig offered thirty nine cents for the dollar, amounting to One hundred and ninety six Dollars & seventeen cents, for said claim, which being the highest & best bid therefor, the said claim was then & there sold to him the said John Twohig, for the sum of money aforesaid.

And whereas, the Executor as aforesaid, afterwards made a return of said sale under oath to the said County Court, & the said Court, at the April term thereof, A.D. 1851, thereupon made & entered of record a Decree, in substance as follows, towit:

"244, Estate of F. MacKay dec.d, } Return of sale of Sale, &c.
Sam. S. Smith, Executor, } The Executor of this Estate having returned under oath an account of Sale made by him in accordance with an Order of Court, on Saturday April 19th A.D. 1851, of all the Right, Title & Interest of said Estate in & to an audited claim for Services & losses sustained by said Deceased while a San Antonio prisoner, amounting to Five Hundred & three Dollars, in Par Funds, Certificate No. 850, 2d class, Public Debt of the late Republic of Texas, sold to John Twohig for One hundred and ninety six Dollars & seventeen cents, Cash; — And, the Court having examined the same, & enquired into the manner in which said sale was made, & being satisfied that it was fairly made & in conformity with law, It is therefore ordered, adjudged and decreed by the Court, that said sale be approved, & in all respects confirmed, — It is further ordered that said account of sale be recorded by the Clerk, & that the said Executor make title to the purchaser;"

Now therefore, I, the said Sam. S. Smith, Executor of the last Will and Testament of the said Francis MacKay, Deceased, by virtue of the said Will and the Probate thereof, and the