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CIVIL

MINUTES

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TEXAS
COUNTY
OFFICE SUPPLIES

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259 Ha
316 Ha
954 Ha
1193 Ha
1206 Ha
1368 Ha
1273 Ha
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1296 "
1364 Ha
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1156	Jo
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1315	Ja
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685	"	"	Nelgin	79.	676	"	"	O'Brien	
916	"	"	New	80.	677	"	"	"	
760	"	"	Norton	82.	678	"	"	"	
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1103	N			
1184	N			
1264	N			
1312	N			
1363	Nor			
1409	N			
1416	N			
1431	N			

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9.. Civil Immunity

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Fall Term, Monday, Nov. 23, 1857.

The State of Texas } Be it remembered That on this
County of Travis } The Twenty-Third Day of November
Anno Domini Eighteen Hundred and Fifty-Seven
(1857) the Honorable District Court within and For the
County and State aforesaid convened at the City of
Austin, in the Courthouse of said County, The same being
The Seventh Monday after the First Monday in
October, A. D. 1857 and the time prescribed by
Statute for the Convening of said Court. Present:
The Hon: Alexander W. Terrell Judge of the
Second Judicial District of the State of Texas; Frank
Brown, Clerk of the District Court of Travis County,
and Adolphus G. Weir, Sheriff of Travis County,
Whereupon the following proceedings were had
by said Court as follows, to wit:

× The Venire Facias issued on the 11th July, 1857, com-
manding the Sheriff to summon the persons therein
named to serve as Grand Jurors of said County
for and during the present Term of this Court having
been returned into Court duly executed by said
Sheriff, the Court ordered said Sheriff to call
the names of those appearing on said list, and
there not being a sufficient number answering
to their names to constitute said Grand Jury, the
Court Ordered a Special Venire returnable forthwith,
Commanding the Sheriff to summon a sufficient
number to complete the panel, which having been
executed, out of the number so returned by the
Sheriff on said regular and Special Venire, the fol-
lowing named Persons were constituted the Grand
Jury of Travis County for and during the present
Term of this Court, who were duly tried, sworn and
empannelled as such by the Court, as follows, to wit:
Morgan C. Hamilton, Foreman, Washington
Anderson, Aaron Barlow, John Desmond,
James Davidson, C. L. Giles, Benjamin C. Bur-
nett, George T. Bowers, Robert Bratton, M. H.
Bordett, William Armstrong, Isaac Wallace,
J. A. Enochs, William M. Fowler, David L. Gross,
and Mathew Brown. Whereupon, said Grand
Jury being tried, empannelled and sworn according
to law, the Court charged said Grand Jury
touching their duties. And thereupon the Court
appointed F. T. Mayfield Deputy Sheriff of

Fall Term, Tuesday, Nov. 24, 1857.

Travis County, Bailiff to said Grand Jury, who was duly sworn as such by the Court. And Thereupon the Court ordered said Grand Jury, to retire upon the discharge of their duties, being attended by the Bailiff aforesaid.

And Thereupon, It is ordered by the Court, that the Criminal Docket be set for hearing on Monday, 7th December, 1857, the same being the third Monday of the Term.

And Thereupon, It is ordered by the Court that Court do now adjourn until to-morrow Morning at ½ past 8 o'clock

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Tuesday November 24th 1857

Court convened ½ past 8 o'clock A.M. pursuant to adjournment. Present the same as on yesterday. Whereupon the following proceedings were had by said Court, as follows, to wit:

And Thereupon the following named persons were duly empannelled as Petit Jury No. 1. for the present Term of the Court, as follows, to wit: A.B. McGill, Foreman; J. Davis, John Tunney, H.C. Holman, J.J. Tannehill, J.M. Bennett, J.B. Thaxton, H. Stanley, D.F. Goodrich, M. Summers, Alfred Smith, P.F. Martin. And Thereupon said Petit Jury were ordered to be in attendance on the Court on Monday morning next at ½ past 8 o'clock

And Thereupon Court adjourned until to-morrow morning at ½ past 8 o'clock

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Wednesday Morning, Nov. 25. 1857.

Court convened at ½ past 8 o'clock. Present the same as on Monday last. Whereupon the following proceedings were had by said Court as follows, to wit:

817 The State of Texas } Plaintiff
Cuff, a Negro Slave } Defendant } Arson.
And now on this day comes the

Fall Term. Friday, November 27th 1857.

said defendant by his attorney, and on motion of said atty. It is ordered by the Court that the Clerk issue a Special Venire Facias commanding the Sheriff to summon Forty good and lawful men, to be returnable on next Monday, the 30th instant.

And thereupon, It is ordered by the Court that Court stand adjourned until Thursday (morning) morning, at 9 o'clock

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Thursday, November 26th 1857.

Court Convened at 9 o'clock, A. M. pursuant to adjournment. Present the same as on Yesterday. Whereupon the following proceedings were had by said Court, as follows, to-wit:

411.	The State of Texas / John E. Thorn	}	Plaintiff / Defendant.	} Forgery.
412	The State of Texas / John E. Thorn	}	Plaintiff / Defendant	} Perjury.

On motion of the District Attorney, It is ordered by the Court, that in the last two preceding causes writs of attachment issue on behalf of the plaintiff, for witnesses H. T. Duffau, C. M. Pease, and Stephens Crosby to Travis County, and for James T. Gillett to Washington County.

772	The State of Texas / v. / John Cummins, et. al.	}	Plaintiff / Defendants	} Burning office of the Adjutant General.
773.	The State of Texas / v. / John Cummins, et. al.	}	Plaintiff / Defendant	} Arson.

On motion of the District Attorney, It is ordered by the Court that writs of attachment issue for all the witnesses heretofore summoned on behalf of the plaintiff in the last two above entitled causes, to be directed to the Sheriff of the County in which said witnesses respectively reside.

And thereupon, It is ordered by the Court that Court do now adjourn until to-morrow (Friday) Morning, at 9 o'clock.

Fall Term, Friday, Nov. 27th 1857.

Friday Morning. Nov. 27th 1857.

Court convened at 9 o'clock pursuant to adjournment. Present the Hon. A. W. Terrell Judge; Frank Brown, Clerk; and Adolphus G. Weir, Sheriff of Travis County. Whereupon the following proceedings were had by said Court as follows, to wit:

666 — The State of Texas v. James V. Rose. Plaintiff / Defendant. Ordered by the Court that writs of attachment issue to Hays County for the witnesses Geo. W. Walling, and to Travis County for Edward Christian, James Haliman and Wm Newman, on behalf of the Pfff.

772 — The State of Texas v. John Cummins et al. Plaintiff / Defendant. It is ordered by the Court that a writ of attachment issue for the witness Wm A. Keen to Travis County, on behalf of the Pfff.

801 — The State of Texas v. Joseph Hews Ham. Plaintiff / Defendant. It is ordered by the Court that writs of attachment issue to Travis County for the following named witnesses on behalf of the plaintiff, to wit: Joseph Lea, John T. Graves, Frederick Klaes, Joseph Sockinger, Steiner,

811 — The State of Texas v. Cuff, a Slave. Plaintiff / Defendant. Ordered by the Court that writ of attachment issue to Hays County for Thomas G. McGehee, witness on behalf of the Pfff.

849 — R. E. Flanniken v. Daniel McKenzie. Plaintiff / Defendant. Ordered by the Court that this cause be cont.d for service on the defendant

859 — The State of Texas v. J. M. Bennett, et al. Plaintiff / Defendants. And now comes the District Attorney, and on his motion It is ordered by the Court that this cause be dismissed from the docket, and that the plaintiff have and recover of and from the defendants, J. M. Bennett, William L. Stone and James R. Jackson all her costs in this behalf expended, for which Execution may issue.

Fall Term, Friday, Nov 27th 1857.

862 ✓

The State of Texas } Plaintiff
v.
B. J. Lewis, et. al } Defendant

} And now on this day comes the plaintiff to this cause by the District Attorney, and claims a Judgment final by default. And thereupon, It appearing to the satisfaction of the Court that at a former term hereof, to wit: at the Fall Term 1855, Judgment nisi was entered against the defendants, Burwell J. Lewis, D.M. Hundley and Owen O'Brien for the sum of One Hundred Dollars upon a forfeited bonds of the defendants, and that writs of Scire Facias have been duly issued and served upon said defendants, and that they have failed to answer within the time prescribed by law, but have wholly made default. Therefore It is ordered adjudged and decreed by the Court, that ~~the~~ said Judgment nisi be made final, & that the said State of Texas do have and recover off and from the said defendants, Burwell J. Lewis, Owen O'Brien and D.M. Hundley, the said sum of One Hundred Dollars and all the costs in this behalf expended, for which execution may issue.

952. ✓

Smith & Shayhorn } Plaintiff
v.
W. O. Martin } Defendant.

} And now come the plffs. by attorney, and claim a Judgment final by default. And thereupon, it appearing to the Court that the defendant has been duly served with process and has failed to answer within the time prescribed by law, and it further appearing that the cause of action is liquidated as shown by defendants promissory note produced in Court, It is therefore ordered, adjudged, and decreed by the Court, that the said plaintiffs, Wesley Smith and Newell J. Shayhorn, under their firm name of Smith & Shayhorn have and recover off and from the defendant W. O. Martin, the sum of One Hundred and Fifty-Five 75/100 Dollars, principal and interest to date, with interest thereon until paid, together with all costs in this behalf expended, for all which execution may issue.

1105 ✓

The State of Texas } Plaintiff
v.
B Clements, et. al. } Defendant

} And now comes the District Atty, and on his motion, It is ordered by the Court that this cause be dismissed

1111 ✓

Charles J. West } Plaintiff
v.
Francis Johnson, et. als } Defendant

} And now comes the plaintiff in proper person, and on his motion, It is ordered, adjudged and decreed by the Court that this Cause be dismissed from the docket, and that said Defendants recover of said plaintiff all costs for which execution may issue.

1114 ✓

Tempa Spencer, Admr. } Plaintiff
v.
Richard Wells. } Defendant

} And now comes the pffs. by attorney & suggests to the Court the death of the defendant Richard Wells, and on

Fall Term, Friday, November 27. 1857.

motion. It is ordered by the Court that his administrator be made party defendant by proper process, when known.

1158 George Hancock } Plaintiff
v. } And now on this day
W. J. Griffin, Adm't of J. W. Griffin } Defendant } come the parties to this cause by their attorneys, and on motion, It is ordered, adjudged and decreed by the Court, that the same be dismissed from the docket, and that the defendant recover of the pltff. George Hancock all costs. For which execution may issue.

1159 E. & A. Ten Eyck } Plaintiff
v. } And now on this day come the
W. J. Griffin, Adm't of J. W. Griffin. } Defendant } parties to this cause by their attorneys, and on motion, It is ordered, adjudged and decreed by the Court that the same be dismissed from the docket, and that the deft. recover of the pltffs. E. Ten Eyck and Alfred Ten Eyck, all costs of this suit. For which execution may issue.

1160 R. H. Peck & Co. } Plaintiff
v. } And now on this day come the
Geo. Gregson. } Defendant } parties to this cause by attorney, And thereupon, on motion of said parties, It is ordered by the Court that said cause be dismissed from the docket, and that the defendant recover of the pltffs. R. H. Peck & Edward Ten Eyck, all costs in this behalf expended for which execution may issue.

1161 R. H. Peck & Co. } Plaintiff
v. } And now on this day came the
W. J. Griffin, Adm't of J. W. Griffin } Defendant } parties to this cause by their attorneys, and, on motion of said parties, It is ordered by the Court that said cause be dismissed from the docket, and that defendant recover of the pltffs. R. H. Peck and Edward Ten Eyck, all costs of this suit. For which execution may issue.

1162 Henry Mourdoff } Plaintiff
v. } And now on this day comes the pltff. by
Bonner & Aldrege } Defendants } his attorney, and dismisses his suit as to the defendant Bonner's admr. and-
-gesting to the Court the death of the said Bonner. Whereupon, It is ordered by the Court, that said admr. go hence without day. And thereupon said pltff. asks a Judgment by default against the defendant John Aldrege And thereupon, it appearing to the Court, that the defendant Aldrege has been properly served with process, and has failed to answer within the time prescribed by law; and that pltffs demands is liquidated as shown by pltffs. promissory note. Wherefore It is ordered, adjudged and decreed by the Court, that said pltff recover of the defendant John Aldrege the sum of One hundred and twenty-one 10/100 Dollars principal & interest to date, and all costs for which execution may issue.

Fall Term, Friday, November 27. 1857

1186 — C. A. Langhlin (Plaintiff) v. Charles Berine (Defendant) — And now comes the pleff. and de moves the Court to dismiss this cause. Whereupon, It is ordered by the Court that the same be dismissed from the docket and that dft. recover of the pleff all his cash, for which execution may issue.

1187 — Henry Thomas (Plaintiff) v. N. P. & C. E. Richardson (Defendants) — And now comes the plaintiff, by attorney, and claims a Judgment by default. And it appearing to the Court that defendants have been duly summoned, and have made default, and that the cause of action is unliquidated, it is ordered that a writ of inquiry be awarded, and that pleffs. recover according to the prayer of this petition.

1191 — Hewitt & Newton (Plaintiffs.) v. Charles E. Travis (Defendant) — And now come the plaintiffs to this cause by their attys. and ask a Judgment final by default. And it appearing to the Court, that the defendant has been duly summoned by the Sheriff and has failed to file his answer within the prescribed time, and that plaintiffs demand is liquidated, as evidenced by defendants promissory note produced in open Court, It is ordered, adjudged and decreed by the Court that the pleffs. J. L. Hewitt and J. J. Newton, under their firm name of Hewitt & Newton, recover off of the defendant, Charles E. Travis, the sum of One Hundred and Forty-Three 79/100 Dollars, principal and interest due on said note to date of Judgment, together with interest thereon at the rate of 8 per cent. until paid, and all costs, for which execution may issue.

1193 — Hasahe Grooms (Plaintiff) v. Andrew Coleman (Defendant) — It appearing to the Court that the defendant has made default, It is ordered that the pleff. recover according to the prayer of her petition, and that a writ of inquiry be awarded

1196 — Benjamin R. Ryes (Plaintiff) v. W. P. DeMormandie (Defendant) — And now comes the plaintiff by attorney, and asks a Judgment final by default. And it appearing to the Court that defendant has acknowledged service of the petition in this case, and waived process and service of process, and has failed to answer within the time prescribed by law. And it also appearing that the Cause of action is liquidated as evidenced by defendants promissory note, It is therefore ordered, adjudged and decreed by the Court that the pleff recover of said defendant, William P. de Mormandie the sum of Two Hundred and Eighteen 50/100 dollars, the amount due on the note sued on to this date, with ten per cent. interest thereon until paid, and all costs of suit, for which execution may issue.

1200 — James E. Brady (Plaintiff) v. R. M. Johnson (Defendant) — And now comes the defendant, by attorney and in motion, It is ordered by the Court that pleff. enter into bonds and security for the costs of this suit, said pleff's atty. being present and notified.

Fall Term, Friday, November 27, 1857.

1206 John A. Green, Admr. } Plaintiff
v.
W. C. Collins with } Defendant
} And now comes the pltff. and asks the Court to revive the Judgment heretofore rendered by said pltff. And thereupon, it appearing that defendant has been duly summoned, and has failed to show cause, but wholly made default, It is ordered by the Court that the Judgment rendered at a former term hereof, to wit: on the 8th day of March, 1853, be revived, and that John A. Green, Admr. of the Estate of Lamar Moore, dec'd. recover of said W. C. Collins with the sum of three hundred and four dollars, tog. with interest thereon from the 8th March, 1853 until paid, as well as all costs in this and the former suit, and that execution issue for the same.

1207 Geage L. Walton } Pltff
v.
John J. Grumbles. } Deft
} And now comes the pltff by attorney, and claims a judgment final by default. And it appearing to the Court, that the deft. has been properly served with process, and has failed to answer within the time prescribed by law, and that pltffs demand is liquidated as shown by defts promissory note, Wherefore, It is ordered, adjudged and decreed by the Court that the pltff Geage L. Walton, recover of the defendant John J. Grumbley, the the sum of Six Hundred and Five 70/100 dollars, the amount of the principal and interest due on the note sued on to this date, with legal interest thereon until paid, and all costs of suit, for which execution may issue.

1208 Montague, Howeth & Tarlty } Plaintiffs.
v.
David. Thomas. } Defendant
} And now come the plaintiffs by atty. and ask the Court for a Judgment final by default in this cause. And it appearing to the Court that the defendant has been served with process as the law directs, and that he has failed to answer, but wholly made default, and pltffs demand being liquidated, as shown by defendants promissory note produced in Court. Wherefore It is decreed by the Court that the plaintiffs, Daniel Montague, Wm. Howeth and Wm. C. Tarlty, have and recover of the defendant David Thomas the sum of One Hundred and Fifty-nine 35/100 dollars, principal and interest due on the note sued on to this date, with legal interest thereon until paid, and all their costs of suit, for which execution may issue.

1209 M. Cartwright } Plaintiff
v.
James H. Neily } Defendant
} It is ordered by the Court that the pltff have leave to amend his pleadings in this cause.

1211 John A. Black } Plaintiff
v.
William Little } Defendant
} And now comes the pltff by his atty, and on his motion It is ordered by the Court that this cause be

dismissed from the docket, and that the defendant recover of the plaintiff all his cost of suit, for which execution may issue.

1212 The State of Texas / John T. Price } Plaintiff / Defendant } It appearing to the Court that Judgment nisi was entered against the defendant on the 4th February, 1857, at the last Hall term of this Court for the sum of thirty dollars, and that defendant has acknowledged service of the Scire Facias ifsued in this cause, and has failed to answer to the same, and wholly made default, It is ordered by the Court that said Judgment nisi be made final, and that the State of Texas recover of said defendant, John T. Price, said sum of thirty dollars, and all costs, for which execution may issue.

1213 The State of Texas / v. / Augustus Krueger. } Plaintiff / defendant } It appearing to the Court that judgment nisi was entered against this defendant at the Hall term, 1857 of this Court for the sum of One hundred dollars, and that he has been duly served by writ of Scire Facias, and has failed to answer, and wholly made default, It is adjudged by the Court that said judgment nisi be made final, and that the State of Texas recover of said defendant, Augustus Krueger the sum of One hundred dollars aforesaid, and all costs of this proceeding, for all which execution may issue.

1214 The State of Texas / v. / T. M. Graham } Plaintiff / Defendant } On motion of the District Attorney, It is ordered by the Court that this cause be dismissed from the docket.

1218 The State of Texas / v. / R. H. Peck, et. al } Plaintiff / Defendants } It appearing to the Court, that at the Fall Term 1856, of the District Court of Travis County, judgment nisi was entered against the defendants in this case, to wit: R. H. Peck, Sam T. Scott and E. Ten Eyck, for the sum of One Hundred dollars, and that they have been duly served by writs of Scire facias to appear and show cause why said Judgment should not be made final, and said defendants not having answered within the time prescribed by law, but wholly made default, It is therefor ordered, adjudged and decreed by the Court that said judgment nisi be made final, and that the State of Texas have and recover of the said defendants, Richard H. Peck, Edward Ten Eyck and Samuel T. Scott the said sum of One Hundred Dollars and all costs in this behalf expended, for all which execution may issue.

1219 The State of Texas / v. / T. M. Graham } Plaintiff / Defendant } On motion of the District Attorney, It is ordered by the Court that this cause be dismissed from the docket.

Fall Term, Friday, November 21, 1856.

1220 The State of Texas } Plaintiff
v. } It appearing to the Court that
Giles A Burdett } Defendant } the defendant Giles A Burdett
has been duly served with writ of Scire Facias in this case to appear and show cause why the judgment nii si entered against him at the Fall Term of the District Court of Travis County, 1856, for the sum of Fifty Dollars should not be made final against him, and that he has failed to file an answer showing such cause within the time prescribed by law, It is therefore ordered by the Court that said Judgment nii si be made final, and that the State of Texas recover of said Defendant the sum of Fifty Dollars, the amount of said Judgment nii si, & all costs in this proceeding incurred, for which execution may issue.

1222 The State of Texas } Plaintiff } It appearing to the Court that a
v. } judgment nii si was entered
Martin Moore. } Defendant } against the defendant in this
case, at the Fall Term of this Court, 1856. for the sum of Fifty Dollars, and that the defendant has been properly served with writ of Scire Facias to appear at this Term of the Court and show cause, if any he had, why said Judgment should not be made final against him, and it appearing that he hath wholly made default by not filing his answer within the time prescribed by law, It is therefore ordered by the Court that said judgment nii si be made final, and that the State of Texas recover off of said defendant Martin Moore, the sum of fifty dollars as aforesaid, and all the cost of this proceeding for all which execution may issue.

1223 The State of Texas } Plaintiff } It appearing to the Court that a
v. } judgment nii si was entered
James Wall. } Defendant } against the defendant in
this case at the Fall Term of this Court, 1856, for the sum of ~~Fifty~~ Thirty Dollars, and that the defendant has been duly served with writ of Scire Facias, to appear at this Term of the Court, and show cause, if any he had, why this Judgment should not be made final against him, and it appearing that he hath wholly made default by not filing any answer within the time prescribed by law, It is therefore ordered by the Court, that said Judgment nii si be made final, and that the State of Texas recover of the said defendant, James Wall the sum of ~~Fifty~~ Thirty dollars, the amount of said Judgment nii si, together with all costs in this behalf expended, for all which execution may issue.

Fall Term, Friday, November 27, 1857.

1227 The State of Texas } Plaintiff
v.
J. W. Keithley } Defendant

It appearing to the Court that Judgment ni si was entered against this defendant at the Fall Term hereof, 1856, for the sum of Thirty dollars and that he has been duly served with Scire facias and has made default, It is ordered by the Court that said judgment ni si be made final, and that the State of Texas recover of the defendant, J. W. Keithley, said sum of thirty dollars aforesaid, and the costs of this proceeding, for which execution may issue.

1228 The State of Texas } Plaintiff
v.
George Hosner } Defendant

It appearing to the Court that Judgment ni si was entered against the defendant Geo. Hosner at the Fall term of this Court, 1856, for the sum of Fifty dollars, and that he has been duly served by Scire facias to appear and show cause, and it further appearing that he has wholly failed to file his answer within the time prescribed by law, It is therefore ordered by the Court, that said Judgment ni si be made final, and that the State of Texas recover of the defendant, George Hosner, the sum of fifty dollars aforesaid, and the cost of this proceeding, for which execution may issue.

1229 The State of Texas } Plaintiff
v.
James Rogers } Defendant

It appearing to the Court that Judgment ni si was entered against this defendant at the Fall Term of this Court, 1856, for the sum of fifty dollars, and that he has been duly served with Scire Facias to appear and show cause why said Judgment should not be made final, and it further appearing that he has wholly failed to file his answer within the time prescribed by law It is therefore ordered by the Court that said Judgment ni si be made final, and that the State of Texas recover of said defendant, James Rogers the said sum of fifty dollars and all costs, for which execution may issue.

1230 The State of Texas } Plaintiff
v.
James Manor } Defendant

It appearing to the Court that judgment ni si was entered against this defendant at the Fall term of this Court, 1856, for the sum of fifty dollars, and that he has been served by the Sheriff with writ of Scire Facias to appear and show cause why said judgment should not be made final against him; & it further appearing that said defendant has wholly made default by not answering within the time prescribed by law, It is therefore ordered by the Court that said Judgment ni si be made final, and that the State of Texas recover of said defendant James Manor, the sum of Fifty dollars, as aforesaid, together with all costs in this behalf expended, for which execution may issue.

Fall Term, Friday, Nov. 27th 1857.

1231 The State of Texas } Plaintiff
v.
E. M Hurst } Defendant
} It appearing to the Court that Judgment nisi was entred against this defendant at the Fall Term of the District Court of Travis County, 1856, for the sum of fifty dollars, and that he has been duly served with Scire Facias by the Sheriff, and that he has wholly failed to answer within the time prescribed by law, It is therefore ordered by the Court that said Judgment nisi be made final, and that the State of Texas recover of said defendant, E. M. Hurst the sum of Fifty dollars aforesaid, together with all the costs in this behalf incurred, for which execution may issue.

1233 The State of Texas } Plaintiff
v.
A. B. Hanton } Defendant
} On motion of the District Atty, this cause is dismissed from the docket, by order of the Court.

1234 The State of Texas } Plaintiff
v.
Peter T. Brown } Defendant
} It appearing to the Court that at the Fall term of the Dist. Ct. of Travis Co. 1856, this defendant was fined in the sum of Twenty five dollars, and Judgment nisi entred against him, and he having been summoned by Scire facias and having failed to answer and show cause within the time prescribed It is ordered by the Court that said Judgment nisi be made final against him, and that the State of Texas recover off and from said defendant Peter T. Brown the sum of twenty-five dollars aforesaid, and all costs, for which execution may issue.

1236 The State of Texas } Plaintiff
v.
Buck Bennett, et. al. } Defendants
} And now comes the Pff. by the District Attorney, and claims a judgment final by default against these defendants. And thereupon it appearing to the Court, that at the Fall Term, 1856, of the District Court of Travis County Judgment nisi was entered against the defendants, John M. Bennett, called Buck Bennett, W. W. Freeman, R. J. Jones and Joel M. Bennett for the sum of One hundred Dollars, on forfeited appearance bond; and it appearing that said defendants have been duly served with writs of Scire facias to appear and show cause why said Judgment should not be made final against them; and it further appearing to the satisfaction of the Court, that said defendants have not answered within the time prescribed by law. and have wholly made default, It is therefore ordered, adjudged and decreed by the Court that the said Judgment nisi

aforesaid, be and the same is hereby made final, and that the said State of Texas do have and do recover off and from the said Defendants John M. Bennett called Buck Bennett, W. W. Freeman, R. T. Jones and said M. Bennett, the said sum of One hundred dollars and all costs in and about this proceeding incurred, for which execution may issue.

1237	The State of Texas v. Wm A. Clopton, et al	Plaintiff / Defendants	And now on this day comes the District attorney, and asks the Court for judgment final against the defendants in this cause And thereupon, it appearing to the Court that at the Fall Term of this Court, 1856, judgment nisi was rendered against the defendants William A. Clopton, S. G. Howell and J. R. Jackson for the sum of two hundred dollars on a forfeited appearance bond, and said defendants Jackson and Howell being being served by writs of Scire Facias to appear and show cause why said Judgment should not be made final against them, and they having wholly made default by not filing answers within the time prescribed by law, It is therefore, ordered, adjudged and decreed by the Court, that said Judgment nisi be and the same is hereby made final against said defendants, and that the said State of Texas do have and recover off and from the aforesaid defendants, to wit: Wm A. Clopton, S. G. Howell and J. R. Jackson the said sum of Two Hundred Dollars and all costs in this behalf incurred, for all which execution may issue.
1238	The State of Texas v. Alejo Obregon, et. al.	Plaintiff / Defendants	And now on this day comes the District Attorney, and on his motion It is ordered by the Court that this cause be dismissed from the docket, and that the plaintiff recover of the defendants Alejo Obregon and J. H. Wagnon all costs of this proceeding, for which execution may issue.
1239.	The State of Texas v. James Burditt, et. al.	Plaintiff / Defendants	And now comes the District Attorney, & claims a Judgment final by default. And thereupon, it appearing to the Court that at the Fall Term of the District Court of Ham County, 1856, judgment nisi was entered against the defendants James Burditt and O. H. Bigham for the sum of One Hundred Dollars on a forfeited appearance bond; and it further appearing to the Court that said defts. have been legally and properly served with Scire Facias to appear and show Cause why the same should not be made final; and it also appearing that said defendants have failed to answer within the time prescribed by law. It is therefore ordered, adjudged and decreed by the Court that the said State of Texas recover off and from the aforesaid defendants James Burditt and O. H. Bigham the sum of One hundred dollars, the amount of said Judgment nisi &c, and all costs in and about this suit incurred, for all which execution may issue.

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1241 — The State of Texas v. Wm B. Ochiltree, et. al. — Plaintiff / Defendants — And now at this day comes the District Attorney, and claims a Judgment final by default. And thereupon, it appearing to the Court that at the Fall Term of the District Court of Travis County, 1856, judgment nii si was entered against the defendants in this cause, to wit: Wm B. Ochiltree, R. Hotchkiss and Geo. Clenenger for the sum of One Hundred Dollars, the amount of defts. forfeited appearance bond, and the said defendants being duly served by Scire facias to appear and show cause why said judgment ni si should not be made final against them; and it also appearing that they have wholly made default, by failing to answer and show cause within the time prescribed by law, It is therefore ordered, adjudged and decreed by the Court that said judgment ni si be and the same is hereby made final, and that the State of Texas recover off and from the said defendants Wm B. Ochiltree, R. Hotchkiss and George Clenenger the sum of One Hundred dollars aforesaid, and all costs in this behalf incurred. For which execution may issue.

1242. — The State of Texas v. Thomas P. Ochiltree, et al. — Plaintiff / Defendants — And now comes the District Attorney, and claims a judgment final by default. And thereupon, it appearing to the Court, that at the Fall Term hereof, 1856, judgment ni si was entered against these defendants, to wit: Thos P. Ochiltree, Wm B. Ochiltree and R. Hotchkiss, for the sum of one hundred dollars on a forfeited appearance bond, and said defendants having been duly summoned by writs of Scire facias to appear and show Cause why said judgment ni si should not be made final against them; and they having failed to answer within the time prescribed by law, It is therefore ordered, adjudged and decreed by the Court, that said judgment ni si be made final, and that the State of Texas do have & recover off and from the said defts. Thos P. Ochiltree, Wm B. Ochiltree and R. Hotchkiss the said sum of One hundred dollars and all costs in this behalf incurred, for all which execution may issue.

1243. — The State of Texas v. Thomas Bowles, et. al. — Plaintiff / Defendants — And now comes the District Attorney, and claims a Judgment final, by default. And thereupon, it appearing to the Court, that at the fall term hereof, 1856, judgment ni si was entered against these defts, to wit: Thomas Bowles, Robt Barr and John S. Ford for the sum of One Hundred dollars, the amount of their forfeited appearance bond; and it appearing that said defts. have been properly served with Scire Facias to appear and show cause why said Judgment should not be made final; and it further appearing that said defts. have wholly failed to appear and show cause why said Judgment should not be made final against them. It is therefore, ordered, adjudged and decreed by the Court that said Judgment ni si be made final against them, and that the State of Texas recover off and from the said Thomas Bowles, Robt Barr, John S. Ford the aforesaid sum of One Hundred Dollars, and all costs in this behalf expended, for which execution may issue.

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1244 | The State of Texas | Plaintiff | And now comes the District Attorney and claims a judgment final by default. And thereupon it appearing to the Court that at the fall term hereof, 1856, judgment nisi was entered against these defendants, to wit: John S. Ford, Edward R. Peck and Wm M. Walton for the sum of one hundred dollars, on a forfeited appearance bond; and it further appearing that said defts. have been each served with Scire facias to appear and show cause why the same should not be made final against them; and they having wholly failed to answer within the time prescribed by law, ~~it is~~ therefore ordered, adjudged and decreed by the Court that said Judgment nisi be and the same is hereby made final against them, and that the State of Texas do have and recover off and from the said defendants, John S. Ford, Edward R. Peck and Wm M. Walton the said sum of One hundred dollars and all costs in this behalf expended, for all which execution may issue.

1246. | The State of Texas | Plaintiff | And now comes the District Atty. and claims a judgment final by default. And it appearing to the Court that at the fall term hereof, 1856, judgment nisi was entered against the defendants in this case, to wit: C. A. Hopkins, William J. Wallace and Ed. Yandt, for the sum of one Hundred Dollars, the amount of their forfeited appearance bond; and said defendants having been duly served with Scire facias to appear and show cause why said Judgment should not be made final against them, and they having failed to appear and answer within the time prescribed by law, it is therefore ordered, adjudged and decreed by the Court that said Judgment nisi be and the same is hereby made final, and that the State of Texas do have and recover off and from the said defendants, C. A. Hopkins & William J. Wallace ~~and Ed. Yandt~~, jointly and severally, the sum of One hundred dollars, the amount of said judgment nisi, and all costs of this proceeding, for all which execution may issue.

1248 | The State of Texas | Plaintiff | And now comes the District Atty. and claims a Judgment final by default. And it appearing to the Court that at the Fall term of this Court, 1856, judgment nisi was entered against them defts. to wit: Sherman Case, Hugh McLannin and Thos. H. Chapman for the sum of three Hundred dollars, the amount of their forfeited recognizance, and that they have been duly served with Scire facias to appear and show cause why ~~said~~ Judgment should not be made final against them, and they having failed to appear and answer within the time prescribed by law, it is therefore ordered, adjudged and decreed by the Court that said judgment nisi be made final against them, and that the State of Texas do have and recover off and from them, the said Sherman Case, Hugh McLannin and Thos. H. Chapman, jointly and severally, the aforesaid sum of Three Hundred dollars, and all costs in this behalf incurred, for all which execution may issue.

1249 | The State of Texas | Plaintiff | And now comes the district attorney, and claims a judgment final by default. And it appearing to the Court, that at the Fall term hereof, 1856, judgment nisi was entered against the defendants in this case, to wit: James Jackson, William M. Fowler and Rosia Johns, for the sum of one hundred dollars; and the said defendants having been duly served with proper process to appear and show cause why the same should not be

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made final against them; and they having failed to appear and answer within the time prescribed by law, it is therefore ordered, adjudged, and decreed by the Court, that said Judgment nisi be made final, and that the State of Texas recover off and from the said defendant, James Jackson, William M. Fowler and Hosea Johns the aforesaid sum of One Hundred dollars, the amount of said judgment nisi on forfeited recognizance, and all costs in this behalf expended, for all which execution may issue.

1250 The State of Texas } Plaintiff
v.
J. H. Jackson, et. al. } Defendants

And now on this day comes the District Atty, and claims a judgment final by default. And it appearing to the Court that at the fall term, 1856, hereof, judgment nisi was entered against these defendants, to wit: Isaac Newton Jackson, John H. Robinson and C. A. Hopkins, for the sum of One Hundred dollars, on a forfeited appearance bond, and said defendants having been each served with proper process to appear and show cause why the same should not be made final against them, and having failed to answer within the prescribed time, It is, therefore, ordered, adjudged and decreed by the Court, that said judgment nisi be made final and that the State of Texas do recover off and from them the said Isaac Newton Jackson, John H. Robinson and C. A. Hopkins the aforesaid sum of One Hundred dollars and all costs in this behalf expended, for which execution may issue.

1251 The State of Texas } Plaintiff
v.
J. H. Jackson, et. al } Defendants

And now comes the Distct Atty. and claims a judgment final by default. And it appearing to the Court that at the fall term, 1856, hereof, judgment nisi was entered against these defts, to wit. ~~Isaac~~ Newton Jackson, C. A. Hopkins, and John H. Robinson on a forfeited appearance bond, for the sum of two hundred dollars; and they having been duly served with proper process commanding them to appear and show Cause why the same should not be made final against them; and they having failed to appear and show Cause ~~or~~ answer within the time prescribed by law, It is therefore ordered, adjudged and decreed by the Court that said judgment nisi be made final, and that the State of Texas do have and recover off and from the said Newton Jackson, C. A. Hopkins and John H. Robinson, jointly and severally the aforesaid sum of Two Hundred Dollars, and all costs in this behalf expended for all which execution may issue.

1260 The State of Texas } Plaintiff
v.
Alfred Robinson, et. al. } Defendants

And now comes the Dist. Atty. and claims a judgment final by default And it appearing to the Court that at the Fall Term hereof, 1856 judgment nisi was entered against these defendants, to wit Alfred Robinson, John H. Robinson and The Andrews for the sum of One hundred dollars the amount of their forfeited appearance bond, and they having been duly served with proper process to appear and show cause why the same should not be made final against them, and they having wholly failed to appear within the time prescribed by law, It is therefore ordered adjudged and decreed by the Court that said Judgment nisi be made final, and that the State of Texas recover off and from said defendants, Alfred Robinson, John H. Robinson and The Andrews the aforesaid sum of One Hundred Dollars and all cost, for which execution may issue.

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✓ 1211	The State of Texas v. Alfred Robinson et al.	Plaintiff / Defendants	And now comes the District Attorney, and claims a judgment final by default. and thereupon, it appearing to the Court, that at the fall term hereof, 1854, judgment nisi was entered against three defendants, to wit: Alfred Robinson, John H. Robinson and The Anderson for the sum of One Hundred dollars on a forfeited appearance bond, and they having been duly served with proper process commanding them to appear and show cause why the same should not be made final against them, and they having failed to answer within the time prescribed by law, it is therefore ordered, adjudged and decreed by the Court, that said Judgment nisi be made final, and that the State of Texas recover off and from said defendants Alfred Robinson, John H. Robinson and The Anderson the amount thereof, to wit: One Hundred dollars, and all costs of this proceeding, for which execution may issue.
✓ 1262	The State of Texas v. Alfred Robinson et al.	Plaintiff / Defendants	And now comes the District Atty. and claims a judgment final by default. And thereupon it appearing to the Court that at the fall term hereof, 1854, judgment nisi was entered against three defendants, to wit: Alfred Robinson, John H. Robinson and The Anderson for the sum of One hundred dollars, on their forfeited appearance bond, and they having been legally served with process Commanding them to appear and show cause why the same should not be made final against them, and they having failed to answer within the time prescribed by law, it is therefore ordered, adjudged and decreed by the Court that the said State of Texas have and recover off and from the said defendants, Alfred Robinson, John H Robinson and The Anderson the ammnt of said Judgment nisi, to wit: One Hundred Dollars, and all costs in this behalf expended, for all which execution may issue.
✓ 1263	The State of Texas v. Alfred Robinson et al	Plaintiff / Defendants	And now comes the District Atty, & claims a judgment final by default, and thereupon, it appearing to the Court, that at the Fall Term hereof, 1854, judgment nisi was entered against three defendants, to wit: Bute Robinson, James Carne and Alfred Cottingham, on forfeited recognizance, for the sum of one Hundred dollars, and they having been served with proper process Commanding them to appear and show cause why the same should not be made final against them, and they having failed to answer within the time prescribed by law, it is therefore Ordered, adjudged and decreed by the Court that the said judgment nisi be made final, and that the State of Texas have and recover off and from the said defendants, to wit: Bute Robinson, James Carne and Alfred Colling have the aforesaid sum of One hundred dollars, and all costs in this behalf expended, for all which execution may issue.
✓ 1273	Wm Y Gamble, Admr v. A J Denson	Plaintiff / Defendant	It is ordered by the Court that this cause be continued for service on the defendant.
✓ 1275	D C Hyde & Co v. E & A Ten Eyck	Plaintiffs / Defendants	On motion of the pffs. by atty, it is ordered by the Court that this cause be dismissed from the docket, and that defts. recover of the pffs. David C. Hyde and James T. Hyde all costs of this suit, for which execution may issue.

Fall Term, Friday, November 27, 1857.

1276 — R. P. Miller v. Charles Buckhalt — Plaintiff / Defendant — And now comes the pff. by attorney, and claims a Judgment final by default. And thereupon, it appearing to the Court that service of process has been had upon the defendant and that he has failed to answer within the time prescribed by law and that plaintiff's cause of action is liquidated. Wherefore, in consideration of the premises it is ordered adjudged and decreed by the Court that the pff. R. P. Miller recover of the defendant Charles Buckhalt the sum of One Hundred and Ninety-Eight 35/100 dollars, the amount of the principal and interest due on the note sued on in this case to the date of the rendition of this Judgment, with interest thereon at 8 per cent. per annum until paid, and costs of suit for which execution may issue.

1274 — O. O'Bien v. W. C. Walker — Plaintiff / Defendant — It appearing to the Court that this suit was brought by publication and to the Spring term of this Court and that defendant has failed to answer within the prescribed time it is ordered that pff recover of the defendant according to the prayer of his petition, and that a writ of inquiry be awarded.

1279 — A. I. Peck v. J. H. Matthews, et al. — Plaintiff / Defendants — And now come the defts by atty. and enter a rule for security for costs against the intervenors in this cause, and it is ordered by the Court that said intervenors Comply with said rule within the prescribed time.

942 — R. H. Peck & Co. v. Thos. Griffin, Deft & Geo. L. Walton, Gar: — Plaintiffs / Defendant — On motion of the parties to this cause by attorney, it is ordered by the Court that the same be dismissed from the docket, & that the Defendant and Garnishee recover of the pffs. R. H. Peck & Edward Ten Eyck all costs in this behalf expended, for which execution may issue.

1006 — E. & A. Ten Eyck v. Thomas Griffin & Geo. L. Walton — Plaintiffs / Defendant / Garnishee — On motion of the parties to this cause it is ordered by the Court that the same be dismissed from the docket, and that the defendant and Garnishee recover their costs in this behalf, for which execution may issue.

1288 — Thomas Blair v. Fidon H. Harris — Plaintiff / Defendant — It is ordered by the Court that the defendant have leave to amend his answer in this cause.

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1292 — Frances Y. Koffman } Plaintiff / W. J. Ferguson & Murry } Defendants — And now on this day come the plaintiff by his attys. and ask the Court to render Judgment final by default in this cause. And thereupon, it appearing to the Court that the defendants have been properly served with process and have failed to answer within the time prescribed by statute, and it further appearing that Plaintiffs demand is liquidated as evidenced by defendants note of hand produced and exhibited to the Court, It is ordered, adjudged and decreed by the Court, that the said plaintiff do have and recover off and from the defendants W. J. Ferguson and John Murry the sum of One Hundred and Seventy-Two 24/100 Dollars, being the amount due on the note sued on to this date, with legal interest thereon until the same is paid, together with costs, for which execution may issue.

1294 — Wm R. Baker } Plaintiff / H. D. Roy et al } Defendants — And now on this day comes the pltff by atty, and asks the Court to render a Judgment by default against these defendants. And thereupon, it appearing to the Court that they have been properly cited to appear and answer pltffs petition which they have failed to do within the time prescribed by statute, and pltiffs demand being liquidated, as shown by an instrument called a note of hand. It is therefore ordered, adjudged and decreed by the Court that the plaintiff Wm R. Baker recover from the defendants Fielding D Roy, Irene Roy and David L Graves the sum of Three Hundred and Fifty Five 00/100 dollars, that being the amount due on the note sued on to the date of the rendition of this Judgment, with interest thereon at the rate of ten per cent. per annum until its final satisfaction, together with costs of suit for which execution may issue.

1298 — H. D. Roy } Plaintiff / J W Hanks, et al. } Defendants — And now comes the pltff by atty and dismisses his suit as to the defendant John D. Graves. Wherefore, It is ordered by the Court that said Graves go hence, and recover his costs, for which execution may issue.

1300 — Sonia Kick } Plaintiff / A. Frontwein, et al. } Defendants — It appearing to the Court that defts. have been properly served with process, and have failed to answer within the prescribed time, it is ordered by the Court that pltff recover according to the prayer of her petition. And it also appearing that pltffs demand is unliquidated, it is ordered by the Court that a writ of inquiry be awarded.

1304 — David Richardson } Plaintiff / Baker & Root. } Defendants — It appearing to the Court that the defts. have been properly served with process, and have made default by not answering pltffs petition within the prescribed time, It is ordered that pltff recover of the defendants

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according to the prayer of his petition, and that a writ of inquiry be awarded.

1307 Compton & Schaden } Plaintiffs } And now come the pffs by
v. } atty. and claim a Judg-
John R. McCall } Defendant } ment final by default against
this defendant. And thereupon it appearing to the Court that the the defendant has accepted service in this cause and waived all copies of petition and of process and that he has failed to answer pffs. petition, and pffs demand being liquidated, It is ordered by the Court that said pffs. Compton and George W. Schaden under their firm name of Compton & Schaden recover off and from the Defendant John R. McCall, the sum of Nine Hundred and Eighty-Eight 7/100 dollars that being the sum due the pffs, principal and interest, to date on the note sued on, with interest on said sum at the rate of ten per centum per annum until paid, together with all costs, for which execution may issue.

1308 O. J. Pick } Plaintiff } And now on this day comes the pff. by
v. } his atty. and claims a Judgment
A M Davidson } Defendant } final by default And it appearing to the Court that the Deft has been properly served with process, and has failed to answer within the time prescribed by law, and it also appearing that pltffs Cause of action is liquidated as shown by dfts. promissory note, It is ordered, adjudged and decreed by the Court that the said pff. O. J. Pick recover off and from the Defendant, A. M. Davidson, the sum of Three Hundred and Seventy-one 32/100 Dolls. principal & interest due on the note sued on to this date, with ten per cent. interest on said sum until paid, together with all costs of this suit, for which execution may issue.

1310 W P de Normandie } Plaintiff } And now comes the pff in
v. } proper person, and on his
Harris & Marshall } Defendants } motion it is ordered by the Court that this cause be dismissed from the docket, and that dfts. recover of the pff. all their costs of suit, for which execution may issue.

1312 L. L. Carrington & Co } Plaintiffs } And now come the pffs by atty, and
v. } move the Court to render a judgment
John. Boyd & Mat. Moore } Defendants } final by default against these dfts.
And thereupon, it appearing to the Court that they have been duly served by the Sheriff with proper process, and have failed to answer within the prescribed time; and it being further shown to the Court that pffs.

demand is liquidated, as evidenced by a promissory note of defendants, It is ordered, adjudged and decreed by the Court that the pefft. E. D. Carrington and David Clark, under their firm name of E. D. Carrington & Co, do have and recover off and from the defts. John Boyd and Nat. Moore the sum of One Hundred and Seventy-Nine 30/100 Dollars, being the amount of the principal and interest thereon the note sued on to this date, with legal interest on said sum until paid, together with the costs of this action for all which execution may issue.

1313 Thomas Freeman v. C. C. Richardson, et al } The defendants in this cause having been duly summoned to answer pefft's petition, which they have wholly failed to do, and making default, It is ordered by the Court that the said pefft. recover off and from them, to wit: C. C. Richardson, N. P. Richardson and R. W. Tyner, according to the prayer of said petition, and that a writ of inquiry be awarded.

1314 E. D. C. Robertson } Plaintiff
v. } Defendant
M. Tongat } It is ordered by the Court that this cause be cont'd for service on the defendant.

1320 John C. Hamon } Plaintiff
vs. } Defendant
Wm M. Watson } And now on this day comes the pefft by his atty, and moves the Court to render a final judgment by default against this deft. And it appearing to the Court that deft. accepted service of pefft's petition, and waived copy of the same, and also waived service of process by the Sheriff; and it further appearing that defendant has failed to answer the allegations of said petition. And plaintiff's being a liquidated demand as evidenced by a promissory note, It is therefore ordered, adjudged and decreed by the Court that the pefft. John C. Hamon recover off the defendant Wm M. Watson, the sum of One Hundred and Thirty-Two 24/100 Dolls. that sum being the amount due the pefft. from deft, on the note sued on in this case, with legal interest thereon until paid, and all costs of suit, for which execution may issue.

1323 Theodosia H. Lyon } Plaintiff
v. } Defendant
Wm H. Lyon } This being a suit in which the deft has been summoned by publication, it is ordered by the Court that the same be continued to perfect the service.

1324 John F. Smith, Admr } The deft. in this cause having been legally summoned, and having failed to answer within the prescribed time, it is
v. } ordered by the Court that pefft. recover of said deft. Wm
William Woods. } Woods, according to the prayer of his petition, and that a writ of inquiry be awarded.

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1325 Hamilton, Chandler & Co } Plaintiffs
v.
Marcus Huling } Defendant

It appearing to the Court that the defendant has been duly served with process, and has failed to answer Plff's petition within the time prescribed by statute, It is ordered that the said Peffs. above named do have & recover off and from the said Marcus Huling according to the prayer of their petition, and that a writ of inquiry be awarded.

1327. Frances Dieterich } Plaintiff
v.
John King } Defendant

It appearing to the Court that the defendant John King has been duly served with process, and has failed to answer within the prescribed time, It is ordered by the Court that the Peff. Frances Dieterich, recover off and from the said Deft. John King, according to the prayer of his petition; and ordered, further, that a writ of inquiry be awarded.

1335. Thomas Brown } Plaintiff
v.
A. H. Cook et al. } Defendants

And now on this day comes the Peff by his atty. and dismisses this action as to the Defendant W. H. Alexander. And thereupon it is ordered by the Court that said Deft Alexander go hence. And thereupon the Peff. moves the Court for a Judgment final by default as against the Deft. A.H. Cook. And it appearing to the satisfaction of the Court that said Cook has been served by process, and has wholly failed to answer Peffs petition within the prescribed time. And it also being shown to the Court that Peff's. demand is based upon defendant Cook's promissory note here in Court & read in evidence. Wherefore, It is ordered, adjudged and decreed by the Court, that the said Peff. Thomas Brown, do have and recover off and from the Defendant A. H. Cook, the sum of Nine Hundred and Forty-Six Dollars, that sum being the amount due on the note sued on, together with ten per cent. interest thereon until paid, and all costs of suit, for which execution may issue.

1336 L. D. Carrington & Co } Plaintiffs
v.
J. A. P. Carr } Defendant

And now comes the Peffs by atty and move the Court to render Judgment by default against the Deft. J. A. P. Carr. And thereupon, it appearing to the Court that said Deft. has been properly served with process, and has failed to answer within the prescribed time, and it further appearing that Peffs. Cause of action is liquidated as shown by Defts. promissory note, It is therefore ordered, adjudged and decreed by the Court that the said L. D. Carrington and David Clark have and recover off and from the Deft J. A. P. Carr, the Sum of One Hundred and Thirty 66/100 Dollars, that sum being the amount due on the note sued on to this date, principal and interest, with ten per cent. interest per annum on said sum until the same is paid and all costs of suit, for which execution may issue.

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1337 — Agnes K. Cannon, Plaintiff / v. / Wm B. McGehee and J. B. Rector, Defendants — And now on this day comes the Pff by her atty and moves the Court to render a Judgment final by default against these defendants. And thereupon it appearing to the Court that said defts. have been legally served with process, and have wholly failed to answer Pff's petition, and Pff's cause of action being liquidated as shown by defts' promissory note, It is therefore ordered, adjudged and decreed by the Court that said Pff. Agnes K. Cannon do have and recover off and from said defts. Wm B. McGehee and J. B. Rector, the sum of Three Hundred and Fifty-One 4/100 Dollars, that sum being the amount of principal and interest on the note sued on to this date, and eight per cent. interest on said sum until the final satisfaction of the same, together with costs of suit, and that execution issue therefor.

1341 — A. H. Cook, Plaintiff / v. / John D. Ford, J. B. Hollowayt, F. M. Gibson, Defendants — It appearing to the Court that these defendants have been legally served with process, and have wholly made default, It is ordered that said Pff. recover from them according to the prayer of his petition, and that a writ of inquiry be awarded.

1342 — Stephen A. Boyce, Plaintiff / v. / J. Lockwood, Defendant — It appearing to the Court that the Deft. J. Lockwood has acknowledged service of Pff's. petition and waived all process, and that he has failed to answer the same within the prescribed time, it is ordered that the said Pff. recover of said Defendant according to the prayer of his petition, and that a writ of inquiry be awarded.

1348 — S. D. Carrington & Co, Plaintiffs. / v. / Gideon G. Pace, Defendant. — And now come the Pffs. by atty. and move the Court to render a judgment by default against this defendant. And thereupon it appearing to the satisfaction of the Court that the Deft. has been properly served with process that failed to answer within the prescribed time, and Pffs. demand being liquidated as shown by Defts. two promissory notes, It is therefore ordered by the Court that the said Pffs. S. D. Carrington and David Clark, under their firm name of S. D. Carrington & Co, do have and recover off and from the Defendant Gideon G. Pace, the sum of Three hundred and Thirty-One 75/100 dollars, that sum being the amount due the said Pffs. from the said Deft on the two promissory notes sued on, together with interest on said sum at the rate of ten per cent. per annum until paid, and all costs of suit, for all which execution may issue.

1349 — S. D. Carrington & Co, Plaintiffs / v. / Railey & Shiflett, Defendants — And now come the Pffs by atty. and move the Court to render a Judgment final by default against these Defendants. And thereupon, it appearing to the satisfaction of the Court that said defts. have been legally cited, and have failed to answer within the prescribed time; and it also appearing that Pffs. demand is liquidated, as shown by defendants' promissory note, It is therefore ordered, adjudged and decreed by the Court that the said

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Plaintiffs, S. D Carrington and David Clark, under their firm name of S. D. Carrington & Co., do have and recover off and from said Defendants, John D Railey and J.W. Shiflett, the sums of Four Hundred and Sixty 76/100 Dollars, said sum being the amount due on the note sued on to this date, with interest on said amount at the rate of ten percent. per annum until paid, together with all costs, for which execution may issue

1353 — W. D. Oliphant, et.al. (Plaintiffs) v. D.C. Heffington (Defendant) — It appearing to the Court that said deft. has been legally cited, and has wholly made default. It is adjudged that the Pltffs. have off of said Defendant, according to the prayer of their said petition, and that a writ of inquiry be awarded.

1354 — Alfred Smith (Plaintiff) v. W. R. Baker (Defendant) — It appearing to the satisfaction of the Court that the defendant has been legally cited in this case, and that he has failed to answer Plaintiff's petition and it also appearing that plaintiff's cause of action is liquidated as shown by defendant's promissory note, exhibited here to the Court, It is, therefore, on motion of the said Pltff. by his atty. ordered, adjudged and decreed that the recover off and from defendant W. R. Baker, the sum of One Hundred and Twenty-Two 88/100 dollars, that sum being the amount due on the note sued on in this case to the date of the rendition of this Judgment, with interest at the rate of eight per centum per annum thereon until its final satisfaction, and all Costs in this behalf laid out and expended, for all which execution may issue.

1357 — M. W. Townsend (Plaintiff) v. Charles Payne (Defendant) — It appearing to the Court that the defendant has been legally cited to appear, and that he has failed to answer Pltff's petition in this case, it is ordered by the Court that the said Martin W. Townsend have and recover off and from the said Charles Payne according to the prayer of his petition and that a writ of inquiry be awarded.

1362 — S. D Carrington & Co (Plaintiffs) v. John D. Grumbles (Defendant.) — And now on this day come the plaintiffs by their attorney; and it appearing to the Court that the Defendant has failed to appear and file his answer within the time prescribed by law but wholly made default It is therefore Ordered, adjudged and decreed by the Court that the plaintiffs, Leonidas D. Carrington and David Clark, do have and recover of and from the defendant John D. Grumbles the sum of. One Hundred and Fifty-Two dollars and fourteen cents, principal debt and interest, with interest thereon at the rate of twelve per cent per annum until paid, together with all costs in this behalf expended, for all which execution may issue

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✓ 1365

John Bremond } Plaintiff
v.
Williamson S. Oldham. } Defendant

And now comes the plaintiff by his attorney and claims a dudgment final by default. and thereupon it appearing to the Court that said Defendant has been cited, and that he has failed to answer within the time prescribed by law, and it being further shown to the Court that Plaintiff's demand is liquidated as shown by Defendant's note of hand, It is, therefore, ordered, adjudged and decreed by the Court that the said plaintiff, John Bremond, do have and recover off and from the Defendant Williamson S. Oldham, the sum of Four Hundred and Twenty. Nine 5/100 Dollars, amount of principal debt and interest due on the note sued on in this case, to date, with interest thereon at the rate of ten per cent. per annum until paid, and all costs in this behalf laid out and expended, for all which execution may issue.

✓ 1366

John Bremond } Plaintiff
v.
Jane & F. S. Roy } Defendants

And now comes the pelff. by his atty. And thereupon it appearing to the Court that said Defts. have been duly and legally cited, and have wholly made default. It is ordered that the pelff. recover of the Defendants the sum of Four hundred and Thirteen 58/100 Dollars. the amount due on the note sued on to this date from the said Jane Roy and Fielding S. Roy, and legal interest on said sum until paid, and all costs for which execution may issue. Ordered further, by the Court that a writ of inquiry be awarded in this case.

✓ 1368

John A. Green } Plaintiff
v.
A. B. McGill, et al. } Defendants

And now comes the plaintiff in proper person, and moves the Court for a dudgment final by default against three Defts. And thereupon it appearing to the Court that the Defts. McGill, has acknowledged service of pelffs. petition and waived the issuance and service of process, and it being further shown to the Court that the Defts. Geo Hancock & Nelson Mercell have been duly cited, and that all of said Defendants have made default. and plaintiffs' being a liquidated demand, It is ordered, adjudged and decreed by the Court that the said pelff. John A. Green, have and recover of said A. B. McGill, George Hancock and Nelson Mercell the sum of Two Thousand Six hundred and Thirty-Eight 27/100 Dollars, with legal interest thereon until paid, and all the costs of this suit, for all which execution may issue.

✓ 1371

John H. Conner } Plaintiff
v.
R. N. Tyner } Defendant

It appearing to the Court that the Defendant has been duly cited and has made default, it is ordered by the Court, on motion of the plaintiff, that the said pelff. recover of the Defendant R. N. Tyner according to the prayer of his petition, and that a writ of inquiry be awarded.

✓ 1372

Alfred Smith } Plaintiff
v.
L. Fellman } Defendant

And now comes the pelff. by attorney and move the Court to render a judgment by default against this Defendant. And Thereupon it appearing that said defendant has been legally cited and that he has failed to answer within the time prescribed by law, It is ordered by the Court that the said plaintiff recover of said L. Fellman according to the prayer of his petition, and that a writ of Inquiry be awarded.

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1374 D. S. Cook } Plaintiff / v. / A. B McGill } Defendant — And now comes the Peff. by Atty. & moves the Court to render a Judgment final by default. And it appearing to the Court that the Deft. has accepted service of plaintiff's petition and waived the issuance and service of process, and having failed to answer within the time prescribed by law; And Peff's. demand being liquidated, It is ordered, adjudged and decreed by the Court that the said D. S. Cook receiver of the Deft. A B McGill, the sum of One Hundred and Fourteen 89/100 dollars amount of principal & interest due on the note sued on to this date, with legal interest thereon until paid, and all his costs for which execution may issue.

1375 E. M. Earnest } Plaintiff / v. / Fowler, Heiner & Cook } Defendants — And now comes the Peff. by Atty. and claims a judgment final by default against these Defendants. And thereupon it appearing to the Court that said defendants have been properly cited and have failed to answer within the time prescribed by law; and plaintiff's demand being liquidated as evidenced by a promissory note, It is, therefore, ordered, adjudged and decreed by the Court that the Peff. E. M. Earnest, do have and recover of and from the Defendants, W. M. Fowler, George Heiner and A. H Cook the sum of Three Hundred and Fifty-Six 92/100 dollars, said sum being the amount of the principal and interest due the plaintiff on the note sued on, together with 8 per cent. int. thereon until paid, and all costs, for which execution may issue.

1378 A. D. Hanston } Plaintiff / v. / Thomas Puckett } Defendant — It is ordered by the Court that this Cause be continued for service on the defendant.

1386 John D. Graves } Plaintiff / v. / A B McGill } Defendant — And now comes the Peff. by attorney, and claims a Judgment final by default. And it appearing to the Court that said Defendant has been cited to appear and answer in this Case, which he has wholly failed to do within the time prescribed by law, It is therefore Ordered by the Court that said Peff. recover of the Defendant according to the prayer of his petition and that a writ of inquiry be awarded.

1388 Eleanor Sane et al } Plaintiffs / v. / Silas Parsons } Defendant — It is ordered by the Court that this cause be continued for service.

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1391 — Mary L. Carnmell, Plaintiff; v. John T. Coleman, Defendant. This defendant being cited by public akon to this Term of the Court it is ordered that the same be continued to next Term.

1394 — M. A. Taylor, Plaintiff; v. King and Ford, Defendant. It is ordered by the Court that this cause be continued for service on the defendant King.

1396 — C. K. Hall, Plaintiff; v. P. A. Monroe, Defendant. This cause being regularly reached upon the docket for trial, came the said plaintiff by his attorneys, Chandler & Turner, and the said defendant came not; but to appear in person, or by plea or answer, but wholly make default. Whereupon the plaintiff asked judgment final by default. And it appearing to the Court that the said plaintiff's cause of action was and is liquidated, to wit: being three several promissory notes, as alleged; and it further appearing to the Court that due and legal service has been had upon said defendant. It is therefore ordered, adjudged and decreed by the Court, that the said plaintiff C K Hall, do have and recover of and from the said defendant P A Monroe, the just and full sum of three hundred and fifty-three 2/100 dollars, that being the amount of the debt and interest to this date. It is further ordered that this judgment bear interest at the rate of ten per cent. per annum, that being the rate specified in said notes; and that said pltff. have and recover all costs of this suit to be taxed for which execution may issue.

1397 — Robert H. Grimes and Jacob C. Higgins under their firm name of R H Grimes & Co., Plaintiffs; v. Chr. Wiehelm, Defendant. Plate.

This cause being regularly reached upon the docket for trial, came the said plaintiffs by their attorneys, Chandler & Turner, and the said defendant came not, but to appear in person or by plea or answer, but wholly make default. Whereupon the plaintiffs asked judgment final by default. And it appearing to the Court that the said plaintiffs' cause of action was and is liquidated, to wit: being a promissory note, as alleged; And it further appearing to the Court that due and legal service had been had upon said defendant. It is therefore ordered, adjudged and decreed by the Court that the said pltffs. Robert H. Grimes and Jacob C. Higgins, under their firm name of R H Grimes & Co., do have and recover of and from the said defendant Chr. Wiehelm, the just and full sum of Two Hundred and and Thirty-Four 1/100 dollars, that being the amount of the debt and interest to this date. It is further ordered that this judgment bear interest at the rate of ten per cent. per annum that being the rate specified in the note; that pltffs. recover all costs, for all which execution may issue.

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1398 | T. J. Hill } Plaintiff / A. H. Coak } Defendant } And now on this day comes the plaintiff to this cause by attorney, and moves the Court for a judgment final by default against this defendant. And thereupon it appearing to the Court that the defendant in this cause has been duly cited to appear and answer plaintiff's petition, And it further appearing that said defendant has wholly failed to answer within the time prescribed by law. And said plaintiff's demand being liquidated as evidenced by the promissory note of defendant exhibited to the Court, it is therefore ordered adjudged and decreed by the Court that the plff. T. J. Hill have and recover off and from the defendant A. H. Coak, the sum of Two Hundred and Seventy-three 20/100 Dollars, that sum being the amount of the principal and interest due on the note sued on in this cause, up to the date of the rendition of this judgment, together with interest on said sum at the rate of ten per centum per annum until paid, and all costs in this behalf laid out and expended, for all which execution may issue.

1402 | W. A. Van Alstyne } Plaintiff / Jeff. Weatherford, et al. } Defendants } It is ordered by the Court that the plaintiff in this cause have leave to amend.

1404 | W. I. Cardwell } Plaintiff / J. W. Robertson, et al. } Defendants } This cause being regularly reached upon the docket, for trial, came the said plaintiff by his attorneys, Chandler & Turner, and the said defendants came not, but to appear in person, or by plea or answer, but wholly made default. Whereupon the plaintiff asked judgment final by default. And it appearing to the Court that the said plaintiff's cause of action was and is liquidated, to wit: being a promissory note, as alleged. and it further appearing to the Court that due and legal service had been had upon said defendants, It is therefore ordered, adjudged and decreed by the Court that the said plaintiff, W. I. Cardwell, do have and recover off and from the said Defendants, J. W. Robertson, John T. Miller and William Perry, the just and full sum of One hundred and Eighty. Five 44/100 Dollars, that being the amount of the debt and interest to this date. It is further ordered that this judgment bear interest at the rate of ten per cent. per annum, that being the rate specified in said note. And that said plaintiff have and recover all costs of this suit to be laid for which execution may issue.

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1405	Brown, Miller & Co v. I. M. Collinsworth	Plaintiffs / Defendant	It is ordered by the Court that this cause be continued for. service on the defendant
1406	Wm A. Van Alstyne v. John M. Thomas	Plaintiffs / Defendant	and now come the plaintiffs by their attorneys, and it appearing to the Court that the defendant has acknowledged due and legal service of plaintiffs petition, and has failed to answer to the same within the time prescribed by law, It is ordered by the Court that the said plaintiffs recover of the defendant John M. Thomas according to the prayer of his petition, and that a writ of inquiry be awarded.
1410	W. J. Cardwell v. Ed. Finnin John D. Miller & William Perry	Plaintiff / Defendants	This cause being regularly reached upon the docket for trial, came the said plaintiff by his attorneys, Chandler & Turner, and the said defendants came not, but to appear in person or by plea or answer, but wholly make default. Whereupon the plaintiff asked Judgment final by default. And it appearing to the Court that the said plaintiff's cause of action was and is liquidated, to wit: being a promissory note as alleged. And it further appearing to the Court that due and legal service had been had upon said defendant. It is therefore ordered, adjudged and decreed by the Court that the said plaintiff W. J. Cardwell, do have and recover of and from the said defendants Ed. Finnin, John D. Miller and William Perry, the just and full sum of One Hundred and Sixty 95/100 Dollars, that being the amount of the debt and interest to this date. It is further ordered that this Judgment bear interest at the rate of ten per cent. per annum, that being the rate specified in said note. And that said plaintiff have and recover of said defendants, all costs of this suit to be taxed, for which execution may issue.
1411	H. W. Chandler v. L. A Burdett	Plaintiff / Defendant	It is ordered by the Court that this cause be continued for service on the defendant L. A Burdett.
1413	Jesse Day v. A. M Davidson	Plaintiff / Defendant	It is ordered by the Court that this cause be continued for service on the defendant.
1414	D. J. Alexander v. D. B. Moore, et al	Plaintiff / Defendants	It is ordered by the Court that this cause be continued for service.

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1417

M. C. Hamilton — Plaintiff
v.
S. K. Jennings — Defendant

and now comes the plaintiff by his attorneys and claims a Judgment final by default. And it appearing to the Court that the defendant has been duly summoned, and has failed to answer within the time prescribed by law; and it further appearing that plaintiffs' cause of action is liquidated, as evidenced by defendants promissory note here exhibited, It is, therefore, ordered, adjudged and decreed by the Court that the said plaintiff, M. C. Hamilton, have and recover off and from the defendant, S. K. Jennings, the sum of Four Hundred and Forty- ~~Four~~ Seven 69/100 dollars, said sum being the amount of principal and interest due on the note sued on to the date of the rendition of this Judgment, with interest on said sum at the rate of twelve per cent per annum until paid, together with all costs in this behalf laid out and expended, for all which execution may issue.

1419

Henry Rochwein — Plaintiff
v.
Horace S. Upshur — Defendant

And now comes the peff by attorney, and claims a judgment final by default, against this defendant. And thereupon, it appearing to the satisfaction of the Court that said defendant has been duly summoned to answer plaintiffs petition, which he has wholly failed to do within the time prescribed by law. And plaintiffs demand being liquidated as is evidenced by defendants promissory note here exhibited to the Court, It is, therefore, ordered, adjudged and decreed by the Court, that the said plaintiff, Henry Rochwein, do have and recover off and from the defendant Horace S. Upshur, the sum of One Hundred and Forty- Five 13/100 Dollars, said sum being the amount of principal debt and interest due on the note sued on to date, with legal interest thereon until paid, together with all costs in this behalf expended, for all which execution may issue.

1426

Sampson + Henricks — Plaintiffs
v.
Josiah Hisk — Defendant

It is ordered by the Court that this cause be continued for service on the defendant.

1427

Robert Strode — Plaintiff
v.
H. C. Holman, et al. — Defendants.

and now on this day comes the plaintiff by his attorneys and claims a Judgment by default. And it appearing that the defendants in this cause have been duly served with process, and have failed to answer within the time prescribed by law, It is ordered that the said Strode recover of the said defendants H. C. Holman and I. S. Holman, according to the prayer of his petition, and that a writ of inq may be awarded.

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✓ 1230 — Lucilla J Nichols } Plaintiff
v.
A. H Cook. } Defendant. } It is ordered by the Court that the plaintiff have leave to amend his petition.

✓ 1431 — R.W. Gray, et al } Plaintiffs
v.
S. G Norvell } Defendant } And now comes the plaintiffs and claim a Judgment final by default. And it appearing to the Court that the defendant has acknowledged service of plaintiffs petition and has wholly failed to answer to the same within the time prescribed by law; And it further appearing to the Court that plaintiffs demand is liquidated as evidenced by a promissory note here shown to the Court, It is therefore ordered, adjudged and decreed by the Court that the plaintiffs, R.W. Gray, Cornelius Ennis and William McCranen do have and recover of the defendant S. G. Norvell, the sum of One Hundred and Sixty 5/100 Dollars, amount of principal and interest due on the note sued on to date, with eight per cent. interest thereon until paid, together with all costs, for all which execution may issue.

✓ 1433 — A. H. James } Plaintiff
v.
Thomas B. Collins } Defendant } It is ordered by the Court that this cause be continued for service on the defendant.

✓ 1434 — John Bremond } Plaintiff
v.
George E. Robinson } Defendant } and now comes the peaintiff by attorney, and claims a judgment final by default against the defendant, George E. Robinson. And thereupon it appearing to the Court that said defendant has been duly served with process, and has failed to answer within the prescribed time; and it further appearing that said defendant has given to plaintiff his promissory note, as alleged in the petition filed in this cause, which is here exhibited, It is, therefore, ordered, adjudged, and decreed by the Court, that the said plaintiff, John Bremond, do have and recover from the defendant, George E. Robinson, the sum of Two Hundred and Seventy-Two 30/100 Dollars, the amount of principal and interest due on the note sued on to this date, with interest thereon at the rate of ten per centum per annum from this date until paid, together with all costs in this behalf expended, for all which execution may issue.

✓ 1435 — Leander Cannon } Plaintiff
v.
B. L. Fitzgerald } Defendant } and now comes the plaintiff by attorney and claims a judgment final by default. And it appearing that the defendant has been legally and properly cited and that he has failed to answer within the time prescribed by law

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And it further appearing that plaintiff's demand is liquidated as is evidenced by defendant's note of hand. It is, therefore, ordered, adjudged and decreed by the Court that the said plaintiff, Leander Cannon, do have and recover off and from the defendant B. S. Fitzgerald the sum of Three Hundred and Eighty-Six 96/100 Dollars, principal debt and interest to date, with interest thereon at the rate of ten per cent. per annum until paid, together with all costs in this behalf expended, for all which execution may issue.

1179	Moore, Sims & Co. v. W. C. Callinsworth	Plaintiffs / Defendant	It is ordered by the Court that this cause be continued for service on the defendant
1436	John R. McCall v. Wm G. Lymon	Plaintiff / Defendant	It is ordered by the Court that this cause be continued for service.
1437	Kirkland, Baughn & Co v. R. D. Rutherford	Plaintiffs / Defendant	And now come the plaintiffs by attorney, and claim a Judgment final by default. And thereupon it appearing to the Court, that said defendant has been duly and legally summoned, and has wholly made default; and plaintiff's demand being liquidated as evidenced by defendant's note of hand, It is therefore Ordered, adjudged and decreed by the Court that the said plaintiffs, Kirkland, Baughn and A. J. Walker, under their firm name and style of Kirkland, Baughn & Co., have and recover off and from the defendant R. D. Rutherford, the sum of One Hundred and Ninety-Eight 89/100 Dollars, with ten per cent. interest thereon until paid, and all costs, for which execution may issue; said sum of $198 89/100 being amt of principal and interest to date.
1438.	George Rottenstein v. Edward Fontaine	Plaintiff / Defendant	It is ordered by the Court that this cause be continued to perfect service
1439	A. H. Cook v. R. Runner	Plaintiff / Defendant	Continued for service
1440	L. D. Carrington & Co. v. John M. White	Plaintiffs / Defendant	Continued for service.

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√ 1441

L. D. Carrington & Co. } Plaintiffs
v.
E. S. Johnson } Defendant

And now come the pffs. by attorney, and claim a Judgment final by default.

And thereupon, It appearing to the Court that said defendant has been cited according to law, and that he has failed to appear in person, or by answer, plea or demurrer, and plaintiffs' demand being liquidated, as is evidenced by a note of hand, It is ordered, adjudged and decreed by the Court, that the said pffs. L. D. Carrington and David Clark, under their firm name of L. D. Carrington & Co, do have and recover off and from the said Defendant Enoch S. Johnson, the sum of Three Hundred and Seventeen 58/100 Dollars, principal debt and interest to date, with ten percentum interest thereon until paid, together with all costs in this behalf expended, for all which execution may issue.

√ 1443

W. D. Egell } Plaintiffs
v.
L. W. Atkinson } Defendant

It is ordered by the Court that this cause be continued for service.

√ 1445

L. D. Carrington & Co } Plaintiffs
v.
Reuben Runner & Mary Runner } Defendants

It appearing to the Court that these defts. have been duly cited, and have failed to answer within the time prescribed by law, It is ordered by the Court that the said pffs. have and recover off and from said Defendants Mary Runner and Reuben Runner according to the prayer of their petition, and that a writ of inquiry be and is hereby awarded.

1446

L. D. Carrington & Co } Plaintiffs
v.
W. L. Chalmers. } Defendant

And now come the pffs. by attorney, and claim a Judgment final by default against the defendant, W. L. Chalmers. And thereupon, it appearing to the Court that the defendant has been duly cited, and has failed to answer within the time prescribed by law; and it further appearing that plaintiffs' cause of action is liquidated as shown by defendants two promissory notes, It is, therefore, ordered, adjudged and decreed by the Court, that the plaintiffs, L. D. Carrington and David Clark, under their firm name of L. D. Carrington & Co., do have and recover off and from the defendant, W. L. Chalmers, the sum of Two Hundred and Ninety 35/100 Dollars, amount of principal and interest due on the notes sued on to the date of the rendition of this judgment, with ten per cent. interest on said sum until paid, and all costs in this behalf laid out and expended, for all which execution may issue.

Fall Term, Friday, Nov. 21, 1857.

1448 — Meredith Walton v. J. R. McCall, et al. — Plaintiff / Defendants — Continued for service

1459 — D. M. Dawson v. S. G. Sneed — Plaintiff / Defendant — Continued for service.

1456 — Uriah A Pollard, et al. v. L. Hellman — Plaintiffs / Defendant — And now on this day come the plffs. in this cause by their atty. and claim a Judgment final by default against the defendant L. Hellman, And thereupon it appearing to the Court that the said defendant has accepted service of the petition in this case, and waived the issuance and service of process, and has failed to appear and answer within the prescribed time. And it also appearing to the Court, that plaintiffs demand is liquidated as shown by defendants promissory note, It is therefore ordered, adjudged and decreed by the Court that the said plaintiffs Uriah A. Pollard, Charles W. Pollard, and Alfred Rowlett, under their firm name of Uriah A. Pollard & Co, do have and recover off and from the defendant, Leopold Hellman, the sum of One Hundred and Seventy 5/100 Dollars, being the amount of principal debt and interest due on the note sued on to this date, with interest thereon at the rate of eight per centum per annum until paid, together with all costs in this behalf expended, for all which execution may issue.

971 — L. G. Carrington & Co v. E. Raven, H. Duty — Plaintiffs / Defendant / Garnishee — This day came the plaintiffs by attorney, and the garnishee H. Duty, having filed his answer as required by the statute in such cases made and provided; and it appearing to the Court from inspection of the answer filed by said Garnishee, that he is indebted to the defendant, E. Raven, in the sum of Three Hundred and Eighty Dollars which are now due, and it further appearing to the Court that the said plaintiffs L. G Carrington and David Clark, recovered a Judgment against the said E. Raven on the 21st day of June, A.D. 1856 for the sum of One Hundred and Forty-Seven 37/100 Dollars which said Judgment bears interest at the rate of ten per centum per annum, besides the further sum of Twelve 75/100 Dollars for their cost in and about their said suit expended. And it further appearing to the Court, that said Judgment has not, in any manner, been paid off or discharged, It is, therefore, ordered, adjudged and

Fall Term, Friday, November 27, 1857.

decreed by the Court that the said plaintiffs, L. B. Carrington and Gaines Clarke, have and recover of the said H. Daly, Garnishee, the sum of One Hundred and Sixty-Eight 63/100 dollars, their principal debt and interest, together with interest at the rate of ten per centum per annum, besides the further sum of twelve 50/100 Dollars, costs recovered as aforesaid, together with the sum of Three 75/100 Dollars the Cost in this behalf expended, for all which execution may issue against the said Garnishee.

1241

Caroline D. Prentiss — Plaintiff
v.
Harrison & McNormandie — Defendants

and now on this day comes the plaintiff in this cause by her attorney, and claims a Judgment final by default. And thereupon it appearing to the Court that the said Defendants have been duly served with the proper process, and have not answered within the time prescribed by law, And it also appearing to the Court that the cause of action is liquidated as evidenced by a note of hand, It is, therefore, ordered adjudged and decreed by the Court That the said plaintiff, Caroline D. Prentiss do have and recover of the defendants, K. L. Harrison and William P. McNormandie, the sum of One Hundred and Forty-Eight 74/100 Dollars, said sum being the amount of principal debt and interest, due on the note sued on in this case up to the date of the rendition of this Judgment, together with legal interest thereon until paid, and all costs in this behalf expended, for which execution may issue.

And thereupon, It is ordered by the Court that Court do now adjourn until to-morrow, (Saturday) morning, at 9 o'clock.

Saturday, November 28th 1857.

Court convened at nine o'clock, A. M. pursuant to adjournment. Present the same as on yesterday morning. Whereupon the following proceedings were had by said Court, as follows, to-wit:

And now on this day came and appeared in open Court the Grand Jury duly elected, tried, impannelled and sworn for and during the present Term of this Court, and through their Foreman, Morgan C. Hamilton, presented to the Court the following Bills of Indictment, as follows to-wit:

812

The State of Texas — Plaintiff.
v.
D. C. Heffington & T. J. Randolph — Defendants.

selling intoxicating liquors in quantities less than a quart, not manufactured in Texas.

Fall Term, Saturday, November 28, 1857.

✓ 813	The State of Texas v. D C Heffington + T. J. Randolph	Plaintiff / Defendants	Permitting Monte bank to be exhibited in their House for the purpose of Gaming.
✓ 814	The State of Texas v. D C Heffington + T J Randolph	Plaintiff / Defendants	Permitting game with cards called "Poker" to be played in their house for selling liquor.
✓ 815	The State of Texas v. D.C. Heffington + T. J. Randolph	Plaintiff / Defendants	Selling liquors in quantities less than a Quart.
✓ 816	The State of Texas v. D C Heffington + T. J. Randolph	Plaintiff / Defendants	Permitting Gaming Bank called Faro to be exhibited in their house.
✓ 817	The State of Texas v. D C Heffington + T J Randolph	Plaintiff / Defendants	Permitting game with card called "Draw Poker" to be played in their House.
✓ 818	The State of Texas v. D C Heffington + T. J. Randolph	Plaintiff / Defendants	Permitting Gaming bank called Faro to be exhibited in their House by one Theophilus Anderson.
✓ 819	The State of Texas v. D.C. Heffington + William Wallace	Plaintiff / Defendants	Selling intoxicating liquors in quantities less than a Quart.
✓ 820	The State of Texas v. D.C. Heffington + William Wallace	Plaintiff / Defendants	Selling intoxicating liquors in quantities less than a Quart.
✓ 821	The State of Texas v. D.C. Heffington + William Wallace	Plaintiff / Defendants	Selling intoxicating liquors in quantities less than a Quart.

Fall Term, Saturday, November 28 1857

822	The State of Texas v. A. Testard & Testard	Plaintiff Defendants	Selling intoxicating liquors in quantities less than a quart.
823	The State of Texas v. A. Testard & Testard	Plaintiff Defendants	Selling intoxicating liquors in quantities less than a quart.
824	The State of Texas v. A. Testard & Testard	Plaintiff Defendants	Selling intoxicating liquors in quantities less than a quart.
825	The State of Texas v. A. Testard & Testard	Plaintiff Defendants	Permitting gaming with cards called Poker to be played in their Stance.
826	The State of Texas v. Black, ch. n. unknown	Plaintiff Defendant	Selling intoxicating liquors to slave named Peter property of one H. S. Roy.
827	The State of Texas v. Black, ch. n. unknown	Plaintiff Defendant	Selling intoxicating liquors to slave named Joe, property of heirs of Wm. S. Wallace.
828	The State of Texas v. Geo. C. Robinson	Plaintiff Defendant	Selling intoxicating liquors in quantities less than a Quart.
829	The State of Texas v. George C. Robenton	Plaintiff Defendant	Selling intoxicating liquors in quantities less than a Quart.
831	The State of Texas v. J. M. W. Hall.	Plaintiff Defendant	Selling intoxicating liquors in quantities less than a Quart.
831	The State of Texas v. J. M. W. Hall	Plaintiff Defendant	Selling intoxicating liquors in quantities less than a quart.
832	The State of Texas v. R. Clements	Plaintiff Defendant	Selling intoxicating liquors in quantities less than a Quart.

Fall Term, Saturday, Nov. 28, 1857.

833.	The State of Texas v. R. C. Clements	Plaintiff / Defendant	Selling intoxicating Liquor in quantities less than a quart.
834	The State of Texas v. R C Clements	Plaintiff / Defendant	Selling intoxicating Liquors in quantities less than a Quart.
835	The State of Texas v. Robt C. Clements	Plaintiff / Defendant	Selling intoxicating Liquors in quantities less than a Quart.
836	The State of Texas v. Alfred Robinson	Plaintiff / Defendant	Betting at a gaming Bank called Faro.
837	The State of Texas v. Alfred Robenson	Plaintiff / Defendant	Playing at a game with cards called Draw Poker in above [illegible] Liquors.
838	The State of Texas v. Jerry O'Neal	Plaintiff / Defendant	Exhibiting a gaming Bank called Faro.
839	The State of Texas v. Jerry O'Neal	Plaintiff / Defendant	Playing at a game with cards called Draw Poker.
840	The State of Texas v. James R. Jackson	Plaintiff / Defendant	Exhibiting a gaming Bank called Faro
841	The State of Texas v. James R. Jackson	Plaintiff / Defendant	Betting at a gaming Bank called Faro.
842	The State of Texas v. James R. Jackson	Plaintiff / Defendant	Playing at a game with cards called Draw Poker.
843	The State of Texas v. Robert Campbell	Plaintiff / Defendant	Playing at a game with cards called Draw Poker.

Fall Term, Saturday, Nov. 28th 1857.

✓ 844	The State of Texas v. Stuttor, ch. n. unknown.	Plaintiff / Defendant	Selling intoxicating liquors to a slave named Nat property of Mr. Isabella Grumbles.
✓ 845	The State of Texas v. J G Norvell and Charles Smith.	Plaintiff / Defendants	Playing at a game with cards called Poker in a house for retailing spirituous liquors.
✓ 846	The State of Texas v. Smith.	Plaintiff / Defendant	Buying a bill of certain negro slaves.
✓ 847	The State of Texas v. Thomas Boales	Plaintiff / Defendant.	Betting at a gaming Bank called Faro.
✓ 848	The State of Texas v. Thos. Anderson.	Plaintiff / Defendant	Exhibiting a gaming Bank called Faro.
✓ 849	The State of Texas v. James Purdom	Plaintiff / Defendant	Selling intoxicating liquor in quantities less than a quart.
✓ 850	The State of Texas v. J. G Norvell	Plaintiff / Defendant	Exhibiting a gaming Bank called Faro.
✓ 851	The State of Texas v. John Robinson	Plaintiff / Defendant	Selling intoxicating liquors in quantities less than a quart.
✓ 852	The State of Texas v. John L Ford	Plaintiff / Defendant	Playing at a game with cards called Poker in a Grocery shop.
✓ 853	The State of Texas v. Samuel Dale	Plaintiff / Defendant	Assault and Battery.
✓ 854	The State of Texas v. J. L. W. Cooke.	Plaintiff / Defendant	Assault & Battery.

Hall Term, Saturday, Nov. 28, 1857

855	The State of Texas v. John Master	Plaintiff / Defendant	Petit Larceny.
856	The State of Texas v. John Master	Plaintiff / Defendant	Petit. Larceny.
857	The State of Texas v. James Brown	Plaintiff / Defendant	Aparit with intent to Kill and murder.
858	The State of Texas v. G. Berryman	Plaintiff / Defendant	Larceny
859	The State of Texas v. O. L. Nitchkee, Charles Ahrendorf, Charles Riddler Edward Barlain	Plaintiff / Defendants	False imprisonment.
860	The State of Texas v. William O. Philips	Plaintiff / Defendant	Aparit with intent to Kill and murder.

And thereupon, said Grand Jury suggesting to the Court that there was other business before them, they were ordered by the Court to retire upon a further discharge of their duties

611 The State And Thereupon Court adjourned until Monday next at 9 o'clock.

Monday Morning, Nov. 30th 1857.

Court convened at nine o'clock. Present the Hon. A. W. Terrell, Judge of the Second Judicial District, Frank Brown clerk; and Adolphus G. Weir, Sheriff of Travis County.

Whereupon the following proceedings were had by said Court, as follows, to wit:

Fall Term, Monday, Nov. 30th 1857.

1 611

The State of Texas } Plaintiff
v.
John S. Thorn } Defendant

And now on this day came into open Court, Stephen Crosby, who acknowledged himself to owe and be indebted unto the State of Texas in the sum of Five Hundred Dollars to be levied of his Goods and Chattels, Lands and Tenements, but to be void upon condition that the said Crosby be and remain in attendance upon the District Court of Travis County now in session, and from day to day thereof, and from term to term, and from day to day of each term thereafter, to testify on behalf of the plaintiff in the above entitled cause wherein the State of Texas is plaintiff and John S Thorn charged with Perjury, is Defendant, and that he do not depart the Court without leave.

612

The State of Texas } Plaintiff
v.
John S. Thorn } Defendant

And now on this day came into open Court Stephen Crosby, who acknowledged himself to owe and be indebted unto the State of Texas in the sum of Five Hundred Dollars, to be levied upon his Goods and Chattels, Lands and Tenements, But to be void upon condition that the said Crosby be and remain in attendance upon the District Court of Travis County now in session, and from day to day thereof, and from term to term, and from day to day of each term thereafter, to testify on behalf of the plaintiff in the above entitled cause wherein the State of Texas is plaintiff and John S. Thorn, charged with Perjury, is defendant, and that he do not depart the Court without leave.

611

The State of Texas } Plaintiff
v.
John S Thorn } Defendant

And now on this day comes into open Court Francis T. Duffau, and acknowledges himself justly to owe and be indebted unto the State of Texas in the sum of Five Hundred Dollars to be levied upon his Goods and Chattels, Lands and Tenement, But to be void upon condition that the said Duffau be and remain in attendance upon the District Court of Travis County now in session from day to day of said Court and from term to term and from day to day of each term thereafter, to testify on behalf of the plaintiff in the above entitled cause wherein the State of Texas is plaintiff and John S. Thorn, charged with Perjury, is defendant, and that he do not depart the Court without leave.

612

The State of Texas } Plaintiff
v.
John S. Thorn } Defendant

And now, on this day comes into open Court Francis T. Duffau, and acknowledges themself justly to owe and be indebted unto the State of Texas in the sum of Five Hundred Dollars, to be levied upon his Goods and Chattels, Lands and Tenements. But to be void upon condition that the said Duffau be and remain in attendance upon the District Court of Travis County now in session, and from day to day of said Court, and from term to term and from day to day of each term thereafter, to testify on behalf of the plaintiff in the above entitled cause wherein The State of Texas is plaintiff and John S Thorn, charged with Perjury, is defendant, and that he do not depart the Court without leave.

Fall Term, Monday Nov. 30. 1857.

1383	Andrew Weston v. George W. Glasscock	Plaintiff / Defendant	Ordered by the Court that the defendant have leave to file an amended answer.
865	D. D. Hendricks, admr v George W. Glasscock	Plaintiff / Defendant	It is ordered by the Court that the defendants have to file an amended answer.
800	The State of Texas v. Joseph Newsham	Plaintiff / Defendant	And now on this day came into open Court John Y Graves and acknowledged himself justly to owe and be indebted unto The State of Texas in the sum of Five Hundred Dollars, to be levied upon His Goods and Chattels, Lands and Tenements, But to be void upon condition that the said John Y Graves be and remain in attendance upon the District Court of Travis County now in sesion, from day to day thereof, and from term to term, and from day to day of each term thereafter, to testify on behalf of the plaintiff in the above entitled cause wherein The State of Texas is plaintiff, and Joseph Newsham, charged with Perjury, is defendant, and that he do not depart the Court without leave
860	The State of Texas v. Wm C Phillips	Plaintiff / Defendant	It is ordered by the Court that writs of attachment issue for C. W. McAnelly, J. M. Steiner and A. J. Broom as witnesses on behalf of the plaintiff in this cause
857	The State of Texas v. James Brown	Plaintiff / Defendant	It is ordered by the Court that a writ of attachment issue for L. Horst as a witness on behalf of the Plaintiff in this cause.
858	The State of Texas v. G Bergamon.	Plaintiff / Defendant	It is ordered by the Court that a writ of attachment issue for the witness L Fellman, on behalf of the plaintiff in this cause.
858	The State of Texas v. G. Bergamon	Plaintiff / Defendant	And now on this day came into open Court L. Fellman as principal, and Louis Horst as security, and acknowledged themselves jointly and severally, justly to owe and be indebted unto the State of Texas in the sum of five hundred dollars, to be levied upon their respective Goods and Chattels, Lands

Hall Term, Monday, November 30, 1857.

and tenements. But to be void upon condition that the said S. Hellman be and remain in attendance upon the District Court of Travis County now in sejin, from day to day thereof, and from term to term and from day to day of each term thereafter, to testify on behalf of the plaintiff in the above entitled cause wherein The State of Texas is Plff and G. Bingamen, charged with Larceny, is defendant, and that he do not depart the Court without leave.

1857

The State of Texas } Plaintiff
v.
James Brown } Defendant

And now on this day came and appeared in open Court Louis Horst as principal, and S. Hellman as security, and acknowledged themselves jointly and severally, justly to owe and be indebted unto the State of Texas in the sums of Five Hundred Dollars, to be levied upon their respective Goods and Chattels, Lands and tenements, But to be void upon condition that the said Louis Horst as principal, be and remain in attendance upon the District Court of Travis County now in sejion, and from day to day thereof, and from terms to terms, and from day to day of each term thereafter, to testify on behalf of the plaintiff in the above entitled cause wherein The State of Texas is Plaintiff and James Brown, charged with an affault with intent to Kill and Murder, is defendant, and that he the said Louis Horst, do not depart the Court without leave.

843

The State of Texas } Plaintiff
v.
Robert Campbell } Defendant

And now on this day came and appeared in open Court Robert Campbell the defendant in this cause, and acknowledged himself justly to owe and be indebted unto the State of Texas in the just and full sums of One Hundred Dollars, to be levied upon his Goods and Chattels, Lands and Tenements, But to be void upon condition that the said Robert Campbell be and remain in attendance upon the District Court of Travis County now in sejion, and from day to day thereof, and from terms to terms and from day to day of each term thereafter, to answer the Indictment preferred against him by the Grand Jurors of Travis County, at this the Hall Term of the District Court of said County, 1857, for playing at a game with cards called "Draw Poker," in a house for retailing spirituous liquors and that he do not depart the Court without leave.

And thereupon, It is ordered by the Court that those persons who have been summoned on the Special Venire Facias in the case of the State against Cuff, be in attendance on this Court on next Monday Morning, to serve as Jurors in cases on the Criminal Docket, and to remain in attendance from day to day until said criminal Docket is disposed

Fall Term, Monday, November 30, 1857.

↓ 811

The State of Texas } Plaintiff
v.
Cuff, a Slave } Defendant

} On a change of Arson by change of Venue from Hays County in the State of Texas.

And now on this day came the said State of Texas by the District Attorney, Geo. W. Jones, and the defendant in person, and also by attorney; And thereupon said parties announced themselves ready for trial; and the defendant being arraigned, pleads not guilty to the allegations contained in the indictment. And thereupon came a Jury of twelve good and lawful men of Travis County, to wit. William H. Carr, Abner H. Cook, Hiram Bennett, Ashford B. McGill, George W. Glasscock, Martin W. Townsend, Edward Seibert, John B. Banks, George Herner, Enoch S. Johnson, Giles M. Burditt and John T. Price, who being duly tried, elected, empannelled, and sworn the law provides, Thereupon said Jury hearing the testimony and the Argument of the Counsel and receiving the charge of the Court, retired, under charge of the Sheriff to consider of their verdict. And thereupon, said Jury returned into Court the following verdict, To wit: "We, the Jury, find the Defendant guilty, and affix the value of the slave at eleven hundred dollars G. W. Glasscock Foreman."

611

The State of Texas } Plaintiff
v.
John S. Thorn } Defendant

} And now on this day came and appeared in open Court James S. Gillett, and acknowledged himself justly to owe and be indebted unto the State of Texas in the sum of Nine Hundred Dollars, To be levied upon his Goods and Chattels, Lands and Tenements, But to be void upon condition that the said James S. Gillett be and remain in attendance upon the District Court of Travis County now in session, from day to day thereof, and from term to term, and from day to day of each term thereafter, to testify on behalf of the plaintiff in the above entitled cause wherein The State of Texas is Plaintiff and John S. Thorn, charged with Perjury, is Deft, and that he do not depart the Court without leave.

612

The State of Texas } Plaintiff
v.
John S. Thorn } Defendant

} And now on this day came into open Court, James S. Gillett, and acknowledged himself justly to owe and be indebted unto the State of Texas in the sum of five hundred dollars, to be levied upon his goods and Chattels, lands and tenements But to be void upon condition that the said Gillett be and remain in attendance upon the District Court of Travis County now in session, and from day to day thereof, and from term to term and from day to day of each term thereafter, to testify on behalf of the plaintiff in the above entitled cause wherein The State of Texas is plaintiff and John S. Thorn, charged with Perjury, is defendant, and that he do not depart the Court without leave

Fall Term, Tuesday, December 1st 1857

1344 Zara B Stanton, Plaintiff
vs
Wm M Walton
Geo L Walton +
J H Mcarthens, Defendants

And now on this day comes the plaintiff to this Court by attorney, and moves the Court to render a Judgment final by default against these defendants. And thereupon it appearing to the Court that said defendants have been legally cited and have wholly made default by failing to appear in person, or by plea or answer or demurrer; and plaintiff's demands being liquidated, It is therefore ordered, adjudged and decreed by the Court that the said Zara B Stanton have and recover off and from the defendants, William M. Walton, George L Walton and James H Mcarthens, the sum of Two Hundreds and Forty-Five 69/100 Dollars, the said sum being the amount due plaintiff, principal debt and interest up to the date of the rendition of this Judgment, on the note sued on, with eight per cent interest thereon until paid, and all costs in this behalf expended, for all which execution may issue.

And thereupon Court adjourned until to-morrow morning at 9 o'clock.

Tuesday Morning, Dec. 1st 1857

Court Convened at 9 o'clock pursuant to adjournment. Present the same as on yesterday. Whereupon the following proceedings were had by said Court as follows, to wit:

√ 860 The State of Texas, Plaintiff
v.
William O Philips, Defendant

And now on this day came and appeared in open Court, this defendant William O. Philips, as principal, and Richard W Johnson and George W Glasscock as securities, and acknowledged themselves jointly and severally, justly to owe and be indebted unto the State of Texas in the sum of One Thousand Dollars, to be levied upon their respective Goods and Chattels, Lands and Tenements, But to be void, upon condition that the said William O Philips be and remain in attendance upon the District Court of Travis County now in session, and from day to day thereof, and from term to term, and from day to day of each term thereafter, to answer the Indictment preferred against him, the said William O. Philips, by the Grand Jurors of Travis County, at this the Fall Term of the District Court of said County, 1857, for an assault with intent to Kill and murder, and that he do not depart the Court without leave.

Fall Term, Tuesday December 1st 1857.

1860 The State of Texas v. William C. Philips } Plaintiff / Defendant } And now on this day came into open Court Charles W. McAnelly and acknowledged himself jointly to owe and be indebted unto the State of Texas in the sum of Five Hundred Dollars, to be levied upon his Goods and Chattels, Lands and Tenements, But to be void upon condition that he the said Charles W McAnelly be and remain in attendance upon the District Court of Travis County now in sejion, and from day to day of the present term thereof, and from term to term and from day to day of each Term thereafter, to testify on behalf of the plaintiff in the above entitled cause wherein The State of Texas is plaintiff and William C. Philips is Defendant and that he do not depart the Court without leave.

827 The State of Texas v. James A. Flack } Plaintiff / Defendant } And now on this day appeared in open Court the Defendant Flack whose christian name is unknown to the grand Jurors, but who calls himself James A. Flack, as principal, and Michael Zeller as security, and acknowledged themselves jointly and severally justly to owe and be indebted unto the State of Texas in the sum of Two Hundred Dollars, to be levied upon their respective Goods and Chattels, Lands and Tenements, But to be void upon condition, that the said Defendant Flack be and remain in attendance upon the District Court of Travis County now in sejion and from day to day of the present terms, and from term to term and from day to day of each term thereafter, to answer the Indictment preferred against him the said Flack by the Grand Jurors of Travis County, at this the Fall Term of the District Court of said County, 1857, for selling intoxicating liquors to a certain slave named Joe, without the written consent of said slaves master, mistress, overseer or employer, and that he do not depart the Court without leave.

826 The State of Texas v. Flack } Plaintiff / Defendant } And now on this day came into open Court the Defendant Flack, whose christian name is to the Grand Jurors unknown, but who calls himself James A. Flack, as principal, and Michael Zeller, as security, and acknowledged themselves jointly and severally, justly to owe and be indebted unto The State of Texas in the sum of Two Hundred Dollars, to be levied upon their respective Goods and Chattels, Lands and Tenements, But to be void upon condition that the said Defendant Flack be and remain in attendance upon the District Court of Travis county now in sejion and from day to day of the present term, and from term to term, and from day to day of each term thereafter, to answer the

indictment preferred against him the said Black by the Grand Jurors of Travis County, at this the Fall Term of the District Court of Travis County, 1854, for selling intoxicating liquor to a certain slave named Peter, without the written consent of said slave's master, mistress, overseer or employer, and that he do not depart the Court without leave.

1390 ✓ George Hancock v. W. T. Davidson, et al. } Plaintiff / Defendants } And now on this day came into Court the plaintiff by his attorneys, and moved the Court to render a Judgment final by default against these defendants Davidson and Duffau. And thereupon, it appearing to the satisfaction of the Court that said defendants have been duly summoned to answer plaintiff's petition, which they have failed to do within the time prescribed by law; and said ~~defendants~~ having wholly made default, and plaintiff's demand being liquidated as evidenced by an instrument called a note of hand, It is, therefore, ordered, adjudged and decreed by the Court that the said plaintiff, George Hancock, do have and recover of and from the defendants, W. T. Davidson and ~~H. J.~~ H. J. Duffau the sum of Two Hundred and Twenty-Eight 77/100 Dollars, that being the amount of principal debt and interest due on the note sued on to this date, with interest thereon at the rate of twelve per centum per annum from date until its final satisfaction, together with all the costs in this behalf expended, for all which execution may issue.

✓ 1385 R. H. Grimes & Co v. Sylvester Lockwood } Plaintiffs / Defendant } And now on this day came the plaintiffs in this cause by their attorneys, and move the Court to render a Judgment final by default against the defendant. And thereupon, it appearing to the Court that the defendant has been duly summoned and has failed to answer plaintiff's petition within the time prescribed by law; and it further appearing that the cause of action is liquidated as evidenced by a promissory note, It is, therefore, ordered, adjudged and decreed by the Court, that the plaintiffs, R. H. Grimes and J. B. Higgins, under their firm name of R H Grimes & Co, have and recover of the defendant Sylvester Lockwood, the sum of One Hundred and Seventy-Nine 48/100 Dollars, that sum being the amount due the plaintiffs on the note sued on to this date, with interest thereon at the rate of ten per cent. per annum until paid, together with all costs in this behalf expended, for all which execution may issue.

1 170 Webb Kidd v. Hamerton & Kidd } Plaintiff / Defendants } It is ordered by the Court that this cause be continued generally.

Fall Term, Tuesday, December 1st A.D. 1857.

↓ 196	Giles H. Burditt v. William Custard	Plaintiff / Defendant	It is ordered by the Court that this cause be continued.	
↓ 413	R. D. McAnelly v. Simon Purdon	Plaintiff / Defendant	It is ordered by the Court that this cause be continued generally	
↓ 438	B. O. & Susan G. Payne v. Josiah G. Dunn	Plaintiffs / Defendant	It is ordered by the Court that this cause be continued generally	
↓ 444.	Nathl. Townsend v. Holman & Ike Pratt	Plaintiff / Defendants	and now on this day came the pltff by atty. and dismisses his action as to the defendant Ike Pratt. And thereupon the said pltff. and the defendant Holman, by attorney, announced themselves ready for trial. Whereupon came a jury of good and lawful men of Travis County, to wit: G. W. Glasscock and eleven others, who, having heard the testimony, the Argument of counsel and the charge of the Court retired to consider of their verdict, and returned into Court the following verdict, to wit: "We the jury, find for the plaintiff ninety dollars. G. W. Glasscock, Foreman." Wherefore, It is adjudged and decreed by the Court that the plaintiff, Nathaniel Townsend, have and recover of the defendant, Joseph Holman the sum of ninety dollars so found by the jury, and all costs in this behalf expended, for all which execution may issue.	
↓ 578	C. G. Woods v. E. B. Rawles	Plaintiff / Defendant	and now come the parties to this cause by their attorneys, and announced themselves ready for trial. And thereupon said parties, waiving a jury, submit the cause to the decision of the Court. And the Court, after hearing the evidence and argument of counsel, doth order adjudge and decree, that the said plaintiff, C. G. Woods, do have and recover of the defendant, E. B. Rawles, the sum of One Hundred and forty-four dollars, together with all costs in this behalf expended, for all which execution may issue.	
↓ 588	J. R. Rawles v. J. L. Brown	Plaintiff / Defendant	This cause being regularly reached on the docket, and the plaintiff neither appearing in person or by attorney to prosecute the same, It is ordered adjudged and	

decreed by the Court that the same be dismissed forwant of prosecution, and that defendant recover of the plaintiff I. B. Bandle his costs of suit, for which execution may issue

640 ✓ Shepherd & Hutchins } Plaintiffs } And now come the parties
v. to this cause by attorney.
Fielding L. Boy } Defendant } And thereupon, on motion, It is ordered by the Court, that the same be dismissed from the docket, and that Defendant recover of the Plaintiffs, B. A. Shepherd and Wm. J. Hutchins all costs in this behalf expended, for all which execution may issue

✓ 643 George W. Cobb } Plaintiff } It is ordered by the Court that
v. this cause be Continued as by
Isaac N. Payne } Defendants } consent of parties.

✓ 738 Chandler & McFarland } Plaintiffs } It is ordered by the Court
v. that this cause be con-
Augustus Hord } Defendant } tinued generally.

✓ 766 A. H. Lowery } Plaintiff } And now comes the Plaintiff by
v. attorney and dismisses his suit
Cassidy & Finnin } Defendants } as to the defendant E. Finnin
whereupon, It is ordered by the Court that said Finnin recover of the Plff. all his costs, for which execution may issue. And thereupon comes the said Cassidy by his attorney, and the said parties agree, that the Court may render Judgment against the said Cassidy for the sum of Fourteen Hundred and Thirty-Six Dollars the said parties waiving a Jury And thereupon, It is ordered, adjudged and decreed by the Court that the plaintiff, A. H. Lowery, do have and recover off and from the defendant Thomas Cassidy the said sum of Fourteen Hundred and Thirty-Six Dollars, together with all costs, for which execution may issue

✓ 814 John McKean } Plaintiff } And now on this day this cause
v. being regularly reached on
Timothy McKean } Defendant } the docket, and the plaintiff not appearing, in person or by attorney, to prosecute the same, It is ordered that the same be dismissed for want of prosecution, and that the defendant recover of the plaintiff, John McKean, all his costs, for which execution may issue.

✓ 818½ Henry Ross } Plaintiff } It is ordered by the Court that this
v. cause be continued generally.
John A. Green } Defendant

Fall Term, Tuesday December 1. 1857.

849	R. E. Flanniken v. Daniel McKenzie	Plaintiff / Defendant	Continued for service.
850	T. W. Burditt v. William Buttery	Plaintiff / Defendant	It is ordered by the Court that this cause be continued generally.
864	J. & M. Robb v. Joseph Newsham	Plaintiffs / Defendant	It is ordered by the Court that this cause be continued as upon application of plaintiffs.
879	Jacob A. Burditt v. S. W. Keithley	Plaintiff / Defendant	And now comes the Clerk and continues the rule for security for costs heretofore entered & cause is Cont'd generally.
886	David Ayers v. J. Douglas Brown	Plaintiff / Defendant	It is ordered by the Court that this cause be continued as upon consent of parties.
887	W. C. Collinsworth v. John Caldwell	Plaintiff / Defendant	It is ordered by the Court that this cause be continued, upon application of the plaintiff.
890	H. C. Chandler v. G. H. Burditt, et al	Plaintiff / Defendant	It is ordered by the Court that this cause be continued as on application of plaintiff.
910	Corporation of Bastrop v. Alfred Smith	Plaintiff / Defendant	It is ordered by the Court that this cause be continued generally.
918	Giles H. Burditt v. S. W. Keithley	Plaintiff / Defendant	It is ordered by the Court that this cause be continued generally.
922	Levi S. Chatfield v. J. D. Brown et al	Plaintiff / Defendants	This cause is continued by consent of the parties.
945	S. W. Duncan, pro. ad. v. G. A. Burditt, et al	Plaintiffs / Defendants	It is ordered by the Court that this cause be continued generally.

Fall Term, Wednesday, Dec.r 2d. 1857

and thereupon Court adjourned until to-morrow (Wednesday) morning at 9 o'clock

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Wednesday Morning, Dec.r 2d. 1857

Court convened at nine o'clock pursuant to adjournment. Present the Hon. A. W. Terrell, Judge, Frank Brown, Clerk, and Adolphus G. Weir, Sheriff. Whereupon the following proceedings were had by said Court, as follows, to-wit:

840 The State of Texas } Plaintiff
v.
James R. Jackson } Defendant

and now on this day came into open Court the Defendant James R. Jackson as principal, and William D. Patterson, as security, and acknowledged themselves justly to owe and be indebted unto the State of Texas in the sum of One Hundred Dollars to be levied upon their respective Goods and Chattels, Lands and Tenements, But to be void upon condition that the said James R. Jackson be and remain in attendance upon the District Court of Travis county now in session, and from day to day of the present term and from term to term and from day to day of each term thereafter, to answer the Indictment preferred against him, the said James R. Jackson, by the Grand Jurors of Travis County, at this, the Fall Term of the District Court of said County, 1857, for Exhibiting a Gaming Bank called Faro, and that he do not depart the Court without leave.

841 The State of Texas } Plaintiff
v.
James R. Jackson } Defendant

And now on this day came into open Court the defendant James R. Jackson, as principal and William D. Patterson as security and acknowledged themselves justly to owe and be indebted unto the State of Texas in the sum of One hundred Dollars to be levied upon their respective goods and chattels, lands and tenements, But to be void upon condition that the said James R. Jackson be and remain in attendance upon the District Court of Travis County now in session, and from day to day of the present Term, and from Term to Term, and from day to day of each term thereafter to answer the Indictment preferred against him by the Grand Jurors of Travis County at this the Fall Term of the District Court of said County 1857, for Betting at a gaming bank called Faro, and that he do not depart the Court without leave

812 The State of Texas } Plaintiff
vs.
David C. Heffington & Thomas J. Randolph } Defendants

And now on this day came into open Court the defendant Thomas J. Randolph as principal, and

William T. Patterson and Hardy C. Holman as securities, and acknowledged themselves justly to owe and be indebted unto the State of Texas in the sum of two hundred Dollars to be levied upon their respective goods and chattels, land and tenements. But to be void upon condition that the said Thomas J. Randolph be and remain in attendance upon the District Court of Travis County now in session, and from day to day of the present Term, and from term to term, and from day to day of each term thereafter, to answer the Indictment preferred against him, the said Thomas J. Randolph, jointly with one David C. Heffington, by the Grand Jurors of Travis County at this the Fall Term of the District Court of said County 1857. for Selling intoxicating liquors in quantities less than a quart, said liquors sold as aforesaid not having been manufactured in the State of Texas, and that he do not depart the Court without leave.

813

The State of Texas } Plaintiff
vs.
Heffington & Randolph } Defendant

And now on this day came into open Court the defendant Thomas J. Randolph, as principal, and William T. Patterson and Hardy C. Holman as securities, and acknowledged themselves justly to owe and be indebted unto the State of Texas in the sum of One hundred Dollars to be levied upon their respective goods and chattels, lands and tenements, But to be void upon condition that the said Thomas J. Randolph be and remain in attendance upon the District Court of Travis County now in session, and from day to day of the present Term, and from term to term and from day to day of each term thereafter, to answer the Indictment preferred against him, the said Thomas J. Randolph, jointly with one David C. Heffington, by the Grand Jurors of Travis County at this the Fall Term of the District Court of said County 1857, for permitting a gaming bank called "Monte" to be exhibited in their house for the purpose of gaming, and that he do not depart the Court without leave.

814

The State of Texas } Plaintiff
vs.
Heffington & Randolph } Defendants

And now on this day came into open Court the defendant Thomas J. Randolph, as principal, and William T. Patterson and Hardy C. Holman as securities, and acknowledged themselves justly to owe and be indebted unto the State of Texas in the sum of One hundred Dollars to be levied upon their respective goods and chattels, lands and tenements. But to be void upon condition that the said Thomas J. Randolph be and remain in attendance upon the District Court of Travis County now

Fall Term, Wednesday, December 2d, 1857.

in session, and from day to day of the present Term, and from term to term, and from day to day of each term thereafter, to answer the Indictment preferred against him the said Thomas J. Randolph jointly with one David C. Heffington by the Grand Jurors of Travis County at this the Fall Term of the District Court of said County, 1857, for permitting a game with cards called "Poker" to be played in their house, said house then and there being a house for retailing spirituous liquors, and that he do not depart the Court without leave.

J 815

The State of Texas
v.
Heffington & Randolph

Plaintiff
Defendants

And now on this day comes into open Court Thomas J. Randolph, who is indicted jointly with D. C. Heffington, as principal, and William D. Patterson and Hardy C. Holman as securities, and acknowledged themselves jointly and severally, justly to owe and be indebted unto The State of Texas in the sum of Two Hundred Dollars, to be levied upon their respective Goods and Chattels, Lands and Tenements, But to be void upon condition that the said Thomas J. Randolph be and remain in attendance upon the District Court of Travis County now in session, and from day to day of the present term, and from term to term and from day to day of each term thereafter, to answer the indictment preferred against him the said Thomas J. Randolph, jointly with one David C. Heffington, by the Grand Jurors of Travis County, at this the Fall Term of the District Court of said County, 1857, for selling intoxicating liquors in quantities less than a quart, said liquors sold as aforesaid not having been manufactured in the State of Texas, and that he do not depart the Court without leave.

J 816

The State of Texas
v.
Heffington & Randolph

Plaintiff
Defendants

And now on this day comes into open Court Thomas J. Randolph, who is indicted jointly with D. C. Heffington, as principal, and William D. Patterson and Hardy C. Holman as securities, and acknowledges themselves jointly and severally, justly to owe and be indebted unto The State of Texas in the sum of Two Hundred Dollars, to be levied upon their respective Goods and Chattels, Lands and Tenements, But to be void upon condition that the said Thomas J. Randolph be and remain in attendance upon the District Court of Travis County now in session, and from day to day of the present term, and from term to term and from day to day of each term thereafter, to answer the indictment preferred against him the said Thomas J. Randolph jointly with one D. C. Heffington, by the Grand Jurors of Travis County at this the Fall Term of the District Court of said County, 1857, for permitting a gaming game called Faro to be exhibited in their House for the purpose of gaming,

J 817

The State of Texas
v.
Heffington & Randolph

Plaintiff
Defendants

And now on this day comes into open Court the defendant Thomas J. Randolph who is indicted jointly with D. C. Heffington,

Fall Term, Wednesday, December 2d 1857

as ~~principals~~; and William T. Patterson and Hardy C. Holman as securities, and acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of Two Hundred Dollars, to be levied upon their respective goods and Chattels, Lands and Tenements. But to be void upon condition that the said Thomas J. Randolph be and remain in attendance upon the District Court of Travis county now in session and from day to day of the present term, and from term to term, and from day to day of each term thereafter, to answer the indictment preferred against him, the said Thomas J Randolph, jointly with one D C. Heffington, by the Grand Jurors of Travis County, at this the Fall Term of the District Court of said County, 1857, for permitting a game with cards called draw: poker to be played in their house for retailing Spirituous liquors, and that he do not depart the Court without leave.

818 The State of Texas v. Heffington & Randolph } Plaintiff / Defendants } And now on this day comes into open Court the defendant Thomas J. Randolph, as principal and William T. Patterson and Hardy C. Holman as securities and acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of Two Hundred Dollars, to be levied upon their respective goods and Chattels, Lands and Tenements, But to be void upon condition that the said Thomas J. Randolph be and remain in attendance upon the District Court of Travis County now in session, from day to day thereof, and from term to term and from day to day of each term thereafter, to answer the indictment preferred against him by the Grand Jurors of Travis County at this the Fall Term, 1857, for permitting a Gaming bank for the purpose of gaming to be exhibited in their house by one Theophilus Anderson, and that he do not depart the Court without leave, said Randolph being indicted as aforesaid jointly with D.C. Heffington:

1167 Pierson & Dunn v. E & A. Den Eyck } Plaintiffs / Defendants } This cause coming on to be heard came the respective parties by their attorneys. plaintiffs by Chandler & Turner, and the defendants by Carter & de Normandie, a Jury being waived and the matters submitted to the Court. Whereupon the following decree is entered in open Court by consent of the said parties, this suit being upon two promissory notes set out in plaintiff's petition, it is ordered, adjudged and decreed by the Court that the said plaintiffs Daniel Pierson and William W. Dunn do have and recover off and from the said defendants, Edward Den Eyck and Alfred Den Eyck the just and full sum of Two Thousand Eight Hundred and

Fall Term, Wednesday December 2, 1857

Twelve and 27/100 dollars, balance due the plaintiffs as principal debt and interest to this date. And it is further ordered, adjudged and decreed by the Court that said plaintiffs recover of said defendants all costs of this suit expended, for which execution may issue.

✓ 1268	Wilson Green v. A. G. Hamilton, et al	Plaintiff / Defendants	It is ordered by the Court that the plaintiff have leave to amend
✓ 1278	Samuels & Mason v. E. Reed	Plaintiffs / Defendant	It is ordered by the Court that the plaintiffs in this cause have leave to amend.
✓ 1128	Carl Heinze v. G. Kirchburg	Plaintiff / Defendant	And now on this day comes the said plaintiff, by attorney, and on motion, It is ordered by the Court that the Judgment of non suit entered in this cause at the last term hereof be set aside and held for naught And thereupon said plaintiff, by his said attorney, moves the Court to render a Judgment final by default against the defendant. and Thereupon, it appearing to the satisfaction of the Court that said defendant has been duly served with process and has failed to answer within the time prescribed by law, and it further appearing that the cause of action is liquidated as evidenced by an instrument of writing called a note of hand, It is, therefore ordered, adjudged and decreed by the Court that the said plaintiff, Carl Heinze have and recover off and from the defendant Gustavus Kirchburg the sum of One Hundred and Eighty-Six 27/100 dollars, said sum being the amount due the plff. on the note sued on to date, with eight per cent. interest on said sum until paid, together with all costs in this behalf expended for all which execution may issue.
✓ 986	Thomas H. Chapman v. Grumbles & Duncan	Plaintiff / Defendants	It is ordered by the Court that this cause be continued as upon application of defendant Grumbles by affidavit
982	Shropshire & Davis v. Ford, Walker & Davidson	Plaintiffs / Defendants	and now on this day came the parties to this cause by their respective attorneys, the same being regularly reached upon the docket, and announced themselves ready for trial. And thereupon came a jury of twelve good and lawful men of Travis county, to wit: Jno. S. Spence and eleven others, who being duly tried, elected, empannelled and sworn according to law, heard the pleadings read, the evidence introduced

Fall Term, Wednesday December 2nd 1857.

by the parties, and the argument of the counsel, and being charged by the Court, retired under charge of the bailiff, to consider of their verdict. And thereupon said Jury came into Court, and presented their verdict to the Court, which is as follows: "We, the Jury, find for the plaintiffs $2502 with interest at 8 per cent. from June 1st 1856" Jno. S. Spence, Foreman." Whereupon, It is considered, ordered, adjudged and decreed by the Court, that the said plaintiffs Benjamin Shropshire and Robert M. Davis, under their firm name of Shropshire & Davis, do have and recover of and from the defendants, John S Ford, Joseph Walker and Wilson T Davidson under their firm name of Ford, Walker & Davidson, the sum of Two Hundred and Fifty Dollars, with interest on said sum at the rate of eight per cent. per annum from the first day of January, 1856 as found by the Jury aforesaid, together with all their costs in this behalf laid out and expended, for all which execution may issue.

1041 — Thomas F Chapman v. Samuel Stone & John Calvin — Plaintiff / Defendants — And now on this day comes into open Court the said plaintiff, by his attorneys Stanley & West, and suggest to the Court the death of the defendant Samuel Stone. And Thereupon, On motion of the said plaintiff, by his said attorneys, It is ordered by the Court that the Sheriff of Johnson county is allowed to amend his return on the citation to John Calvin in this cause

1058 — William Gistand v. Richard Hardwick & G. H. & W. B. Burditt — Plaintiff / Defendants — And now comes the plaintiff by attorney, and on his motion It is ordered by the Court that he have leave to amend

1074 — Thomas J. Moore v. A. J. Denson — Plaintiff / Defendant — It is ordered by the Court that the defendant have leave to amend.

1387 — George Sanders v. W. C. Holman, et al. — Plaintiff / Defendants — It is ordered by the Court that this cause be continued for service on the defendant Nelson Merrill

1415 — J. J. Alexander v. Milton Perry, et al. — Plaintiff / Defendants — It is ordered by the Court that this cause be continued for service.

844 — The State of Texas v Stinton, whose christian name is unknown to Grand Jurors — Plaintiff / Defendant — And now on this day came and appeared in open Court this defendant Stinton, whose christian name is unknown to the

Fall Term, Wednesday, December 2nd 1857

Grand Jurors, as principal, and Henry Stensey as security, and acknowledged themselves jointly and severally, justly to owe and be indebted unto The State of Texas in the sum of Two Hundred Dollars to be levied upon their respective Goods and Chattels, Lands and Tenements, But to be void upon condition that the aforesaid Stilton be and remain in attendance upon the District Court of Travis County now in session and from day to day thereof, and from term to term, and from day to day of each term thereafter, to answer the Indictment preferred against him the said Stilton by the Grand Jurors of Travis County, at this, the Fall Term of the District Court of said County, 1857. for Selling intoxicating liquor to a certain slave named Nat, the property of Mrs Isabella Grumbles, without the written consent of said Slaves master, mistress, owner or employer, and that he, the aforesaid Stilton, do not depart the Court without leave

✓ 838

The State of Texas } Plaintiff
v.
Terry O'Neil } Defendant

} and now comes into Court on this day, this defendant, Terry O'Neil, as principal, and William R. Baker and David O. Heffington as securities, and acknowledged themselves jointly and severally, justly to owe and be indebted unto The State of Texas in the sum of One Hundred Dollars, to be levied upon their respective Goods and Chattels, Lands and Tenements, But to be void upon condition that the said Terry O'Neil be and remain in attendance upon the District Court of Travis county now in session, and from day to day thereof, and from term to term, and from day to day of each term thereafter, to answer the Indictment preferred against him, the said Terry O'Neil by the Grand Juror of Travis county, at this the Fall Term of the District Court of said County, 1857. for Exhibiting a gaming bank called Faro for the purpose of gaming, and that he do not depart the Court without leave.

✓ 839

The State of Texas } Plaintiff
v.
Terry O'Neil } Defendant

} and now on this day came and appeared in open Court, this defendant Terry O'Neil as principal, and William R. Baker and David O. Heffington, as securities, and acknowledged themselves jointly and severally, justly to owe and be indebted unto The State of Texas in the sum of One Hundred Dollars, to be levied upon their respective Goods and Chattels, Lands and Tenements, But to be void upon condition that the said Terry O'Neil be and remain in attendance from day to day on the present Term of the District Court of Travis county, and from term to term and from day to day of each term thereafter, to answer the indictment preferred against him the said Terry O'Neil by the Grand Juror of Travis county at this the Fall Term of the District Court of said County, 1857. for playing at a game with cards called draw poker in a house for retailing spirituous liquors upon which game money was bet, and that the said O'Neil do not depart the Court without leave.

✓ 1067

Thomas Freeman } Plaintiff
v.
E. B. Smith } Defendant

} And now on this day came the parties to this cause by their attorneys. And the defendant moved the Court to continue

Hall Circuit, Wednesday, Dec! 2d 1857.

the same and read his affidavit for said continuance, which motion was overruled by the Court. And defendant's demurrer coming on to be heard, the same was overruled by the Court, and the parties went to trial. Whereupon came a Jury of twelve good and lawful men of Davis county, to wit: G. W. Davis, Foreman and eleven others, who being duly tried, elected, empannelled and sworn according to law, the parties introduced their testimony; and thereupon, argument of counsel being heard, and the Court charging the Jury, said Jury retired to consider of their verdict, and brought into Court the following verdict, to wit: "We, the Jury, find for the plaintiff the sum of two hundred dollars. "G. W. Davis, Foreman." Whereupon, It is Considered, ordered, adjudged and decreed by the Court, that the said plff Thomas Freeman, have and recover off and from the defendant, E. B. Smith, the sum of Two Hundred Dollars, so found by the Jury as aforesaid, and all costs in this behalf expended, for all which execution may issue.

1058 — William Chetland v. Dorland & Burditt — Plaintiff / Defendants — It is ordered by the Court that this cause be continued.

1059 — James Beck & Co. v. T. W. & W. Burdett — Plaintiffs / Defendants — It is ordered that this cause be continued on motion of plaintiffs by attorney.

1065 — W. P. Higgins, etal v. John M. Halcomb — Plaintiffs / Defendant — This cause being regularly reached upon the docket and the plffs. failing to prosecute the same either in person or by attorney; and it further appearing that Plaintiffs were ruled to enter into bond and security for costs of suit, at a former term, with which they have not complied, It is ordered by the Court that said cause be dismissed from the docket, and that defendant recover of the Plaintiffs, W. P. Higgins, John M. Higgins and Newton C. Higgins all costs of this suit, for which execution may issue.

1087 — Victor Doerk v. Augustus Schwartz — Plaintiff / Defendant — This cause being regularly reached upon the docket, and said Doerk, plaintiff not appearing in person or by attorney to prosecute the same It is ordered by the Court that said cause be dismissed from the docket and that defendant recover of the plff. Victor Doerk, all costs in this behalf laid out and expended, for all which execution may issue.

Fall Term, Thursday, December 3d 1857.

And thereupon Court adjourned until Thursday, to-morrow morning at 9 o'clock

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Thursday December 3d 1857.

Court convened at nine o'clock, A. M. pursuant to adjournment. Present the same as on yesterday. Whereupon the following proceedings were had by said Court as follows, to wit.

857

The State of Texas } Plaintiff
v.
James Brown } Defendant

} And now on this day came and appeared in open Court the defendant in this cause James Brown, as principal, and Horace S. Upshur, Alfred Groves and Bird Holland as securities, and acknowledged themselves jointly and severally, justly to owe and be indebted unto The State of Texas in the sum of One Thousand Dollars to be levied upon their respective Goods and Chattels Lands and Tenements, But to be void upon condition that the said James Brown, defendant, be and remain in attendance from day to day of the present Term of the District Court of Travis County, and from term to term, and from day to day of each term thereafter, to answer the indictment preferred against him, the said James Brown by the Grand Jurors of Travis County at this the Fall Term of the District Court of said County, 1857, for an assault with intent to Kill and murder one Louis Horst, and that he do not depart the Court without leave.

719

Louis Rose & wife } Plaintiffs
vs.
Thomas C Collins } Defendant

} And now on this day this Cause coming on for hearing the parties having announced themselves ready for trial, waiving a Jury submitted the Case to the Court, And thereupon; on hearing the proof, It is considered by the Court, And it is thereby Ordered adjudged and decreed that Louis Rose and Peggy Rose the plaintiffs herein, recover of and from the defendant Thomas C Collins And from the intervenor herein David W. Haleh, the Bounty Land Warrant in their petition described being Duplicate Bounty Land Warrant No 317, issued on the 23d day of December, 1847 to James Rose, And that the entire Right, title and interest in and to said Bounty Land Warrant be and the same is hereby vested in the said Louis And Peggy Rose, their heirs, &c forever; That the said Thomas C Collins be required to deliver into Court said Certificate instanter and that pffs. recover of said intervenor David W. Haleh all costs in this behalf expended, for which execution may issue

Fall Term, Thursday, December 3, 1857.

1103 R. W. Rowlin v. W. C. Walker, et al } Plaintiff / Defendants } And now come the parties to this cause by attorney, and announced themselves ready for trial. Whereupon the said plaintiff, by attorney, moved to submit the cause to the Court, without the intervention of a Jury which motion was overruled by the Court. And thereupon came a Jury of twelve good and lawful men of Travis County, to wit George W. Glasscock, Foreman, and eleven others, who being duly tried, elected, empannelled and sworn, after hearing the evidence and the argument of counsel, retired to consider of their verdict. And thereupon, after deliberation, said Jury not being able to agree, the Court ordered said Jury to be discharged from the further consideration of the case, and awards a mistrial and continues the case.

1108 Newell W. Burdett v. Mimus C. Burdett } Plaintiff / Defendant } And now come the parties to this cause by their respective attorneys. And thereupon, on motion, It is ordered by the Court that the same be dismissed from the docket, and that the ~~plaintiff~~ recover of the defendant Mimus C. Burdett all costs in this behalf expended, for which execution may issue.

1109 L. Tellman v. Geo. Monk } Plaintiff / Defendant } And now on this day came the parties to this cause by their attorneys, and plaintiff's motion to dismiss the Certiorari coming on to be heard, and the same being Argued, It is ordered by the Court that said motion be allowed, and the cause dismissed from the docket, and the plaintiff recover his costs. Ordered, further, that the costs be taxed, and a correct copy thereof be certified to the Probate Court of Travis county, as a just and liquidated claim against the estate of the said Geo. Monk.

1112 Abner See v. Thomas J. Moore } Plaintiff / Defendant. } And now comes the Plaintiff by his attorney Joseph Bledsoe and moves the Court to dismiss this cause from the docket. And thereupon, It is ordered by the Court that said motion be granted, and that defendant recover of said plaintiff, Abner See, all costs in this behalf expended; for which execution may issue.

Fall Term, Thursday, December 3d 1857.

J 1126 — George J. McMurtry, Plaintiff / v. / James D. Easton, Defendant — And now come the parties by their attorneys. And defendants demurrer to plaintiffs petition coming on to be heard, the same was overruled by the Court. And thereupon, said parties having announced themselves ready for trial, there came a Jury of good and lawful men of Travis county to wit: J. C. Glasscock and eleven others, who being duly tried, elected empannelled and sworn, heard the evidence introduced, and hearing the charge of the Court, retired, and brought into Court the following verdict, to wit: "We, the Jury, find for the plaintiff One Hundred and Eighty-Nine dollars & thirty-seven cents. J. C. Glasscock, Foreman." It is therefore ordered, adjudged and decreed by the Court that the plaintiff, George J. McMurtry, have and recover off and from the defendant James D. Easton, the sums of One Hundred and Eighty-Nine 37/100 dollars, found by the Jury aforesaid, together with all costs in this behalf expended, and interest on the sums of $189.37, the amount found by the Jury, at the rate of ten per cent. per annum until paid, for all which execution may issue.

J 1127 — William Clifton, Plaintiff / v. / Thomas Rowe, Defendant — And now comes the plaintiff, by attorney, and on his motion, It is ordered by the Court that this cause be dismissed from the docket and that Defendant recover of the plaintiff all costs in this behalf expended, for which execution may issue.

J 1129 — R. H. Peck, Plaintiff / v. / Joseph A. Smith, Defendant / Robert Creuzbaur, Garnishee — And now comes William P. de Normandie and moves the Court to be allowed to intervene in this cause, which motion is refused by the Court, the application being made for the first time when the cause is called for trial, to which refusal said de Normandie excepts. And thereupon came a Jury of twelve good and lawful men of Travis county, to wit: D. W. Goodrich and eleven others, who being duly tried, elected, empannelled and sworn, were charged by the Court, and retired to consider of their verdict. Whereupon said Jury returned into Court the following verdict, to wit: "We, the Jury, find for the plaintiff Peck the sums of Ninety-Nine dollars and twenty cents. D. W. Goodrich. Foreman." Wherefore, It is ordered, adjudged and decreed by the Court that the said plaintiff, R. H. Peck, recover of the said Garnishee, R. Creuzbaur, the said sums of Ninety-Nine 20/100 Dollars, for which execution may issue.

J 1143 — H. W. Chandler, Plaintiff / v. / J. W. Fondleston, et al. Defendants — It is ordered by the Court that this cause be continued on the affidavit of the Defendant

Fall Term, Thursday December 3rd 1857.

1179	Geo. E. Brewster v. Wm Johnson, et al	Plaintiff / Defendants	It is ordered by the Court that the plaintiff have leave to file amended petition.
1240	The State of Texas v. Thomas Robb et al	Plaintiff / Defendants	It is ordered by the Court that the defendant have leave to amend his answer.
1241	Geo L & Wm M. Mackey v. H. J. Roy	Plaintiffs / Defendant	It is ordered by the Court that the parties to this cause have leave to amend
1248	Samuels & Masson v E. Reed	Plaintiff / Defendant	It is ordered by the Court that the defendant have leave to amend.
1286	A. G. Compton v. Western Stage Company	Plaintiff / Defendants	It is ordered by the Court that the defendants have leave to amend.
1311	E. R. Pike v. J. W. Avery, et al.	Plaintiff / Defendants	Ordered by the Court that the defendants have leave to amend.
1351	Martha H. Mitchell v. A. B. McGill / G. W. Johnson	Plaintiff / Defendant Garnishee	It is ordered by the Court that the plaintiff and defendant have leave to amend their pleadings in this cause
1359	The State of Texas v. A. Martin, et. al.	Plaintiff / Defendants	It is ordered by the Court that the plaintiff have leave to amend.

And thereupon Court adjourned until to morrow morning

Friday Dec. 4th 1857

Court convened at nine o'clock pursuant to adjournment. Present the same as on yesterday. Whereupon the following proceedings were had in said Court as follows, to wit:

And now on this day came and appeared in open Court the Grand Jury duly elected, empannelled, sworn and charged for and during the present Term of this Court, and through their foreman, Morgan C. Hamilton, presented to the Court the following Bills of Indictment, to wit:

811 ✓	The State of Texas v. Robert A. Burford	Plaintiff Defendant	Killing Hogs
✓ 812	The State of Texas v. Samuel Duncan	Plaintiff Defendant	Selling Liquor
✓ 813	The State of Texas v. Done & Dillingham	Plaintiff Defendants	Betting on Election
✓ 814	The State of Texas v. — Bilton	Plaintiff Defendant	Betting at Faro
815 ✓	The State of Texas v. Marshall & Morris	Plaintiff Defendants	Betting on Election
✓ 816	The State of Texas v. Martenus & Lopez	Plaintiff Defendants	Buying from Slave
✓ 817	The State of Texas v. James Burditt	Plaintiff Defendants.	Selling Liquor
✓ 818	The State of Texas v. James Burditt	Plaintiff Defendants	Selling Liquor
✓ 819	The State of Texas v. Geran & Hart	Plaintiff Defendants	Betting on Election
✓ 8711	The State of Texas v Brownrigg Helleman	Plaintiff Defendants	Betting on Election
✓ 871	The State of Texas v. R. C. Clements	Plaintiff Defendant	Selling Liquor
✓ 872	The State of Texas v. S Lockwood	Plaintiff Defendant	Apanet.

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873	The State of Texas	Plaintiff	Selling Liquor
	v.		
	John Robertson	Defendant	
874	The State of Texas	Plaintiff	Selling Liquor
	v.		
	John Robertson	Defendant	
875	The State of Texas	Plaintiff	Cient-um
	v.		
	Testard & Testard	Defendants	
876	The State of Texas	Plaintiff	Permitting Carets
	v.		
	Testard & Testard	Defendants	
877	The State of Texas	Plaintiff	Using stray horse
	v.		
	John P. Sneed	Defendant	
878	The State of Texas	Plaintiff	Selling Liquor
	v.		
	Samuel Duncan	Defendant	
879	The State of Texas	Plaintiff	Exhibiting Monte.
	v.		
	David Wills	Defendant	
880	The State of Texas	Plaintiff	Playing Cards
	v.		
	James R. Jackson	Defendant	
881	The State of Texas	Plaintiff	Betting on Election
	v.		
	John M. Smith	Defendant	
882	The State of Texas	Plaintiff	Betting on Election
	v		
	Coney & Kinney	Defendants	
883	The State of Texas	Plaintiff	Aggravated Assault.
	v.		
	Meeks & Meeks	Defendants	

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✓ 884	The State of Texas v. Snead & Ladd	Plaintiff Defendants	Cutting Timber
✓ 885	The State of Texas v. Hefflington & Wallace	Plaintiff Defendants	Permitting Faro.
✓ 886	The State of Texas v. Hefflington & Wallace	Plaintiff Defendants	Permitting Faro.
✓ 887	The State of Texas v. A.G. Weir	Plaintiff Defendant.	Apeal.
✓ 888	The State of Texas v. Hefflington & Randolph	Plaintiff Defendants	Permitting Pool.
✓ 889	The State of Texas v. Hefflington & Randolph	Plaintiff Defendants	Permitting Faro.
✓ 890	The State of Texas v. Hefflington & Wallace	Plaintiff Defendants	Permitting Monte
✓ 891	The State of Texas v. Charles H. Rondeau	Plaintiff Defendant	Playing Pool
✓ 892	The State of Texas v. — Bilton	Plaintiff Defendant	Betting at Faro.
✓ 893	The State of Texas v. Thomas Bowles	Plaintiff Defendant	Betting at Faro.
✓ 894	The State of Texas v. C. A. Harrison	Plaintiff Defendant	Playing Pool.

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893	The State of Texas v. Jack Robertson	Plaintiff Defendant	Playing Pool	
894	The State of Texas v. Arnold Stoline	Plaintiff Defendant	Selling Liquor	
897	The State of Texas v. Wm. Thomas	Plaintiff Defendant	Playing Pool.	
898	The State of Texas v. Thos. Bowles	Plaintiff Defendant.	Betting at Pool	
899	The State of Texas v. Alfred Evans	Plaintiff Defendant	Reputation	
900	The State of Texas v. F. C. Evans	Plaintiff Defendant	Reputation	
901	The State of Texas v. Lewis Horst	Plaintiff Defendant	Selling Liq.	
902	The State of Texas v. Horace O'Neil	Plaintiff Defendant	Exhibiting Fan	
903.	The State of Texas v. C. Kirk	Plaintiff Defendant	Betting at Pool	
904	The State of Texas v. A. S. Hamilton	Plaintiff Defendant	Assault & Battery	
905	The State of Texas v. Jno. Marshall	Plaintiff Defendant.	Reputation	

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✓ 906	The State of Texas v. W. C. Phillips	Plaintiff Defendant	Reputation
✓ 907	The State of Texas v. Jno. Marshall	Plaintiff Defendant	Reputation
✓ 908	The State of Texas v. Jno. Marshall	Plaintiff Defendant	Reputation
✓ 909	The State of Texas v. W. C. Phillips	Plaintiff Defendant	Reputation
✓ 910	The State of Texas v. Gen. H. Paschal	Plaintiff Defendant	Reputation
✓ 911	The State of Texas v. S. G. Horne	Plaintiff Defendant	Vente-una

And Thereupon said Grand Jury having suggested to the Court that there was no further business before them, they were ordered by the Court, to be discharged from any further services at this term.

106 ✓ 110	Martin Moore v. Wm Bohles	Plaintiff Defendant	} and	Wm Bohles v. Martin Moore	Plaintiff Defendant	}

And now on this day this Cause being regularly reached on the Docket, and the said Moore neither appearing in person orby attorney to prosecute the same, It is Ordered by the Court that the Same be dismissed from the docket and that the said Bohles recover of the said Martin Moore all costs in this behalf expended, for which execution may issue.

And Thereupon Court adjourned until to morrow Saturday Morning, at 9 o'clock

~~Friday~~ Saturday Morning, Decr 5th 1857

Court convened at 9 o'clock pursuant to adjournment. Present the Hon. A. W. Terrell Judge, Frank Brown, Clerk and Adolphus G Wier, Sheriff. Whereupon the following proceedings were had by said Court, as follows, to wit:

Fall Term, Saturday, December 5th 1857.

1074 — Thomas J Moore, Plaintiff v. A J Denson, Defendant — And now on this day Come the parties to the Above entitled Cause by their Attorneys And the Motion of the Pltff to Amend the Affidavit Made by the Plaintiff for the issuance of the writ of attachment in said Cause by permitting the Clerk of this Court, before whom said Affidavit was made, to attach his Seal or Certificate thereto, that said affidavit was Subscribed and Sworn to before him nunc pro tunc coming On to be heard, and it appearing to the Court from an examination of the papers in the Cause, and from the affidavit of Frank Penny, Clerk of this Court, that said Affidavit for attachment was made by said plaintiff in due form of law before said Clerk on the 28th day of November, A. D. 1856, and that said Clerk Accidentally omitted to attach his Seal of Certificate thereto at the time the same was made it is ordered by the Court that said motion be sustained. It is therefor Ordered by the Court that the Clerk, amend nunc pro tunc said affidavit for attachment by appending thereto his Certificate that the same was subscribed and sworn to before him

1074 — Thomas J. Moore, Plaintiff v. A. J. Denson, Defendant — And now Comes the defendant by Attorney, and by leave of the Court withdraws the plea in abatement heretofore by him filed. And thereupon, on Motion of the parties, It is Ordered by the Court, that the plaintiff and defendant respectively have leave to amend their pleadings, and Case Continued on affidavit of plaintiff.

1074 — Thomas J Moore, Plaintiff v. A J Denson, Defendant — And now on this day the motion being regularly reached on the Motion Docket to Quash the attachment issued in this Cause against the defendant A. J. Denson, came the said parties by their attorneys, and after Argument of Counsel thereon, the same was Overruled by the Court.

577 — J W. Hampton's Admr, Plaintiff v. J M. W Hall et. al, Defendant — And now Come the parties to the above entitled Cause, and Thereupon come the pltff and dismiss the writs of Garnishment heretofore in the Above Cause issued out against J. C Hampton and J. H. Zealy, and thereupon it is Considered by the Court that the said Garnishees go hence without day and have And Recover of and from the plaintiff all their Costs in this behalf expended, and this decree is Ordered to be certified to the Probate Court for Observance.

998 — William P. Mabin, Plaintiff v. Jonas Dancer & David Thomas, Defendants — And now Comes the plaintiff Mabin and the defendant Dancer by Attorneys and announced themselves ready for trial. And it appearing to the Court that full and legal service had been had on the said Thomas, and it appearing that the said Thomas has not answered within the Time prescribed by law, but has

wholly failed and made default, and the demands appearing to be unliquidated came a Jury of good and lawful men to wit: Geo. W. Glascock and eleven others duly elected and sworn according to law to try the issues between the said Plaintiff and the defendant Dancer, and to execute a writ of inquiry as to the said Thomas, and the Jury having heard the pleadings, the evidence, the arguments of counsel and the charge of the Court, retired to consider of their verdict and thereupon returned into the Court the following verdict, to wit: "We, the Jury, find for the plaintiff the sum of One Hundred and Fourteen Dollars, and also find for the defendant Dancer." (Signed) "Geo. W. Glascock, Foreman"
And it appearing from the said Verdict that the allegations in said petition so far as they relate to said Thomas are true. It is therefore ordered and decreed by the Court, that the plaintiff Malin do have and recover of and from the said Thomas the sum of One Hundred and Fourteen Dollars, with interest thereon from the rendition hereof until its final satisfaction, together with all the costs of suit in this behalf expended, for all which execution may issue.
And it further appearing from the verdict that the allegations in the plaintiffs petition so far as relates to the Defendant Dancer, are not true, It is ordered that the said Dancer go hence without day, and have and recover of the plaintiff all the costs of the said Dancer in this behalf expended, for which execution may issue

↓ 1104

W. A. Hamilton } Plaintiff
v. } And now on this day came the parties to
George L. Walton } Defendant } this cause by their respective attorneys, and announced themselves ready for trial. Whereupon came a Jury of twelve good and lawful men of Lewis County, to wit: S. W. Goodrich and eleven others, who being duly elected, empannelled, sworn and tried according to law, heard the evidence, argument of counsel and the charge of the Court, and retired to consider of their verdict. And thereupon said Jury returned into Court the following verdict, to wit: "We, the Jury, find for the plaintiff Sixty-Nine Dollars and 66/100" S. W. Goodrich, Foreman." Whereupon, It is ordered, adjudged and decreed by the Court that the said plaintiff W. A. Hamilton, do have and recover of the defendant George L. Walton, the sum of Sixty-Nine 66/100 Dollars, the amount found due by the Jury, together with all the costs in the Magistrates Court and this Court expended, for all which execution may issue.

↓ 1185

A. B. McGill } Plaintiff
v. } And now on this day came the parties to this cause by
P. W. Hamlin & } their respective attorneys and the motion to dissolve
C. W. McAnelly } Defendants } the injunction coming on to be heard the same was argued by counsel. And thereupon said motion to dissolve was sustained by the Court. And thereupon the said parties waive a Jury and submit the Cause to the Judgment of the Court. And upon the hearing of the evidence and argument of counsel, the Court doth order, adjudge and decree, that the said defendants have and recover of the said A. B. McGill and the securities on his injunction bond to wit: Robert B. Costa and Joseph Ley the sum of Eighty-Two 15/100 Dollars, the amount expended by the said W. McGill, with

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ten per centum damages thereon, as well as all costs in and about this suit laide out and expended, for all which execution may issue. And thereupon said plaintiff gives notice, in open Court, of an appeal to the Supreme Court

1198 B C Bennett v. J A P Carr | Plaintiff / Defendant | And now on this day come the parties to this cause by attorney and plff's motion to dismiss the Certiorari coming on to be heard the same was argued by counsel and overruled by the Court.

1198 B. C. Bennett v. J. A. P. Carr | Plaintiff / Defendant | And now again on this day came these parties by their attorneys and waiving a Jury announced themselves ready for trial, and submitted the cause to the Court. And thereupon defendants plea to the jurisdiction of the Court being submitted, the same was argued and by the Court sustained. And thereupon, it is ordered, adjudged and decreed by the Court, that this cause be dismissed from the docket, and that the defendant recover of the plaintiff B.C. Bennett, all costs in the Magistrate's Court and this Court expended, for all which execution may issue.

1228 The State of Texas v. George Hesser | Plaintiff / Defendant | And now on this day came the parties by attorney, and defendants motion to set aside the judgment by default heretofore rendered against him coming on to be heard, the said motion is granted. And thereupon it is Ordered by the Court, that said Judgment, and the principal sum be set aside and held for naught, and that defendant pay all costs of this proceeding, for which execution may issue.

1264 Samuel G. Newell v. J G Rupell et al. | Plaintiff / Defendants | And now comes the Defendant by E. B. Turner, attorney, and also the plaintiff by attorney and the motion to dismiss attachment being argued and submitted to the Court, It is adered that the same be overruled.

1264 Samuel G. Newell v. J G Rupell et al. | Plaintiff / Defendants | And now comes the plaintiff by attorney and on his motion, It is adered by the Court, that this cause be dismissed from the docket, and that the defendants recover of and from the said plaintiff, Samuel G. Newell, all costs of this suit for which execution may issue.

1287 James McDonalds v. Hellman | Plaintiff / Defendant | And now on this day came the parties to this cause by their attorneys, and the motion to

dismiss the Certiorari coming on to be heard the same was argued by Counsel and overruled.

✓ 1183	John Kraus v Theodore Herzing et al	Plaintiff / Defendants	And now come these Parties by their attorneys and the motion of Defendants to quash the return of the Sheriff on the attachment sued out in this case coming on to be heard, the same is sustained by the Court.
✓ 1293	S J Copsidy v. Samuel & Mopson	Plaintiff / Defendants	And now on this day came the parties by their attorneys, and plaintiffs motion to dismiss the Certiorari coming on to be heard the same was argued by the Counsel and motion sustained. And Thereupon, it is ordered, adjudged and decreed by the Court that the Certiorari be dismissed, and that the plaintiff, S J Copsidy, have and recover of the defendants H. Samuels and A. Mopson, and the securities on their Certiorari bond to wit: R. M. Johnson and R. M. Millen the sum of Fifty-Three 23/100 Dollars, together with all costs in this Court and the Court below expended, for all which execution may issue.
✓ 1220	The State of Texas v Giles A. Burdett	Plaintiff / Defendants	And now on this day came and appeared these parties by attorney, and defendants motion to set aside the Judgment by default rendered at this term of the Court coming on to be heard the same was submitted. And Thereupon, It is ordered by the Court, that said Judgment by default rendered in this Cause be set aside as to the principal, but that defendant Giles A. Burdett pay all costs in this behalf by the State incurred, for which execution may issue.
✓ 982	Shropshire & Sons v. Bird, Walker & Davidson	Plaintiffs / Defendants	And now on this day came the parties by their attorneys, and the motion for a new trial being submitted to the Court, and argued, the same is overruled. And Thereupon, said defendants give notice, in open Court, of an appeal to the Supreme Court.
✓ 1126	A Mabry v James D Easton	Plaintiff / Defendant	And now come these parties by their attorneys and the motion of deft. for a new trial coming on to be heard the same is considered by the Court and overruled. And Thereupon, the said defendant give notice, in open Court, of an appeal to the Supreme Court.
✓ 1409	O.W. Howlin v. Geo. L. Walton	Plaintiff / Defendant	And now come these defendants by their attorneys, and submitted to the Court their motion to quash the attachment in this case, which motion is sustained by the Court.

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1278 — Samuels & Allcorn vs Elijah Reed — Plaintiffs / Defendant — And now on this day came these parties by their attorneys and the motion of defendant to quash the attachment in this Case coming on to be heard, and being Argued by Counsel, said motion is by the Court sustained.

1212 — The State of Texas vs John G Price — Plaintiff / Defendant — And now on this day came the parties by their attorneys, and submit the motion of defendant to set aside the Judgment by default heretofore rendered in this Cause and to permit defendant to answer, which motion is Granted by the Court.

644 — The State of Texas vs Wm A. Clopton. — Plaintiff / Defendant — And now come the Plff. and deft. by attorney and the motion for a new trial by defendant being submitted the same is overruled by the Court.

1202 — Andrew N Hopkins vs J. J. Pelmecky — Plaintiff / Defendant — And now on this day came the plaintiff by attorney, and the defendant being called came not, but made default, and it appearing to the Court that the defendant has been duly cited as the law requires, and it further appearing to the Court that plaintiffs cause of action is liquidated, being a promissory note set out in plaintiffs petition It is, therefore, considered, adjudged and decreed by the Court, that the plaintiff have and recover of the defendant J. J. Pelmecky, the sum of Two Hundred and Eighty One 2 31/100 Dollars, his principal debt and interest as alleged in plaintiffs petition, together with his Cost in this behalf expended. And it further appearing to the Court that an attachment has issued in this Cause, and that the same was duly levied on a Certain town lot, the property of the defendant lying and being situate in the City of Austin & County of Travis, to wit: Lot Numbered (4) Four in Block No. (78) Seventy-Eight, as designated upon the map of said City, together with all the improvements thereon; and that said attachment has been duly returned, It is therefore Ordered, and decreed, that an Order of sale issue to the Sheriff of Travis County Commanding him to sell said property as the Law directs and the proceeds thereof apply to the satisfaction of this Judgment, and that the plaintiff have execution against the other property of the defendant for whatever amount there may be remaining unpaid, after applying the proceeds of said property as above ordered.

811 — The State of Texas v Coffee a Slave — Plaintiff / Defendant — And now come the parties to this Cause by their attorneys and defendants motion for a new trial coming on to be heard, the same was argued by Counsel, and thereupon It is ordered by the Court that said motion be granted.

Fall Term Monday December 7th 1857

Court Thereupon Court adjourned until Monday Morning at 9 o'clock.

Monday Morning, December 7th 1857

Court Convened at 9 o'clock pursuant to adjournment. Present the same as on Saturday Whereupon the following proceedings were had by said Court as follows, to wit:

✓ 800	The State of Texas v Joshua Newham	Plaintiff / Defendant	It is ordered by the Court that writs of attachment issue on behalf of the Defendant for the witness Antonio and Frank Tunnell.
✓ 111	The State of Texas v Auden Jackson	Plaintiff / Defendant	Continued for term on the defendant
✓ 132	The State of Texas v Blake Thompson	Plaintiff / Defendant	Continued for term on the Defendant.
✓ 143	The State of Texas v M. Needham	Plaintiff / Defendant	Continued for term on the Defendant.
✓ 122	The State of Texas v E. C. Trowbridge	Plaintiff / Defendant	Continued for term on the Defendant.
✓ 124	The State of Texas v E. C. Trowbridge	Plaintiff / Defendant	Continued for term on the defendant.
✓ 132	The State of Texas v E Trowbridge	Plaintiff / Defendant	Continued for term on the Defendant
✓ 133	The State of Texas v B. F. Thompson	Plaintiff / Defendant	Continued for term on the Defendant
✓ 393	The State of Texas v Ben F Hill	Plaintiff / Defendant	Cont'd for term and copies ordered to Jackson Co

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394	The State of Texas v. Ben F. Hill	Plaintiff / Defendant	Continued for Term and capias ordered to Jackson County.
411	The State of Texas v. Gen. W. McCoy	Plaintiff / Defendant	Continued
463	The State of Texas v. Joseph Hodges	Plaintiff / Defendant	Continued Generally
473	The State of Texas v. William Kelley	Plaintiff / Defendant	Continued Generally
475	The State of Texas v. Jack A. Runnels	Plaintiff / Defendant	And now comes the Dist. Atty. and enters a Nolle Pros. equi in this Case
477	The State of Texas v. J. M. McMorris	Plaintiff / Defendant	Continued Generally.
478	The State of Texas v. Wm Barnett	Plaintiff / Defendant	Continued Generally
479	The State of Texas v. Terry O'Neil	Plaintiff / Defendant	And now comes the Dist. Atty. and enters a Nolle Prosqui in this Case
516	The State of Texas v. John Wilson	Plaintiff / Defendant	And now comes Dist Atty. and enters a Nolle Prosqui in this Case
518	The State of Texas v. Burnett Clements	Plaintiff / Defendant	Continued, and Capias ordered to Burnett County.
530	The State of Texas v. Wm Foster	Plaintiff / Defendant	Continued Generally, and Capias Ordered to McLennan Co.

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531	The State of Texas v. Anston	Plaintiff / Defendant	Dismissed by the District Attorney.
571	The State of Texas v. Wilson Jean	Plaintiff / Defendant	Dismissed on motion of District Attorney.
576	The State of Texas v. Inman B Beck	Plaintiff / Defendant	Continued
581	The State of Texas v. Wm Sawyer	Plaintiff / Defendant	Dismissed on motion of the District Attorney.
592	The State of Texas v. J. J. Trimble	Plaintiff / Defendant	Continued by consent of parties
593	The State of Texas v. Josiah Monk	Plaintiff / Defendant	Continued and Capias Ordered to Hays Co.
613	The State of Texas v. William Coleman	Plaintiff / Defendant	Cont'd generally
625	The State of Texas v. Wm A Bates	Plaintiff / Defendant	Cont'd for Service
629	The State of Texas v. Dock Hughes	Plaintiff / Defendant	Bond granted and Capias ordered to Travis County
632	The State of Texas v. William H. Bates	Plaintiff / Defendant	Continued Generally
634	The State of Texas v. Owen & Jones	Plaintiff / Defendant	Cont'd and Capias ordered to Medina County

D

Fall Term Monday Dec.r 7th 1857.

435	The State of Texas v. Jones & Jones	Plaintiff Defendants	Contt and Cahoon Ordered To Medina County.
437	The State of Texas v. Wm Roberts and	Plaintiff Defendants	Continued for Service on these Defendants
439	The State of Texas v. John Christian and	Plaintiff Defendants	Continued for Service on these defendants
	The bonds of Christian being forfeited.		
440	The State of Texas v. Thomas Fleming and	Plaintiff Defendants	Judgment granted in this Case and Sum dismissed.
447	The State of Texas v. Payne & Duncan	Plaintiff Defendants	Cont.d for Service.
448	The State of Texas v. Geo Gamble and	Plaintiff Defendants	Continued by Consent.
451	The State of Texas v. Alex.r Cheyon	Plaintiff Defendant	Cont.d for Service.
454	The State of Texas v. Thos Moore et al	Plaintiff Defendants	Capias ordered to issue C. and Continued.
455	The State of Texas v. Henry Tait	Plaintiff Defendant	Cont.d generally
460	The State of Texas v. C. A. Hopkins	Plaintiff Defendant	Continued
461	The State of Texas v. Alfred Tinsley home et als	Plaintiff Defendants	Prosecution dismissed by the Dist. Atty.

Fall Term, Monday, Oct 7th 1867.

662	The State of Texas v. Wm Roberts et al	Plaintiff / Defendants	Cont'd generally
663	The State of Texas v. Bob Turner	Plaintiff / Defendant	Cont'd for Service
666	The State of Texas v. James T. Rob	Plaintiff / Defendant	Cont'd by State.
669	The State of Texas v. Henry Vines	Plaintiff / Defendant	Cont'd for Service
671	The State of Texas v. Jeff. Tidwell	Plaintiff / Defendant	Cont'd for Service
688	The State of Texas v. David Bright	Plaintiff / Defendant	Cont'd for Service.
682	The State of Texas v. Thomas Robb	Plaintiff / Defendant	Cont'd for Service
683	The State of Texas v. Wm Wyatt	Plaintiff / Defendant	Cont'd for Service.
685	The State of Texas v. Antone Nelson	Plaintiff / Defendant	Cont'd for Service
694	The State of Texas v. Rio Grande Robertson	Plaintiff / Defendant	Dismissed by Dist. Atty.
695	The State of Texas v. David Wright	Plaintiff / Defendant	Cont'd for Service

Fall Term, Monday, Dec.r 7th 1857.

✓	696	The State of Texas vs Robt Cottle	Plaintiff / Defendant	Cont.d and Cahias Ordered to Issue to Washington Co.
✓	697	The State of Texas vs Pink.o Terrill	Plaintiff / Defendants	Continued for Cause
✓	699	The State of Texas vs Dutch Pete	Plaintiff / Defendant	Continued for Service
✓	700	The State of Texas vs Dutch Pete	Plaintiff / Defendant	Cont.d for Service.
✓	701	The State of Texas vs Dutch Pete	Plaintiff / Defendant	Cont.d for Service.
✓	702	The State of Texas vs Dutch Pete	Plaintiff / Defendant	Cont.d for Service
✓	705	The State of Texas vs Alfred Bayles	Plaintiff / Defendant	Cont.d and Capias to Travis & M Lennan
✓	706	The State of Texas vs David Bayles	Plaintiff / Defendant	Cont.d for Service
✓	709	The State of Texas vs Wm Fowler	Plaintiff / Defendant	Had come the District Attorney and enters a Nolle Prosequi in this case
✓	710	The State of Texas vs George Mew	Plaintiff / Defendant	Cont.d for Service.
✓	717	The State of Texas vs Filman Weaver	Plaintiff / Defendant	Prosecution dismissed by the District Attorney.

Fall Term, Monday Dec. 7th 1857

✓ 718	The State of Texas v. Alfred Robinson	}	Plaintiff & Defendant	} And now comes the District Atty and enters a Nolle Prosequi
✓ 724	The State of Texas vs. Langley & Caruthers	}	Plaintiff & Defendant	} This cause continued on the written Statement of the District Attorney
✓ 731	The State of Texas v. Wilson	}	Plaintiff & Defendant	} Cont'd for Service.
✓ 732	The State of Texas v. Wilson	}	Plaintiff & Defendant	} Continued for Service
✓ 738	The State of Texas vs. Newton Jackson	}	Plaintiff & Defendant	} Prosecution dismissed by the District Atty.
✓ 739	The State of Texas v. Alfred Robinson	}	Plaintiff & Defendant	} Prosecution dismissed by the Dist Atty
✓ 743	The State of Texas v. Pat Cooke	}	Plaintiff & Defendant	} Prosecution dismissed by the District Atty.
✓ 744	The State of Texas v. John T. Ford	}	Plaintiff & Defendant	} Prosecution dismissed by the District Atty
✓ 749	The State of Texas vs. William Wyatt	}	Plaintiff & Defendant	} Cont'd for Service.
✓ 753	The State of Texas vs. George Robinson	}	Plaintiffs & Defendant	} Prosecution dismissed by the District Atty
✓ 754	The State of Texas v. Geo. Robinson	}	Plaintiffs & Defendant	} Prosecution dismissed by the District Atty

Fall Term, Monday, December 7th 1857.

✓ 755	The State of Texas v. George Robinson	Plaintiff / Defendant	Prosecution dismissed by the district atty
✓ 757	The State of Texas v. Arthur J. Lotts	Plaintiff / Defendant	Prosecution dismissed by the District atty
✓ 759	The State of Texas v. Pete Robinson	Plaintiff / Defendant	Prosecution dismissed by the District atty
✓ 760	The State of Texas v. Andrew Norton	Plaintiff / Defendant	Prosecution dismissed by the District Atty
✓ 763	The State of Texas vs. William Bayley	Plaintiff / Defendant	Came now the District Atty. and enters a nolle prosequi
✓ 767	The State of Texas vs. J. Haston	Plaintiff / Defendant	Contd for Service
✓ 774	The State of Texas vs. Lee & Ford	Plaintiff / Defendants	Continued by the State
✓ 775	The State of Texas v. Johnson Hunt	Plaintiff / Defendant	Prosecution dismissed by the District Atty.
✓ 776	The State of Texas vs. Chas H. Rondaan	Plaintiff / Defendant	Prosecution dismissed by the District Attorney
✓ 789	The State of Texas v. S. Carey	Plaintiff / Defendant	Prosecution dismissed by the District atty.
✓ 793	The State of Texas v. Buck Bennett	Plaintiff / Defendant	Prosecution dismissed by the Dist. atty.

Fall Term, Monday, December 7th 1857.

✓ 800	The State of Texas vs Joseph Newsham	Plaintiff / Defendant	Continued on affidavit of the Defendant.
✓ 801	The State of Texas v C Klein	Plaintiff / Defendant	And now on this day came the parties to this cause by their attorneys and announced themselves ready for trial. Whereupon came a jury of twelve good and lawful men of Travis County to-wit. John B. Banks and eleven others, who being duly elected, tried empannelled and sworn, and hearing the indictment, argument of counsel and charge of the Court, retired and brought in into Court the following verdict to-wit. "We, the jury find the defendant not guilty, as charged in the indictment, and acquit him. J.B. Banks, Foreman." Whereupon it is ordered by the Court that the said Defendant go hence fully acquitted of said charge.
✓ 802	The State of Texas vs Robert Richardson	Plaintiff / Defendant	Continued for Service.
✓ 803.	The State of Texas vs Finnett Mayfield	Plaintiff / Defendant	Continued for Service
✓ 804	The State of Texas vs John J Gonnables	Plaintiff / Defendant	Continued by consent
✓ 806	The State of Texas vs Finnett Mayfield	Plaintiff / Defendant	Continued for Service.
✓ 807	The State of Texas vs Finnett Mayfield	Plaintiff / Defendant	Continued for Service
✓ 809	The State of Texas vs Finnett Mayfield	Plaintiff / Defendant	Continued for Service

And thereupon Court adjourned until 9 o'clock tomorrow Morning.

Fall Term, Tuesday Dec 8th 1857.

Tuesday December 8th. 1857.
Court convened At 9 oclock AM pursuant to adjournment. Present. The Hon. A.M. Ferrell, Judge, Frank Brown, Clerk and A.G. Weir, Sheriff. Whereupon the following proceedings were had by said Court, to wit:

↓ 811. The State of Texas vs Henry Hoffheins } Plaintiff / Defendant } And now comes the District Attorney and enters a Nolle prosequi in this Case.

↓ 1162 The State of Texas vs J. H. Cocks } Plaintiff / Defendant } And now comes the District Attorney, and dismisses this cause.

↓ 5711 The State of Texas vs Wilson Green } Plaintiff / Defendant } And now on this day Comes the Pltff by the District Attorney and the defendant by attorney and announce themselves ready for trial. Thereupon a jury of good and lawful men of Davis County, to wit: L.D. Carrington and eleven others, who, hearing defendants plea of guilty and the charge of the Court, retired and brought into Court the following verdict to wit: "We the jury find the defendant guilty as charged in the indictment & assess the fine at Ten Dollars L.D. Carrington Foreman." Wherefore It is ordered by the Court that the State of Texas recover of said Wilson Green, the sum of Ten Dollars, assessed by the jury aforesaid, together with all costs in this behalf incurred.
And thereupon appeared in open Court William P. de Normandie and acknowledged himself bound for the amount of the fine and Costs in the above entitled Cause, No. 5711.

↓ 6214 The State of Texas vs William Clopton } Plaintiff / Defendant } And now come the parties, the pltff by the District Attorney and deft. in her proper person and announce themselves ready for trial. whereupon a jury of good and lawful men of Davis County, to wit. P.W. Worthington and eleven others, who being duly tried, elected empaneled & sworn, heard the plea of not guilty, the

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evidence, argument of counsel and charge of the Court and retired; and thereupon came into Court with the following verdict, to-wit: "We, the Jury, find the defendant guilty, and assess the fine at ten dollars P H Rowlin Foreman" Whereupon it is ordered by the Court that the State of Texas recover of the defendant Wm Clopton said fine of ten dollars and all costs, and that he remain in custody until discharged or complying with Article 693 of the Code of Procedure.

And thereupon Court adjourned until tomorrow / Wednesday Morning, at 9 o'clock A.M.

Wednesday December 9th 1857.

Court convened at 9 o'clock A.M. pursuant the same as on Yesterday. Whereupon the following proceedings were had by said Court, as follows to-wit:

703 The State of Texas } Plaintiff } And now comes the
vs } } plff by the District
Thomas P Ochiltree } Defendant } Attorney and the
defendant in person and announced themselves ready for trial Thereupon came a jury of Travis County, to-wit: J.B Banks and seven others, duly tried, elected empanelled and sworn, who, having heard Defendants plea of guilty, the charge of the Court, retired and brought into Court the following Verdict to-wit. "We, the Jury, find the defendant guilty as charged in the indictment and assess the fine at twenty dollars J. B. Banks, Foreman." Whereupon it is ordered by the Court that the State of Texas recover of the said Thomas P. Ochiltree said fine of Twenty dollars and all costs in this proceeding incurred, and that he remain in custody until discharged in accordance with Article 693 of the Code of Criminal Procedure.

704 The State of Texas } Plaintiff } And now comes the
vs } } parties the plff by
Thomas Bowles } Defendant } the District Attorney
and the defendant in proper person and announced themselves ready for trial. Whereupon came a jury of twelve good and lawful men of Travis County, to-wit: P.H. Rowlin and eleven others who having been duly tried elected, empanelled and sworn, heard the plea of guilty, the charge of the Court and retired to consider of their verdict, and thereupon said Jury came into

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Court and rendered the following verdict, towit. We the Jury, finde the defendant guilty as charged in the Indictment and assess the fine at Ten Dollars. P W Rowlin, Foreman." Whereupon It is ordered by the Court that the State of Texas recover of the defendant T. Thomas Bowles the sum of Ten Dollars, found by the Jury aforesaid, together with all costs. And thereupon appeared in open Court L H. Sackett and acknowledged himself bounde for the fine and costs in the above cause.

711 The State of Texas vs Giles S. Boggess } Plaintiff / Defendant } And now comes the Pltff. by the District Atty and the defendant by attorney and announced themselves ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County, towit: P W Rowlin and eleven others who being duly tried, elected empannelled, sworn, and hearing defendants plea of guilty and the charge of the Court retired to consider of their verdict; and said Jury thereupon, brought into Court the following verdict, towit: "We, the Jury, find the defendant guilty as charged in the indictment and assess the fine at ten dollars P W Rowlin Foreman." Whereupon It is ordered by the Court that the State of Texas recover of said Giles S. Boggess ten dollars assessed by the Jury aforesaid together with all costs in this prosecution incurred. And thereupon appeared in open Court Henry M. Sackett and acknowledged himself bound for the amount of the fine and costs in said cause.

712 The State of Texas vs Giles S Boggess } Plaintiff / Defendant } And now on this day came the Pltff by the District Attorney and the defendant by attorney and announced themselves ready for trial. Whereupon came a Jury of good and lawful men of Travis County, towit: I W Goodrich and eleven others who being duly tried elected empannelled and sworn heard defendants plea of guilty and the Charge of the Court and retired to consider of their verdict. And thereupon said Jury returned into Court the following verdict towit: "We, the Jury, find the defendant guilty as charged in the indictment and assess the fine at ten dollars I W Goodrich, Foreman." Whereupon It is ordered by the Court that the said State of Texas recover of the defendant Giles S. Boggess the sum of ten dollars so found by the Jury aforesaid, and all costs of this proceeding. And thereupon appeared in open Court Henry M

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Entered and acknowledged bond in the amount of the fine and costs in said cause

And thereupon Court adjourned until tomorrow (Thursday) Morning at 9 o'clock.

Thursday Morning, Dec 10th, 1857.

Court convened at nine o'clock pursuant to adjournment. Present the Hon. A. W. Terrell, Judge; Frank Brown Clerk and Adolphus G Weir Sheriff. Whereupon the following proceedings were had said Court, as follows, to-wit.

And thereupon it is ordered by the Court that a Special Venire Facias issue for the number of Five Persons to fill out the broken panel now in attendance as Jurors for the Trial of the Criminal Docket; said number having been excused, & unable to attend.

713 — The State of Texas vs. Giles A. Boggess } Plaintiff / Defendant } And now on this day came the Sheriff by his Deputy attorney and the deft by attorney and announced themselves ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County, to-wit: P. H. Rowlin and eleven others, who being duly sworn, elected, empaneled and sworn, heard the plea of guilty of the deft, and the charge of the Court and retired to consider of their verdict: And said Jury came into Court with the following verdict, to-wit: "We, the Jury find the defendant guilty as charged in the indictment and assess the fine at ten dollars. P. H. Rowlin, Foreman." Whereupon it is ordered by the Court that the State of Texas recover of the said Giles A. Boggess the sum of Ten dollars found by the Jury aforesaid together with all costs in this behalf expended. And thereupon appeared in open Court Henry W. Sublett and acknowledged himself bound for the amount of the fine and costs in said cause.

721 — The State of Texas vs. C A Hopkins } Plaintiff / Defendant } It appearing to the Court that the witness G. Heilbroner, in this cause, has been duly subpoenaed and has failed to appear and testify in this cause, It is ordered that he be fined twenty five dollars for such contempt and that Scire Facias issue to him to appear and show cause why the same should not be made final against him.

This Cause Continued on motion & consent of the District Attorney.

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733. The State of Texas vs Thophilus Anderson } Plaintiff / Defendant } And now on this day came the plaintiff by the District attorney and the defendant in proper person and announced themselves ready for trial and thereupon came a jury of twelve good and lawful men of Davis County to wit. L D Carrington and eleven others who being duly elected, tried empannelled and sworn, heard the plea of guilty and the charge of the Court and retired; and thereupon, came into Court with the following verdict, to wit: "We the Jury find the defendant guilty as charged in the indictment and assess the fine at Ten dollars." "L D Carrington, Foreman." Whereupon It is ordered by the Court that the State of Texas recover of the defendant Thophilus Anderson the sum of ten dollars assessed by the Jury aforesaid, together with all costs in this behalf incurred. And thereupon appeared in open Court Henry W. Sublett and acknowledged himself bound for the amount of the fine and costs in said Cause

734 The State of Texas vs Henry W. Sublett } Plaintiff / Defendant } And now on this day came the plaintiff by the District Atty. and the defendant in proper person and announced themselves ready for trial Whereupon Came a Jury of twelve good and lawful men of Davis County, to wit: L D. Carrington and eleven others, who being duly tried, elected empannelled and sworn heard defendants plea of guilty and the charge of the Court, and having retired brought into Court the following verdict, to wit: "We, the Jury find the Defendant guilty as charged in the indictment, and assess the fine at Fifteen Dollars. L. D. Carrington, Foreman." Whereupon it is ordered by the Court that the State of Texas recover of the defendant Thophilus Anderson the sum of fifteen Dollars and all costs in this behalf expended. And thereupon appeared in open Court Henry W. Sublett, and acknowledged himself bound for the amount of the fine and costs in said Cause No 734.

737 The State of Texas vs Newton Jackson } Plaintiff / Defendant } And now comes the plaintiff by the District Attorney and the defendant in proper person and also by atty. and defendants exceptions coming on to be heard the same were overruled by the Court. Thereupon Came a jury of good and lawful men of Davis County, to wit: G. W. G Cox, and eleven others, who being duly tried, elected, empannelled & sworn

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Hearde defendants plea of guilty and the charge of the Court, and having retired Brought into Court the following verdict, Towit: "We, The Jury, off of the fine at eighteen dollars. G.W. Lofcock Foreman." Whereupon, It is ordered by the Court that the State of Texas recover of the said Newton Jackson, the sum of Eighteen Dollars found by the Jury aforesaid, together with all costs in this behalf incurred, And thereupon appeared in open Court James R. Jackson and acknowledged himself bound for the amount of the fine and costs in said Cause

7162 — The State of Texas vs. Arthur J. Lott, et al. } Plaintiff / Defendant } And now on this day came the District Attorney representing the State and the defendant Lott by his attorney James P. Neal Esq, and announced themselves ready for trial. Thereupon came a Jury of twelve good and lawful men of Travis County, to wit: P.M. Rowlin and eleven others, who being duly tried, elected, empanelled and sworn, heard the plea of guilty by the defendant Lott and the charge of the Court and retired; and thereupon brought in to Court the following verdict, to wit: "We the Jury find the defendant guilty as charged in the indictment, and ass the fine at seventeen dollars. P.M. Rowlin Foreman." Whereupon, It is ordered by the Court that the State of Texas recover of the said Arthur J. Lott, the sum of Seventeen dollars assessed by the Jury aforesaid together with all costs in this behalf incurred. And thereupon appeared in open Court James P. Neal, and acknowledged himself bound for the amount of the fine and costs in said cause.

Continued as to defendant Mickle.

777 — The State of Texas vs. Hill, Anderson & Pickle } And now on this day came the State by the District Attorney and the defendant, Anderson in proper person and announced themselves ready for trial. And thereupon came a Jury of good and lawful men of Travis County, to wit: Geo. W. Glascock and eleven others, who being duly tried, elected, enhanellled and sworn heard the plea of guilty by the defendant Theophilus Anderson and being Charged by the Court retired to consider of their verdict and thereupon said Jury returned into Court the following verdict, to wit: "We the Jury assess the fine at Ten dollars G.W. Glascock, Foreman." Whereupon It is ordered by the Court that the State of Texas recover of the said defendant Theophilus Anderson the said sum of ten dollars and all costs in this proceeding incurred. And thereupon appeared in open Court Henry N. Sadler and acknowledged himself bound for the amount of the fine and costs in said cause.

Fall Term, Thursday December 10, 1857.

\# 780 The State of Texas } Plaintiff
vs
Robinson & Stone } Defendants

And now comes the Pff. by the District Attorney and the defendants in proper person and announced themselves ready for trial. And and thereupon Came a Jury of good and lawful men of Travis County to wit: G W Glascock and eleven others, who being duly elected, tried, empannelled and sworn, heard the plea of guilty by the defendants Robinson and the charge of the Court and having retired, brought into Court the following Verdict, to wit: "We, the Jury find the defendant B. Robinson guilty as charged in the indictment and assess the fine at twenty-five dollars. G.W. Glascock Foreman." Whereupon It is ordered by the Court that the State of Texas recover of the defendant B.E. Robinson the sum of Twenty-five dollars assessed by the Jury aforesaid, together with all costs in this behalf expended. And thereupon appeared in open Court R. H. Keen and George C. Robinson and acknowledged themselves bound for the amount of the fine and costs against the defendant B. Robinson

\# 781 The State of Texas } Plaintiff
vs
Jack Robinson et al } Defendants

And now comes the Pff. by the District Attorney and the defendant Jack Robinson in proper person and also by attorney and announced themselves ready for trial. Then came a Jury of good and lawful men of Travis County, to wit: J. B. Banks and eleven others, who being duly elected empannelled and sworn, heard the plea of not guilty. And said Jury hearing the evidence, argument of Counsel, and charge of the Court, retired and brought into Court the following Verdict, to wit: "We the Jury find the defendant Jack Robinson guilty as charged in the indictment and assess the fine at twenty dollars. J. B. Banks Foreman." Whereupon It is ordered by the Court that the State of Texas recover of said Jack Robinson, the sum of twenty dollars aforesaid and all costs in this behalf expended. And thereupon came into open Court Geo. Johnson, and acknowledged himself bound for the amount of the fine and costs against the said Jack Robinson in this cause.

And thereupon, in said cause No 781, appeared the Pff by the District Attorney and the defendants Jack Pack and E. J. Calhoun in their person and announced themselves ready for trial. And thereupon

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Came a Jury of twelve good and lawful men of Davis county, to-wit: who being duly elected, empanneled, sworn and tried, heard the plea of guilty made by said defendants Polk and Cochrom and the Charge of the Court, and de retired to consider of their verdict. And thereupon said Jury brought into Court the following verdict, to-wit. "We, the Jury find the defendants E. Cochrom & Jack Polk guilty as charged in the indictment and assess a fine of twenty dollars each. G. W. Glascock, Foreman." Whereupon, It is ordered by the Court that the State of Texas recover of the said E. H. Cochrom and Jack Polk, the sum of Twenty Dollars each so found by the Jury, together with all costs in this behalf laid out and expended.

And thereupon appeared in Open Court William M. Fowler, and acknowledged himself bound for the amount of the fine and costs in said Cause No 781, against the defendant E. H. Cochrom.

And thereupon said defendant Jack Polk, being in custody, appeared in open Court and made oath in accordance with Article No 694 of the Code of Criminal Procedure, that he was unable to pay the fine imposed in this Cause against him, and thereupon It is ordered by the Court that he be committed to jail for the space of ten days, and that the Clerk issue a writ of Commitment for such purpose.

And thereupon Court adjourned until to-morrow morning at 9 o'clock

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Friday Morning, Dec. 11th 1857.

Court Convened at 9 o'clock pursuant to adjournment. Present the Same officers as yesterday. Whereupon the following proceedings were had by said Court, as follows to wit.

And thereupon It is ordered by the Court that a Special Venire issue for the number of five persons good and lawful men, therefrom to serve as Jurors in the trial of Causes on the Criminal docket, said number of persons having been excused by the Court from the panel now in attendance on this Court, said number being designed to fill up said broken panel.

790	The State of Texas vs Theophilus Anderson	Plaintiff / Defendant	And now comes into open Court Samuel Mather and acknowledges himself to owe and be indebted unto The State of Texas in the sum of One Hundred Dollars The

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levied upon his Goods and Chattels, Lands and Tenements, Notwithstanding upon condition that the said Samuel Maltby appear at the next Term of this Court and from day to day of each Term, to testify On behalf of the plaintiff in the above entitled Cause wherein The State of Texas is Pltff and Theophilus Anderson Defendant and that he do not depart the Court without Leave.

822 The State of Texas vs. Testard & Testard } Plaintiff / Defendants } And now on this day comes the plaintiff by the District Attorney and the defendants by attorney and also in proper person and announce themselves ready for trial Whereupon came a jury of twelve good and lawful men of Travis County to wit. L D Carrington and seven others, who were duly tried, elected, empannelled and sworn, after the overruling of the motions to quash and of the motion to quash the venire, also, after hearing the plea of not guilty by the Defendants, the evidence argument of Counsel and the charge of the Court, retired to consider of their verdict And thereupon said Jury returned into open Court the following verdict to wit. "We, the Jury, find one of the Defendants, viz: A. Testard, guilty as charged in the indictment, and assess the fine at one Hundred Dollars L. D Carrington, Foreman." Whereupon It is Ordered by the Court that the State of Texas recover of said defendant Adolph Testard the sum of One Hundred Dollars together with all costs of this prosecution. And thereupon appeared in open Court Adrian Testard and Richard H. Keen and acknowledged themselves bound for the amount of the fine and costs in said Cause No. 822. And thereupon defendant Adolph Testard gives notice in open Court of an appeal to the Supreme Court

821 The State of Texas vs. Robert Campbell } Plaintiff / Defendant } And now comes the Pltff by the District Atty and the defendant in proper persons and announced themselves ready for trial. And thereupon came a jury of good and lawful men of Travis County, to wit: P H Nowlin and seven others, who being duly sworn, elected empannelled and sworn, heard defendants plea of guilty and the charge of the Court and thereon did bring it into Court the following verdict to wit: "We, the Jury, find the defendant guilty as charged in the indictment and assess the fine at twenty dollars. P H Nowlin, Foreman." Whereupon It is ordered by the Court that the said State of Texas recover of the Defendant Robert Campbell said fine of twenty dollars and all costs.

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And thereupon Court adjourned until Saturday morning at 9 o'clock.

Saturday December 12th 1857.

Court Convened at nine o'clock am, pursuant to adjournment. Present the Hon. Thomas J. Devine, Judge of the 4th Judicial District presiding; Frank Brown, Clerk and Adolphus G. Weir, Sheriff. Whereupon the following proceedings were had by said Court as follows, to-wit.

↓ 611	The State of Texas vs John L. Thorn	Plaintiff / Defendant	It is ordered by the Court that this Cause be Continued
↓ 612	The State of Texas vs John L. Thorn	Plaintiff / Defendant	It is ordered by the Court that this Cause be Continued
↓ 691	The State of Texas vs John Horan he dies mispen from the docket.	Plaintiff / Defendant	And now comes the District Attorney and on his motion it is ordered that this Cause
↓ 692	The State of Texas vs John Horan	Plaintiff / Defendant	And now comes the District Atty. and on his motion this Cause is dismissed
↓ 693	The State of Texas vs John Horan	Plaintiff / Defendant	And now comes the Dist Atty. and on his motion this Cause is dismissed from the docket.
↓ 727	The State of Texas vs Wm B Chittra	Plaintiff / Defendant	And now come the parties to this Cause by their Attorneys and announced themselves

ready for Trial. When came a Jury of twelve Good and lawful men of Travis County to-wit: L. D. Carrington and eleven others who being duly elected, empannelled sworn and tried heard defendants plea of guilty and the charge of the Court and having retired into Court the following verdict, to-wit: "We, the Jury, find the defendant guilty as charged in the indictment, and affix the fine at fifty dollars. L. D. Carrington. Foreman." Whereupon it is ordered by the Court that the State of Texas recover of the said defendant William B.

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Achieve the sum of twenty-five dollars and all costs in this behalf expended. the District Attorney entering a remittitur of the sum of twenty-five dollars, half of the fine imposed by the Jury. And thereupon appeared in open Court George F Moore and Nathan G Shelley and acknowledged themselves bound for the amount of the fine and costs in this cause No 727.

768	The State of Texas vs Joseph Looney	Plaintiff & Defendant	And now comes the District Attorney and moves the Court to dismiss this cause from the docket, which is accordingly done.
770	The State of Texas vs O K Oliver and Hays County for George Golden and to E. Jordan, J. P. Oakland and Thomas A. Gay, witness on behalf of the Deft in this cause.	Plaintiff & Defendants	It is ordered by the Court that writs of attachment issue to Travis County for
796	The State of Texas vs S. G. Swan Sr.	Plaintiff & Defendant	And now on this day comes the plaintiff by the District Attorney, and the defendant being in person, and also by attorney and the parties submit to the Court the motion to
797	The State of Texas vs S. G. Swan, Sr.	Plaintiff & Defendant	
798	The State of Texas vs S. G. Swan Sr	Plaintiff & Defendant	quash the indictment in this four cases which being considered
799	The State of Texas vs S. G. Swan, Sr	Plaintiff & Defendant	It is ordered by the Court that said motion be sustained.
805	The State of Texas vs Swan & Murphy	Plaintiff & Defendant	On motion of the District Atty the indictment in this cause is quashed by the Court.
808	The State of Texas vs B. Zimpleman	Plaintiff & Defendant	It is ordered by the Court that the witness on behalf of the plaintiff in this cause to wit. A. B. Slaughter be fined Fifteen Dollars for

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failing to appear, he having been duly subpoened to be by in this cause, and that Scire Facias issue to him to appear and show cause why this judgement nisi is not be made final against him. Ordered further that attachment issue forthwith and that this cause be continued

823 ✓ The State of Texas vs Jerard & Ferland } Plaintiff / Defendants } And now on this day came the plaintiff by the District Atty and the defendants in person defendants' motions to quash the indictment and to quash the special Venire in this cause coming on to be heard, the same were overruled by the Court. and defendants having announced themselves ready for trial as well as the said plaintiff, thereupon came a Jury of twelve good and lawful men of Davis County to wit. L. D. Carrington and eleven others who being duly tried, elected, empanelled sworn, and having heard the plea of guilty by the defendant Adolph Ferland of the District Attorney having dismissed this prosecution as to the defendant Adrian Ferland) and the charge of the Court heard, and brought into Court the following Verdict, to wit: "We, the Jury, find one of the defendants guilty viz. A. Ferland guilty as charged in the indictment & assess the fine at Fifty Dollars. L. D. Carrington, Foreman." Whereupon it is ordered by the Court that the State of Texas recover of the said Adolph Ferland said fine of Fifty Dollars and all costs in this behalf incurred. and thereupon Comes into open Court Adrian Ferland and acknowledges himself bound for the amount of the fine and Costs in this cause

824 ✓ The State of Texas vs Ferland & Ferland } Plaintiff / Defendants } And now come the parties to this cause by their attorneys and the defendants also in proprium. And thereupon the District Attorney dismisses this prosecution as to the defendant Adrian Ferland. And defendant Adolph Ferland moves the Court to quash Special Venire Facias and also to quash the indictment in this cause, which motions were overruled by the Court. Thereupon a Jury of twelve good and lawful men of Davis County to wit: L. D. Carrington and eleven others, who being duly tried, elected, embannelled, sworn, heard the plea of guilty by the defendant Adolph Ferland and the charge of the Court, and having retired brought into Court the following verdict, to wit: "We, the Jury, find the defendant viz: A. Ferland guilty as charged in the indictment, and assess the fine at Fifty Dollars L. D. Carrington, Foreman." Whereupon,

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It is ordered by the Court that the State of Texas recover of said Adolph Tetard said fine of fifty dollars together with all costs in this prosecution incurred. Said Thereupon appeared in open Court Adrian Tetard and acknowledged himself bound for the amount of the fine and costs in this cause

528 The State of Texas vs. Geo E Robinson } Plaintiff / Defendant } And now come the parties to this cause by District Attorney, and the defendant above proper person, and defendant moves to quash the indictment and to quash the Venire coming on to be heard, the same were overruled by the Court. And the parties having announced themselves ready for trial- Thereupon came a jury of twelve good and lawful men of Travis County, to wit: W. Rowlin and eleven others, who being duly tried, elected, empannelled, sworn, heard defendants plea of guilty and the charge of the Court and retired to consider of their verdict and brought into Court the following verdict, to wit: "We the jury find the defendant guilty as charged in the indictment and assess the fine at Fifty Dollars W. Rowlin Foreman." Whereupon It is Ordered by the Court that the State of Texas recover of the said George Robinson said sum of Fifty Dollars and all costs. And thereupon came into open Court Louis Hurst and acknowledged himself bound for the amount of the fine and costs in this cause.

529 The State of Texas vs. George E Robinson } Plaintiff / Dependant } And now Come the parties to this Cause by their Attorneys and the defendant above person, and the defendant thereupon moved the Court to quash the indictment and also to quash the Venire which motions were overruled by the Court. And thereupon the parties having announced themselves ready for trial, there came a jury of Twelve good and lawful men of Travis County, to wit: W. Rowlin and eleven others who being duly tried, elected, empannelled and sworn, heard defendants plea of guilty and the charge of the Court, and having retired thereupon brought into Court the following verdict to wit. "We the Jury find the defendant guilty as charged in the indictment, and assess the fine at Fifty Dollars W. Rowlin- Foreman" Whereupon It is Ordered by the Court that the State of Texas recover of the said George E. Robinson the said fine of fifty dollars and all costs of this prosecution.

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and thereupon appeared in open Court Sons Hart and acknowledged him self bound for the amount of the fine and costs in said Cause No 874, of the State of Texas vs Geo E Robinson

1851 — The State of Texas vs John Robinson } Plaintiff / Defendant } And now on this day came said plaintiff by Dist. Att. and the defendant in person and thereupon defendants motion to quash the Venire Coming on to be heard the same was overruled by the Court. Whereupon came a Jury of good and lawful men of Travis County, to wit: G. W. G Lapsicock and eleven others who being duly tried, elected, empannelled and sworn, heard defendants plea of guilty and the charge of the Court and retired to consider of their verdict, and thereupon said Jury brought into Court the following verdict, to wit: "We the Jury, assess the fine at fifty dollars. G.W.G Lapsicock Foreman." Whereupon It is ordered by the Court that the State of Texas recover of the said John Robinson said sum of Fifty Dollars and all costs in this proceeding incurred. And thereupon appeared in open Court George E Robinson and acknowledged himself bound for the amount of the fine and costs in this cause.

1863 — The State of Texas vs Jones Dillingham } Plaintiff / Defendants } On motion of the District attorney, this cause is dismissed from the docket

1870 — The State of Texas vs Browning & Fellman } Plaintiff / Defendants } On motion of the District attorney this prosecution is dismissed from the docket.

1873 — The State of Texas vs John Robinson } Plaintiff / Defendant } And now on this day came the plaintiff by the District Atty & the defendant by attorney and the motions of defendant in this cause to quash the indictment and to quash the Venire coming on to be heard the same were overruled by the Court. Thereupon a Jury of twelve good and lawful men of Travis County, to wit: G. W. G Lapsicks and eleven others who being duly tried, elected, empannelled and sworn, heard defendants plea of guilty and the charge of the Court, and having retired brought into Court the following Verdict, to wit: "We, the Jury find the defendant guilty and assess the fine at fifty dollars. G W. Glapsick, Foreman." Whereupon It is ordered by the Court that the State of Texas recover of the said John Robinson said sum

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of Fifty dollars and all costs of this prosecution. And thereupon appeared in Open Court George E Robinson and acknowledged himself bound for the amount of the fine and costs in this cause

874 ↓ The State of Texas vs John Robinson } Plaintiff Defendant } And now come the parties to this County their attorneys - the defendant coming also in person; and the defendants motions to quash the indictment and to quash the Venire being submitted were overruled by the Court. And the parties having announced themselves ready for trial Thereupon came a Jury of good and lawful men of Travis County, to-wit. G. W. Glasscock and eleven others who being duly tried, elected, empannelled and sworn, heard defendants plea of guilty and the charge of the Court and having retired brought it into Court the following verdict, to-wit: "We, the Jury, find the Defendant guilty and assess a fine at fifty dollars. G. W. Glasscock Foreman." Whereupon, It is ordered by the Court that the State of Texas recover of said John Robinson said sum of Fifty Dollars and all costs in this prosecution incurred. And thereupon appeared in Open Court George E Robinson and acknowledged himself bound for the amount of the fine and costs in this cause.

And Thereupon Court adjourned until Monday Morning next at 9 o'clock.

Monday, December 16th 1857.

Court Convened at nine o'clock A M, pursuant to adjournment. Present the Hon. Thomas J. Devine, Judge of the Fourth Judicial District of the State of Texas; Frank Rivers Clerk, and Adolphus G. Wear, Sheriff of Travis County

Whereupon the following proceedings were had by said Court, as follows, to-wit.

↓ 838 The State of Texas vs Terry O'Neil } Plaintiff Defendant } And now on this day the parties - the pff coming by the District

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Attorney and the defendant by his Attorney, Henry W. Isbell, Esq, and announced themselves ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County, to-wit. A G Compton and eleven others, who being duly tried, elected, empannelled and sworn according to Law, heard the indictment and the plea of guilty to the allegations thereof, and being charged by the Court retired to consider of their verdict. And thereupon said Jury returned into Court the following verdict to wit: "We, the Jury, find the deft. "guilty and assess the fine at twenty-five dollars. A G Compton, Foreman." Whereupon, It is ordered by the Court that the State of Texas recover of the said defendant Terry O'Neil said sum of Twenty-Five Dollars and all costs in this behalf expended

839 — The State of Texas vs. Terry O'Neil } Plaintiff / Defendant } And now on this day comes the District Attorney who represents the State and the defendant by his Attorney Henry W. Isbell, Esq, and announced themselves ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County to-wit. A. G. Compton and eleven others, who being duly tried, elected, empannelled and sworn, heard the indictment and the plea of guilty by the defendant to the allegations thereof, and the charge of the Court, and retired to consider of their verdict. And thereupon said Jury returned into Court the following verdict, to wit: "We the Jury "find the defendant guilty as charged, and assess the fine at ten "dolls. A. G. Compton Foreman." Whereupon It is ordered by the Court that the State of Texas recover of the said Terry O'Neil said sum of ten dollars and all costs of this prosecution.

902 — The State of Texas vs. Norrell & O'Neil } Plaintiff / Defendants } And now on this day appeared in open Court Terry O'Neil, who as principal, and Samuel G. Norell as security of the said O'Neil, and acknowledged themselves jointly and severally, justly to owe and be indebted unto the State of Texas in the sum of One Hundred Dollars to be levied upon their respective Goods and Chattels, Lands and Tenements But to be void upon Condition that the said Terry O'Neil be and remain in attendance from day to day on the present Term of the District Court of Travis County, and from Term to Term, and from day to day of each Term thereafter, to answer the indictment preferred against him, the said Terry O'Neil, jointly with Samuel G Norell by the Grand Jurors of Travis County, at this the Fall Term of the District Court of Travis County, 1857, for Exhibiting a gaming bank called Faro for the purpose of gaming, and that he do not depart the Court without leave.

Fall Term, Monday, December 14th 1857.

982 O'Neil ↓

The State of Texas vs. Nowell & O'Neil } Plaintiff Defendants. } And now on this day Came the plaintiff, by the District Attorney and the defendant by his Attorney Henry W. Isbell, Esq, and announced themselves ready for Trial Whereupon Came a Jury of twelve Good and lawful men of Travis County, Towit. G. W. Sampson and eleven others, who being duly Tried, elected, empannelled and Sworn, heard the Indictment in this Case, and hearing the plea of guilty by the defendant Jerry O'Neil and the charge of the Court retired and brought into Court the following verdict, to wit: "We the Jury find the defendant O'Neil Guilty, and assess the fine at Thirty dollars. G. W. Sampson Foreman." Whereupon, It is ordered by the Court, that the State of Texas recover of the said Jerry O'Neil said sum of Thirty dollars and all costs in this behalf laid out and expended &

853

The State of Texas vs. Samuel Nowell } Plaintiff Defendant } Came on this day the Pff. by the District Attorney and the defendant in person and also by Attorney, and announced themselves ready for Trial. Whereupon came a Jury of Twelve Good and Lawful men of Travis County, to wit: G. W. Glofcock and eleven others, who being duly Tried, elected, empannelled and sworn, heard the plea of guilty by the defendant to the charges contained in the indictment and the charge of the Court, and having retired, brought into Court the following verdict to wit: "We, the Jury find the defendant guilty as charged in the indictment, and assess the fine one hundred dollars. G. W. Glofcock Foreman." Whereupon, It is ordered by the Court that the State of Texas recover of said Samuel Nowell one hundred dollars and all costs of this suit.

And now comes the District Attorney and moves the Court to issue a Peace Warrant for the arrest of Samuel G. Nowell and Samuel Tate, and require them to give security to keep the peace, and in support thereof introduces the affidavit of A G Wier, Sheriff of Travis County And thereupon said motion being Granted, and said writ having issued and said parties being brought into Court, an examination touching the Grounds of said motion is had, and thereupon It is ordered by the Court that said parties enter into Recognizance in $500 each.

And thereupon Samuel G Nowell, as principal, and Horatio Browne as security acknowledge themselves

in open Court, jointly and severally, justly to owe and be indebted unto The State of Texas in the sum of Five Hundred Dollars to be levied upon their respective Goods and Chattels, Lands and Tenements. But to be void upon Condition that the said Samuel J. Navill keep the peace towards one Samuel Tate and towards all other persons for the Space of one year from this date.

And thereupon appeared Samuel Tate, as principal, and George W. Sampson, as Security, who, in open Court, acknowledged themselves jointly and severally, justly to owe and be indebted unto The State of Texas in the Sum of Five Hundred Dollars, to be levied upon their respective Goods and Chattels, Lands and Tenements. But to be void upon Condition that the said Samuel Tate keep the Peace towards one Samuel Navill and towards all other persons, for the Space of one year from this date.

↓ 760	The State of Texas vs William C Philips	Plaintiff / Defendant	And now on this day came the parties to this cause by their attorneys, and the defendant also in proper person, and announced themselves ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County, to wit: P.H. Nowlin and eleven others, who were duly tried, elected, empannelled and sworn. And thereupon the said defendant having plead not guilty, the parties introduced the evidence, and the argument of Counsel and the charge of the Court being heard, said Jury retired and brought into Court the following verdict, to wit "We, the Jury, find the defendant W.C Philips, not guilty, as charged in the indictment. P.H Nowlin Foreman" Whereupon, It is ordered by the Court that the said William C. Philips go hence without day fully acquitted of the charge contained in said indictment.
↓ 612	The State of Texas vs John M Bennett	Plaintiff / Defendant	And now on this day come the parties to this cause by their attorneys, and the defendant also in proper person, and announced themselves ready for trial. And thereupon came a Jury of twelve good and lawful men of Travis County, to wit. S D Carrington and eleven others who being duly tried, elected, empannelled and sworn, heards defendant's plea of guilty and being charged by the Court, retired and brought into Court the following verdict, to wit. "We, the Jury, find the defendant guilty as charged in the indictment & assess the fine at fifty dollars & all cost. S D Carrington, Foreman." Whereupon It is ordered by the Court that the State of Texas recover of said John M Bennett, called Buck Bennett said sum of Fifty dollars, and all costs of this prosecution. And

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Thereupon appeared in open Court G. W. Campbell and Samuel G. Howell and acknowledged themselves bound for the amount of the fine and costs in this cause. and Court adjourned until to-morrow.

Friday Morning, Dec. 18th 1857.

Court convened at nine o'clock pursuant to adjournment. Present the Honorable Thomas J. Devine, Judge of the Fourth Judicial District of the State of Texas, Francis Brown, Clerk, and A. G. Hamilton Sheriff of Travis County. Whereupon the following proceedings were had by said Court as follows, to wit.

J 813 The State of Texas vs. Heffington & Randolph } Plaintiff, Defendant } And now on this day comes D C Heffington as principal and Joseph W Robertson as security, and acknowledged themselves jointly and severally unto to owe and be indebted unto the State of Texas in the sum of One Hundred Dollars, to be levied upon their respective Goods and Chattels, Lands and Tenements. But to be void upon condition that the said David C. Heffington be and remain in attendance from day to day on the present term of the District Court of Travis county, and from term to term and from day to day of each term thereafter, to answer the indictment preferred against him, the said David C. Heffington jointly with one Thomas J. Randolph by the Grand Jurors of Travis County, at this the Fall Term of the District Court of Travis County, 1857, for permitting a gaming bank called Monte to be exhibited in their house for the purpose of gaming, and that he do not depart the Court without leave.

J 813 The State of Texas vs. Heffington & Randolph } Plaintiff, Defendant } And now on this day comes the plaintiff by the District Attorney and the defendant Heffington in person and by attorney - and the defendant Randolph by his attorney Henry W. Sublett, Esq, and announced themselves ready for trial. And thereupon came a Jury of Twelve good and lawful men of Travis county, to wit. A. G Compton and eleven others, who being duly tried, elected, empannelled and sworn, heard the plea of guilty by the defendants, and the charge of the Court, and having retired brought into Court the following verdict, to wit: "We the Jury find the defts. guilty, and assess the fine at ten Dolls. each. A. G. Compton, Foreman." Whereupon, It is ordered by the Court that the State of Texas recover of each of said defendants David C Heffington and Thomas J. Randolph the sum of ten dollars as aforesaid, and all costs of this prosecution.

Fall Term, Friday, December 15th 1857.

✓ 814

The State of Texas vs Heffington & Randolph } Plaintiff / Defendants } And now on this day came in open Court David C. Heffington as principal and Joseph W. Robertson as security and acknowledged themselves jointly and severally, jointly to owe and be indebted unto the State of Texas in the sum of One Hundred Dollars, to be levied upon their respective Goods and Chattels, Lands and Tenements. But to be void upon condition that the said David C. Heffington be and remain in attendance from day to day on the present term of the District Court of Travis County, and from term to term, and from day to day of each term thereafter, to answer the indictment preferred against him the said David C. Heffington, jointly with one Thomas J. Randolph, by the Grand Jurors of Travis County at this the Fall Term of the District Court of said County, 1857, for permitting a game with cards called Poker to be played in their house for money, said house being a house for the retailing of spirituous liquors, and that he do not depart the Court without leave.

✓ 814

The State of Texas v. Heffington & Randolph } Plaintiff / defendant } And now on this day comes the plaintiff by the District Attorney, and the defendant Heffington in person and also by attorney - the defendant Randolph also appearing by his counsel, Henry St. Sublett, Esq., and announced themselves ready for trial. Whereupon came a Jury of Twelve good and lawful men of Travis county, to wit: A. G. Crompton and eleven others, who being duly tried, elected, empannelled and sworn, heard the plea of guilty by the defendants and the charge of the Court, and returned and brought into Court the following verdict, to wit: "We, the Jury, find the defts. guilty as charged and assess the fine at ten dolls. each. A. G. Crompton Foreman." Whereupon, It is ordered, adjudged and decreed by the Court that the State of Texas recover off and from each of said defendants, David C. Heffington and Thomas J. Randolph, the sum of ten Dollars and all costs herein incurred.

✓ 816

The State of Texas & Heffington & Randolph } Plaintiff / Defendants } And now on this day came into open Court the defendant David C. Heffington, as principal, and Joseph W. Robertson as Security, and acknowledged themselves jointly and severally, jointly to owe and be indebted unto The State of Texas in the sum of One Hundred Dollars to be levied upon their respective Goods and Chattels, Lands and Tenements. But to be void upon condition that the said David C. Heffington be and remain in attendance from day to day with present term of the District Court of Travis County, and from Term to Term, and from day to day of each Term thereafter, to answer the indictment preferred against him the said David C.

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Heffington, jointly with one Thomas J. Randolph, for permitting a gaming Banks called Faro to be exhibited in their house for the purpose of gaming and that he do not depart the Court without leave.

816 The State of Texas } Plaintiff
v. } And now on this day comes the
Heffington & Randolph } Defendants } plaintiff by the District Attorney and the defendants Heffington in person and by attorney, and also comes the said Randolph by his attorney Henry W. Stubbs, Esq., and announced themselves ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County, towit: A. G. Compton and eleven others, who being duly tried, elected, empannelled and sworn, heard the plea of guilty by these defendants and the charge of the Court, and retired, and thereupon brought into Court the following verdict, to wit: "We, the Jury, find the defts. guilty, as charged, and assess the fine at Ten dolls. each. A. G. Compton, Foreman." Whereupon It is ordered by the Court, that the State of Texas recover of said David C. Heffington and Thomas J. Randolph said sum of Ten Dollars each, and all costs in this behalf expended.

817 The State of Texas } Plaintiff
v. } And now on this day appeared
Heffington & Randolph } Defendants } in open Court David C. Heffington as principal and Joseph W. Robertson as security, and acknowledged themselves jointly and severally, jointly to owe and be indebted unto The State of Texas in the sum of One Thousand dollars, to be levied upon their respective goods and chattels, lands and tenements, but to be void upon condition that the said David C. Heffington do and remain in attendance from day to day in the present Term of the District Court of Travis County, and from Term to Term, and from day to day of each Term thereafter, to answer the indictment preferred against him, the said D. C. Heffington, jointly with One Thomas J. Randolph, by the Grand Jurors of Travis County, at this, the Fall Term of the District Court of said County, 1857. for permitting a game with cards, called Draw Poke to be played in their house, and that he do not depart the Court without leave

817 The State of Texas } Plaintiff
v. } And now on this day comes,
Heffington & Randolph } Defendants } the District Attorney who sues, Represents the State in this behalf, and the defendant Heffington in person and by attorney, and also comes the said Randolph by his attorney, Henry W.

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Sabiett, Esq. and announced themselves ready for trial Thereupon Came a Jury of Twelve Good and Lawful men of Travis County, to wit: A.G. Compton and eleven others, who being duly Tried, elected, empannelled and Sworn, heard the plea of guilty by the said defendants and the charge of the Court, and having retired, brought into Court the following verdict to wit: "We, the Jury, find the defendants guilty as charged and do assess the fine at ten dolls each. A.G. Compton, Foreman" Whereupon It is Adjudged by the Court, that the State of Texas recover of said David C Heffington and Thomas J Randolph said sum of Ten Dollars each, and all costs in this prosecution incurred.

818 The State of Texas vs Heffington & Randolph } Plaintiff & Defendants } And now comes David C. Heffington as principal, and Dudley M. Roberts as Security, and acknowledges themselves jointly and severally, jointly to owe and be indebted unto The State of Texas in the Sum of Two Hundred Dollars, To be levied upon their respective Goods and Chattels, Lands and Tenements But to be void upon Condition that the said David C Heffington be and Remain in attendance from day to day on the present Term of the District Court of Travis County, and from Term to Term, and from day to day of each Term thereafter, to answer the indictment preferred Against him the said David C. Heffington, jointly with one Thomas J. Randolph at this the Fall Term of the District Court of said County, 1857, by the Grand Jury of Travis County, for permitting a gaming Bank Called Faro to be exhibited in their house for the purpose of gaming, and that he do not depart the Court without leave.

818 The State of Texas vs Heffington & Randolph } Plaintiff & Defendants } And now comes the District Attorney and the defendant Heffington in person and by Attorney, and Randolph by his attorney, Henry W. Sabiett, Esq. and announced themselves ready for trial. Whereupon Came a Jury of Twelve Good and Lawful men of Travis County, to wit: A.G. Compton and eleven others, who being duly Tried, elected, empannelled and Sworn, heard the plea of guilty by the Defendants and the charge of the Court, and retired to consider of their verdict. And thereupon said Jury returned into Court the following verdict, to wit: "We the Jury find the defts. guilty as charged, and ofs the fine at Ten dolls. each. A.G. Compton Foreman." Whereupon It is ordered by the Court that the State of Texas recover of said defendants, David C. Heffington and Thomas J Randolph, each, the sum of Ten dollars together with all the costs of this prosecution.

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832 The State of Texas vs R A Clements } Plaintiff Defendant } And now on this day Comes the Pltf by the District Atty and the defendant in person and having announced themselves ready for Trial. The defendant pleads guilty And thereupon Came a Jury of Twelve good And lawful men of Travis County to wit. A.G. Compton and eleven others who being duly tried elected, empannelled sworn and charged by the Court, retired and brought into Court the following verdict, to wit: "We, the Jury, find the defts. guilty as charged and assess the fine at Fifty Dollars. A. G. Compton, Foreman" Whereupon, It is Ordered by the Court, that the State of Texas recover of said Robert H. Clements said sum of Fifty Dollars and all costs of this prosecution.

833 The State of Texas vs Robert H. Clements } Plaintiff Defendant } And now on this day comes the Pltf by the District Attorney and the defendant in proper person, and having announced themselves ready for trial, there came a jury of twelve good and lawful men of Travis County to wit. A. G. Compton and eleven others, who being duly tried, elected, empannelled and sworn heard defendants plea of guilty and the charge of the Court, and having retired, brought into Court the following verdict, to wit. "We, the Jury, find the defts guilty, and assess the fine at fifty dolls. A. G. Compton Foreman" Whereupon It is Ordered by the Court that the State of Texas recover of said Robert H. Clements said sum of Fifty Dollars and all costs in this behalf expended.

834 The State of Texas vs Robert H Clements } Plaintiff Defendant } And now on this day comes the Pltf by the District Atty and the defendant in proper person and having announced themselves as ready for trial, there came a jury of twelve good and lawful men of Travis County to wit: A G Compton and eleven others, who being duly tried elected, empannelled and sworn, heard defendants plea of guilty and the charge of the Court and brought into Court, after having retired, the following verdict, to wit. "We, the Jury, find the defts. guilty as charged and assess the fine at Fifty dolls. A G Compton, Foreman" Whereupon It is ordered by the Court that the State of Texas recover of the said defendant Robert Clements, said sum of Fifty dollars and all costs of this prosecution.

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√ 835 The State of Texas vs R H Clements } Plaintiff / Defendant } And now on this day comes the Pefft by the District Attorney and the deft in proper person and having announced themselves ready for trial there came into open Court a jury of twelve good and lawful men of Travis County, to-wit: A G Compton and eleven others who being duly tried, elected, empannelled and sworn, heard defendants plea of Guilty and the charge of the Court, and having retired, brought into Court the following verdict, to-wit: "We the Jury, find the deft. guilty as charged and assess the fine at Fifty dollars. A G Compton, Foreman." Whereupon, It is Ordered by the Court that the State of Texas recover of the said defendant Robert H. Clements, said sum of Fifty dollars and all Costs of this prosecution.

√ 845 The State of Texas vs S G Norvell et al } Plaintiffs / Defendants } And now on this day came the Pefft by the District Attorney and the defendant Samuel G. Norvell in proper person and announced themselves ready for trial. Whereupon Came a Jury of twelve good and lawful men of Travis County, to-wit: A G Compton and eleven others, who being duly Tried, elected, empannelled and Sworn, heard the plea of guilty by the defendant Norvell and the charge of the Court and brought into Court the following Verdict, to wit. "We, the Jury, find the defendant guilty as charged and assess the fine at Ten dolls. A G Compton, Foreman." Whereupon, It is Ordered by the Court that the State of Texas recover of the said Samuel G. Norvell said sum of Ten Dollars and all costs of this prosecution. And thereupon appeared in Open Court Samuel G. Norvell, who, as principal, and James Doyle, as Security, acknowledged themselves severally and severally justly to owe and be indebted unto The State of Texas in the sum of Fifty dollars to be void on condition that the said Norvell and Doyle pay the amount of the fine and costs in this cause now before the first day of the next Term of this Court.

√ 848 The State of Texas vs Thos Anderson } Plaintiff / Defendant } And now on this day comes the Pefft. by the District Atty. and the defendant in proper person and also by his Attorney H.W. Sublett Esq. and announced themselves ready for trial. There came a jury of twelve good and lawful men of Travis County, to-wit: A G Compton and eleven others, who being duly Tried, elected, empannelled and sworn, heard the plea of guilty by the defendant and the charge of the Court, and brought it into Court the following verdict, to-wit. We, the Jury, find the deft. guilty as charged and assess the fine at Twenty-five dollars. A G Compton, Foreman" Whereupon, It

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ordered by the Court that the State of Texas recover of the said Theophilus Auburn said sum of Twenty-Five Dollars, and all costs in this behalf expended. And thereupon appeared in Open Court Henry St Sabler and acknowledged himself justly to owe and be indebted unto the State of Texas in the sum of Twenty five dollars, fine & forfeiture, and all costs, to be void on Condition that he pay the amount of the Fine and costs in this cause on or before the first day of the next Term of this Court

√ 871

The State of Texas vs Robert H. Clements } Plaintiff / Defendant } And now on this day comes the plaintiff by the District Attorney and the defendant in proper person and announced themselves ready for trial. Thereupon came a Jury of twelve Good and lawful men of Travis County, to wit: A. G. Compton and eleven others, who being duly tried, elected, empannelled and sworn, heard defendants plea of guilty and the Charge of the Court and having retired, came into Court the following verdict, to wit: "We the Jury find the deft. guilty as charged and assess the fine at Fifty dollars. A G Compton Foreman." Whereupon, It is Ordered by the Court that the State of Texas recover of the said Robert H. Clements said sum of Fifty dollars, and all costs in this behalf incurred.

√ 885

The State of Texas vs Heffington Wallace } Plaintiff / Defendants } And now comes the plaintiff by the District Attorney and the deft. Heffington in proper person and the deft. Wallace by his Attorney, Henry St. Sabler, Esq and announced themselves ready for trial. Whereupon came a Jury of twelve Good and lawful men of Travis County, to wit: L. D. Carrington and eleven others, who being duly tried, elected, empannelled and sworn, heard defendants plea of guilty and the Charge of the Court, and said Jury having retired and brought into Court the following Verdict to wit: "We the Jury, find the defendants guilty as charged in the indictment and assess the fine at ten dollars each." L. D. Carrington, Foreman." It is therefore Ordered by the Court that the State of Texas recover of and from the said defendants, David C. Heffington and William Wallace, the sum of ten dollars each, and all costs of this prosecution.

√ 886

The State of Texas vs Heffington Wallace } Plaintiff / Defendants } And now on this day comes the District Attorney who represents the State and the defendant Heffington in proper person, and the defendant

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Wallace by his attorney Henry W Sublett, Esq, and having announced themselves ready for trial, thereupon came a Jury of twelve Good and lawful men of Travis County, to-wit: L D. Carrington and eleven others, who being duly Tried, elected, empannelled and sworn heard the plea of guilty by the defendants, and being Charged by the Court, said Jury brought into Court the following verdict, to-wit: "We, the Jury, find the defendants Guilty as Charged in the indictment and assess the fine at ten dollars each. L D Carrington Foreman" Whereupon It is Ordered by the Court that the State of Texas recover of the said Defendants, David C Heffington and William Wallace the sum of Ten Dollars each and all costs in this prosecution incurred

✓ 888 The State of Texas vs Heffington Randolph } Plaintiff / Defendants } And now on this day comes the Pltff by the District Atty and the defendant Heffington in proper person and the defts. Randolph by his Atty. Henry W Sublett, Esq. and having announced themselves ready for trial, thereupon Came a Jury of twelve Good and lawful men of Travis County, to-wit: A.G. Compton and eleven others who being duly Tried, elected, empannelled, Sworn and Charged, and hearing defts' plea of Guilty returned and brought it into Court the following verdict, to-wit. " We, the Jury, find the defts. Guilty as charged and assess the fine at ten dolls. each A G Compton Foreman" Whereupon It is Ordered by the Court that the State of Texas recover of the said David C. Heffington and Thomas J. Randolph the sum of Ten dollars each and all Costs in this behalf expended, for all which

✓ 889 The State of Texas vs Heffington Randolph } Plaintiff / Defendant } And now comes the plaintiff in this cause by the District Attorney and the defendant David C Heffington in proper person and Thomas J. Randolph by his Attorney, Henry W. Sublett, Esq., and having announced themselves ready for trial, thereupon Came a Jury of twelve Good and Lawful men of Travis County, to-wit: A G. Compton and eleven others, who being duly elected, tried, empannelled and sworn, heard the plea of guilty by said defendants and the charge of the Court, and having returned, brought into Court the following verdict, to-wit. "We, the Jury, find the defts. guilty as charged and assess the fine at ten dolls each. A.G. Compton, Foreman" Whereupon It is ordered by the Court that the State of Texas recover of the said defendants, David C. Heffington and Thomas J. Randolph the sum often dollars each, and all costs in this behalf expended,

Fall Term, Tuesday, December 15, 1857.

891 The State of Texas vs Heffington Wallace } Plaintiff / Defendants } And now on this day Comes the Dist. attorney who represents the State and the defendant Heffington in proper person and the defendant Wallace by his attorney Henry W. Sublett, Esq., and announced themselves ready for trial. And thereupon Came a jury of twelve good and lawful men of Travis County to wit. L D Covington and eleven others, who being duly tried, elected, empannelled and sworn heard the plea of guilty by these defendants and the charge of the Court and having retired brought into Court the following verdict, to wit: "We the the jury find the defendants guilty as charged in the indictment and assess the fine at Ten dollars each L. D. Covington, Foreman." Whereupon It is Ordered by the Court that the State of Texas recover of the said Defendants David C. Heffington and William Wallace the sum of Ten dollars each and all costs of this prosecution.

893 The State of Texas vs Thomas Bowles } Plaintiff / Defendant } And now come the parties to this cause by their attorneys and the parties having announced and gone into trial of the cause, and the jury, after hearing the evidence and being charged by the Court, having returned a verdict of not guilty, It is Ordered by the Court that the said Thomas Bowles go hence without day fully acquitted of said charge in this indictment.

898 The State of Texas vs Thomas Bowles } Plaintiff / Defendant } And now come the parties by their attorneys, and said parties having gone into trial and the jury, after hearing the testimony and hearing the charge of the Court, having returned a verdict of not guilty, It is ordered by the Court that said defendant Thomas Bowles go hence fully acquitted of said charge.

903 The State of Texas vs C. Kirk. } Plaintiff / Defendant } On motion of the District atty, It is ordered by the Court that the Judgment heretofore, at a former day of the present Term of this Court rendered against this defendant be set aside and held for naught, and that the Cause be dismissed from the docket.

911 The State of Texas vs Samuel G Howell } Plaintiff / Defendant } And now on this day Comes the District Attorney who represents the State and the defendant in proper person, and announced themselves ready for trial. And thereupon came a jury of twelve good and lawful men of Travis County to wit. A. G. Compton and eleven others, who being duly tried,

elected, empannelled and sworn, heard the plea of guilty by the defendant and the charge of the Court, and brought into Court the following verdict towit: "We, the Jury, find the defd. guilty as charged and assess the fine at twenty five dolls. A. J. Compton, Foreman" Whereupon, It is ordered by the Court that the State of Texas recover of the said defendant, Samuel A Sorrell, said sum of Twenty-Five Dollars and all Costs of this prosecution. And thereupon appeared in Open Court Samuel A Sorrell and acknowledged him self indebted unto the State of Texas for the amount of said fine of twenty-five dollars together with all costs herein incurred

↓170 Webb & Kidd vs Hamilton & Kidd } Plaintiffs / Defendants } And now come these parties by their attys and on motion It is Ordered by the Court that the Arbitrators appointed at a former Term of this Court proceed to act and report their doings at this Term of the Court.

↓1203 Raymond & Hope vs A H Cook et al } Plaintiffs / Defendants } And now come these plaintiffs by their attorneys, and on motion It is Ordered by the Court that they have leave to amend their pleadings in this Cause

↓1237 The State of Texas vs Wm A Clopton et al } Plaintiffs / Defendants } And now on this day came the parties to this Cause by their attorneys and on motion It is Ordered by the Court that the Judgment by default rendered in this Cause at this Term of the Court be set aside and held for naught as to the principal, but that the defendants William A. Clopton, Samuel J. Sorrell and James R. Jackson pay all costs of this suit, for which execution may issue.

↓1241 The State of Texas vs William B. Ochiltree et al } Plaintiffs / Defendants } And now on this day came the parties to this Cause by their attorneys, and on motion It is Ordered by the Court that the Judgment final by default rendered at this Term of the Court against the defendants in this Cause as to the principal, be set aside and held for naught, but that said defendants, to wit. William B. Ochiltree, R. Hutchison and George Clemenan pay all costs in this suit incurred, for which execution may issue.

↓1286 Albert J Compton vs Western Stage Company } Plaintiff / Defendants } It is ordered by the Court, on motion, that the plaintiff in this Cause, have leave to amend his pleadings.

Fall Term, Tuesday, December 15th 1857

1389 — E. H. Fitch vs James Wellie — Plaintiff / Defendant

On this day comes the pltff. in this cause by his attorneys, Messrs. Oldham & White, and move the Court to render a Judgment final by default against this defendant. And thereupon, it appearing to the Court that the defendant has been legally served with proces, and has wholly failed to answer within the time prescribed by law; And it further appearing that the cause of action is liquidated as shown by an instrument of writing called a promissory note, It is, therefore, Ordered adjudged and decreed by the Court that the said pltff E. H. Fitch, recover of said defendant James Wellie, the sum of One Hundred and Sixty-Eight 85/100 Dollars that sum being the amount of principal debt and interest due on the note sued on in this cause up to the date of the rendition of this Judgment with legal interest thereon until the same is paid, and all Costs in this behalf expended, for which execution may issue.

And thereupon Court adjourned until To-morrow (Wednesday) Morning, at nine o'clock.

Wednesday December 16th 1857.

Court convened at nine o'clock, A. M. pursuant to adjournment. Present the Honorable Thomas J. Devine, Judge of the Fourth Judicial District of the State of Texas; Frank Brown, Clerk, and A. Dupeyhen Weir, Sheriff of Travis County. Whereupon the following proceedings were had by said Court, as follows, to-wit:

1404 — Sebron G. Sneed vs Claiborne Arrington — Plaintiff / Defendant

It appearing to the Court that from the Mandate of the Supreme Court, this Cause is ordered to be dismissed from the docket at plaintiffs costs. It is ordered by the Court, on motion of the parties that this Cause be dismissed from the docket, and that the defendant recover of the said plaintiff, Sebron G. Sneed, all costs in and about this suit laid out and expended, for which execution may issue.

841 — The State of Texas vs James R. Jackson & Co. — Plaintiff / Defendant

And now on this day come the parties to this Cause by their attorneys, the plaintiff by the District attorney and the defendant in proper person, and announced themselves ready for trial. Thereupon Came a Jury of good and lawful men of Travis County, to-wit: S. D. Carrington and seven others, who being duly tried, elected, empanelled and sworn,

heard the plea of guilty by the defendant and the charge of the Court, and rendered the following verdict to wit: "We, The Jury find the defendant guilty as charged in the indictment and assess the fine at Ten dollars S.D. Carrington, Jr." Whereupon, It is Ordered by the Court that the State of Texas recover of said defendant James R Jackson, the sum of Ten dollars found by the Jury aforesaid, together with all costs of this prosecution

842 The State of Texas } Plaintiff
vs.
James R Jackson } Defendant

And now comes the Atty for the District attorney and the defendant in proper person and announced themselves ready for trial. Whereupon came a jury of good and lawful men of Travis County to wit: S D Carrington and eleven others, who being duly tried, elected, empannelled and sworn, heard defendants plea of guilty and the charge of the Court, and having retired, brought into Court the following verdict, to wit: "We, The Jury, find the defendant guilty as charged in the indictment and assess the fine at ten dollars. S D Carrington Foreman." Whereupon It is ordered by the Court that the State of Texas recover of said defendant James R Jackson said sum of Ten dollars and all costs of this prosecution.

845 The State of Texas } Plaintiff
vs.
Worrell & Smith } Defendants

And now on this day come the Atty for the District Attorney and the defendant Smith in proper person and announced themselves ready for trial. Thereupon came a jury of twelve good and lawful men of Travis County, to wit: S D Carrington, Foreman, and eleven others, who being duly tried, elected, empannelled and sworn heard the plea of guilty by said defendant, and being charged by the Court, brought into Court the following verdict, to wit: "We, the jury find the defendant Smith guilty, as charged in the indictment & assess the fine at Ten dollars S. D. Carrington, Foreman." Whereupon, It is Ordered by the Court that the State of Texas recover of said defendant Smith said sum of Ten dollars and all costs of this prosecution.

823 The State of Texas } Plaintiff
vs.
Estabrook & Ferland } Defendants

And now on this day comes the Atty for the District Atty and the defendants in proper person and announced themselves ready for trial. Whereupon came a jury of twelve good and lawful men of Travis County to wit: S D Carrington and eleven others, who being duly elected, tried, empannelled and sworn heard the plea of guilty by said defendants, and being thereupon charged by the Court, brought into Court the following verdict, to wit: "We, the jury, find the defendants guilty as charged in the indictment, and assess the fine at ten dollars each. S D Carrington, Foreman." Whereupon, It is Ordered

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adjudged and decreed by the Court that the State of Texas recover of and from said defendants Adolph Testard and Adrian Testard the sum of ten dollars each together with all the costs of this prosecution.

847 The State of Texas vs Thomas Bowles } Plaintiff & Defendant } And now on this day came the parties to this cause by their attorneys and having announced themselves ready for trial, thereupon came a jury of twelve good and lawful men of Travis County, to wit: John T. Price and eleven others, who being duly tried, elected, empannelled and sworn heard the plea of guilty by the defendant, and being charged by the Court rendered the following verdict, to wit: "We, the jury find the defendant guilty and assess the fine at ten dollars. John T. Price, Foreman." Whereupon It is Ordered by the Court that the State of Texas recover of said Thomas Bowles said sum of ten dollars and all costs of this prosecution.

872 The State of Texas vs Sylvester Lockwood } Plaintiff & Defendant } It is Ordered by the Court that this cause be Continued on the affidavit of the defendant. Lockwood.

875 The State of Texas vs Testard & Testard } Plaintiff & Defendant } On motion of the District attorney, this Cause is dismissed from the docket.

876 The State of Texas vs Testard & Testard } Plaintiff & Defendants } And now on this day come the parties to this cause by their attorneys, the Plaintiff coming by the District Attorney and the defendants in person, and announced themselves ready for trial. Whereupon Came a Jury of twelve Good and Lawful men of Travis County, to wit: John T Price and eleven others, who being duly tried, elected, empannelled and sworn heard the plea of guilty by the defendants and the charge of the Court, and after retiring said Jury brought into Court the following verdict, to wit: "We, the Jury, find the defendants guilty as charged in the indictment, and assess the fine at ten dollars each. John T. Price, Foreman." Whereupon It is ordered by the Court that the State of Texas recover of the said defendants Adolph Testard and Adrian Testard the sum of Ten dollars each, together with all costs in this behalf expended.

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880 The State of Texas vs James R Jackson } Plaintiff / Defendant } And now on this day came the parties to this Cause by their attorneys - the defendant coming also in proper person and announced themselves ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County to wit: F. D Carrington and eleven others, who, being duly elected, empannelled, sworn and Charged and hearing defendants plea of guilty brought into Court the following verdict, to wit: "We, the Jury, find the defendant guilty as charged in the indictment and assess the fine at ten dollars F. D Carrington Foreman" Whereupon It is ordered by the Court that the State of Texas recover of the said James R Jackson said sum of Ten dollars and all costs of this prosecution.

896 The State of Texas vs Arnold Klein } Plaintiff / Defendant } And now on this day came the parties by attorney and the dft. also in person having announced themselves ready for trial - Thereupon came a Jury of twelve good and lawful men of this County who, having heard the plea, evidence and argument of Counsel and charge of the Court retired and brought into Court the following verdict, to wit: "We, the Jury, find the defendant not guilty. A.J. Compton, Foreman." Whereupon It is Ordered by the Court that the said defendant go hence fully acquitted of the charges contained in the indictment in this Cause

And thereupon Court adjourned until to-morrow morning at 9 o'clock

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Thursday, December 17th 1857.

Court Convened at nine o'clock A.M. pursuant to adjournment. Present the Hon: Thomas J. Devine, Judge of this Fourth Judicial District of the State of Texas; Frank Brown, Clerk; and Edward G. Wier, Sheriff of Travis County.

826 The State of Texas vs Alfred Robinson } Plaintiff / Defendant } And now on this day come the Deft by the District Attorney and the defendant in his proper person and announced themselves ready for trial. Whereupon came a Jury of good and lawful men of Travis County, to wit: J. W Glascock and seven others, who, being duly tried, elected, empannelled and sworn, heard the plea of guilty and the charge of the Court, and having retired brought into Court the following verdict, to wit: "We, the Jury, find the charges in the indictment to be true, and assess the fine at ten dollars."

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Hafecock, & Foreman." Whereupon It is ordered by the Court that the State of Texas recover of the said Alfred Robinson the sum of Ten dollars aforesaid, And all Costs of this prosecution.

837 The State of Texas vs Alfred Robinson } Plaintiff. Defendant } And now on this day comes the plaintiff in this Cause by the District Attorney And the defendant in proper person And announced themselves ready for trial. Thereupon came a jury of twelve good and lawful men of Travis County to wit: W Hafecock and eleven others, who being duly tried, elected, empannelled and sworn, heard the plea of guilty by the deft: and the charge of the Court and having retired, thereupon brought into Court the following verdict to wit: "We, the Jury, find the charge in the indictment true, and assess the fine at ten dollars. G W Hafecock, Foreman." Wherefore, It is ordered by the Court that the State of Texas recover of the said Alfred Robinson said sum of ten dollars and all costs of this prosecution.

840 The State of Texas vs James R. Jackson } Plaintiff Defendant } Continued until next Term.

846 The State of Texas vs Smith } Plaintiff Defendant } Continued for service.

849 The State of Texas vs James Burdett } Plaintiff Defendant } And now on this day Comes the plaintiff by the District Attorney and the defendant in proper person, and announced themselves ready for trial. Whereupon Came a jury of twelve good and lawful men of Travis County to wit: G W Hafecock and eleven others, who being duly Tried, elected, empannelled and sworn, heard defendants plea of guilty and the charge of the Court, and having retired brought into Court the following verdict to wit: We the Jury, find the defendant guilty as charged in the indictment and assess the fine at fifty dollars. G W Hafecock, Foreman." Thereupon, It is Ordered by the Court that the State of Texas recover of said defendant James Burdett said sum of fifty dollars and all costs of this prosecution.

850 The State of Texas vs S. G. Sorrell } Plaintiff Defendant } And now on this day comes the pltff to this Cause by the District Atty and the defendant by attorney and announced themselves ready for

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trial, thereupon a jury of good and lawful men of Travis County, who being duly elected, empannelled, sworn and tried, heard the plea of not guilty, the indictment and the Charge of the Court; and having retired thereupon brought into Court the following verdict to wit: We, the jury find the defendant not guilty. L. D. Carrington Foreman." Whereupon it is ordered by the Court that the defendant Samuel Morell go hence without day fully acquitted of the charges in the indictment in this cause.

1855 The State of Texas vs John Matter } Plaintiff / Defendant } Continued on motion of District Attorney

1856 The State of Texas vs John Matter } Plaintiff / Defendant } Continued on motion of the District Attorney

1858 The State of Texas vs G. Bergamin } Plaintiff / Defendant } On motion of the District Attorney this Cause is Continued

1859 The State of Texas vs C. L. Nitchkee et als } Plaintiff / Defendants } And now come the District Attorney and dismisses this Cause as to all the defendants except C. L. Nitchkee And thereupon the parties having announced themselves ready for trial, and having sworn the Jury and the witness, argument of Counsel and charge of the Court, and said Jury having returned a verdict of not guilty. It is ordered by the Court that said defendant Nitchkee go hence fully acquitted of the charge Contained in the indictment in this Cause.

1861 The State of Texas vs Robert A Binford } Plaintiff / Defendant } And now on this day appeared in open Court Robert A Binford, this defendant, who, as principal, with Joseph Rowe as security, acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of One Hundred Dollars to be levied upon their respective Goods and Chattels, Lands and Tenements, But to be void upon condition that the said Robert A Binford be and personally appear before the Honorable the District Court of Travis County to be held at the Courthouse thereof in the City of Austin on the Seventh Monday after the first Monday in April, A.D. 1858, and from term to term thereafter, and from day to day of each term, to answer the Indictment preferred against him the said Robert A Binford by the Grand Jurors of Travis County, at this the Fall Term of the District Court aforesaid County, 1857, for wilfully & wantonly killing certain mules the property of Thomas H. Jones, and that he do not depart the Court without leave. Ordered further, that this cause be continued

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864	The State of Texas vs Burton	Plaintiff / Defendant	Ordered by the Court that this Cause be continued and that Capias issue to Gonzales County.
862	The State of Texas vs Samuel Duncan	Plaintiff / Defendant	It is ordered by the Court that this Cause be continued.
865	The State of Texas vs Marshall & Morrill	Plaintiff / Defendants	On motion of the District Atty. This Cause is dismissed from the docket
866	The State of Texas vs Martinez & Lopez	Plaintiff / Defendant	It is ordered by the Court that this Cause be Continued
867	The State of Texas vs James Burditt	Plaintiff / Defendant	And now comes the plaintiff by the District Attorney; and also comes the defendant James Burditt and his securities Hartwell G Blakey and Gustavus Kirchburg, And Thereupon James Burditt as principal and Hartwell G. Blakey and Gustavus Kirchburg as securities, and acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of two hundred dollars to be levied upon their respective Goods and Chattels, Lands and Tenements, But to be void upon Condition that the said James Burditt be and remain in attendance upon the District Court of Travis County now in session and from day to day thereof, and from term to term, and from day to day of each Term thereafter, to answer the indictment preferred against him the said Burditt, by the Grand Jurors of Travis County at this the Fall Term of the District Court of Travis County 1857, for selling intoxicating liquors in quantities less than a quart, and that he do not depart the Court without leave.
867	The State of Texas vs James Burditt	Plaintiff / Defendant	And now on this day came the parties to this Cause by their attorneys and announced themselves ready for trial. Whereupon A jury of twelve good and lawful men of Travis County, to wit: G W Glasscock and eleven others, duly tried elected sworn, and upon their oaths do say, "We the jury, find the defendant guilty as charged in the indictment, and assess the fine at fifty dollars." G W. Glasscock Foreman." Whereupon It is ordered by the Court that the State of Texas recover of said James Burditt said sum of Fifty dollars and all costs of this prosecution

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868 The State of Texas vs James Burdett } Plaintiff / Defendant } And now on this day comes James Burdett, as principal, and Hartwell & Blakey and Gustavus Kirchberg as securities, and acknowledged themselves jointly and severally, justly to owe and be indebted unto The State of Texas in the sum of Two Hundred dollars to be levied upon their respective Goods and Chattels, Lands and Tenements But to be void upon condition that the said James Burdett be and remain in attendance from day to day on the present term of the District Court of Travis County, and from term to term and from day to day of each term thereafter, to answer the indictment preferred against him, the said James Burdett, by the Grand Jury of Travis County at this The Fall Term of the District Court of said County, 1857, for selling intoxicating liquors in quantities less than a quart, and that he do not depart the Court without leave

868 The State of Texas vs James Burdett } Plaintiff / Defendant } And now on this day came these parties, the plaintiff by the District Attorney and the defendant in proper person and announced themselves already for trial. Whereupon came a Jury of twelve good and lawful men of Travis County to wit. G.W. Glascock and eleven others, who being duly tried elected, empannelled and sworn heard defendants plea of guilty and the Charge of the Court and retired. And thereupon said Jury returned into Court the following verdict, to wit: "We The Jury find the defendant guilty as charged in the indictment, and assess the fine at fifty dollars. G.W. Glascock, Foreman" Whereupon it is ordered by the Court that the State of Texas recover of said James Burdett said sum of fifty dollars and all costs of this prosecution

869 The State of Texas vs Gerard & Hart } Plaintiff / Defendants } And now comes Gardison Ruby and acknowledged himself justly to owe and be indebted unto the State of Texas in the sum of One Hundred Dollars, to be levied upon his Goods and Chattels, Lands and Tenements But to be void upon condition that the said Gardison Ruby be and remain in attendance from day to day on the present Term of the District Court of Travis County, and from Term to Term, and from day to day of each Term thereafter, to ~~testify~~ give evidence for the plaintiff in the above entitled cause, and that he do not depart the Court without leave

877 The State of Texas vs John L. Smeed } Plaintiff / Defendant } Ordered by the Court that this cause be continued

878 The State of Texas vs Samuel Duncan } Plaintiff / Defendant } Ordered that this cause be continued

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1879 — The State of Texas vs David Meeks — Plaintiff / Defendant — Orderedly the Court that this cause be continued

1881 — The State of Texas. vs John M. Smith — Plaintiff / Defendant — And now on this day comes the plaintiff by the District Attorney, and the defendant in person and by attorney, and having announced themselves ready for trial, thereupon came a jury of twelve good and lawful men of Travis County, to wit: S. D. Carrington and eleven others, who being duly tried, elected, empannelled and sworn, heard defendant's plea of not guilty and the charge of the Court, and argument of counsel, and having retired, brought into Court the following verdict, to wit: "We, the Jury find for the Defendant, upon the grounds alone that the fact was not proven to have been made in this County. S. D. Carrington, Foreman." Whereupon, It is ordered by the Court that the defendant go hence without day.

883 — The State of Texas vs Meeks & Meeks — Plaintiff / Defendants — It is ordered by the Court that this cause be continued for service.

891 — The State of Texas vs Charles H. Rondo — Plaintiff / Defendant — And now on this day comes the Peff. by the District Attorney and the defendant in proper person, and announced themselves ready for trial. Whereupon came a jury of twelve good and lawful men of Travis County, to wit: S. D. Carrington and eleven others, who being duly tried, elected, empannelled and sworn, heard the plea of not guilty by the defendant the testimony and the charge of the Court, and having retired, brought into Court the following verdict, to wit: "We, the Jury find the defendant guilty as charged in the indictment and assess the fine at ten dollars. S. D. Carrington, Foreman." Whereupon, It is ordered by the Court that the State of Texas recover of said defendant Charles H Rondo said fine of ten dollars, and all costs of this prosecution

892 — The State of Texas vs Bilton — Plaintiff / Defendant — Ordered by the Court that this cause be continued and that capias issue to Gonzales County.

894 — The State of Texas vs Chas A. Harrison — Plaintiff / Defendant — And now on this day comes the peff by the Dis trict Atty and the defendant in proper

person, and announced themselves ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County to wit: S. D. Carrington and eleven others, who being duly tried, elected, empannelled and sworn, heard the plea of not guilty by the Defendant, the charge of the Court, and the argument of the parties, as well as the testimony, and having retired, brought into Court the following verdict, to wit: "We the Jury find the Defendant guilty as charged in the indictment, and assess the fine at ten dollars S. D. Carrington, Foreman." Whereupon, It is ordered by the Court that the State of Texas recover of said Charles A Harrison said sum of ten dollars and all costs of this prosecution.

↓895 The State of Texas vs Jack Robinson } Plaintiff / Defendant } And now on this day comes the Att'y for the District Attorney and the defendant in proper person, and announced themselves ready for trial. Whereupon Came a Jury of Twelve good and lawful men of Travis County, to wit, S. D Carrington and eleven others, who being duly Tried, elected, empannelled and sworn, hears the plea of guilty by the defendant and the charge of the Court. And thereupon said Jury retired and brought into Court the following verdict, to wit: "We, the Jury, find the defendant guilty as charged in the indictment, and assess the fine at ten dollars. S. D. Carrington, Foreman." Whereupon, It is ordered by the Court that the State of Texas recover of said defendant Jack Robinson said sum of ten dollars and all costs of this prosecution.

↓902 The State of Texas vs Norrell & O'Neill } Plaintiff / Defendants } Dismissed by District Attorney as to defendant Norrell

↓905 The State of Texas vs John Marshall } Plaintiff / Defendant } And now come the parties to this cause by their attorneys and defendants motion to quash the indictment in this cause coming on to be heard, the same was argued and submitted. Whereupon It is ordered by the Court that the indictment in this cause be quashed according to said motion

↓907 The State of Texas vs John Marshall } Plaintiff / Defendant } And now on this day come the parties to this cause by their attorneys, and defendants motion to quash the indictment being submitted the same was argued by the counsel. And thereupon, It is ordered by the Court that said motion be sustained.

↓908 The State of Texas vs John Marshall } Plaintiff / Defendant } And now on this day come the parties to this cause by their attorneys and defendants motion to quash the

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indictment coming on to be heard the same was argued by Counsel and submitted to the Court And Thereupon, It is ordered by the Court that said motion be sustained

1910 The State of Texas } Plaintiff
vs } and now on this day came the
George W Paschal } Defendant } parties to this Cause by their attorneys; and the motion of defendant to quash the indictment coming on to be heard the same was submitted and argued by the Counsel. And Thereupon, It is ordered by the Court that said motion be sustained

1164 William D. Thompson } Plaintiff
vs } It is ordered by the Court that this cause be continued upon
Chas Augustus Riddle } Defendants } consent of the parties

1166 R. H. Peck } Plaintiff
v. } And now on this day came the
A. M. Hopkins } Defendant } parties to this cause by their attorneys, and on motion and by consent of said parties It is ordered by the Court that this cause be dismissed from the docket, and that each party pay the costs by him incurred, for which execution may issue.

1073 William O'Connell, et al } Plaintiffs
vs } And now on this day come the plaintiffs by their attorneys and dismiss this suit as to the defendant William O. Martin
William O. Martin and } Defendants
L. D. Carrington
And Thereupon, said plaintiffs by their attorneys move the Court to render a Judgment final by default against the said Defendant L. D. Carrington. And Thereupon, it appearing to the Court, that said defendant has been properly served with process and has wholly failed to answer within the time prescribed by Law; and it further appearing to the Court, that the cause of action is liquidated, as shown by an instrument of writing called a promissory note It is, Therefore, ordered, adjudged and decreed by the Court, that the said plaintiffs, William O'Connell and John Burleson have and recover off and from the said defendant, L. D. Carrington, the sum of Two Hundred and Two 9/100 dollars, principal and interest due on the note sued on in this Cause to this date, with legal interest Thereon until paid Together with all costs of this suit, for which execution may issue

And thereupon, It is ordered by the Court that Court do now adjourn until to-morrow morning, at nine o'clock

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Friday Morning December 10, 1857.

Court Convened at nine o'clock pursuant to adjournment. Present the Honorable Thomas J Devine, Judge of the Fourth Judicial District; Frank Brown, Clerk and Adolphus G. Weir, Sheriff Whereupon the following proceedings were had by said Court, as follows, Towit:

No 785 — The State of Texas vs James M W Hall — Plaintiff / Defendant — And now on this day comes the plaintiff by the District Attorney and the defendant in proper person and also by attorney, and announced themselves ready for trial. Whereupon came a jury of twelve good and lawful men of Travis County, towit. G W Glasscock and eleven others. And said defendant entering the plea of not guilty, thereupon the said parties introduced the testimony, and said Jury hearing the same together with the Argument of counsel and the charge of the Court, retired, and thereupon brought into Court the following verdict, towit: "We the Jury find the defendant guilty as charged in the indictment, and assess the fine at fifty dollars. G W. Glasscock, Foreman." Whereupon, It is ordered by the Court that the State of Texas recover of and from said defendant, J M. W Hall, said sum of Fifty Dollars. Together with all costs of this prosecution.

No 786 — The State of Texas vs J M W Hall — Plaintiff / Defendant — And now on this day came the parties to this Cause by their Attorneys and the defendant in proper person, and announced themselves ready for trial. And thereupon Came a Jury of twelve Good and lawful men of Travis County, towit. G W. Glasscock and eleven others, who being duly Tried, elected, empannelled and sworn, heard defendants plea of guilty & the charge of the Court, and thereupon said Jury having retired brought into Court the following verdict, Towit: "We, The Jury find the defendant guilty as charged in the indictment, and assess the fine at ten dollars. G. W. Glasscock, Foreman" Whereupon, It is ordered by the Court that the State of Texas recover of the said J. M. W. Hall said sum of Ten Dollars and all costs of this prosecution

No 787 — The State of Texas vs J M W Hall — Plaintiff / Defendant — And now on this day comes the Pff. by the District Attorney and the defendant in person and also by attorney, and having announced themselves ready for trial, thereupon came a jury of good and lawful men of Travis County, towit. L D. Carrington and eleven others, who being duly tried, elected, empannelled and sworn, heard the plea of not guilty and of former Conviction, the argument of the Counsel and the charge of the Court, and thereupon said Jury retired and brought into Court the following verdict, towit: "We, The Jury, find the defendant guilty as charged in the indictment, and assess the fine at twenty five dollars. L D. Carrington, Foreman." Whereupon It is ordered by the Court that the State of Texas recover of J M W. Hall said sum of Twenty-five dollars and all costs of this prosecution.

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792 The State of Texas vs Sherman Case } Plaintiff / Defendant } It is ordered that this cause be continued, on motion of the District Attorney.

813 The State of Texas vs Heffington & Randolph } Plaintiff / Defendants } And now on this day came and appeared in open Court Joseph W. Robertson, who, after making oath in accordance with Article 271 of the Code of Criminal Procedure, acknowledged himself bound in the sum of ten dollars the amount of the fine imposed in this cause against the defendant David C. Heffington, as well as all costs herein incurred, to be void, if the said Heffington shall pay said fine and costs on or before the next term of this Court otherwise the same to become a final Judgment of this Court.

814 The State of Texas vs Heffington & Randolph } And now on this day came and appeared in open Court Joseph W. Robertson, who, after making oath in accordance with Article 271 of the Code of Criminal Procedure, acknowledged himself bounds for the sum of ten dollars, the amount of the fine imposed in this cause against the defendant David C. Heffington, as well as all costs herein incurred, to be void if the said Heffington shall pay said fine and costs on or before the next term of this Court – otherwise the same to become a final judgment of this Court

816 The State of Texas vs Heffington & Randolph } Plaintiff / Defendants } And now on this day came and appeared in open Court Joseph W. Robertson, who, after making oath in accordance with Article 271 of the Code of Criminal Procedure, acknowledged himself bound for the sum of ten dollars, the amount of the fine imposed in this cause against the defendant David C. Heffington, as well as all costs herein incurred, to be void if the said Heffington shall pay said fine and costs on or before the next term of this Court – otherwise the same to become a final judgment of this Court.

817 The State of Texas vs Heffington & Randolph } Plaintiff / Defendants } And now on this day came and appeared in open Court Joseph W. Robertson, who, after making oath in accordance with Article No. 271 of the Code of Criminal Procedure, acknowledged himself bound for the sum of ten dollars, the amount of the fine imposed in this cause against the defendant David C. Heffington, as well as all costs herein incurred, to be void if the said Heffington shall pay said fine and costs on or before the next term of this Court – otherwise the same to become a final judgment of this Court.

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818 The State of Texas vs Heffington & Randolph } Plaintiff Defendants } And now on this day came and appeared in open Court Joseph M. Robertson, who, after making oath in accordance with Article No 271. of the Code of Criminal Procedure, acknowledge himself bound for the sum of ten dollars the amount of the fine imposed in this cause against the defendant David C. Heffington, as well as all costs herein incurred, to be void, if the said Heffington shall pay said fine and costs on or before the next term of this Court - otherwise the same to become a final judgment of this Court

830 & 830 The State of Texas vs J. M. W. Hall } Plaintiff Defendant } And now on this day came and appeared in open Court J. M. W. Hall, as principal, and Amend Bain as security, and acknowledged themselves jointly and severally, jointly to owe and be indebted unto The State of Texas in the sum of Two Hundred Dollars, to be levied upon their respective Goods and Chattels, Lands and Tenements But to be void upon condition that the said J.M.W. Hall should remain in attendance from day to day on the present term of the District Court of Travis County, and from term to term, and from day to day of each term thereafter, to answer the indictment preferred against him, the said Hall, by the Grand Jurors of Travis County, at this, the Fall Term of the District Court of said County, 1857, for selling intoxicating liquors in quantities less than a quart, not being beer manufactured in the State of Texas, and that he do not depart the Court without leave

830 The State of Texas vs J. M. W. Hall } Plaintiff Defendant } And now on This day came the parties to this Cause by their Attys. the defendant coming also in person and announced themselves ready for the trial of this Cause. And Thereupon Came a Jury of Good and Lawful men of Travis County, to wit: Edward Seiders and eleven others who being duly tried, elected, empanelled and sworn, heard the plea of guilty by the defendant and the Charge of the Court, and retired; and said Jury, thereupon, brought into Court the following verdict to wit: "We the Jury find the defendant guilty as charged in the indictment, and assess the fine at $50. Ed. Seiders. Foreman" Thereupon, It is Ordered by the Court that the State of Texas recover of said defendant J.M.W. Hall, said sum of fifty dollars and all costs of this prosecution.

831 The State of Texas vs J. M. W. Hall } Plaintiff Defendant } And now on this day appeared in open Court J. M. W. Hall, as principal, and Owen O'Brien as security for the said Hall and acknowledged themselves jointly and severally, jointly to owe and be indebted unto the State of Texas in the sum of Two Hundred Dollars, to be levied upon their respective Goods and Chattels, Lands and Tenements But to be void upon condition

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that the said J.M.W. Hall be and remain in attendance from day to day on the present term of the District Court of Travis County and from Term to Term and from day to day of each Term thereafter, to answer the indictment preferred against him the said Hall by the Grand Jurors of Travis County at this the Fall Term of the District Court of said County, 1857, for selling intoxicating liquors in quantities less than a quart, the same not being beer manufactured in the State of Texas, and that he do not depart the Court without leave

831 The State of Texas vs J. M. W. Hall } Plaintiff Defendant } And now on this day came the parties to this cause by their attorneys, the defendant appearing also in proper person, and announced themselves ready for the trial of the same. Whereupon came a jury of twelve good and lawful men of Travis County to wit: Edward Sieders and eleven others, who being duly tried, elected, empannelled and sworn, heard the plea of guilty by the defendant and the charge of the Court, and retired to consider of their verdict. Whereupon said Jury came into Court and rendered the following verdict, to wit: "We the jury, find the defendant guilty as charged in indictment and assess the fine at $50. Ed. Sieders, Foreman." Whereupon it is ordered by the Court that the State of Texas recover of said defendant James M.W. Hall, said sum of Fifty Dollars, and all costs of this prosecution.

838 The State of Texas vs Terry O'Neil } Plaintiff Defendant } And now on this day appeared in open Court Samuel G. Newell and acknowledged himself bound unto The State of Texas in the sum of twenty-five dollars, the amount of the fine in this cause against the defendant Terry O'Neil as well as all costs herein incurred to be void, if the said Terry O'Neil shall pay said fine and costs, on or before the next Term of this Court - otherwise the same to become a final judgment of this Court

839 The State of Texas vs Terry O'Neil } Plaintiff Defendant } And now on this day appeared in Open Court Samuel G. Newell and acknowledged himself bound unto The State of Texas in the sum of twenty five dollars, the amount of the fine in this cause against the defendant Terry O'Neil, as well as all costs herein incurred to be void if the said Terry O'Neil shall pay said fine and costs on or before the next Term of this Court - otherwise the same to become a final judgment of this Court.

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v 854

The State of Texas vs. J. S. W. Cooke } Plaintiff / Defendant } And now on this day comes the defendant J. S. W. Cooke as principal, and Louis Horst as security, and acknowledged themselves jointly and severally, justly to owe and be indebted unto The State of Texas in the sum of One Hundred Dollars; to be levied upon their respective Goods and Chattels, Lands and Tenements. But to be void upon Condition that the said J. S. W. Cooke be and remain in attendance from day to day on the present Term of the District Court of Travis County, and from term to term, and from day to day of each term thereafter, to answer the indictment heretofore had against him, the said Cooke by the Grand Jurors of Travis County, at this the Fall Term of the District Court of Travis County, 1857, for an assault and Battery made and upon the body of one J. S. Frazier, and that he do not depart the Court without leave.

v 869

The State of Texas vs. Gerando Hart } Plaintiff / Defendants } And now on this day comes the District attorney who represents the State in this behalf, and the defendant Hart in proper person, and announced themselves ready for trial. Whereupon Came a jury of twelve good and lawful men of Travis County to wit: G. W. Glasscock and eleven others, who being duly tried, elected empannelled and sworn, heard the plea of guilty by said deft. and the charge of the Court, and having retired, thereupon Come into Court with the following verdict, to wit: "We, the Jury, find the defendant guilty as charged in the indictment and assess the fine at twenty five dollars. G. W. Glasscock, Foreman." Whereupon, It is Ordered by the Court that the State of Texas recover of said defendant John A Hart, said sum of twenty-five dollars, and all costs of this prosecution. And thereupon appeared in open Court John T. Miller, and acknowledged himself bound unto The State of Texas in the sum of Twenty-five dollars, the amount of the fine in this cause against the defendant Hart, as well as all costs herein incurred, to be void if the said Hart shall pay said fine and Costs on or before the next term of this Court - Otherwise to be and remain final judgment of this Court.

v 885

The State of Texas vs. Heffington Wallace } Plaintiff / Defendants. } And now on this day appeared in open Court Joseph W. Robertson, and acknowledged himself bound unto the State of Texas in the sum of Ten dollars, the amount of the fine in this cause against the defendant Heffington, as well as all costs herein incurred / the said Robertson making the oath as required by Article N. 271 of the Code of Criminal Procedure / to be void if the said Heffington shall pay said fine and costs on or before the next Term of this Court - Otherwise the same to become a final judgment of this Court.

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885 The State of Texas vs Heffington Wallace } Plaintiff / Defendants } And now on this day appeared in open Court William M Fowler, who, after making oath in accordance with Article No. 271 of the Code of Criminal Procedure, acknowledged himself bound unto The State of Texas in the sum of ten dollars, the amount of the fine in this cause against the defendant Wallace, as well as all costs herein incurred, to be void if the said William Wallace shall pay said fine and costs on or before the next Term of this Court - Otherwise the same to become a final Judgment of this Court.

886 The State of Texas vs Heffington Wallace } Plaintiff / Defendants } And now on this day appeared in open Court William M. Fowler, who, after making oath in accordance with Article No 271 of the Code of Criminal Procedure acknowledged himself bound unto The State of Texas in the sum of Ten dollars, the amount of the fine in this cause against the defendant Wallace, as well as all costs herein incurred, to be void if the said William Wallace shall pay said fine and costs on or before the next term of this Court - Otherwise the same to becomes final Judgment of this Court.

886 The State of Texas vs Heffington Wallace } Plaintiff / Defendants } And now on this day appeared in open Court Joseph W. Robertson, who, after making oath in accordance with Article No 271, of the Code of Criminal Procedure acknowledged himself bound unto The State of Texas in the sum of ten dollars, the amount of the fine in this Cause against the defendant Heffington, as well as all costs herein incurred, to be void if the said David C. Heffington shall pay said fine and costs, on or before the next term of this Court - otherwise the same to become final Judgment of this Court.

887 The State of Texas vs A. G. Weir } Plaintiff / Defendant } And now on this day comes the Pltf. by the District Attorney and the deft. in his proper person, and announced themselves ready for trial. Thereupon came a Jury of good and lawful men of Travis County, to wit. Thomas Freeman and seven others, who being duly sworn, elected, empannelled and sworn to hear Defendants plea of guilty and the charge of the Court. And thereupon said Jury, having retired, brought into Court the following verdict, to wit " We the Jury, find the defendant guilty as charged in the indictment, and affix the fine at one cent. Whereupon It is Ordered by the Court that the

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State of Texas recover of said defendant, A G Weix, said sum of one cent, and all costs of this prosecution.

888 — The State of Texas vs Heffington & Randolph } Plaintiff / Defendants } And now on this day appeared in open Court Joseph H. Robertson, who, after making oath in accordance with Article No 271 of the Code of Criminal Procedure, acknowledged himself bound unto The State of Texas in the sum of ten dollars, the amount of the fine in this cause against the defendant Heffington, as well as all costs herein incurred, to wit: the said David C. Heffington shall pay said fine and costs on or before the next term of this Court, otherwise the same to become a final Judgment of this Court.

889 — The State of Texas vs Heffington & Randolph } Plaintiff / Defendants } And now on this day appeared in open Court Joseph H. Robertson, (who, after making oath in accordance with Article No. 271 of the Code of Criminal Procedure,) acknowledged himself bound unto The State of Texas in the sum of Ten Dollars the amount of the fine in this Cause against the defendant Heffington, as well as all costs herein incurred, to wit: the said David C Heffington shall pay said fine and costs on or before the next Term of this Court. otherwise the same to become a final Judgment of this Court.

890 — The State of Texas vs Heffington & Wallace } Plaintiff / Defendants } And now on this day appeared in open Court Joseph H. Robertson, (who after making oath in accordance with Article No 271 of the Code of Criminal Procedure) acknowledged himself bound unto The State of Texas in the sum of Ten Dollars the amount of the fine in this Cause against the defendant Heffington, as well as all costs herein incurred, to wit: the said David C Heffington shall pay said fine and costs on or before the next term of this Court – otherwise the same to become a final Judgment of this Court.

899 — The State of Texas vs Alfred Evans } Plaintiff / Defendant } Ordered by the Court that this cause be continued

1 890 — The State of Texas vs J. C. Evans } Plaintiff / Defendant } It is ordered by the Court that this cause be continued

901 — The State of Texas vs Louis Hirsh } Plaintiff / Defendant } Ordered by the Court that this cause be continued

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906 The State of Texas vs W. C. Philips } Plaintiff Defendant } It is ordered by the Court that this cause be continued.

890 The State of Texas vs Hefflington Wallace } Plaintiff Defendants } And now on this day appeared in open Court William M. Fowler who after making oath in accordance with Article No 271 of the Code of Criminal Procedure acknowledged himself to owe and be indebted unto The State of Texas in the sum of Ten dollars the amount of the fine imposed on this cause against the defendant William Wallace, as well as all costs herein incurred, to be void if the said Wallace shall pay said fine and costs on or before the next Term of this Court - Otherwise the same to become a final judgment of this Court.

And thereupon Court adjourned until Tomorrow morning at 9 o'clock

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Court convened at nine o'clock A.M. pursuant to adjournment. Present the Honorable Thomas J. Devine, Judge of the Fourth Judicial District of the State of Texas: Frank R. Brown, Clerk, and Adolphus G. Weir, Sheriff of Travis County. Whereupon the following proceedings were had by said Court as follows to wit:

627 The State of Texas vs Charles R. Haley } Plaintiff Defendant } In this cause this day came the District Attorney, George M. Jones, who prosecutes for the State in this behalf, and the said defendant Charles R. Haley being three times solemnly called came not, but made default; and it appearing to the Court that the said defendant Charles R. Haley, as principal, and J. W. Taylor, Thos. H. Gamer and Richard Smith, as his securities, had executed their joint and several bond, payable unto The State of Texas in the sum of three thousand dollars, dated the seventh day of March A. D. 1857, conditioned that the said defendant Charles R. Haley make his personal appearance at the District Court of said County of Travis to be begun and holden at the Court-house of said County in the City of Austin on the seventh Monday after the first Monday in April, A. D. 1857, to answer the indictment preferred against him by the Grand Jurors of Travis County, at the Spring Term, A. D. 1855, of said District Court, for Forgery, and there remain from day to day, and from term to term of said Court, and that he do not depart thence without leave of said Court; and the said defendant Charles R. Haley being three times solemnly called, and required to answer said charge, came not, but wholly made default; and the said securities also being again three times solemnly called and required to bring with them into Court

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the body of said defendant, Charles D. Healey, to answer said charge, which they wholly failed to do, It is, Therefore, considered, ordered, adjudged and decreed by the Court, that the said bond of the said defendant Charles D. Healey and the said J W. Taylor and the said Thos H Garner and the said Richard Smith, be and the same is hereby forfeited, and that the State of Texas do have and recover of and from them jointly and severally, the sum of Three Thousand Dollars, the amount of said bonds, and that Scire Facias do issue to each of them severally, returnable to the next Term of this Court, Commanding them then and there to show cause, if any they can, why this Judgment should not be made final against them as aforesaid.

✓ 718

The State of Texas vs Alfred Robinson } Plaintiff / Defendant

And now on this day came the parties to this cause by their attorneys, and, by consent, and on motion of said parties, It is ordered by the Court that this cause be reinstated on the docket, And thereupon said parties announced themselves ready for the trial of the same. Whereupon came a Jury of twelve Good and Lawful men of Travis County, to wit: L. L. Carrington and eleven others, who being duly Tried, elected, empannelled and sworn, heard the plea of guilty by the defendant and the charge of the Court. And thereupon said Jury rendered the following verdict to wit: "We, the Jury find the defendant guilty as charged in the indictment, and assess the fine at Ten dollars. L. L. Carrington, Foreman." Whereupon, It is Ordered by the Court that the State of Texas recover of said defendant, Alfred Robinson, said sum of Ten dollars, and all costs of this prosecution. And thereupon, appeared in open Court John H. Robinson, and acknowledged himself bound unto The State of Texas in the sum of ten dollars, the amount of the fine in this cause, as well as all costs herein incurred, To be void if the said Alfred Robinson shall pay said fine and costs on or before the next Term of this Court, otherwise the same to become a final Judgment of this Court.

✓ 735

The State of Texas vs B E Farrer } Plaintiff / Defendant

And now on this day came the parties to this cause by their attys and announced themselves ready for Trial. Whereupon came a Jury of twelve good and lawful men of Travis County, to wit. G. W. Glasscock and eleven others, who being duly Tried, elected, impannelled and sworn, heard defendants plea of guilty and the charge of the Court. And thereupon said Jury retired, and brought into Court the following verdict, to wit "We, the Jury, find the defendant guilty as charged in the indictment, and assess the fine at fifteen dollars. G. W. Glasscock, Foreman" Whereupon, It is Ordered by the Court that the State of Texas recover of said defendant B. E. Farrer said sum of Fifteen dollars and all costs of this prosecution.

✓ 739

The State of Texas vs Alfred Robinson } Plaintiff / Defendant

And now on this day came the parties to this cause by their attorneys and by agreement and consent of parties

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This cause is, by order of the Court, reinstated on the docket. And thereupon said parties announced themselves ready for the Trial of this Cause. Whereupon came a Jury of twelve Good and Lawful men of Travis County, to-wit: L. D. Carrington and eleven others, who being duly Tried, elected, empannelled and sworn, heard defendants plea of guilty, and the charge of the Court; and thereupon said Jury rendered the following verdict, to-wit: "We, the Jury, find the defendant guilty as charged in the indictment and assess the fine at Ten dollars. L. D. Carrington, Foreman" Whereupon, It is Ordered by the Court that the State of Texas recover of said defendant, Alfred Robinson, said sum of Ten Dollars and all costs of this prosecution. Thereupon appeared in Open Court John H. Robinson, and acknowledged himself bound unto the State of Texas in the sum of Ten Dollars, the amount of the fine in this Cause against the defendant Alfred Robinson, as well as all Costs herein incurred, to-wit if the said Alfred Robinson shall pay said fine and costs on or before the next Term of this Court, otherwise the same to become a final Judgment of this Court.

759 — The State of Texas vs. Bute Robinson } Plaintiff / Defendant } And now on this day came the parties to this Cause by their attys. and by consent and agreement, and on motion of said parties, It is Ordered by the Court that this Cause be reinstated on the docket. And thereupon said parties announced themselves ready for trial. Whereupon Came a Jury of twelve good and lawful men of Travis County, to-wit: L. D. Carrington and eleven others, who being duly Tried, elected, empannelled and sworn, heard defendants plea of guilty and the charge of the Court. Whereupon said Jury rendered the following verdict, to-wit: "We, the Jury, find the defendant guilty as charged in the indictment, and assess the fine at ten dollars. L. D. Carrington, Foreman." Whereupon, It is Ordered by the Court that the State of Texas recover of said defendant, Bute Robinson said sum of Ten dollars and all costs of this prosecution. And thereupon appeared in open Court John H. Robinson and acknowledged himself bound unto the State of Texas in the sum of Ten Dollars, the amount of the fine imposed in this Cause against the defendant Bute Robinson, as well as all costs herein incurred, to-wit if the said Bute Robinson shall pay said fine and costs on or before the next Term of this Court, otherwise the same to become a final judgment of this Court.

769 — The State of Texas vs. Sherman Coxe } Plaintiff / Defendant } And now on this day came the parties by their attorneys, the deft. also appearing in proper person, and announced themselves ready for the trial of this Cause. Whereupon

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Came a Jury of twelve good and lawful men of Travis county, who being duly elected, empannelled, sworn and tried, heard the indictment, the testimony the argument of counsel, and the charge of the Court, and retired to consider of their verdict. And said Jury being unable to agree upon a verdict, It is ordered by the Court that They be dismissed and that this cause be discontinued

↓ 778	The State of Texas vs Oliver & Fleming	Plaintiff / Defendants	It is ordered by The Court that This cause be continued
↓ 772	The State of Texas vs John J. Blankenship, et als	Plaintiff / Defendants	And now on this day comes Geo. W. Jones, who prosecutes for the State in this behalf, and the said defendant John D Cummings being three times solemnly called, came not, but made default, and it appearing to the Court that the said defendant John D. Cummings, as principal, and Sebastian C. Stroud, Thos. Haley, J. W. Taylor, Richard Smith and John P. Border, as his securities, had executed their joint and several bonds, payable unto The State of Texas in the sum of Three Thousand Dollars, dated the 28th day of October, A. D 1856, conditioned that the said defendant John D. Cummings make his personal appearance at the District Court of said County of Travis to be begun and holden at the Courthouse of said County, in the City of Austin on the Seventh Monday after the first Monday in April, A. D 1857, to answer the indictment preferred against him by the Grand Jurors of Travis County at the Spring Term, A. D 1856, of said District Court, for Burning the Office of the Adjutant General of the State of Texas, and there remain from day to day, and from Term to Term of said Court, and that he do not depart thence without leave of said Court; and the said defendant John D Cummings being three times solemnly called, and required to answer said charge, came not but wholly made default; and the said securities also being again three times solemnly called, and required to bring with them into Court the body of said defendant John D Cummings, to answer said charge, which they wholly failed to do, It is therefore, ordered, adjudged and decreed by the Court, that the said Bonds of the said defendant John D Cummings, and the said Sebastian C. Stroud, and the said Thos Haley and the said J. W. Taylor, and the said Richard Smith, and the said John P Border, be, and the same is hereby forfeited, and that the State of Texas do have and recover of and from them jointly and severally, the sum of Three Thousand Dollars, the amount of said Bonds, and that Scire Facias do issue to each of them severally returnable to the next Term of this Court, Commanding them then and there to shew cause, if any they can, why this Judgment should not be made final against them as aforesaid.
↓ 773	The State of Texas vs John J. Blankenship, et al.	Plaintiff / Defendants	In this Cause this day came the District Attorney, George W. Jones, who prosecutes for the State in this

behalf, and the said defendant John D. Cummings, being three times solemnly called, came not, but made default; and it appearing to the Court that the said defendant John D. Cummings, as principal and Sebastian C. Browd, Thos. Haley, J. W. Taylor, Richard Smith and J. P. Borden, as his securities, had executed their joint and several bond payable unto The State of Texas in the sum of Three Thousand Dollars dated the 28th day of October, A. D. 1856 conditioned that the said defendant John D. Cummings, make his personal appearance at the District Court of said County of Travis, to be begun and holden at the Courthouse of said County in the City of Austin on the Seventh Monday after the first Monday in April, A. D. 1857, to answer the indictment preferred against him by the Grand Jurors of Travis County at the Spring Term A. D. 1856, of said District Court for arson, and there remain from day to day, and from Term to Term of said Court, and that he do not depart thence without leave of said Court; and the said defendant John D Cummings, being three times solemnly called and required to answer said charge, came not but wholly made default, and the said Securities also being again three times solemnly called and required to bring with them into Court the body of said defendant John D. Cummings, to answer said charge, which they wholly failed to do, It is, therefore, Considered, ordered, adjudged and decreed by the Court, that the said bond of the said defendant John D. Cummings, and the said Sebastian C. Browd, and the said Thos. Haley and the said J. W. Taylor, and the said Richard Smith and the said J. P. Border, be, and the same is hereby forfeited, and that the State of Texas do have and recover of and from them jointly and severally, the sum of Three Thousand Dollars, the amount of said bond, and that Scire Facias do issue to each of them severally, returnable to the next Term of this Court, Commanding them then and there to shew Cause, if any they can, why this judgment should not be made final against them as aforesaid.

1793 The State of Texas vs John J. Blankenship, et.als. } Plaintiff / Defendants } And now on this day comes the District Attorney Geo. W. Jones, who prosecutes for the State in this behalf, and the said defendant Charles D. Haley, being three times solemnly called, came not, but made default; and it appearing to the Court that the said defendant Charles D. Haley, as principal, and James W. Taylor, Thomas H. Gardner and Richard Smith, as his securities, had executed their joint and several bond, payable unto The State of Texas in the sum of Three Thousand Dollars, dated the Seventh day of March, A. D. 1857 conditioned that the said defendant Charles D. Haley make his personal appearance at the District Court of

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said County of Travis. To be begun and holden at the Courthouse of said County in the City of Austin on the Seventh Monday after the first Monday in April, A.D. 1857, to answer the indictment preferred against him by the Grand Jurors of Travis County at the Spring Term A.D. 1856, of said District Court for Arson, and there remain from day to day, and from Term to Term of said Court, and that he do not depart thence without leave of said Court, and the said defendant Charles D. Haley being three times solemnly called, and required to answer said charge, came not, but wholly made default; and the said sureties also being again three times solemnly called, and required to bring with them into Court the body of said defendant Charles D. Haley, to answer said charge, which they wholly failed to do, It is, therefore, considered, ordered, adjudged and decreed by the Court, that the said Bond of the said defendant Charles D. Haley, and the said James M. Taylor, and the said Thomas H. Garner and the said Richard Smith, be, and the same is hereby forfeited, and that the State of Texas do have and recover of and from them jointly and severally, the sum of Three Thousand Dollars, the amount of said bond, and that Scire Facias do issue to each of them severally, returnable to the next Term of this Court, Commanding them then and there to shew cause, if any they can why this judgment should not be made final against them as aforesaid.

788	The State of Texas vs James M. Wood	Plaintiff / Defendant	By consent of parties to this cause, It is Ordered by the Court that the same be continued.
825	The State of Texas vs Testard & Testard	Plaintiff / Defendants	And now on this day appeared in open Court William F. Robertson who, after making oath in accordance with Article No 271 of the Code of Criminal Procedure, as security, for the defendants, acknowledged himself bound unto The State of Texas in the sum of Twenty Dollars, the amount of the fines against Adolph Testard and Adrian Testard in this cause, together with all costs herein incurred, To be void if the said Adolph and Adrian Testard, shall pay said fine and costs on or before the next Term hereof. Otherwise the same to become a final Judgment of this Court.
826	The State of Texas vs James A. Flack	Plaintiff / Defendant	By consent of the parties to this cause It is Ordered by the Court that the same be continued.
827	The State of Texas vs Jas A. Flack	Plaintiff / Defendant	By consent of the parties to this cause It is Ordered by the Court that the same be continued.

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832	The State of Texas vs. R. H. Clements	Plaintiff / Defendant	And now on this day appeared in open Court William O'Connell who acknowledged himself bound unto The State of Texas in the sum of Fifty Dollars, the amount of the fine imposed in this cause against the defendant Robert H. Clements, as well as all costs herein incurred, to be void if the said Clements shall pay said fine and costs in or before the next Term of this Court - otherwise the same to become a final judgment of the Court.
833	The State of Texas vs. R. H. Clements.	Plaintiff / Defendant	And now on this day appeared in open Court William O'Connell who acknowledged himself bound unto The State of Texas in the sum of Fifty Dollars, the amount of the fine imposed in this cause against the defendant Robert H. Clements, together with all costs herein incurred, to be void if the said Clements shall pay said fine and costs in or before the next Term hereof - otherwise the same to become a final judgment of this Court.
834	The State of Texas vs. Robert H. Clements	Plaintiff / Defendant	And now on this day appeared in open Court William O'Connell who acknowledged himself bound unto The State of Texas in the sum of Fifty dollars, the amount of the fine imposed in this cause against the defendant Robert H. Clements, together with all costs herein incurred, to be void if the said Clements shall pay said fine and costs on or before the next Term hereof - otherwise the same to become a final judgment of this Court.
835.	The State of Texas vs. Robert H Clements	Plaintiff / Defendant	And now on this day appeared in open Court William O'Connell, who acknowledged himself bound unto The State of Texas in the sum of Fifty Dollars, the amount of the fine imposed in this cause against the defendant Robert H. Clements together with all costs herein incurred, to be void if the said Clements shall pay said fine and costs on or before the next Term hereof - otherwise the same to become a final judgment of this Court.
844	The State of Texas vs. Stanton.	Plaintiff / Defendant	By consent of the parties it is ordered by the Court that this cause be continued.
852	The State of Texas vs. John S. Ford	Plaintiff / Defendant	And now on this day came the parties to this cause by their attys. And the defendant thereupon

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came into Court in person, who acknowledged himself, as principal, and also came John H. Blue and Robert Pace as securities for the said John S. Ford, and acknowledged themselves as jointly and severally, as securities bound unto The State of Texas in the sum of One Hundred Dollars, to be levied upon their respective Goods and Chattels, Lands and Tenements, But to be void upon condition that the said John S. Ford heard remain in attendance from day to day on the present Term of the District Court of Travis County, and from Term to Term, and from day to day of each Term thereafter to answer their indictment preferred against him the said John by the Grand Jurors of Travis County at This the Fall Term of the District Court of said County, 1857, for "playing at a game with cards called Poker for money on a house for retailing spirituous liquors, and that he do not depart the Court without leave.

✓ 852

The State of Texas vs John S. Ford } Plaintiff / Defendant } And now on this day came the parties by their attorneys, the defendant also in his proper person, and announced themselves ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County to wit: E. L. Carrington and eleven others, who being duly tried, elected, empanelled and sworn heard defendants plea of guilty and the charge of the Court and thereupon said jury rendered the following verdict, to wit; "We, the Jury, find the defendant guilty as charged in the indictment, and assess his fine at ten dollars. E. L. Carrington, Fore" Whereupon It is Ordered by the Court that the State of Texas recover of said defendant John S. Ford, said sum of ten dollars and all costs of this prosecution.

✓ 854

The State of Texas vs J. S. & W. Cook } Plaintiff / Defendant } It is Ordered by the Court that this cause be continued by consent of parties.

✓ 869

The State of Texas vs Gerard & Hart } Plaintiff / Defendants } And now on this day appeared in open Court D. W. Gerard as principal and Charles W. McNelly as security, and acknowledged themselves jointly and severally, justly to owe and be indebted unto the State of Texas in the sum of One Hundred Dollars, to be levied upon their respective Goods and Chattels, Lands and Tenements, But to be void upon condition that the said D. W. Gerard be and remain in attendance from day to day on the present Term of the District Court of Travis County, and from day to day and from term to term, to answer the indictment preferred against him the said Gerard jointly with one J. L. Hart, by the Grand Jurors of Travis County, at this the Fall Term of the District Court of said County, 1857, for Bribing on the election of the Commissioner of the General Land office, and that he do not depart the Court without leave.

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↓ 869

The State of Texas vs. Jerand & Hart } Plaintiff Defendants } And now on this day appeared in open Court these parties by their Attorneys and the defendant, Jerand in person and announced themselves ready for trial. Whereupon came a Jury of twelve Good and Lawfulmen of Travis County, to wit. L D Carrington and eleven others, who being duly elected, empannelled, sworn and tried, heard the defendants Jerands plea of guilty and the charge of the Court, and having retired, brought into Court the following verdict, to wit: "We, the Jury, find the defendant F W Jerand, guilty as charged in the indictment, and assess the fine at Twenty-five dollars. L D. Carrington, Fore." Whereupon, It is Ordered by the Court that the State of Texas recover of said defendant F W. Jerand said sum of Twenty Five Dollars and all costs of this prosecution.

↓ 871

The State of Texas vs. R H Clements } Plaintiff Defendant } And now on this day came and appeared in Open Court William O'Connell and acknowledged himself bound unto The State of Texas in the sum of Fifty dollars the amount of the fine imposed in this Cause together with all costs herein incurred, to be void if the said Robert H. Clements shall pay said fine and costs on or before the next term hereof- otherwise the same to become a final judgment of this Court.

↓ 894

The State of Texas vs. Charles A. Harrison } Plaintiff Defendant } And now on this day appeared in open Court William H. Carr, and acknowledged himself bound unto The State of Texas in the sum of Ten dollars the amount of the fine in this cause together with all costs herein incurred, to be void if the said Charles A Harrison shall pay said fine and costs on or before the next Term hereof- otherwise the same to become a final Judgment of this Court.

↓ 897

The State of Texas vs. William Thomas } Plaintiff Defendant } And now on this day appears in open Court William Thomas as principal, and William P. de Normandie and William M. Walton as security, and acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of One Hundred Dollars, to be levied upon their respective Goods and Chattels, Lands and Tenements, But to be void upon Condition that the said William Thomas remain in attendance from day to day on the present term of the District Court of Travis County, and from Term to term and from day to day of each term thereafter, to answer the indictment preferred against him

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the said William Thomas by the Grand Jurors of Travis County, at this the Fall Term of the District Court of said County, 1857, for Betting at a gaming table called Pool, and that he do not depart the Court without leave.

897 ✓ The State of Texas vs William Thomas } Plaintiff / Defendant } And now on this day came the parties by their attorneys and announced themselves ready for trial. Whereupon Came a jury of twelve good and lawful men of Travis County, to wit: L D Carrington and eleven others, who being duly tried, elected, empannelled and sworn, hear the plea of guilty and the charge of the Court. Whereupon said Jury rendered the following verdict, to wit: "We the Jury, find the defendant guilty as charged in the indictment, and asses the fine at ten dollars. L. D. Carrington, Foreman." Whereupon It is Ordered by the Court that the State of Texas recover of said defendant William Thomas, said sum of Ten Dollars, and all costs of this prosecution.

904 ✓ The State of Texas vs A J. Hamilton } Plaintiff / Defendant } And now on this day came the parties to this cause by their Attorneys, and having announced themselves ready for trial, thereupon came a jury of twelve good and lawful men of Travis County, to wit: L D Carrington and eleven others who being duly elected, empannelled, sworn and tried, hear defendant's plea of guilty and the charge of the Court; Whereupon said Jury rendered the following Verdict to wit: "We the Jury, find the defendant guilty as charged in the indictment, and assess the fine at one cent. L D Carrington, Foreman." Whereupon It is Ordered by the Court that the State of Texas recover of said Defendant said fine of one cent and all costs in this prosecution incurred.

905 ✓ The State of Texas vs John Marshall } Plaintiff / Defendant } And now on this day comes the District Attorney, who prosecutes for the State in this behalf and gives notice in open Court, of an appeal to the Supreme Court from the Judgment rendered in this cause.

907 ✓ The State of Texas vs John Marshall } Plaintiff / Defendant } And now on this day comes the District Attorney who prosecutes for the State in this behalf And gives notice in open Court of an appeal to the Supreme Court from the Judgment rendered in this cause.

908 ✓ The State of Texas vs John Marshall } Plaintiff / Defendant } And now on this day comes the District Attorney, and gives notice in open Court of an Appeal to the Supreme Court from the Judgment rendered in this cause

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909 | The State of Texas vs Wm C Philips | Plaintiff / Defendant | It is Ordered by the Court that this Cause be continued

910 | The State of Texas vs Geo. W. Parchal | Plaintiff / Defendant | And now on this day come the District Attorney and gives notice, in Open Court, of an appeal to the Supreme Court from the Judgment rendered in this Cause.

1285 | John D. Pitts vs James H. Raymond | Plaintiff / Defendant | And now on this day came the parties to this Cause by their attorneys, and by agreement of said parties, It is Ordered by the Court that the same be dismissed from the docket, and that the said plaintiff recover of said defendant James H. Raymond all the costs in and about this suit expended, for which execution may issue

1260 | The State of Texas vs Alfred Robinson, et als | Plaintiff / Defendants | And now on this day came the parties to this Cause by their attorneys, and by agreement, and on motion of said parties, It is Ordered by the Court that the Judgment final by default rendered in this Cause at a former day of the present Term be set aside, vacated, and held for naught as to the principal, but that said defendants, to wit: Alfred Robinson, John H Robinson and The Anderson pay all costs in this behalf incurred for which execution may issue

1261 | The State of Texas vs Alfred Robinson, et als | Plaintiff / Defendants | And now on this day came the parties to this cause by their attorneys, and by agreement, and on motion of said parties, It is Ordered by the Court that the Judgment final by default rendered in this cause at a former day of the present Term, be set aside, vacated, and held for naught, as to the principal, but that said defendants, to wit: Alfred Robinson, John H Robinson and The Anderson, pay all costs in this behalf incurred for which execution may issue

1262 | The State of Texas vs Alfred Robinson, et als | Plaintiff / Defendants | And now on this day came the parties to this Cause by their attorneys, and by agreement, and on motion of said parties, It is Ordered by the Court that the judgment final by default rendered in this cause at a former day of the present Term, be set aside, vacated, and held for naught, as to the principal

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but to that said defendants Court. Alfred Robinson, John H Robinson and The Auditors Royall costs in this behalf incurred, for which execution may issue.

Monday, December 21, 1857

Court convened at nine o'clock, A.M. pursuant to adjournment. Present the Honorable Thomas J. Devine, Judge of the Fourth Judicial District of the State of Texas; Thomas Brown Clerk and Adolphus G. Walker, Sheriff of Travis County. Whereupon the following proceedings were had by said Court as follows, to wit:

1809 — The State of Texas vs Gerard & Hart — Plaintiff / Defendants — Auditors on This day came and appeared in Open Court Charles H. McAnelly, who after making oath in accordance with Article No 2771 of the Code of Criminal Procedure acknowledged himself to owe and be indebted unto The State of Texas in the sum of Twenty Five Dollars, the amount of the fine imposed in this Cause against the defendant J. H. Gerard, as well as all costs herein incurred, to be void if the said J. H. Gerard shall pay said fine and costs on or before the next Term of this Court otherwise the same to become a final judgment of this Court.

1895 — The State of Texas vs Jack Robertson — Plaintiff / Defendant — Auditors on This day appeared in open Court Horatio Brooms who acknowledged himself bound unto The State of Texas in the sum of Ten Dollars, the amount of the fine imposed in this Cause against the defendant Jack Robinson, as well as all costs herein incurred, to be void if the said Jack Robinson shall pay said fine and costs on or before the next Term of this Court - otherwise the same to become a final judgment of this Court.

1782 — The State of Texas vs James R. Jackson — Plaintiff / Defendant — Auditors Come The parties to this Cause by their attorneys, The defendant coming also in proper person and announced themselves ready for the trial of this Cause. Whereupon came a Jury of twelve Good and Lawful men of Travis County, to wit J. W. Glasscock and eleven others, who being duly Tried, elected empanelled and sworn heard defendant's plea of guilty and the charge of the Court. And Thereupon said Jury rendered the following verdict, to wit. "We the Jury find the fine at twenty-five dollars. J. W. Glasscock Foreman." Whereupon It is Ordered by the Court that the State of Texas recover of said defendant James R. Jackson said sum of Twenty-Five Dollars and all costs of this prosecution. And

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Thereupon appeared in open Court Jorge W Davis, and acknowledged himself bound unto The State of Texas in the sum of Twenty Five dollars, The amount of the fine imposed in this Cause against said defendant as well as all costs herein incurred, To be void if the Said James R. Jackson shall pay said fine and Costs on or before the next Term of this Court. Otherwise the same to become a final judgment of this Court.

841 The State of Texas } Plaintiff
vs. } And now on this day came
James R Jackson } Defendant } into open Court Jorge W. Davis and acknowledged himself bound unto The State of Texas in the sum of Ten Dollars, The amount of the fine imposed in this cause against the defendant Jackson as well as all costs herein incurred, To be void if the said James R. Jackson shall pay said fine and costs on or before the next Term of this Court- Otherwise The same to become a final Judgment of this Court.

842 The State of Texas } Plaintiff
vs. } Defendant } And now on this day appeared in open Court
James R. Jackson } George W. Davis and acknowledged himself bound unto The State of Texas in the sum of ten dollars, The amount of the fine imposed in this cause against the defendant Jackson as well as all costs herein incurred, To be void if the said James R. Jackson shall pay said fine and costs, on or before the next Term of this Court- Otherwise The same to become a final Judgment of this Court.

857 The State of Texas } Plaintiff
vs. } Defendant } And now on this day came the plaintiff and defendant to this cause by their Attorneys, the defendant also coming in proper person, and announced themselves ready for the trial of the same. Whereupon came a Jury of twelve good and lawful men of Travis County, to-wit. D. Carrington and eleven others, who being duly tried, elected, empannelled and Sworn, heard the plea of not guilty, the indictment, the evidence, the argument of counsel and the charge of the Court. And thereupon, said Jury retired to consider of their verdict and brought into Court the following verdict, to wit. "We, the Jury find the defendant guilty of an aggravated assault and Battery, and assess the fine at one hundred dollars. D. Carrington, Foreman." Whereupon, It is ordered by the Court that the State of Texas recover of said defend. and, James Brown, said sum of One Hundred Dollars, and

Fall Term, Tuesday, December 22d 1857

all costs of this prosecution. And thereupon appeared in open Court R. M. Johnson who being duly sworn in accordance with Article No 2371 of the Code of Criminal Procedure acknowledged himself bonnded as security for the sum of One Hundred Dollars the amount of the fine imposed against the defendant James Brown, together with all costs herein incurred, to wit that the said Brown shall pay said fine and costs on or before the next Term hereof otherwise the same to become a final Judgment of this Court.

1880 The State of Texas } Plaintiff
vs
James R. Jackson } Defendant

And now on This day appeared in open Court George W. Davis and acknowledged himself bonnde unto The State of Texas, as security for the defendant, in the sum of ten dollars, the Amount of the fine imposed upon the said James R. Jackson, as well as all costs herein incurred, to wit that if the said Jackson shall pay said fine and costs on or before the next term hereof otherwise the same to become a final judgment of this Court.

And thereupon It is Ordered by the Court that Court be now adjourned until tomorrow Morning, at 9 o'clock

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Wednesday December 23d 1857.

Court Convened at nine o'clock A M pursuant to adjournment Present the Honorable Thomas J. Devine, Judge of the Fourth Judicial District of the State of Texas, Frank Brown Clerk and Adolphus G. Wier Sheriff of Travis County. Whereupon the following proceedings were had by said Court as follows, to wit

1852 The State of Texas } Plaintiff
vs
John S. Ford } Defendant.

And now on this day appeared in open Court John S. Ford and R. T. Lane and acknowledged themselves bound unto The State of Texas in the sum of Ten Dollars the amount of the fine imposed in this cause against the defendant Ford, as well as all costs herein incurred, to wit that if the said Ford shall pay said fine and costs on or before the next Term hereof otherwise the same to become a final judgment of this Court.

201 William Bonner Wife } Plaintiffs
vs
John Bick's Heirs } Defendants

It is Ordered by the Court that this Cause be continued

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↓ 2557	Jas C Stephenson & Wife etals vs Samuel Craft Jr Admr etals	Plaintiffs / Defendants	It is Ordered by the Court that this cause be continued	
↓ 658	John H Shrimp vs Joseph Newsham	Plaintiff / Defendant	It appearing to the Court that at a former Term hereof a rule was entered against said Plaintiff requiring him to enter Security for the costs of this suit and it further appearing that said rule has not been complied with, It is therefore Ordered Adjudged and decreed by the Court, that said defendant recover of said Plaintiff John H Shrimp, all costs in this suit expended for which execution may issue, and that said cause be dismissed from the docket	
↓ 670	Thomas Dilenck vs James T Rice	Plaintiff / Defendant	It is Ordered by the Court that this cause be continued on affidavit of the defendant Rice	
↓ 929	James E Brady vs John G Miller	Plaintiff / Defendant	And now comes the parties by Attorney and on Motion of said Plaintiff this cause is Continued	
↓ 950	John Mills etals vs Thos J Grimbles, etals	Plaintiffs / Defendants	It is Ordered by the Court that this cause be continued upon affidavit of defendants.	
↓ 954	James A Gillespie, Admr vs A. M. Capilow et al	Plaintiff / Defendants	And now on this day comes the Plaintiff by his Attorneys and moves the Court to render a Judgment final by default And thereupon it appearing to the Court that said defendants have been legally cited and have wholly made default and it further appearing that the cause of action is liquidated, as endorsed by defendants note of hand Therefore, It is ordered, adjudged and decreed by the Court that said Plaintiff, James A Gillespie, Admr of the Estate of Charles A McTeer Deceased, do have and recover of and from the said defendants, A. M. Capilow and E. M. Young The Sum of Two Hundred and Eighty Nine 52/100 Dollars said sum being the Amount of principal debt and interest due on the note Sued on in this cause up to the date of the rendition of this Judgment, with legal interest thereon until paid, and all costs in this behalf expended, for all which execution may issue.	
↓ 1037	Adolphus G Hertz vs R Kreutzer et al	Plaintiff / Defendant Intervenor	It is Ordered by the Court that this Cause be continued	

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✓ 1041	Thomas F Chapman vs Stone and Calvin	Plaintiff / Defendants	It is Ordered by the Court that this cause be continued.	
✓ 1094	Marg Ann Honeter vs John F Porter	Plaintiff / Defendant	It is Ordered by the Court that the plaintiff have leave to file amended petition.	
✓ 1212	The State of Texas vs John F Price	Plaintiff / Defendant	It is ordered by the Court that the judgment final by default rendered in this Cause against the defendant Price be set aside and held for nought as to the principal but that said defendant pay all costs for which execution may issue.	
✓ 1218	The State of Texas vs R H Pickett et als	Plaintiff / Defendants	It is Ordered by the Court that the judgment final by default rendered in this cause at the present Term be set aside and held for nought as to the principal; but that said defendants to wit: R H Pickett, Edward Tew Eyck and Samuel F Seed pay all costs for which execution may issue	
✓ 1217	The State of Texas vs Edward Christian	Plaintiff / Defendant	And now comes the plaintiff by attorney the defendant also coming by attorney, and submit to the Court this cause; and it appearing to the Court, that on the 11th December 1856 judgment in it was rendered against the defendant for the sum of Twenty Five dollars; and defendant not showing sufficient cause to set aside said judgment, It is Ordered by the Court that said Judgment be & the same is made final; and that the State of Texas recover of said defendant Edward Christian said sum of Twenty Five dollars and all costs for which execution may issue.	
✓ 1220	The State of Texas vs Giles H Brodill	Plaintiff / Defendant	It is ordered by the Court that the judgment by default heretofore at the present Term hereof be set aside and vacated as to the principal, but that said defendant Giles H Brodill pay the costs incurred herein, for which execution may issue	
✓ 1225	The State of Texas vs Phineas Burchard	Plaintiff / Defendant	It is ordered by the Court that the fine imposed on the defendant in this cause at the Fall Term 1856 be set aside, and that the defendant Phineas Burchard pay all costs herein incurred; for which execution may issue	

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1229 | The State of Texas vs James Rogas | Plaintiff / Defendant | It is Ordered by the Court that the Judgment final by default rendered against the defendant Rogas in this Cause at a former day of the present Term hereof be set aside and vacated as to the principal, but that said defendant pay all costs herein incurred, for which execution may issue.

1265 | William Sadly vs Robert Cruzbaw | Plaintiff / Defendant | And now comes the plaintiff by attorney, and on his motion it is Ordered by the Court that this Cause be dismissed from the docket and that the defendant recover of said plaintiff, William Sadly all costs of this suit for which execution may issue.

1221 | The State of Texas vs William McCutchan | Plaintiff / Defendant | It is Ordered by the Court that the judgment nisi rendered against this defendant at the last Term hereof, 1336 be vacated and set aside as to the principal, and that said defendant pay one half the costs herein incurred for which execution may issue.

1304 | David Richardson vs Baker & Root | Plaintiff / Defendant | In this Cause appeared the plaintiff by his attorneys, and it appearing that at a former day of the present Term of this Court a Judgment by default for the want of an answer had been rendered and a writ of inquiry awarded, and the plaintiff thereupon announced himself ready for trial. And thereupon came a Jury of twelve good and lawful men of Travis County, who being duly tried, empannelled and sworn as the law directs, to wit: W. Hasbeck and eleven others, after hearing the evidence introduced by the plaintiff, retired to consider of their verdict, and returned into Court the following verdict, to wit: "We, the Jury find for the plaintiff One Hundred and Forty-Six dollars and forty Cents. J. W. Hasbeck, Foreman." It is therefore Ordered, adjudged and decreed by the Court that the plaintiff David Richardson do have and recover of and from the defendants William J Baker and Irving Root under the firm name and style of Baker & Root, the sum of One Hundred and Forty-Six 40/100 Dollars, for his principal debt and interest up to this date with interest at the rate of eight per cent. per annum from this date until paid, together with all costs of this suit, for which execution may issue.

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1309 — E K Rke vs Weir & Coney — Plaintiff / Defendants — And now on This day come the defendants in These two Causes by their Attorneys And move The Court To order The Plff E K Rke To enter into bond and security for The costs heretofore made which motion is granted by the Court and plaintiffs Attorneys being present and refused

1311 — E K Rke vs I H Ardry et al — Plaintiff / Defendants

1325 — Hamilton, Chandler & Anderson vs Marcus Stirling — Plaintiffs / Defendant — In This Cause appeared The plaintiffs by their Attorneys, And it appearing To the Court that on the 27th day of November, 1857 a judgment by default for want of an answer had been rendered and a writ of inquiry awarded. And thereupon the plaintiffs announced themselves ready for trial, and thereupon came a Jury of Twelve Good And Lawful men of Dane County, who being duly tried, empannelled and Sworn according To Law to wit. George W. Glopcock and eleven others, after hearing The evidence introduced by the plaintiffs, and retired to consider of their verdict, and returned into Court The following Verdict, to wit: "We, The Jury, find for the plaintiffs Five Hundred and Seven Dollars. G W. Glopcock Foreman." It is therefore Ordered, adjudged and decreed by The Court that The plaintiffs Andrew J. Hamilton, Frederick D. Chandler and Thomas S Anderson, under the firm, name and Style of Hamilton Chandler & Co., do have and recover of and from the defendant Marcus Stirling, the Sum of Five Hundred and Seven Dollars with the interest thereon at the rate of eight per cent. per annum from this date until paid, together with the allowance of this Court for which execution may issue

1345 — P DeCordova vs John Scott et als — Plaintiff / Defendants — It is Ordered by the Court That the defendants in this cause have leave To amend

1346 — P DeCordova vs A B Spangler et al — Plaintiff / Defendants — It is Ordered by the Court that the defendants in this cause have leave To amend

1366 — John Blemonds vs Fielding Sanford Jane Roy — Plaintiff / Defendants — And now on This day came The said plaintiff by his Attorneys And it appearing To the Court that a writ of inquiry was awarded in This Cause on the 27th day of November, 1857, on motion of the said plaintiff It is Ordered by the Court that a Jury be empannelled. Whereupon came a Jury of

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Twelve good and lawful men of Travis County, to wit. G.W. Glascock and eleven others who being duly empannelled and sworn according to law, heard the evidence introduced by the plaintiff and the Charge of the Court, and having retired thereupon brought into Court the following Verdict to wit: "We, The Jury find for the plaintiff. G.W. Glascock, Foreman." Whereupon It is Ordered, adjudged and decreed by the Court that the mortgage in this cause be foreclosed, that the Negro Boy Slave named Pete aged about Thirty-five Years, mortgaged to the said plaintiff by the defendants on the 2d day of February A.D. 1856, as appears from the pleadings of the said Jury be sold in satisfaction of the sum of Four Hundred and Thirteen 34/100 dollars, the amount of the Judgment recovered by the said plaintiff in this Cause on the 27th November 1857, and that an Order of sale issue for such purpose. And if the proceeds of said sale be insufficient to satisfy said sum of Four Hundred and Thirteen 34/100 Dollars, that execution issue for whatever amount may remain due said plaintiff after said sale. It is further Ordered by the Court that said plaintiff recover all his costs in this behalf incurred, which shall be taxed in said order of sale and execution.

1372. Alfred Smith } Plaintiff
L. Z. Fellman } Defendant

Order on This day comes the said plaintiff by his Attorneys and thereupon it appearing that judgment by default and writ of inquiry was awarded in this Cause on the 27th November 1857, and said plaintiff having announced himself ready for trial, thereupon came a Jury of twelve good and lawful men of Travis County, to wit: G.W. Glascock, and eleven others, who being duly tried, empannelled and sworn heard the evidence introduced by the plaintiff and the charge of the Court, and having retired thereupon brought into Court the following verdict, to wit: "We The Jury find for the plaintiff. G.W. Glascock, Foreman." Whereupon It is Ordered, adjudged and decreed by the Court, that the said plaintiff, Alfred Smith recover of said defendant L Fellman, the sum of Five Hundred and Seventy-Nine Dollars that sum being the amount of principal debt and interest due on the note sued on in this cause up to this date, with legal interest thereon until paid, and all costs of this suit, for which execution may issue. And it appearing to the Court that said defendant executed to plaintiff a mortgage deed conveying to plaintiff Austin City Lots Nos Seven Eight and Nine in Block No Nineteen, and Lots Nos Three and Four in Block No Sixteen, for the purpose of securing the payment of the note sued on in this cause. Therefore

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It is Ordered adjudged and decreed by the Court that the lien on said property be foreclosed, and that
Sale issue to the Sheriff of Travis County Commanding him to sell the said described property according to law, and apply the proceeds thereof to the satisfaction of said Judgment of Five Hundred and Seventy-nine Dollars and the costs of this suit, and should said proceeds not bring the amount of said Judgment that execution issue against the said Hellman for such balance amount may be due after said sale.

1393 Amos Morrill, Plaintiff, vs. B. J. Smith, et al, Defendants. And now this day comes the said plaintiff and dismisses this suit as to the defendant Elizabeth Duty, and moves the Court to render a Judgment final by default against the defendants B. J. Smith and H. Duty. And thereupon it appearing to the Court that said defendants have been legally cited and have wholly failed to answer within the time prescribed by law. It is therefore Ordered adjudged and decreed by the Court that the plaintiff Amos Morrill, have and recover of and from said defendants B. J. Smith and H. Duty, the sum of One Hundred and Sixty-three 36/100 Dollars, that sum being the amount of principal and interest due on the note sued on in this case up to the date of the rendition of this Judgment, with legal interest thereon until paid and all costs, for all which execution may issue.

1406 William A. Van Alstyne, Plaintiff, vs. John M. Thomas, Defendant. On this day came the plaintiff by his attorneys. And it appearing to the Court that at a former day of the present Term a Judgment by default for the want of an answer has been rendered, and a writ of inquiry awarded; and the plaintiff announces himself ready for trial. And thereupon came a Jury of twelve good and lawful men of Travis County to wit: John M. Smither and eleven others, who being duly sworn according to law, after hearing the evidence introduced by the plaintiff, retired to consider of their verdict. And returned into Court the following verdict, to wit: "We the Jury, find for the plaintiff in the sum of Thirteen Hundred and Eighty-nine 6/100 Dollars. John M. Smither Foreman." It is therefore ordered adjudged and decreed by the Court that the plaintiff William A. Van Alstyne do have and recover of the defendant John M. Thomas, the sum of Thirteen Hundred and Eighty-nine 6/100 Dollars, for his principal debt and interest up to this date, with interest thereon at the rate of eight per cent. annum from this date until paid, and all costs of this suit. It further appearing to the satisfaction of the Court that the note sued upon was given for the purchase money of Lot No. Thirty-five in Division (C) in the City of Austin, in the County of Travis, and that it constitutes a lien upon said Lot. It is

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Therefore Ordered, adjudged and decreed by the Court, that said lien be, and the same is hereby foreclosed, and the Clerk of this Court is hereby ordered to issue Alias Order of sale of said Lot No 35 directed to the Sheriff of Travis County Commanding him to sell said Lot to satisfy this Judgment. If said Lot fails to bring the amount of this Judgement, interest and cost, Then in that event, the Clerk of this Court is Ordered to issue execution against the defendant for the balance that may be due

And thereupon It is Ordered by the Court, that Court do now adjourn until tomorrow morning at 9 o'clock A.M.

Wednesday, December 23rd 1837.

Court Convened at Nine O'clock A.M. Pursuant to adjournment Present, The Honorable Thomas J. Divine, Judge of the fourth Judicial District of the State of Texas Frank Brown Clerk and Adolphus G. Weir Sheriff of Travis County, Whereupon the following Proceedings were had by said Court as follows, to wit.

803

James Wall vs. Frank Brown et al. — Plaintiff, Defendants — Decree on Report of Commissioners

In this case appeared the Parties, Plaintiff and Defendants by their Attorneys. And whereas It appears from the Records of this Court that at the Spring Term 1836 by agreement of the Parties to this suit, Greenleaf Fisk, Levi Asher and Allen Strond were appointed Commissioners to divide and partition the twelve hundred and eighty acres of land in Controversy, in Conformity with a judgment and decree of this Court rendered at the aforesaid Spring Term 1836 between said Parties, and whereas it is admitted by all of said Parties that they subsequently agreed that B. Couch should act as one of the said Commissioners and the said Parties having submitted to the Court the following Report of the Commissioners, Levi Asher and B. Couch, showing the manner in which they have partitioned and set apart twelve hundred and eighty acres of land, situated in Williamson County, it being the headright of Aaron A. Boyce between said Parties which Report is as follows to wit;

"We the undersigned Commissioners (with others) appointed by the District Court of Travis County as specified in the decree (to which this our report is attached) to make partition of certain lands among and between James Wall,

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James O. Rice, Frank Brown as Admr of the Estate of Thomas P. Cartwell decd for the use and benefit of Frank Brown in his own individual right, Aaron Boyce, Wm Boyce and John Boyce, heirs &c. Report the following as our proceedings, under the Writ of Partition issued to us and under which we have acted. We the said Commissioners, Levi Asher and B. Gooch, proceeded on the 4th day of August 1857, to hunt out and examine said Lands, and on the 5th day of said Month, made Partition of the same which resulted as exhibited by the following Maps and field Notes, answering to each of said distributees by Ballot as follows:

To James Wall the South half of said 1280 acre Survey, No 4. on the Map and described by the field Notes, as follows: Beginning at a small Rock mound on the W. line of said 1280 acre Survey 1527 vs S. 19° E. from the N.W. Corner of said Survey. Thence S. 19° E. 1527 vs with the W. line of said Survey to the S.W. Corner of the same. Thence N. 71° E. 2367 vs to a Stake at the S.W. Corner of Pruitts Survey, being the S.E. Corner of this Survey. From which a Live Oak bears S. 87° W. 40 vs Thence N. 19° W. 1527 vs to a Stake in the E. boundary line of the aforesaid 1280 acre Sur. Thence S. 71° W. 2367 vs to the Place of begonning, Containing 640 acres of Land."

Surveyed August 5th 1857. B. Gooch, Surveyor
Levi Asher & B. F. Gooch Chainers }"

In Partitioning and distributing the N. half of said 1280 acre Survey, between the remaining distributees after examining the Premises, deeming it prejudicial to the interest of the Parties, Considering Costs &c." also influenced by advisement of Agents and Attorneys. We have proceeded to Partition and award the N. half of said Survey in three divisions as follows. No 1. By ballot to James O. Rice and Frank Brown in his individual right the N.E. division of said Survey— Beginning at the S.E. Corner of E. Pruitts Survey and N.E. Corner of P. McLanes League a stone mound in Prairie from which a Live Oak bears N. 34° E. 70 vs a Post Oak bears N. 90° E. 115 vs; Thence S. 19° E. with the E. line of said League 1527 vs to a Stone mound in Prairie, no bearing trees, being the S.E. Corner of No 1. Thence N. 71° E. 921. vs to the corner of the divisional line dividing No 1. from No 2 a Stake in Prairie, no bearing trees; Thence N. 19° W. 1527 vs with said divisional line to a Stake in the N. line of said 1280 acre Survey; Thence S. 71° W. 921 vs with the N. line of said Survey To the Place of beginning. Containing 279 1/9 acres of Land in said division— Surveyed on the 5th day of August 1857. — B. Gooch — Surveyor.)
Levi Asher & Benj. F. Gooch, Chainers."

No 2 as shown on the Map. By ballot is allotted to Aaron Boyce, Wm Boyce and John Boyce, Heirs of said Cartwells Estate, being 7 1/9 acres each jointly represented by the middle division on said Map. Beginning at the N.E. corner of No 1. Thence S. 19° E. with the divisional line between No 1. & No 2. 1527 vs to the S.E. corner of said division No 1. on the line dividing said Survey between James Wall and this N. half of said 1280 acre Tract. Thence with the said divisional line

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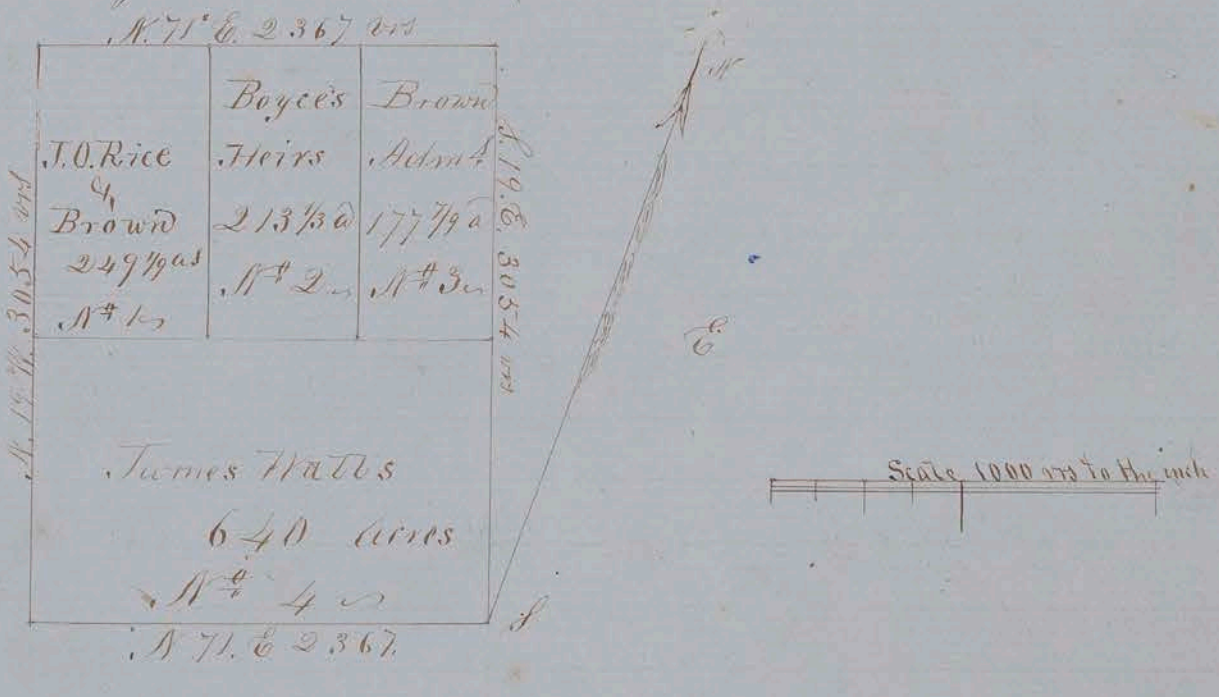
N. 71° E. 189 vs to a Stake being the S.E. Corner of this division No 2. Thence N. 19° W making a divisional line between this Survey No 2. & No 3. to a Stake in the N. line of said original 1280 acre Survey; Thence S 71° E. with said original N. boundary to the place of beginning. Containing 213⅓ acres of land. Surveyed on the 5th day of August 1857. = B. Gorch Surveyor.
Levi Asher & B. F. Gorch Chainmen."

"No 3. awarded by ballot to the Estate of Catmore dec'd Frank Brown Adm'r. Beginning on the NE Corner of No 2. in the N. boundary line of said original Survey of 1280 acres Thence S 19° E. 1527 vs with the divisional line between Survey No 2 & No 3. to the divisional line dividing said original 1280 acre Survey into 2 Sections to the Corner of No 2. Thence N 71° E. 157 vs with the said divisional line to a Stake in the E line of said original Survey No bearing trees. Thence N. 19° W. 1527 vs with the E. line of said original Survey to the NE Corner of the same. Thence with the N. line of said Survey S. 71° W. 157 vs to the place of beginning. Containing 177 7/9 acres of land. Surveyed August 5th 1857. = B. Gorch Surveyor.
Levi Asher & Benj F. Gorch Chainmen."



All of which Map, field Notes, &c. is respectfully Submitted as our Report to the Hon. District Court of Travis County, with the following fees annexed. = Levi Asher, B. Gorch } Commissioners

Sworn to & Subscribed before me, this the 24 day of August A.D. 1857. = Thomas F. Hughes Notary Public of Williamson Co. State of Texas.

And all the Parties having admitted that said Partition is correct, and it appearing to the satisfaction of the Court that said Partition has been made in strict Conformity with the aforesaid judgment, order, and decree of this Court at the Spring Term 1856. It is further ordered adjudged and decreed by the Court, that each

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and all the Defendants in this suit be and they are hereby divested of all right, title interest or claim in and to the aforesaid Six hundred and forty acres of land set apart by metes and bounds in the aforesaid partition, and the same is hereby vested in the Plaintiff, James Wall. It is further ordered adjudged and decreed by the Court that the Plaintiff, James Wall is hereby divested of all right, title interest or claim in or to the remaining Six hundred and forty acres of said land, and the same is vested fully in the Defendants respectively set apart to them in the aforesaid partition

It is further Ordered by the Court that the plaintiff, James Wall, pay one half of all the costs of this suit, for which execution may issue This further Ordered by the Court, That the defendants, James O. Rice, Thanks Brown, and the Estate of Thomas McCarmell pay the other half of the costs of this suit, according to their respective interests for which execution may issue, except as to Carmells estate, whose interest shall be certified to the Probate Court of Davis County, as a just and legal claim against said estate

316	John F. Grimshaw et als vs Edwin G. Price et als	Plaintiffs / Defendants	It is Ordered by the Court that this Cause be continued
461	R.M. McKeen & Co vs Cassidy & Simms	Plaintiffs / Defendants	It is Ordered by the Court that this Cause be continued
637	M G Johnson Admr vs Stephen Crosby Comr	Plaintiff / Defendant	It is Ordered by the Court that this Cause be continued.
658	John W Shermit Admr vs Joseph Newsham	Plaintiff / Defendant	It is Ordered by the Court that the Order dismissing This Cause from the docket rendered on Yesterday be set aside and that said Cause be reinstated on the docket.
827	Ernst Raven vs John Killeen	Plaintiff / Defendant	It is Ordered by the Court that the defendant in this Cause have Leave to amend
1194	Thomas W Howe vs Lucinda Raymond	Plaintiff / Defendant	And now on This day came the parties to these two Causes by their Attorneys. And thereupon and submitted to the Court the motion of Howe and Cook to consolidate said two Causes
1203	A. C Raymond Wife vs H H Cook & Thos W Howe	Plaintiffs / Defendants	

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Whereupon It is ordered by the Court That the said causes to wit. No 1194, Thomas H Hines vs Lucinda Raymond, and No 1203 N. C Raymonds wife vs A. H Cook and Thomas H Hines be and the same are hereby Consolidated, to which order the said Lucinda and Nathaniel Raymond by their Counsel except.

1210 James P. Cope vs W H. Leary } Plaintiff / Defendant } Andnowon This day Came the Parties To This Cause by Their attorneys, And by agreement filed And on Motion of said Parties It is Ordered by the Court that this Cause be dismissed from the docket, and that said plaintiff and defendant each pay the Costs by him incurred, for which execution may issue.

1283 W H. Leary vs James P. Cope } Plaintiff / Defendant } Andnowon This day came the parties to this cause by their attorneys and by agreement filed and on motion of said parties It is ordered by the Court that this cause be dismissed from the docket, and that said plaintiff and defendant each pay the Costs by him incurred, for which execution may issue.

1299 H Dietrich, Admr vs Gloscock & Mobley } Plaintiff / Defendants } It is Ordered by the Court that the defendants in this cause have leave to amend.

1304 Joseph A. Sprague vs D Lambert } Plaintiff / Defendant } It is Ordered by the Court that the plaintiff in this cause have Leave to amend.

1214 Amelia Brichta, Augustus Brichta & Frank V. Brichta vs Robert H. Brichta & Geeba Brichta } Plaintiffs / Defendants } Suit for partition of Lands and Lands Certificates.

Now come Amelia Brichta, Augustus Brichta and Frank V Brichta, plaintiffs in the above entitled cause by their attorneys, and Robert H. Brichta & Geeba Brichta defendants herein by their Guardians ad litem W. H. D. Carrington Esq, and Joseph J Bledsoe Esq, and Submit their Cause to the Court upon the petition and answer filed herein And it appearing to the Court that the said defendants have been personally served with citation in this cause, and that their guardians ad litem have filed an answer

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herein to the petition, and that the Real Estate and Land Certificates in said petition mentioned and described are the property and belong to the heirs of Frances Brichta, deceased; And it further appearing to the satisfaction of the Court, that the Estate of said deceased has been administered and finally closed, and that this suit for the partition of community property, which has now become vested in the heirs of said deceased. And it further appearing to the satisfaction of the Court from evidence that the said Amelia Brichta is the widow of said Frances Brichta deceased, and that Augustus, Frank V, Robert H and Cecelia Brichta are the children of the said deceased and said Amelia And the Court being satisfied that the parties to this suit are the only persons by law entitled to the partition and distribution of said Lands & Land Certificates in said petition named, and that each are entitled to a share of the same as therein set forth. The premises duly considered It is therefore ordered adjudged and decreed by the Court, that the said Lands and Land Certificates be partitioned and that the said Amelia Brichta is entitled to one half interest in the same absolutely according to quantity, quality and value and that Augustus, Frank V, Robert H and Cecelia Brichta are each entitled to one fourth interest in the residue of said land and land certificates according to quantity, quality and value. It is further ordered and decreed by the Court, that A. G Compton, Nathaniel Townsend and George H. Glofcack be and they are hereby appointed Commissioners to make partition and distribution of said lands and lands certificates. They are hereby required to set aside to each of said distributees their respective shares according to quantity, quality and value, to be ascertained by them. It is further ordered and decreed by the Court that the Clerk issue a writ of Partition to said Commissioners commanding them to proceed forthwith to make said partition and distribution in accordance with the above decree a certified copy of which is to accompany said writ; and also commanding them to make due return of said writ with their proceedings endorsed thereon at the present Term of this Court, words underscored by them as the Court directs.

603	Robert Miles	Plaintiff	And now on this day came
	vs.		the parties to this cause by their
	Albert Rust, and	Defendant	Attorneys, and announced
	Horatio Storms, Margaret		themselves ready for the
	Storms formerly Margaret Rust	Intervenors	Trial of the same
	Elvira Rust, Matilda Rust,		Whereupon came a Jury
	Virginia Rust, Mary Frances		of twelve good and
	Rust and Louisa Oakley Rust		lawful men of Travis

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County To wit. George M Glasscock and eleven Others, who were duly Tried
sworn, impannelled and sworn according to Law. And upon
upon the said Trials introduced the evidence to the Jury, and after the
argument of Counsel and the charge of the Court, said Jury retired to
consider of their verdict. Whereupon said Jury returned into Court the
following Verdict To wit "We, the Jury, find in favor of the defendants
intervenors. G M. Glasscock, Foreman." Whereupon It is Considered, ordered,
adjudged and decreed by the Court that the legal title in and To said
Slaves Edward, Bob, Dinah, Charlotte, Mary and Tempe is in
the said defendant Albert Rust, and the intervenors Horatio
Grooms and Margaret Grooms his wife, Elvira Rust Byrd Hol-
land and Matilda Holland his wife, Virginia Rust, George R.
Freeman and his wife Mary Frances Freeman, and Benjamin F Carter
and his wife Louisa Oakley Canby, and that said Slaves are not subject
to levy and Sale under the execution of the Plaintiff in this Cause; that
they are exempt therefrom, and they are hereby entirely released
from the levy of the plaintiffs execution aforesaid. It is further ordered
by the Court, that the defendant and intervenors have and recover
of the Plaintiff Robert Mills, all costs by them in this behalf ex-
pended and that they have execution therefor.

1352 L D Carrington & Co } Plaintiffs } And now, This day Came
vs } the plaintiffs in this Cause
Greenbury Fisk & Alexander Ferrell } Defendants } by their Attorneys and move
The Court to render a Judgment final by default. And it appearing
To the Court that said defendants have been legally served with process
and have failed To answer within the time prescribed by law And
it further appearing to the Court that plaintiffs' Cause of action is
liquidated as evidenced by an instrument of writing called a
promissory note, It is, therefore, Ordered, adjudged and decreed by
the Court that said plaintiffs, L D. Carrington and David Clark,
under their firm name and Style of L D. Carrington & Co, do
have and recover of and from said Defendants, Greenbury Fisk
and Alexander W. Ferrell the Sum of Three Hundred and
Twenty-Five Dollars, said sum being the amount of principal and
interest due on the note herein sued to the date of the rendition of
this Judgment, with interest thereon at the rate of Ten per cent.
per annum from the date of the rendition of this Judgment until
its final Satisfaction, as well as all costs in this behalf laid out
and expended, for all which execution may issue.

1164 Rankin & Dungan } Plaintiffs } And now on this day came
vs } the plaintiffs by their
F W Chandler } Defendant } attorneys, and the said
defendant in his own person, and says he has nothing to say

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why judgment should not be rendered; and the Clerk having calculated the interest, whereby it appears that there remains thereupon due and owing the sum of Eleven Hundred and Twenty Six Dollars and Ninety-Eight Cents, the principal sum and the interest, Therefore, It is Considered by the Court that the plaintiffs Isaac N. Rankin and Peter I Duryee, under their firm name of Rankin & Duryee recover of the defendant Frederick W. Chandler Eleven Hundred and Twenty Six Dollars and Ninety Eight Cents ($1126.98) together with all costs in and about this suit expended. This Judgment to bear eight per centum interest from rendition until paid for all which execution may issue.

And thereupon Court adjourned until Tomorrow morning Thursday at 9 o'clock.

Thursday Morning, December 24, 1857.

Court Convened at nine o'clock A.M. pursuant to adjournment. Present the Honorable Thomas J. Devine, Judge of the Fourth Judicial District of the State of Texas, Frank Brown, Clerk and Adolphus Wheir Sheriff of Travis County by J.M. Blockburn Deputy. Whereupon, the following proceedings were had by said Court as follows, To wit:

1726 Ellen Gatal vs Andrew M Landson } Plaintiff / Defendant } This day the said parties appeared and submitted to the Court the motion of the defendant to enter satisfaction of the Judgment rendered by this Court in said cause at the June Term 1856 in favor of said plaintiff and against said defendant for the sum of Eight Hundred and Fifty Dollars ($850) together with the costs of suit. And it appearing from the evidence that said Judgment had been fully paid and discharged by the defendant, &c. said motion is hereby sustained and full satisfaction of said Judgment is hereby entered. And it is ordered and decreed that no executions shall issue thereon.

198 Alex. Thompson & children vs E. S. C. Robertson, Admr } Plaintiffs / Defendant } This ordered by the Court that this cause be continued

1767 A. H. Cook vs John G. Price, Jr. } Plaintiff / Defendant } And now on this day came the parties to this cause by attorneys, and on motion it is ordered by the Court that the venue of this cause be changed to Williamson County, and that the clerk forward the papers of this cause together with a certified copy of the entries herein to said County on or before the next Term of the District Court of Williamson County

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838 — John B Casta, Ch. Justice vs F Dieterich, Admr, et als — Plaintiff / Defendants — It is Ordered by the Court that this Cause be Continued

881 — Henry P Hill vs A J Hamerton et al — Plaintiff / Defendants — It is Ordered by the Court that this Cause be continued

882 — Henry P Hill vs John J Grumbles et als — Plaintiff / Defendants — It is Ordered by the Court that this Cause be continued

902 — The State of Texas vs F Dieterich Admr et al — Plaintiff / Defendants — It is Ordered by the Court that this Cause be Continued

784 — The State of Texas vs Pit Cook — Plaintiff / Defendant — And now on this day came the parties to this Cause by their attorneys, the defendant also coming in for trial and announced themselves ready for the trial of this Cause. Thereupon Came a Jury of twelve good and lawful men of Waller County, to-wit: William Oliphant and eleven others who being duly tried elected empannelled and sworn heard defendants plea of not guilty and the charge of the Court, as also the evidence and having retired, brought into Court the following verdict to-wit "We, the Jury find the defendant Cook guilty as charged in the indictment and assess the fine at twenty dollars. Wm Oliphant Foreman" Thereupon It is Ordered by the Court that the State of Texas recover of said defendant Pit Cook said sum of twenty dollars and all Costs of this prosecution. And thereupon appeared in open Court John Horan who being duly sworn on double the amount of the fine and costs in this Cause in accordance with Article 271 of the Code of Criminal Procedure, acknowledged himself bound unto The State of Texas in the sum of twenty dollars the amount of the fine imposed in this Cause against the defendant Cook, as well as all costs herein incurred, to be void if the said Cook shall pay said fine and costs on or before the next Term hereof, Otherwise the same to become a final judgment of this Court.

812 — The State of Texas vs Heffington & Randolph — Plaintiff / Defendants — And now come these parties by attorney and announced themselves ready for Trial. And defendants excepting coming into the

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Counsel & the same were overruled by the Court Whereupon came a Jury of good & lawful men of Travis County to wit B Banks and eleven others who being duly sworn & empannelled and sworn heard defendants' plea of guilty and the Charge of the Court and having retired & brought into Court their following verdict to wit "We, The Jury find the defendants David C Heffington & Thos J. Randolph guilty as charged in the indictment and assess their fine at twenty dollars each B B Banks Foreman" Whereupon It is Ordered by the Court that the State of Texas recover of each of said defendants, to wit: David C Heffington and Thomas J Randolph the sum of twenty dollars and all costs of this prosecution. And it appearing to the Court that the Governor has remitted Ninety dollars of said fine; it is ordered that the said State of Texas recover of said defendants the sum of Fifty Dollars besides all costs And Thereupon appeared in open Court John Horan who being duly sworn in double the amount of the fine and costs in this case in accordance with Article No 2371 of the Code of Criminal Procedure, acknowledged himself bound & unto The State of Texas in the sum of Fifty dollars, the amount of said fine as well as all costs herein incurred; To wit if the said Heffington & Randolph shall pay said fine and costs on or before the next Term of this Court — otherwise the same to become a final judgment of this Court.

J 815

The State of Texas } Plaintiff } And now Come these parties by their
vs } } attorneys and announced them-
Heffington & Randolph } Defendants } selves ready for trial Whereupon
Came a Jury of twelve good & lawful men of Travis County to
wit Glasscock and eleven others who being duly tried, elected,
empannelled, and sworn, heard defendants plea of guilty and the
charge of the Court, and having retired brought into Court the following
verdict to wit: "We, the Jury, after the defendants pleading guilty, assess
the fine at Seventy Five Dollars each G W Glasscock Foreman"
And it appearing to the Court that the Governor has remitted the sum
of One Hundred Dollars from said fine It is therefore Ordered by
the Court that the State of Texas recover of said defendants the
sum of Fifty Dollars and all costs of this prosecution. And thereupon appeared in open Court John Horan, who being duly sworn in
double the amount of the fine and costs in this cause in accordance
with Article No 2371 of the Code of Criminal Procedure acknowledged
himself bound unto The State of Texas in the sum of Fifty
Dollars the amount of the fine remaining due in this cause as
well as all costs herein incurred. To wit if the said Heffington
& Randolph shall pay said fine and costs on or before the next
Term hereof otherwise the same to become a final judgment of this Court.

J 819

The State of Texas } Plaintiff } And now on this day came
vs } } the parties to this Cause
Heffington & Wallace } Defendants } by their attorneys and announced

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announced themselves ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County, to-wit: G.W. Glasscock and eleven others, who were duly tried elected empannelled and sworn according to law. Whereupon the said defendants pleading not guilty, the parties introduced their testimony, and said Jury being charged verbally by the Court (the defendants waiving written instructions) retired, and thereupon brought into Court the following verdict, to-wit: "We, the Jury, find the defendants guilty as charged in the indictments and assess the fine at one hundred dollars each. G.W. Glasscock, Foreman." And it appearing to the Court that the Governor has remitted the sum of One Hundred and Fifty Dollars of said fine, It is therefore Ordered by the Court that the said State of Texas recover of said defendants David C Heffington and William Wallace the sum of Fifty Dollars and all Costs of this prosecution. And thereupon appeared in Open Court John Horan and William M. Parker, who, being duly sworn in the amount of the fine and costs in this cause in accordance with Article No 271 of the Code of Criminal Procedure, acknowledged themselves jointly and severally bound unto the State of Texas in the sum of Fifty dollars the amount of the fine in this cause unremitted by the Governor, as well as all costs herein incurred, to-wit: if the said Heffington & Wallace shall pay said fine and costs on or before the next term hereof - Otherwise the same to become a final judgment of this Court.

8201 The State of Texas vs. Heffington & Wallace } Plaintiff / Defendants } And now on this day came these parties by attorney and announced themselves ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County, to-wit: G.W. Glasscock and eleven others, who being duly tried, elected, impannelled and sworn heard defendants plea of guilty and the charge of the Court, and having retired, brought into Court the following verdict, to-wit: "We, the Jury, find the defendants guilty as charged in the indictment and assess the fine at fifty-eight Dollars each. G.W. Glasscock, Foreman." And it appearing to the Court that the Governor having remitted the sum of Sixty-Six Dollars of of said fine, It is therefore Ordered & adjudged and decreed by the Court that the State of Texas recover of said defendants David C Heffington and William Wallace the sum of Fifty dollars and all costs

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of this prosecution. And Thereupon appeared in open Court John Horan and William M. Fowler, who being duly sworn on the amount of the fine and costs in this cause in accordance with Article No 371 of the Code of Criminal Procedure, acknowledged themselves bound unto The State of Texas in the sum of Fifty dollars, the amount aforesaid fine and costs herein incurred, To the end & that the said Heffington and Wallace shall pay said fine and costs on or before the next Term hereof - otherwise the same to become a final judgment of this Court.

821 The State of Texas vs Heffington & Wallace } Plaintiff / Defendants } And now on this day came this day by their Attorneys and announced them ready for trial, when came Jury of twelve good and lawful men of Travis County, to-wit: A W Goodrich and eleven others, who being duly tried, elected, empannelled and sworn according to law, heard defendants plea of guilty and the charge of the Court, and having retired, brought into Court the following verdict, to-wit: "We the Jury find the defendants guilty as charged in the indictment and assess the fine at one hundred dollars each. A W Goodrich, Foreman." And it appearing to the Court that the Governor has remitted the sum of One Hundred and Fifty Dollars aforesaid fine, It is therefore ordered by the Court that the State of Texas recover of said defendants Heffington and Wallace the sum of Fifty dollars and all costs of this prosecution. And Thereupon appeared in open Court John Horan and William M. Fowler, who being duly sworn the sum of said fine and costs in accordance with Article No 371 of the Code of Criminal Procedure acknowledged themselves bound unto The State of Texas in the sum of Fifty dollars, the amount of the fine adjudged in this case against the defendants David C Heffington and William Wallace and all costs herein incurred, To the end & that the said Heffington & Wallace shall pay said fine and costs on or before the next Term hereof - otherwise the same to become a final judgment of this Court.

785 The State of Texas vs J. M. W. Hall } Plaintiff / Defendant } Into this Cause This day came the District Attorney, George W. Jones, who prosecutes for the State in this behalf; and the said defendant J. M. W. Hall being three times solemnly called, came not, but made default; and it appearing to the Court that the said defendant J. M. W. Hall, as principal and John H. Turner as his security, had executed their joint

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and Several bonds payable unto The State of Texas in the sum of Two Hundred Dollars dated the 15th day of May A.D. 1857, conditioned that the said defendant J. M. H. Hall make his personal appearance at the District Court of our said County of Travis to be begun and holden at the Court House of said County in the City of Austin on the Seventh Monday after the first Monday in April A. D. 1857, to answer the indictment preferred against him by the Grand Jurors of Travis County at the Fall Term A.D. 1856 of said District Court for permitting a certain gaming table called Faro to be exhibited in his house, and there remain from day to day, and from Term to Term of said Court, and that he do not depart there without leave of said Court, and the said defendant J. M. H. Hall being three times solemnly called and required to give security for the payment of the fine and costs in this cause & pay the same, came not, but wholly made default, and the said security also being again three times solemnly called and required to bring with him into Court the body of said defendant J. M. H. Hall, which he wholly failed to do. It is therefore considered, ordered, adjudged and decreed by the Court, that the said Bond of the said defendant J. M. H. Hall and the said John H. Conner be and the same is hereby forfeited and that the State of Texas do have and recover of and from them jointly and severally, the sum of Two Hundred Dollars the amount of said Bond, and that Scire Facias do issue to each of them severally, returnable to the next Term of this Court, commanding them then and there to shew cause if any they can, why this judgment should not be made final against them as aforesaid.

The State of Texas } Plaintiff } In this Cause this day came
vs } } the District Attorney George
J. M. H. Hall } Defendant } W. Jones, who prosecutes
for the State in this behalf, and the said defendant J. M. H. Hall
being three times solemnly called, came not, but made default;
and it appearing to the Court that the said defendant J. M. H.
Hall, as principal and John H. Conner as his security, has
executed their joint and several bond payable unto The State
of Texas in the sum of Two hundred dollars, dated the 15th day
of May A.D. 1857, conditioned that the said defendant J. M. H.
Hall make his personal appearance at the District Court
of said County of Travis on the Seventh Monday after the first
Monday in April A.D. 1857 to answer the indictment preferred
against him by the Grand Jurors of Travis County at the Fall
Term A.D. 1856 of said District Court, for Exhibiting a certain
unlawful gaming table called Faro Bank, and

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there remain from day to day and from Term to Term aforesaid Court, and that he do not depart thence without leave aforesaid Court, and the said defendant J M W Hall being three times solemnly called, and required to give security for the payment of the fine and costs in this cause or to pay the same, came not, but wholly made default, and the said Security also being again three times solemnly called and required to bring with him into Court the body aforesaid defendant J. M. W. Hall, which he wholly failed to do,

It is therefore Considered Ordered adjudged and decreed by the Court that the said bond of the said defendant J M W Hall and the said John H Conner be and the same is hereby forfeited, and that the State of Texas do have and recover of and from them jointly and severally the sum of Two Hundred Dollars the amount aforesaid bonds, and that Scire Facias do issue to each of them severally, returnable to the next Term of this Court, commanding them then and there to shew cause, if any they can, why the Judgment should not be made final against them as aforesaid

787 The State of Texas vs J M W Hall } Plaintiff vs Defendant } In this cause this day came the District Attorney, Forgett Jones, who prosecutes for the State in this behalf, and the said defendant J M W Hall being three times solemnly called came not, but made default, and it appearing to the Court that the said defendant J M W Hall as principal, and John H Conner as his security, had executed their joint and several bond payable unto The State of Texas in the sum of Two Hundred Dollars dated the 15th day of May, A D 1857, conditioned that the said defendant J M W Hall should be and appear at the next District Court of said County of Travis on the Second Monday after the first Monday in April A D 1857 to answer the indictment preferred against him by the Grand Jury of Travis County at the Fall Term A. D. 1856 of said District Court, for ~~Exhibiting a Certain unlawful gaming Table called~~ permitting a gaming Bank called Faro to be exhibited in his house for the purpose of gaming, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court; and the said defendant J M W Hall being three times solemnly called and required to give security for the payment of the fine and costs in this cause or to pay the same came not but wholly made default; and the said Security also being again three times solemnly called and required to bring with him into Court the body of said defendant J M W Hall which he wholly failed to do, It is therefore Considered Ordered adjudged and decreed by the Court that the said bond of the said defendant J M W Hall and the said John H Conner, be and the

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names hereby forfeited, and that the State of Texas do have and recover of and from them jointly and severally, the sum of Five Hundred Dollars the amount of said bond, and that Scire Facias do issue to each of them Severally, returnable to the next Term of this Court, Commanding them then and there to shew cause, if any they can, why this Judgment should not be made final against them as aforesaid.

1203 A C Raymond & Wife } Plaintiffs
vs
Cook & Horne } Defendants

On this day came the parties to this cause by their attorneys and the matters of law arising upon the demurrer of defendant Horne to Plaintiffs petition being argued by counsel, It is considered by the Court and it is hereby ordered, adjudged and decreed, that said demurrer be overruled. And the motion of defendant Cook to dissolve the injunction in this cause coming on to be heard and the same being argued by counsel, It is considered by the Court and it is hereby Ordered, adjudged and decreed that said motion be overruled.

And thereupon It is Ordered by the Court that Court do now adjourn until Saturday Morning 26th December, 1857.

Saturday December 26th 1857

Court convened at 9 o'clock A.M. pursuant to adjournment. Present the Honorable Thomas J. Devine, Judge of the Fourth Judicial District of the State of Texas; Frank W. Brown, Clerk; and Adolphus G. Steir, Sheriff of Bexar County, by J M. Blackwell, Deputy. Whereupon the following proceedings were had by said Court, as follows, to wit:

1163 Joseph Harrell } Plaintiffs
vs
H P de Normandie } Defendants
J. M. Swenson

And now on this day came the parties to this cause by their attorneys and the matters of law arising upon the demurrer of the defendants to plaintiffs petition being argued by counsel, It is thereupon ordered by the Court that the said demurrer be overruled.

266 E A Pierson, admr etal } Plaintiffs
vs
Giles A Burditt, etal } Defendants

Continued on affidavit of plaintiffs

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↓ 1021	George W. Catlinghe vs John J. Porter	Plaintiff / Defendants	It is ordered by the Court that this cause be continued
↓ 1040	Jane Robinson vs C.A. Langhlin	Plaintiff / Defendant	And now on this day comes this defendant by attorney. And this cause being regularly reached on the docket and the said plaintiff neither appearing in person only attorney to prosecute the same It is ordered adjudged and decreed by the Court that said cause be dismissed from the docket for want of prosecution, and that the defendant recover of said plaintiff Jane Robinson all costs in this behalf incurred for which execution may issue.
↓ 1072	William D. Thompson vs Charles Riddle	Plaintiff / Defendant	It is ordered by the Court that this cause be continued by consent of parties.
↓ 1088	Lowry & Cope vs P.B. Lowe	Plaintiffs / Defendant	And now on this day came the parties to this cause by their attorneys; and thereupon said plaintiffs attorney submits to the Court his motion to dismiss the Certiorari, which motion the Court overrules.
↓ 1094	Mary Ann Forester vs John J. Porter	Plaintiff / Defendant	Ordered by the Court that this cause be continued, by consent of parties.
↓ 1123	Frederick Holt vs Hiram Toms	Plaintiff / Defendant	It is ordered by the Court that this cause be continued
↓ 1201	James E. Brady vs R.M. Johnson	Plaintiff / Defendant	It is ordered by the Court that the defendant have leave to amend

And thereupon Court adjourned until Monday Morning, December 28th 1857.

Monday December 28th 1857.

Court convened at 9 o'clock A.M. pursuant to adjournment. Present the Hon. Thomas J Devine, Judge of the fourth Judicial District of the State of Texas; Thomas Brown, Clerk and Adolphus Wair, Sheriff of Travis County. Where.

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Upon the following proceedings were had by said Court, to wit:

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↓ 819 — The State of Texas vs Heffington & Hallum — Plaintiff / Defendants

↓ 820 — The State of Texas vs Heffington & Hallum — Plaintiff / Defendants

↓ 821 — The State of Texas vs Heffington & Hallum — Plaintiff / Defendants

It appearing to the Court that in these three causes, to wit: No. 819, 820 and 821, there is a mistake in the minutes rendering John Horan bound for the amount of the fine and costs in said three causes, It is ordered by the Court that said Horan be discharged from all liability for said fine and costs, and that said entry is vacated and held for naught as to said John Horan alone, but that the same remain in full force as to the security William M. Foster.

↓ 1248 — The State of Texas vs Sherman Case et als — Plaintiff / Defendants

It is ordered by the Court that the motion in this cause to set aside the Judgment final by default be continued

↓ 458 — John H. Shrimp, Adm^r vs Joseph Meacham — Plaintiff / Defendant

It is ordered by the Court that this cause be continued.

↓ 956 — Ernst Raven vs John Kolleba — Plaintiff / Defendant

It is ordered by the Court that this cause be continued

↓ 1272 — G. G. Steele vs W. W. Payne et al — Plaintiff / Defendants

It is ordered by the Court that D. W. C. Baker and William Smyth be allowed to intervene in this cause; and, on motion of said Baker & Smyth, by attorney, It is ordered by the Court that Edward Ten Eyck and Alfred Ten Eyck be made parties to this cause by citation and service of the pleadings.

↓ 785 — The State of Texas vs J. M. M. Hall — Plaintiff / Defendant

And now on this day came the parties to this cause by attorney and thereupon the motion of defendant for a new trial coming on to be heard, the same was argued by counsel Whereupon It is ordered by the Court that said motion be overruled.

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No 787	The State of Texas vs J. M. M. Hall	Plaintiff Defendant	And now on this day came the parties by attorney, and thereupon the defendant submitted to the Court his motion for a new trial, which was overruled by the Court.
No 1184	Edward Nichols vs Sarah Nichols	Plaintiff Defendant.	Suit for Divorce

This day came the plaintiff, Edward Nichols by attorneys, And it appearing to the Court that the defendant in this Cause is a non resident, and that the service of citation has been perfected by publication as required by the Statute in such cases made and provided, the Court thereupon appointed R. T. Brownrigg, Esq., an attorney of this Court, to represent the defendant. Whereupon the parties announced themselves ready for trial. And a jury of good and lawful men of Travis County, to wit: John G. Price and eleven others, being called and empannelled. The following facts were proven by the plaintiff by the witness, Mrs. Nichols, to wit: That the plaintiff and defendant were lawfully married in the month of October of the year Eighteen Hundred and fifty three, and that they lived together in the house of the mother of the plaintiff, a little over three months - that they lived in a little village in Madison County, Alabama - that plaintiff requested defendant when they came home soon after they were married, not to associate & visit a certain family living in the village, who were not visited by respectable people and in which there were two females who were of disreputable character; that defendant told plaintiff that she would do as she pleased on that subject. That in the month of December after the parties were married, defendant refused to permit plaintiff to bed with her, and persistently and continuously refused to discharge the duties of a wife to the plaintiff, by locking the door of her bedroom against him, leaving the room whenever he would enter it, quitting her bed and sleeping frequently upon the floor with a negro girl, and in other departments of the house; that defendant left her home and visited the disreputable family, which plaintiff had requested her not to visit & associate with and remained there a week at a time; That she declared that she did so to vex and annoy plaintiff, and to bring about a separation; that she did not love the plaintiff, did not intend and would not live with him. That she was constantly

and all the time cruel, harsh and disrespectful to plaintiff, and do never at any time acted towards him as a dutiful and affectionate wife should do, and that finally before the expiration of four months after Intermarriage with plaintiff, she left his home with her brother, declaring that she never would return, and never would live with plaintiff again. That plaintiff afterwards made three different efforts to induce her to live with him as his wife, and she would not.
And the jury having heard the evidence, the argument of counsel and the charge of the Court, retired to consider of their verdict, and thereupon returned into Court the following verdict, to wit: "We, the Jury, find that the defendant has "been guilty of such excesses and outrages towards the plaintiff, so as to render their living together intolerable. John "T. Price, Foreman." It is therefore ordered, adjudged and decreed by the Court that the bonds of matrimony heretofore existing between Edward Nichols the plaintiff and Sarah Nichols the defendant, be and the same are hereby dissolved. And it is further ordered, adjudged and decreed that the plaintiff Edward Nichols have and recover of the defendant Sarah Nichols all costs in and about this suit expended for which execution may issue, &c.

964 James E. Brady vs. George Hancock } Plaintiff / Defendant } Now on this day came on for the trial of this cause wherein James E. Brady is plaintiff and George Hancock defendant; and the respective parties having appeared by their attorneys and having announced themselves ready for the trial of this cause: whereupon came a jury of twelve good and lawful men, who were duly sworn pursuant to law, who after hearing the proof and allegations of the parties retired under charge of the Court to consider of their verdict, and after deliberation returned into Court the following verdict, to wit: "We, the Jury, find for the plaintiff One Hundred "and forty-three dollars and sixty one cents ($143.61/100). "Glasscock, Foreman." Wherefore it is ordered, adjudged and decreed by the Court that the said plaintiff James E. Brady, do have and recover of and from the said defendant George Hancock, the just and full sum of One Hundred and Forty-Three and 61/100 Dollars, together with all costs of this suit, for which execution may issue.

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1208 Josiah Sisk vs George Stanecke et als } Plaintiff } Defendants. } And now on this day appeared the defendants in this cause by their attorneys; and the said plaintiff being three times solemnly called, came not neither in person or by attorney; and upon motion of the defendants to dissolve the injunction heretofore in this case granted, upon inspection of the bill and answers of the defendants, George Stanecke, D. W. Chandler, L. D. Carrington, David Clark, M. H. Borden, and G. W. Holden, It is ordered, adjudged and decreed by the Court that the said injunction as to all of said aforenamed defendants be and the same is hereby dissolved. It is further ordered that the said petition of the said plaintiff be filed as an original Bill.

And thereupon It is ordered by the Court that Court adjourn until to-morrow morning, at 9 o'clock.

Thos. F. Devine
Judge 4th Judicial
District

Travis } Tuesday December 29th 1857

Court convened at 9. O'clock A.M. Pursuant to adjournment. Present the Hon. A.W. Terrell, Judge of the Second Judicial District, Frank Brown Clerk, and Adolphus G. Weir Sheriff of Travis County. Whereupon the following proceedings were had by said Court, to wit:

1209. Matthew Cartwright } Plaintiff } Decree
vs.
James A. Reily } Defendant }

This cause coming on to be heard and the same being submitted to a Jury of good and lawful men, to wit: John M. Swisher, and eleven others, and the Plaintiff having the proof as set forth in the Statement of facts, filed in this cause, and the Judge having charged the Jury as to the law of the case, whereupon they retired and returned into Court the following verdict, to wit: "We the Jury find for the Plaintiff. Dec. 29/1857 Jno. M. Swisher Foreman." Whereupon it is adjudged and decreed by the Court that the said Matthew Cartwright do have and recover of the said James A. Reily the said Duplicate donation land Certificate for Six Hundred and forty acres of land, issued to the said

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Deily by Ben. T. Hill, adjutant General, on the 27th day of May 1851. together with the following described track of land, upon which said Certificate has been located, to wit.
Beginning, in Williamson County, on the South line of Robt. McNutts League, and at the N.E. Corner of a Survey in the name of E. H. Matthews, a Stone mound from which an Elm bears S.5 E. 20 varas, and a Live Oak bears S.7½ E. 100 varas; Thence East with the South line of said McNutts League, 1333 varas to the S.E. Corner of said League for the N.E. Corner of this Survey; Thence S.10½ with the West line of a League Survey in the name of Saml. Casner, at 3218 varas a Stake in the Prairie for the S.E. Corner of this Survey; Thence West 2106 varas to a Stone mound in the East line of a Survey in the name of Saml. Jenkins; Thence North 500 varas to the S.W. Corner of said Matthews Survey; Thence East with the South line of said Matthews Survey 1333 varas to his S.E. Corner, Thence North with the East line of the same 2711 varas to the place of beginning:
The said Matthew Cartwright, his heirs and asigns to have and to hold the said Certificate and the said Lands upon which the same is located, in his own name and right, forever in fee simple, and that said Plaintiff pay all costs of this suit, for which execution may issue.

1187.

Henry Thomas — Plaintiff
vs.
C. E. Richardson & N. P. Richardson — Defendants

This day the above entitled cause coming on to be heard upon the writ of Inquiry awarded Plaintiff on a former day of this Term, Whereupon came a Jury of good and lawful men, to wit: " S. W. Goodrich and eleven others, who being duly charged and sworn, and the said cause having been submitted to the Jury upon the Pleadings and Proof. Whereupon the following verdict was returned into Court, " We the Jury find a verdict for the Plaintiff for the sum of four hundred & Sixty one 11/100 dollars, ($461 11/100) and find the Note was executed to secure part of the purchase money of Lots number One and two in Block twelve according to within petition. S. W. Goodrich Foreman. " Whereupon it is Considered by the Court that the Plaintiff have and recover from the defendants C. E. Richardson & N. P. Richardson, the sum of four hundred and Sixty one 11/100 dollars with ten per centum interest thereon from the date of the rendition of this judgment

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together with all costs in this behalf expended, and that Lots Nos one and two in Block No twelve in the City of Austin Travis County in said State, be subjected to the vendor's lien, and that an order of Sale issue directed to the Sheriff of Travis County requiring him to sell said town Lots the proceeds of which sales shall be applied to the Satisfaction of this judgment. And it is further ordered that if the proceeds of said sale be insufficient for the satisfaction of this judgment that execution may issue against said defendants for the balance.

1124 Burdett & Miller } Plaintiffs
vs.
W. O. Martin } Defendant } And now on this day came the parties to this cause by their attorneys, and announced themselves ready for the trial of the same, And the parties waiving a jury, agreed to submit the cause to the Court. And the parties having introduced their evidence and upon argument of Counsel. It is ordered by the Court that the said plaintiffs take nothing by their said action that the defendant go hence without day and recover of said plaintiffs Washington D. Miller & William Burdett all his costs in this behalf expended for which execution may issue.

1131 Joseph Wright } Plaintiff
vs.
W. O. Burdett } Defendant } And now on this day come these parties by their attorneys and having announced themselves ready for trial, waived a jury and submitted the cause to the Court. And thereupon the Defendant having withdrawn his Answer & saying nothing in bar or preclusion of plaintiffs demand. And it appearing to the Court that said plaintiffs demand is liquidated as evidenced by a promissory note. It is ordered by the Court that the said plaintiff Joseph Wright recover of the Defendant W. O. Burdett the sum of One hundred and thirty five dollars and twenty cents, principal debt and interest to date with legal interest thereon until paid together with all costs of this suit for which execution may issue.

1146. John C. Cunningham } Plaintiff
vs.
Samuel H. Sims et als } Defendant } And now at this Term come these Defendants by their attorneys, And upon Motion of said Defendants, It is ordered by the Court that the venue of this cause be changed to the County of Williamson, and that the Clerk of this Court

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forward to the District Clerk of Williamson County, on or before the first day of the next Term thereof, all the original papers in this cause, together with a certified copy of all the entries.

1147 James Robb & Co. } Plaintiffs
vs. } judgment of non suit
William N. Knowles & Ds. } Defendants

And now on this day Come the parties by their Attorneys, and having gone into trial, the Plaintiffs thereupon take a non suit. Whereupon it is ordered by the Court that said cause be dismissed from the docket and that the Defendants recover of the Plaintiffs in this cause all the costs herein incurred, for which execution may issue.

1152. Jasper K. Holliday } And now come these parties
vs. } by attorneys, and on motion of
Josiah Fisk } the Plaintiff, It is ordered by the Court that this cause be dismissed from the docket, and that the Defendant recover of the Plaintiff, Jasper K. Holliday, all costs of this suit for which execution may issue

1154 Cushman, Goodeve & Co. } Plaintiffs
vs. } Defendants,
A. N. Hopkins & Thomas H. Jones }

In this case appeared the parties Plaintiff by their Attorneys and announced themselves ready for trial, and the Defendants failed to appear and defend the suit. Whereupon came a jury of twelve good and lawful men of Travis County, who being duly tried, empannelled and sworn according to law, after hearing the evidence introduced by the Plaintiffs, and a charge of the Court, retired to Consider of their Verdict, and returned into Court the following verdict, to wit; "We the Jury find for the Plaintiffs Sixteen hundred and four dollars. L. H. Cordnick Foreman" And thereupon came the Plaintiffs by their attorneys and remit the sum of One thousand and thirty nine $\frac{1}{100}$ dollars of this judgment. It is therefore ordered, adjudged and decreed by the Court that the Plaintiffs John H. H. Cushman, James Goodeve, William Pierson, and George R. Rentfs under the firm name and Style of Cushman, Goodeve & Co. do have and recover

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off and from the Defendants A.N. Hopkins and Thomas H. Jones the sum of five hundred and Sixty Six 87/100 dollar for their principal debt and interest up to this date with interest thereon at eight per centum per annum until paid together with all costs of this suit for wich execution may ispue. Execution not to ispue until ordered by Plaintiffs.

1153 A.G. Harkreader vs. John H. Conner } Plaintiff Defendant } And now on this day, the above entitled cause having come up for trial the parties by their attorneys announced themselves ready for trial, and Defendant having withdrawn his answer, it is agreed by and between the parties through their attorneys that the Plaintiff A.G. Harkreader, have and take judgment for the amount claimed in his petition, and Plaintiff agrees to allow Defendant a stay of three months. It is therfore ordered, adjudged and decred by the Court that the said Plaintiff, A.G. Harkreader, do have and recover of the said Defendant, John H. Conner the sum of Two hundred and ninety five dollars with interest thereon till paid and all the costs in this behalf expended, for all which execution may ispue, after the expiration of three months.

1162 Arthur G Wavell vs. E.M. Pease Governor } Plaintiff Defendant } It is ordered by the Court that this cause be continued under the rule for costs, by the Defendant. ntered in open Court.

1163 E & A TenEyck vs. A.J. Hamilton } Plaintiffs Defendant } And now on this day come the Plaintiffs by their attorneys and moves the Court to render a judgment by default the Defendant having withdrawn his answer heretofore filed, and saying nothing in bar or preclusion of Plaintiffs demand and it appearing to the Court that Plaintiffs cause of action is liquidated It is therefore Ordered by the Court, that the said Plaintiffs Edward TenEyck and Alfred TenEyck under their firm name of E & A TenEyck do have and recover of the Defendant A.J. Hamilton the sum of Ten Hundred and Ninety Seven 63/100 Dollars, principal debt and interest, due on the Note sued on to date, with ten per centum interest per annum from date, until paid, and all costs of this suit, for which execution may issue.

1176 John T. Miller & Co. vs. Thomas T. Chapman } Plaintiffs Defendant } And now on this day came these parties by their attorneys and announced

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themselves ready for trial whereupon came a Jury of twelve good and lawful men of Travis County, who being duly elected, empannelled tried and sworn, heard the evidence and the charge of the Court, and having retired, brought into Court the following verdict, to wit. "We the Jury find a verdict for the plaintiffs for the sum of Four Hundred and nine dollars, S. W. Goodrich Foreman" Whereupon it is ordered by the Court that the said plaintiffs John T. Miller and William M. Perry, under their firm name of John T. Miller & Co. do have and recover from the defendant, Thomas F. Chapman the said sum of Four Hundred and nine dollars, with ten Per cent interest thereon until paid, and all costs of this suit for which execution may issue.

1179 George E. Brewster (Plaintiff) vs. W. H. Johnson et al (Defendants) } And now on this day comes the said plaintiff by attorney, and announced himself ready for trial Whereupon said plaintiff dismisses his suit as to the defendant, John S. Clark; and the said defendants, Stephen Crosby, and W. H. Johnson, being solemnly called, came not but made default, Whereupon came a Jury of twelve good and lawful men of Travis County, who being duly elected, empannelled, tried and sworn, heard the evidence introduced by the plaintiff, and the charge of the Court, and having retired, brought into Court, the following verdict, to wit. "We the Jury find for the plaintiff the sum of One hundred and Fifty three 50/100 dollars. Dec. 29, 1857 Jno. M. Swigher Foreman." Whereupon it is ordered by the Court that the said plaintiff George E. Brewster, have and recover of and from the Defendants, W. H. Johnson and Stephen Crosby the said sum of One Hundred and fifty three 50/100 dollars, with legal interest thereon until paid and all costs in this behalf expended, for which execution may issue.

1180 John S. Sneed (Plaintiff) vs. John A. Matthews (Defendant) } And now on this day came the parties to this cause by their attorneys and announced themselves ready for trial, Whereupon by agreement of said parties It is ordered by the Court that the said plaintiff John S. Sneed, recover from the defendant, John A. Matthews the sum of One hundred and twenty dollars, the amount of the

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judgment agreed upon, together with all costs of this suit, for which execution may issue.

1183 John Krouss vs Theodore Stazing } Plaintiff / Defendant } It is ordered by the Court, that this Cause be Continued under the rule for Security for costs entered by the Defendant in open Court, the said plaintiffs attorney being present and notified

1189 James McGruder et.al. vs Richard Wells } Plaintiffs / Defendant } And now on this day Come the plaintiffs by attorney and suggest to the Court the death of the defendant Richard Wells, and thereupon, on motion of said plaintiffs attorney It is ordered by the Court, that the Administrator of said Wells be cited, when known.

1190 Peters & Sweeney vs James M. Alexander et.als } Plaintiffs / Defendant } It is ordered by the Court, that this cause be Continued on motion of plaintiffs.

1192 John D. Kerfoot et.al vs Henry Phlegler et.als } Plaintiff / Defendant } It is ordered by the Court that this cause be continued under the rule for security for costs, this day entered by the Clerk, said Plaintiffs attorney being present and notified in open Court.

1194 W. C. Samson vs John H. Brown Admr. } Plaintiff / Defendant } It is ordered by the Court that this cause be Continued as on affidavit of plaintiffs attorney.

1211 James E. Brady vs R. M. Johnson } Plaintiff / Defendant } It is ordered by the Court that this cause be Continued as on affidavit of Defendants.

1214 W. L. Chalmers et.al vs L. H. Luckett et.al. } Plaintiff / Defendant } It is ordered by the Court that this cause be Continued

1215 Samuel Cooper vs James Phillips } Plaintiff / Defendant } It is ordered by the Court that the Defendant have leave to amend on

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payment of costs of said amendment, and ordered further, that this cause be continued on affidavit of Defendant.

1215 The State of Texas vs. Theophilus Anderson } Plaintiff / Defendant } It is ordered by the Court that the judgment nisi intered in this cause at the last Fall term of this Court be set aside and vacated, but that said Defendant pay all costs of this Prosecution. for which execution may issue.

1211 State of Texas vs. David L. Crop } Plaintiff / Defendant } It is ordered by the Court, that the judgment nisi rendered against this Defendant, as a defaulting witness in the case of the State against Newsham be set aside and vacated, but that said Defendant David L. Crop pay all costs of this Prosecution for which execution issue.

1224 State of Texas vs. Alfred Tenbyck of Defendant. } Plaintiff / Defendant } It is ordered by the Court that this cause be Continued on application

1230 State of Texas vs. James Manor } Plaintiff / Defendant } It is ordered by the Court, that the judgment final by default, rendered against this Defendant at a former day of the present term hereof be set aside and vacated as to the principal, but that said Defendant, James Manor, pay all costs of this prosecution, for which execution may issue.

1232 State of Texas vs. John H. Conner } Plaintiff / Defendant } It appearing to the Court that said Defendant was fined in the sum of twenty five dollars, at the Fall term 1856 as a defaulting Petit Juror, and said Defendant having filed his answer under oath, which is not regarded by the Court as containing sufficient cause to set aside said judgment It is therefore ordered by the Court, that the said judgment be made final, and that the said State of Texas recover of the Defendant, John H. Conner, said sum of

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twenty five dollars, and all costs of this proceeding, for which execution may issue.

1235 State of Texas vs. John H. Cocks et al. } Plaintiff, Defendant } It is ordered by the Court that the judgment nisi rendered against these Defendants at a former term hereof be set aside and vacated. It is further ordered by the Court, that said Defendants to wit John H Cocks D. M. Litton and Pope Tannehill, pay all costs of this Proceeding, for which execution may issue.

1241 State of Texas vs. Thomas Robb et al. Thanas Robb. } Plaintiff, Defendant } It is ordered by the Court that this cause be continued for service on the Defendant

1242 State of Texas vs. Thos P. Dekilline et al, } Plaintiff, Defendant, } It is ordered by the Court that the judgment final by default rendered against the Defendants in this cause, at a former day of the present term be set aside, vacated and held for naught.

1243 State of Texas vs Robt. Longley et al. } Plaintiff, Defendant, } It is ordered by the Court that the judgment nisi rendered against the Defendants in this cause at the Fall term 1856, be set aside and vacated but that said Defendants, to wit, Robt. Longley, pay all costs of this Proceeding, St. Johns and G R Scott, for which execution may issue.

1244 State of Texas vs. C. A. Hopkins et al, } Plaintiff, Defendant } It is ordered by the Court, that the judgment final by default rendered at a former day of this Term be set aside and vacated, but that said Defendants, to wit; C. A. Hopkins and William G. Wallace pay all costs of this Proceeding for which execution may issue.

1249 State of Texas vs. James Jackson et al, } Plaintiff, Defendant } It is ordered by the Court that the forfeiture and judgment final by default entered in this Cause be set aside and vacated, but that said Defendants, to wit, James Jackson, William M. Fowler and Moses Johns pay all costs of this Proceeding for which execution may issue.

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1252 State of Texas vs. The. Anderson et.als } Plaintiff / Defendants } It is ordered by the Court that the judgment nisi rendered against the Defendants in this Cause at the Fall term 1854, on a forfeited appearance bond, be set aside and vacated but that said Defendants, to wit. The. Anderson, Geo. L. Walton and James M. Swisher pay all the Costs of this proceeding for which execution may issue.

1253 State of Texas vs. The. Anderson et.als } Plaintiff / Defendant. } It is ordered by the Court that the judgment nisi rendered against the Defendants in this Cause at the Fall term 1854 on a forfeited appearance bond be set aside and vacated but that said Defendants, to wit The. Anderson Geo. L. Walton and James M. Swisher, pay all the costs of this proceeding, for which execution may issue.

1257 State of Texas vs. Giles S. Boggess et.als } Plaintiff / Defendants. } It is ordered by the Court, that the judgment nisi rendered against the Defendants in this cause on a forfeited appearance bond be set aside and vacated but that said Defendants pay all costs.

1258. State of Texas vs. Giles S. Boggess et.als } Plaintiff / Defendants. } It is ordered by the Court that the judgment nisi rendered against the Defendants in this cause on a forfeited appearance bond be set aside and vacated, but that said Defendants pay all costs.

1259 State of Texas vs. Giles S. Boggess et.als } Plaintiff / Defendants } It is ordered by the Court, that the judgment nisi rendered against the Defendants in this Case on a forfeited appearance bond be set aside and vacated but that said Defendants pay all costs.

1260 Edward R. Peck vs. Willard C. Walker } Plaintiff / Defendant } It is ordered by the Court, that this cause be Continued over Sevice

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1268. Wilson Green vs. A. D. Hamilton et als. } Plaintiff. Defendants } And now on this comes the Plaintiff and announced himself ready for trial, and thereupon the said Plaintiff dismissed his suit as to the Defendants, Shelly and Peck Whereupon it is ordered by the Court, that said Defendants go hence, and recover of the Plaintiff Wilson Green, the costs of being said parties into Court, for which execution may issue. And the said Defendant Hamilton, by attorney having also announced himself ready for trial the parties waived a Jury and submitted the cause to the Court. And thereupon, the Court, having heard the evidence It is ordered that the Plaintiff Wilson Green, recover of the defendant A. D. Hamilton the sum of One Hundred and Ninety four dollars and twenty-six cents, principal debt and interest on the note sued on to date at eight per centum interest thereon until paid, together with all costs of this suit, for which execution may issue.

1270 N. D. Carr et al vs. Matthias Speed et al } Plaintiff Defendants } And now on this day came the parties to this cause by their attorneys, and said parties having agreed in open Court, that the Court may render judgment against the Defendants for the amount remaining due on the note sued on in this cause, It is therefore ordered by the Court that the said Plaintiff, N. D. Carr have and recover from the defendants, Matthias Speed and Walker Wilson the sum of One Hundred and twenty nine dollars and thirty cents debt and interest to date as aforesaid with eight per cent interest, and all costs of suit, for which execution may issue

1271. G. L. & W. M. Walton vs. Fielding L. Troy } Plaintiffs Defendant. } It is ordered by the Court, that this cause be continued on motion of Plaintiffs.

1274 Andrew M. Cox vs. Robt. Creuzbaur, } Plaintiff Defendant } It is ordered by the Court, that A. C. Horton be made party Defendant to this suit, by service of Citation &c.

1313 Thomas Freeman vs. Caroline E. Richardson & R. A. Lynn } Plaintiff Defendants } This day the above entitled cause coming on to be heard upon the Plaintiffs writ of inquiry awarded him on a former day of this Court. Whereupon came a Jury of good and

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Lawful men, to wit S.W. Goodrich and eleven others who being duly charged and sworn, and cause having been submitted to them upon the pleadings and the evidence they returned the following verdict into the Court. " We the Jury find a verdict for the Plaintiff, for Three Hundred and Seventy eight 35/100 dollars Costs, and find that the note was given as Security for purchase money of Lots Nos. one and two in Block twelve according to within petition. S.W. Goodrich Foreman" Wherefore it is Considered by the Court that the Plaintiff have and recover from the Defendants the sum of Three Hundred and Seventy eight 35/100 Dollars, with ten per cent, interest therein from date of this judgment, together with all costs in this behalf expended. And that said lots one and two in Block Twelve in the City of Austin in Travis County in said State, be subjected to the vendors lien, And that an order of sale be issued to the Sheriff of Travis County Commanding him to sell said lots the proceeds of which shall be applied to the satisfaction of this judgment. And that Plaintiff have execution against Defendants for the remainder that may be due &c.

1330 William H. Webster } Plaintiff
vs. } This day the above entitled
Hiram Bennett & } Cause Coming on to be heard
Janey Bennett } Defendants } Whereupon came a Jury of good and

Lawful men, to wit S.W. Goodrich and eleven others, who being duly empannelled, charged and sworn, and the parties by their attorneys having announced themselves ready for trial, and the cause having been submitted to the Jury upon the evidence who after being charged by the Court touching the law of the case and having retired to consider of their verdict returned the following verdict into Court to wit " We the Jury find a verdict for the Plaintiff for Four Hundred and Fifty five 55/100 dollars and find that the mortgage was given to secure the payment of said note according to within petition. S.W. Goodrich Foreman" Wherefore it is Considered by the Court that the Plaintiff have and recover from the Defendants the sum of Four Hundred and fifty five 55/100 Dollars, with eight percent interest thereon from the date of this judgment, together with all costs in this behalf expended, and that Lots One, two three and four in Block twenty in the City of Austin Travis County in the said State, be subjected to a foreclosure of the mortgage lien of said Plaintiff, and that an order of sale be issued directed to the Sheriff of Travis County, Commanding to sell said lots, under and by virtue of this order of foreclosure

and the proceeds be applied to the satisfaction of this judgment and that Plaintiff have execution as in other cases against the Defendants for the remainder.

✓ 1289	E A Lockett et al Exrs vs Joseph H Robertson	Plaintiffs / Defendant	It is ordered by the Court that the defendant have leave to amend his answer
✓ 1327	Frances Dutrieck vs John King	Plaintiff / Defendant	It is ordered by the Court that the plaintiff have leave to amend his petition
✓ 1342	Stephen A Boyce vs Sylvester Lockwood	Plaintiff / Defendant	And now on this day came the plaintiff in this cause by their attorney, and on motion of said plaintiff It is ordered by the Court that the Judgment by default and writ of inquiry awarded in said cause at a former day of the present Term be set aside and vacated
✓ 1272	George G Teale vs Wm W Payne et als	Plaintiff / Defendants	And now on this day this cause being regularly reached on the docket came the plaintiff by attorney and announced himself ready for trial, the defendant de Normandie coming also in proper person. And thereupon the defendant Payne and the intervenors, D. W. C. Baker and Wm Smyth being solemnly called came not. And thereupon came a jury of twelve good and lawful men of Travis County to wit: John M Jenkins Foreman and [illegible] others, who being duly tried, elected, empaneled and sworn, heard the evidence introduced by the plaintiff, and being charged by the Court, retired and brought into Court the following verdict, to wit: "We the Jury, find that note sued on was given for the purchase money of the tract of land described in plaintiffs petition, and we also find for the plaintiff Four Hundred and Eighty-Two 13/100 Dollars" W.M. Jenkins Foreman Whereupon It is Ordered by the Court that the said plaintiff G G Teale do have and recover from said defendants William W. Payne and William P de Normandie the sum of Four Hundred and Eighty-Two 13/100 Dollars, found due by said Jury, together with all costs in this behalf expended. And it is further Ordered by the Court that the following described land, to wit: Being the undivided half interest of Josiah D. Brown dec'd. in and to the following described tract of land, to wit: 1023½ Acres of land situated in Travis County on the waters of Decca

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Bayou on Blanket Creek about 17 Miles N.2 W. above the mouth of said Bayou, located by virtue of a certificate for 17,333,333/1000000 Labors, patented to the heirs of Benjamin Head on the 3rd of April 1854, and transferred by John W. Harris and C. M. Pease to said Josiah D Bowen and Thomas Griffin, on the 17th day of May, 1854 and transferred by Thomas Griffin, Administrator of Josiah D Bowen to W. P. DeMontmollin on the 7th day of July, 1855, which said last transfers recorded in Book K. pages 407 and 408 in the Clerks Office for the County of Davis, be and the same is hereby subjected to a foreclosure of the Mechanics lien of said plaintiff, and that an Order of sale issue to the Sheriff of Travis County commanding him to sell said above described property under and by virtue of this Judgment and Order of foreclosure and the proceeds of said sale to be applied to the satisfaction of this Judgment, if said property should bring more than the debt interest and cost in this case the overplus shall be paid to the defendants, but if said land should not bring a sufficient amount to satisfy this Judgment, interest & costs, then in that event, execution may issue for the remainder).

1288 Thomas J Blair vs Sidney H. Harris — Plaintiff / Defendant — It is ordered by the Court that this cause be continued upon affidavit of plaintiff for want of the testimony of Horace Barrow Esq. W. W. McKitchan and J. C. Beck

1309 C. M. Pike vs Wesley Coney — Plaintiff / Defendants — And now at this day come the parties to this cause by their attorneys and on motion of said parties It is ordered by the Court that this cause be dismissed from the docket, and that said pltff recover of the defendants, A. G. Wier and Charles Coney all costs in this behalf expended & for which execution may issue.

1316 Alexander Newton vs E. H. Holman et al — Plaintiff / Defendants — It is ordered by the Court that the defendants have leave to amend.

And thereupon Court adjourned until To-morrow Morning at 9 o'clock.

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Wednesday December 30th 1857.

Court convened at 9 o'clock A.M. pursuant to adjournment
Present the same as on Yesterday Whereupon the following
proceedings were had by said Court as follows, to wit.

1322 Joseph Harrell vs Ernst Raven } Plaintiff / Defendant } And now on This day comes the pltf by his attorneys and claim a Judgment final by default; and it appearing to the satisfaction of the Court that the defendant has accepted due and legal service of plaintiff's petition and waived service of citation and copy of petition, and said defendant having failed to answer within the time prescribed by law; and it further appearing to the satisfaction of the Court that plaintiff's cause of action is liquidated. It is therefore ordered by the Court that said plaintiff Joseph Harrell recover from the defendant Ernst Raven the sum of Five Hundred and Six 33/100 Dollars principal debt and interest due on the note sued on to this date, with legal interest thereon until paid and all costs of this suit, for which execution may issue.

✓ 1320 4 John J. Smith adm'r vs William Woods } Plaintiff / Defendant } It is ordered by the Court that the judgment on default rendered in this cause at a former day of the present Term be set aside and recalled, and held for naught, and that said Cause be continued

✓ 1461 Larfa Millard etal vs I. I. Millard etal } Plaintiffs / Defendants } It is ordered by the Court that this cause be continued

✓ 1409 P. W. Austin vs G. E. Hutton etal } Plaintiff / Defendants } It ordered by the Court that a re-hearing be granted on the motion of defendants to quash the attachment in this cause

✓ 482 Shropshire & Tevis vs Ford & Co } Plaintiffs / Defendants } It ordered by the Court that the defendants motion for a new trial in this cause be overruled. And thereupon said defendants in open Court, gave notice of an appeal to the Supreme Court

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1822 The State of Texas vs Adolph Pistard et al } Plaintiff / Defendants } It is ordered by the Court that the motions of defendant for a new trial and in arrest of judgment in this cause be overruled. Notice of appeal given by defendants

1795 The State of Texas vs George Robinson } Plaintiff / Defendant } And now on this day appeared in open Court Thomas Slaughter as principal and acknowledged themselves jointly and severally justly to owe and be indebted unto the State of Texas in the sum of One Hundred Dollars, to be levied upon their respective Goods and Chattels Lands and Tenements But to be void upon condition that the said Thomas Slaughter appear before the Honorable District Court of Travis County at the Spring Term thereof, 1858, to testify in the above entitled cause on behalf of the plaintiff and there remain from day to day and from Term to Term, and that he do not depart the Court without leave. David C. Heffington as security

808 The State of Texas vs B Zimpleman } Plaintiff / Defendant } And now on this day came into open Court Bernard Zimpleman as principal and George Herner as security, and acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of One Hundred Dollars, to be levied upon their respective Lands and Chattels Lands and Tenements But to be void upon condition that the said Bernard Zimpleman appear before the Honorable District Court of Travis County at the Spring Term thereof 1858, and from day to day of each Term and from Term to Term thereafter, to answer the indictment preferred against him the said Zimpleman by the Grand Jurors of Travis County at the Fall Term 1856, for driving a Steer not of his accustomed Range, and that he do not depart the Court without leave.

855 The State of Texas vs John Matter } Plaintiff / Defendant } And now on this day came into Court John Matter as principal and Gustavus Kirchburg as security and acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of Two Hundred and Fifty Dollars, to be levied upon their respective Lands and Chattels, Lands and Tenements, But to be void upon condition that the said John Matter be and

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appear before the Honorable District Court of Travis County at the Spring Term 1858, and from Term to Term and from day to day of each Term thereafter, to answer the indictment preferred against him the said Samuel Matter by the Grand Jurors of Travis county at this the Fall Term of the District Court of said County 1857 for Petit Larceny, and that he do not depart the Court without leave

1856 The State of Texas vs John Matter } Plaintiff / Defendant } And now on this day appeared in open Court John Matter as principal and Gus Jacobs Kuchling as security and acknowledged themselves jointly and severally, justly to be indebted unto The State of Texas in the sum of Two Hundred and Fifty Dollars to be levied upon their respective Goods and Chattels Lands and Tenements But to be void upon condition that the said John Matter appear before the Honorable District Court of Travis County at the Spring Term 1858 and from Term to Term, and from day to day of each Term thereafter, to answer the indictment preferred against him the said John Matter by the Grand Jurors of Travis County at this the Fall Term of the District Court of said County, 1857, for Petit Larceny, and that he do not depart the Court without leave.

1882 The State of Texas vs Conen & Kenney } Plaintiff / Defendants } On motion of the District Atty. this cause is dismissed from the docket

1901 The State of Texas vs Louis Horst } Plaintiff / Defendant } And now on this day appeared in open Court Louis Horst as principal and George H. Hancock as security, and acknowledged themselves jointly and severally, justly to owe and be indebted unto The State of Texas in the sum of One Hundred Dollars, to be levied upon their respective Goods and Chattels Lands and Tenements But to be void upon condition that the said Louis Horst personally appear before the Honorable District Court of Travis County at the Spring Term 1858 and from Term to Term, and from day to day of each Term thereafter to answer the indictment preferred against him the said Horst by the Grand Jurors of Travis County, at this The Fall Term of the District Court of said County, 1857, for wilfully and wantonly killing a Dog, the property of one James Brown, and that he do not depart the Court without leave.

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909 The State of Texas vs William C. Philips } Plaintiff / Defendant } And now on this day came into Court William C. Philips in person, and Jenkins Davis and John G. Price as securities, and acknowledged themselves jointly and severally justly to owe and be indebted unto the State of Texas in the sum of Two Hundred Dollars to be levied upon their respective Goods and Chattels, Lands and Tenements But to be void upon condition that the said William C. Philips personally appear before the Honorable District Court of Travis County, at the Spring Term 1858, and there remain from day to day and from Term to Term, and from day to day of each Term thereafter, to answer the indictment preferred against him the said Philips by the Grand Jurors of Travis County, at this the Fall Term of the District Court aforesaid County, 1857, for passing Counterfeit John Marshall upon them language, and that he do not depart the Court without leave.

— John Killiea - Ex parte. —

And the said John Killiea having filed herein in open Court his petition praying to be admitted to become a citizen of the United States, and the Court being satisfied by the oaths of A. A. Pittock and Geo E. Byrnes citizens of the United States, that the said John Killiea was known to them for the last five years as residing within the limits and under the jurisdiction of the United States, and within one year in the State of Texas; that during that time he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States and well disposed to the good order and happiness of the same; and being also satisfied that the said John Killiea has made his declaration to become a citizen of the United States in the District Court of the County of Travis State of Texas two years previous to the filing of his said petition according to the act of Congress in such case made and provided. And the said John Killiea having in Open Court taken the oath prescribed by law to support the Constitution of the United States, and that he doth absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign power, potentate, State or Sovereignty whatever, and particularly to the Queen of Great Britain, Victoria, of whom he was before a subject, It is therefore Ordered by the Court that the said John Killiea be and is hereby admitted a citizen of the United States and that the Clerk of this Court issue to him a certificate accordingly.

Declaration of Intention to become a Citizen

The State of Texas - County of Travis - A. A. Pittock being

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duly sworn according to Law in the District Court of the County of Travis, in and for the State of Texas, doth declare that he was born in the year of our Lord One Thousand Eight Hundred and 29 in Switzerland, whence he emigrated in the Year 1853, to the United States of America, and has selected the State of Texas as the place of his intended set. tlement, and he further declares that it is bona fide his intention to be come a citizen of the United States and of the said State of Texas and renounce forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the Government of Switzerland of whom he is now a subject.

Sworn and subscribed in open Court this the 22d day of Dec A.D. 1857. Thos. K. Brown, Clerk of said District Court

Peter Wuthrich

√ 1118

William B. McGehee, et al / Martha A. Phelps, et als

Plaintiffs / Defendants

And now on this day comes James H. Gillespie the Receiver appointed by this Court in said Estate of Charles E. McGehee, deceased, and made his final Report as such, by which it appears that he has collected all the claims due said Estate, and after paying the claims duly said Estate and expenses, the balance paid over to the legal distributees of the same as he was required to do by the former decree of this Court, and it further appears that said Receiver has paid over to E. J. Nichols the former partner of said deceased, the sum of Thirty-Six 83/100 Dollars more than he was entitled to receive, to J.W. Phelps sixty Seven 63/100 Dollars more than their shares, to D. A. Woodward wife Twenty-Seven 63/100 Dollars more than their shares, and to Wm. B. McGehee Guardian of Charles E. & Sarah McGehee Fifty-five 26/100 Dollars more than their shares; and the Court being satisfied from the examination of said report and the vouchers accompanying the same, that the account of said Receiver is correct. It is therefore ordered, adjudged and decreed by the Court that said Receiver have and recover of and from each of the aforesaid distributees the sums of money due each of them above their shares, and that the said Receiver be and he is hereby discharged from his said Trust.

√ 1379

William C. Peaggs, Administrator of the Estate of William Baker dec'd / William P. DeNormandie, Richard H. Peck and Edward Tin Eyck.

Plaintiff / Defendants

Debt on Note.

And now on this day come the parties by their Attorney, and by Consent of parties, Jury is waived and the cause submitted to the Court, and the parties having agreed that judgment

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Should be rendered for the sum of Fifty two Dollars, the same being the balance found due on the note sued on, in this case after having allowed all the Credits that said Defendants are entitled to the premises Considered.

It is ordered, adjudged and decreed by the Court that said Plaintiff have and recover of and from the said William P. DeNormandie, Richard H. Peek and Edward Van Eyck the said Sum of Fifty two Dollars for which Execution may issue. And It is further Considered by the Court, that the said Defendants recover from the said Plaintiff as Administrator, all of their Costs in this case laid out and expended by them, The bill of costs be certified to the Probate Court as a claim against said Estate.

And thereupon Court adjourned until tomorrow morning at 9 O'clock

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Court Convened at 9 O.Clock A.M. Pursuant to adjournment. Present the same as on yesterday, And thereupon the following Proceedings were had by said Court as follows, to wit,

8.32. Mines O. Burditt { Plaintiff } vs Pepe Stowe { Defendant } Decree.

And now on this day appeared the Plaintiff, his Attorney, and the said Defendant, Pepe Stowe, a minor, by John B. Costa, appointed Guardian ad litem to represent the interest of said minor, in this suit, and said parties waived a Jury, and submitted the Cause to the Court upon the Deed from all the other heirs of Pepe Burditt, deceased, to Plaintiff for the land in Controversy, and the testimony in writing of Giles H. Burditt, Subscribed and Sworn to by said Witness. Whereupon, on Consideration of said testimony by the Court It is ordered, adjudged and decreed, that said Plaintiff, Mines O. Burditt, have and recover of said Defendant, Pepe Stowe, all the right, title, claim and interest, that the said Defendant has in and to the following described tract or parcel of land, situated, lying and being in the County of Travis and described by the field Notes thereof as follows, to wit, Beginning at a Stake and original North East Corner of James O. Rice's Survey of 1280 acres from which a Cottonwood 20 inches in diameter marked X bears S. 33° E 10 varas

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Thence N. 84° E. 113 varas to a Stake at the most North West angle of J. A. Burditts field; Thence S. 71° 30' E. 3840 varas to a stake and mound in a drain in the Prairie, Thence N. 31° E. 1040 to a Stone mound in the South boundary line of League No. 50 granted to H. Castro by aforesaid, Thence with the line of said League N. 60° W. 2353 varas to a Stone mound and Southeast Corner of Survey No. granted to Samuel Cushing; Thence N. 30° E. 333 varas to a Stone mound in a drain in the Prairie, Thence N. 60° W. 620 varas to a Stake in the Prairie. Thence S. 21° W. 370 varas to a Stake on the East angle of N. D. Burditts fence S. 34° 30' W. 950 varas to a Stake at the South east angle of the Same, on the West bank of a drain in the Prairie. Thence S. 46° 30' W. 905 varas to a Stake in the midst of N. D. Burditts Spring branch 40 varas below a fall of said branch over a rock, Thence down said branch with its meandies to its junction with Walnut Creek and thence down Walnut Creek with the meandes in the midst of the Same to a Stake in the boundary line of James O. Rices Survey No. 31 and, thence with said line N. 30° E. 947 varas to the Place of beginning. And also ten acres, more or lep being Part of the aforesaid Rice Survey No. 31 to embrace the timber on the left margin of Walnut Creek, Beginning at the junction of N. D. Burditts Spring branch and Walnut Creek and following up the meandes of said Creek to the North boundary line of Survey No. 31 for James O. Rice, Thence S. 60 E. to the East margin of the timber bottom of said creek, and down said timber with the meander, to the Place of beginning.

And it is further ordered, adjudged and decreed by the Court that all the right, title, Claim and interest of said Defendant, as one of the heirs of the Estate of Jesse Burditt, deceased, be, and the Same is hereby divested out of said Defendant and fully, Completely and entirely vested in said Plaintiff and his heirs. It is further ordered and adjudged by the Court that said Defendant have and recover of and from the Plaintiff all costs of this Suit, for which Execution may issue. It is further ordered by the Court that said John R. Costa Esqr. Guardian ad litem as aforesaid be and is hereby allowed a fee of ten dollars, to be taxed in the bill of Costs.

1279 W. J. Pick vs. D. N. Matthews } Plaintiff / Defendant } And now on this day come the parties to this cause by their attorneys, and the Plaintiff announced himself ready for trial, Whereupon the Defendant in open Court, by his attorneys, withdraws his answer heretofore filed in said Cause and says nothing in bar or preclusion of Plaintiffs

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demand, and therefore it appears to the Court that plaintiffs demand is liquidated as evidenced by a promissory Note — It is therefore ordered by the Court, that the said plaintiff O. S. Peck have and recover off and from the Defendant James H. Matthews the Sum of Four Hundred and Ninety Four Dollars, principal debt and interest due on the Note sued on up to the date of the rendition of this judgment with ten per Centum interest per annum thereon until paid and all costs in this behalf expended for all which Execution may issue.

1282 Nicholas R. Lane } Plaintiff
vs
Mary M. Lane } Defendant

Come the Plaintiff by his Attorneys, and the Defendant Mary, being duly Served and not having appeared either in Person or by Attorney, the Court appointed G. M. Flournoy Esq. Attorney Ad litem, and thereupon the parties announced themselves ready for trial, and a Jury of good and lawful men, to wit. John M. Swisher and eleven others, being duly impannelled and Sworn according to law and having heard the pleadings, the evidence and the arguments of Counsel and the Charge of the Court, retired to Consider of their verdict and thereupon returned into Court the following verdict to wit. "We the Jury find the Conduct of the Defendant such, as to render the Plaintiffs living with her insupportable, Jno. M. Swisher, Foreman." Whereupon, it appeared to the Court, that the allegations in the Plaintiffs petition contained are true. It is ordered, adjudged and decreed that the bonds of matrimony heretofore entered into between the said plaintiff and Defendant be dissolved, and that the said plaintiff be divorced from the said Defendant. It is further ordered, that the said plaintiff pay all costs of this suit for which execution may issue.

1147 James Robb & Co. } Plaintiffs
vs
Wm. W. Knowles et al } Defendants

In this case appeared the plaintiffs by their Attorneys and submitted to the Court their Motion to set aside the Non suit in this, taken by them at a previous day of this Term and to reinstate said cause upon the docket, and after hearing the Motion and the affidavit of plaintiffs Attorney, and having Considered the same, It is ordered adjudged and decreed by the Court that said Motion be and the same is hereby granted

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It is further ordered and decreed by the Court, that said Non Suit be and the same is hereby set aside, and the cause reinstated upon the docket, and that the Plaintiffs pay the costs of this Motion and order. It is further ordered that the Plaintiffs have leave to ~~amend~~ file an amended petition.

1278. Samuels and Mopson } Plaintiffs
vs
Elijah Reed } Defendants } Now on this day the above entitled cause having come up for trial the respective parties announced themselves ready for trial, through their respective Attorneys. Whereupon a Jury of good and lawful men, to wit: Jno. M. Swisher as foreman and eleven others, who being duly sworn, after hearing the pleadings in the cause the testimony of the respective parties, Argument of Counsel, and receiving the Charge of the Court retired, and returned into Court the following verdict to wit: " We the Jury find for the Plaintiffs the sum of one hundred and fifty eight 47/100 Dollars, Jno. M. Swisher foreman."

It is therefore ordered adjudged and decreed by the Court, that the Plaintiffs A. Samuels and A Mopson do have and recover of the Defendant Elijah Reed the sum of One Hundred and Fifty Eight 47/100 Dollars with interest thereon until paid, with all the Costs in this behalf expended - And it further appearing to the Court that a Writ of Attachment issued in this cause on the 30th day of Dec. 1857 against the property of the said Defendant and that the same was levied on a Negro woman Slave named Mary as the property of the said Defendant, and that the said Negro woman is yet in the possession of the Sheriff by virtue of said Attachment.

It is therefore further ordered adjudged and decreed by the Court that an order of sale issue to the Sheriff of this County to sell the said Negro woman, be sold and that the proceeds thereof be applied to the Satisfaction of this judgment, and that in case the said Negro woman does not bring enough to Satisfy and discharge this judgment that an Execution issue against the property of said Defendant to make up the residue.

1402. Wm. A. Vanalstyne } Plaintiff
vs
L. Weatherford et al } Defendants } Now this case appeared the Plaintiff by his attorneys and the Defendant L. D. Thomas, and dismissed his suit, as to the Defendant L. D. Thomas. It is therefore ordered, adjudged and decreed by the Court that the said L. D. Thomas go hence without day, that she have and recover of and from the Plaintiff Wm. A. Vanalstyne all the costs that have accrued against her for which

execution may issue. And the Plaintiff announced himself ready for trial. It appearing to the satisfaction of the Court, that Defendant, John M. Thomas accepted service in this cause that the Defendant, Jefferson Weatherford has been legally served, that at a former day of the present term of this Court, that a judgment by default has been rendered against the Defendants for failing to appear and file their answer within the time prescribed by Law, and a Writ of inquiry awarded. Thereupon came a jury of twelve good and lawful men of Travis County, to wit, S. H. Goodrich and eleven others, who being duly tried empannelled and sworn according to law, after hearing the evidence introduced by the Plaintiff and Charge of the Court retired to Consider of their verdict, and returned into Court the following verdict, written upon the Note for One thousand Dollars, to wit: "We the Jury find for the Plaintiff the sum of One Thousand and Twenty Dollars, S. H. Goodrich Foreman" And upon the obligation or letter pinnissing to pay Fifty Dollars the following verdict, to wit: "We the Jury find a verdict for the Plaintiff for the sum of Fifty Three Dollars on the within Note. S. H. Goodrich, Foreman"

It is therefore ordered, adjudged and decreed by the Court, that the Plaintiff, William A. Canalstyne, do have and recover of and from the Defendant Jefferson Weatherford as Principal and the Defendant, John M. Thomas as endorser the sum of One Thousand and Twenty Dollars, the Principal and interest on said Note up to this date with interest thereon at the rate of twelve per Centum per annum from this date until paid. And the further sum of Fifty Three Dollars, with interest thereon from this date until paid at the rate of Eight per Cent. per Annum, together with all Costs of this suit for which Execution may issue.

1297. W. S. Harvey vs. W. Davenport, A. C. Raymond, Lucinda Raymond } Plaintiff / Defendants } And now on this day Came the Plaintiff by Attorneys, and the Defendants A. C. Raymond and Lucinda Raymond by Attorney, and the said Davenport made default, and it appearing to the Court that full and legal Service had been had on the said Davenport, and that he has failed to answer within the time required by Law, but has wholly made default

is is ordered that a Writ of Inquiry be awarded as to the said Davenport. The remaining Defendants having announced themselves ready for trial and the Plaintiff having done the same as to all the said Defendants Came a Jury of twelve good and lawful men, to wit John M. Swisher and eleven others, who being duly empannelled and sworn according to Law, and having heard the pleadings read, the evidence, the Arguments of Counsel and the Charge of the Court, retired to Consider of their verdict and thereupon returned into Court the following verdict, to wit, "We the Jury find for the Plaintiff in the Sum of two hundred & fifteen 29/100 Dollars. We also find that the Note was given in payment for out Lot No. 7 in Division "O" and that A C & Lucinda Raymond had notice of the same at the time of their purchase Dec. 31/57 Jno. M. Swisher Foreman." Whereupon it appearing to the Court that the allegations in the Plaintiffs Petition are true, It is ordered, adjudged and decreed by the Court that the said Plaintiff do have and recover of the said Davenport the Sum of Two Hundred and Fifteen Dollars and Twenty Nine Cents ($215.29) with interest on the same at eight per Centum from the rendition of this judgment to the time of its satisfaction. It is further ordered, adjudged and decreed that the Certain parcel of Land in said County of Travis known in the plan of the City of Austin as out Lot No 7, in Division "O" be sold by the Sheriff in accordance with Law, and that the proceeds of said sale be first applied to the settlement of this judgment, and the remaining proceeds of said sale be paid over to the said ~~Raymond~~ Raymond and his wife Lucinda, and in case the proceeds of said sale, should not be sufficient to pay said judgment, it is ordered that Execution issue against the said Davenport for the balance, It is further ordered that the Plaintiff have and recover of all the Defendants all costs in this behalf expended for which Execution may issue.

↓ 1280	O J Cook & Benjm Payne et. als	} Plaintiff } Defendants	}	It is ordered by the Court that the defendants have leave to amend their pleadings.
↓ 1286	A. J. Compton & Wilson Stagecompany	} Plaintiff } Defendants	}	It is ordered by the Court that this cause be continued on the affidavit of the Plaintiff
↓ 1287	James McDonald & Fellman	} Plaintiff } Defendant	}	And now on this day came the parties to this cause by their Attorneys, and announced themselves ready for trial, the plaintiffs motion to dismiss the cathcart being overruled by the Court. Whereupon came a Jury of twelve good and lawful

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men of Davis County, Iowa. S W Goodrich, Foreman and eleven Others who being duly Sworn, elected, empannelled and Sworn, heard The evidence and The charge of The Court, and also The argument of Counsel and having retired brought into Court The following verdict Viz: " We, The Jury, find for The plaintiff McDonald for The sum of Twenty- " Seven Dollars. S W Goodrich, Foreman." Whereupon, It is ordered by The Court that The plaintiff, James McDonald recover off and from The defendant, D Hellman The sum of Twenty Seven Dollars, together with all cost in This cause and The Attorneys Court incurred for all which executions may issue. It is further Ordered by The Court that the said McDonald recover also of The securities on said defendants Certiorari Bond, Vint E. Bernard and Wm M. Fowler The said sum of Twenty Seven Dollars and costs aforesaid, and that execution issue against said defendant and securities for said Twenty Seven Dollars and costs; and that McDonald pay The costs of The Court below, for which execution may issue.

1004 — P. N. Hutchins, Adm'r } Plaintiffs } And now on this day came
vs } } The plaintiff and the Garnishee George L Walton, in
Griffin Defts & Walton, Gar. } Deft & Gar: } This cause and The parties submitted to The Court The answer of the said Garnishee. Whereupon It is ordered by The Court that the said plaintiff recover nothing against said Garnishee, and that he go hence and be discharged and recover of said plaintiff The costs of said Garnishment, which may be certified to the Probate Court of Davis County as an established and liquidated claim against the estate of Joseph H Hampton Deceased.

1289 — L. N Luckett et al. Exrs } Plaintiffs } It is Ordered by The Court
vs } } that the plaintiffs have
Joseph H Robertson } Defendant } leave to amend their
pleadings. And thereupon the said Cause is continued on motion of The said plaintiffs.

1296 — B. Grimsley & Wife } Plaintiffs } And now come the parties
vs } } To this Cause by Their attorneys,
S G Sneed } Defendant } and Thereupon by consent of said parties The defendant files an amended answer.

1298 — F. S. Roy } Plaintiff } And now on this day came
v. } } The parties to this Cause by
J W Hanks, et al } Defendants } Their attorneys, and on motion said cause dismissed from The docket at plaintiffs costs. Whereupon It is Ordered by The Court that the defendants recover off and from The plaintiffs F S Roy and his securities Wm O'Connell and John Brown all costs of this suit for which execution may issue.

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1308 Louisa Kock vs Adolph Trontman et al } Plaintiff / Defendants } And now on this day comes the Plaintiff by her attorney, and on motion of said Plaintiffs attorney It is ordered by the Court that this cause be dismissed from the docket and that the said Plaintiff be adjudged to pay all the costs of this suit, for which execution may issue.

1306 S McSwinson vs W P deNormandie and F T Duffau } Plaintiff / Defendants } And now on this day comes the plaintiff by his attorney, and the defendant de Normandie, who withdraws his answer heretofore filed in this cause and says nothing in bar or preclusion of plaintiffs demand. And said plaintiff moves the Court to render Judgment final by default against the said defendants. And thereupon it appearing to the satisfaction of the Court that due and legal service has been had in this cause and the defendant Duffau has wholly made default, and the said deNormandie having withdrawn his answer as aforesaid, and plaintiffs demand being liquidated It is therefore ordered by the Court that the said plaintiff S McSwenson, do have and recover of the defendants Thomas F Duffau and William P deNormandie, the sum of Eight Hundred and Fifty Nine 95/100 Dollars principal debt and interest due on the note sued on to date, with legal interest thereon until paid, and all costs of this suit, for all which execution may issue.

1311 E K Pike vs I M Ardry et al } Plaintiff / Defendants } It is ordered by the Court that the defendants have leave to amend their pleadings.

1319 Susan M. Coors vs Augustus Coors } Plaintiff / Defendant } On this day came the plaintiff by attorney and the defendant by his attorney, and announced themselves ready for trial. Thereupon came a Jury of twelve good and lawful men of Travis County, to-wit: John McSwithen and seven others who being duly elected empanelled and sworn and charged well and truly to try the issues joined between the parties. And having heard the evidence, the argument of counsel and the charge of the Court retired to consider of their verdict, and having considered the evidence under the charge of the Court, returned into Court the following verdict, to-wit: "We the Jury, find the defendant guilty of such excesses and treatment, and outrages towards the plaintiff as to render further connection between them insupportable. We also find the defendant to be guilty of adultery. Dec 31st 1857 John McSwithen Foreman." It is therefore considered, ordered, adjudged and decreed by the Court, that the bonds of matrimony heretofore

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existing between the plaintiffs, Susan M. Coors and Augustus Coors, be and the same are hereby dissolved and held for naught. And it is further ordered that the plaintiff have and recover of the defendant all her costs for which execution may issue.

1334	P. H. Humphries et al vs Sherman Case et al	Plaintiffs / Defendants	This order by the Court that the plaintiffs have leave to amend.
1353	Alphaud Blankenship vs David C. Heffington	Plaintiffs / Defendant	In this case this day appeared the plaintiffs by their attorneys. And it appearing to the Court that at a former day of the present term of this Court a judgment by default for the want of an answer had been rendered and a writ of inquiry awarded. And the said plaintiffs announced themselves ready for trial. Whereupon came a jury of twelve good and lawful men of Travis County, to wit: John M. Smith and eleven others who being duly tried, elected, empannelled and sworn heard the evidence introduced by the plaintiffs and the charge of the Court, and having retired returned into Court the following verdict, to wit: "We, the jury, find for the plaintiffs the sum of One Hundred and Twenty-five 16/100 dollars. Dec. 31/57. John M. Smith, Foreman." Whereupon It is ordered adjudged and decreed by the Court that the said plaintiffs, A. D. Alphaud and John J. Blankenship, under their firm name of Alphaud and Blankenship, do have and recover of and from the said defendant David C. Heffington the sum of One Hundred and Twenty-Five 16/100 Dollars, found due by the jury aforesaid, and all costs in this behalf incurred, for which execution may issue.
1357	Martin W. Townsend vs Charles Payne	Plaintiff / Defendant	In this cause on this day appeared the plaintiffs by their attorneys. And it appearing to the Court that at a former day of the present Term of this Court a judgment by default for the want of an answer had been rendered and a writ of inquiry awarded. And thereupon the said plaintiff announced himself ready for trial. Whereupon came a jury of twelve good and lawful men of Travis County to wit: S. W. Goodrich foreman, and eleven others who being duly elected, tried, empannelled and sworn heard the testimony introduced by said plaintiff and the charge of the Court, and said jury thereupon having retired returned into Court the following verdict, to wit: "We, the jury, find for the plaintiff the sum of Two Hundred and Sixty-Two and 7/100 dollars. S. W. Goodrich, Foreman."

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Whereupon, It is ordered, adjudged and decreed by the Court that said plaintiff Martin W. Townsend do have and recover of and from the defendant Charles Payne, said sum of Two Hundred and Sixty Two 70/100 dollars and all costs of this suit for which execution may issue.

1371 John H. Conner } Plaintiff
R. N. Tyner } Defendant
} And now on this day came the plaintiff by attorney, and on motion of said plaintiff the order awarding writ of inquiry entered at a former day of the present term be set aside and held for naught. And thereupon said plaintiff's attorney moves the Court to render a judgment final by default. And the Court being satisfied that defendant has heretofore been duly cited and has wholly failed to answer; and that plaintiff's cause of action is liquidated, It is therefore ordered, adjudged and decreed by the Court that the said plaintiff John H. Conner, do have and recover of and from the defendant R. N. Tyner the sum of Thirteen Hundred and Ninety-Nine 33/100 Dollars, principal debt and interest thereon the note mentioned on to date with legal interest thereon until paid and all costs in this behalf expended for all which execution may issue.

1383 Andrew Weston } Plaintiff
vs. } Defendant
George W. Glascock } It is ordered by the Court that the plaintiff in this cause have leave to amend his pleadings.

1386 John T. Graves } Plaintiff
vs. } Defendant
A. B. McGill } And now on this day appears the plaintiff by their attorneys, And it appearing to the Court that at a former day of the present term hereof, a Judgment by default for the want of an answer had been rendered and a writ of inquiry awarded; and the said plaintiff now coming and announcing himself ready for trial, thereupon came a jury of twelve good and lawful men of Davis County, to wit; John M. Smoker, Foreman and eleven others, who being duly tried, empannelled and sworn, heard the testimony introduced by the plaintiff and the charge of the Court, and having retired returned into Court the following verdict, to wit: "We, the jury, find for the plaintiff the sum of Six Hundred Twenty-eight 44/100 dolls. Dec 31/57. John M. Smoker, Foreman." Whereupon It is ordered, adjudged and decreed by the Court that said plaintiff John T. Graves, do have and recover of and from the defendant A. B. McGill the said sum of Six Hundred and Twenty Eight 44/100 Dollars, with interest thereon from the date of rendition of this Judgment until its final satisfaction at the rate of ten per centum per annum, and all costs in this behalf expended, for all which execution may issue.

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1107 Joseph A Sprague v P Lambert — Plaintiff / Defendant — It is ordered by the Court that the defendant have leave to amend his answer

1153 A. O Ford v Geo and John Hancock — Plaintiff / Defendants — It is ordered by the Court that the defendant George Hancock have leave to amend.

398 The State of Texas v Thomas J. Moore — Plaintiff / Defendant — In this cause this day came the District Attorney, George W Jones, who prosecutes for the State in this behalf; and the said defendant Thomas J Moore, being three times solemnly called came not, but made default; and it appearing to the Court that the said defendant Thomas J Moore as principal, and A. B Burleson and John Van Hagen as his securities, had executed their joint and several bond payable unto The State of Texas in the sum of One Hundred Dollars, dated the 29th day of December, A.D. 1854, conditioned that the said defendant Thomas J Moore make his personal appearance at the District Court of said County of Travis to be begun and holden at the Courthouse of said County in the City of Austin on the 3d Monday after the first Monday in March, A.D. 1855, to answer the indictment preferred against him by the Grand Jurors of Travis County at the Spring Term, A.D. 1854, of said District Court, for Exhibiting a Gaming Bank called "A.B.C." and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, and the said defendant Thomas J. Moore being three times solemnly called, and required to answer said charge came not but wholly made default, and the said securities also being again three times solemnly called and required to bring with them into Court the body of said defendant Thomas J. Moore to answer said charge, which they wholly failed to do, It is therefore considered and adjudged and decreed by the Court that the said bond of the said defendant Thomas J. Moore and the said A. B. Burleson, and the said John Van Hagen be and the same is hereby forfeited, and that the State of Texas do have and recover of and from them jointly and severally the sum of One Hundred Dollars, the amount of said Bond, and that Scire Facias do issue to each of them severally, returnable to the next Term of this Court, commanding them then and there to show cause, if any they can, why the judgment should not be made final against them as aforesaid.

Fall Term, Thursday December 31st 1857

399 The State of Texas } Plaintiff } In this cause this day comes the District
vs Attorney George W. Jones, who prosecutes
Thomas J Moore. } Defendant } for the State in this behalf, and also
comes S J Swenson Esq, an attorney of this Court, and asks permission
to appear for the defendant, which is refused by the Court. And the said de-
fendant Thomas J. Moore, being three times solemnly called, came not,
but made default. And it appearing to the Court that the said defendant
Thomas J Moore, as principal, and A B Burleson and John Van Hagan
his securities, had executed their joint and several bonds payable unto
The State of Texas in the sum of One Hundred Dollars, dated the 29th day
of December, A. D. 1854, conditioned that the said defendant Thomas J.
Moore, make his personal appearance at the District Court of said County of
Travis to be begun and holden at the Courthouse of said county in the City
of Austin on the eighth Monday after the first Monday in March, 1855,
to answer the indictment preferred against him by the Grand Jurors of
Travis County at the Spring Term 1854, of said District Court, for ex-
hibiting a Gaming Bank called "A B C." and there remain from day to
day and from term to term of said Court and that he do not depart
thence without leave of said Court; and the said defendant Thomas
J. Moore, being three times solemnly called and required to answer
said charge, came not, but wholly made default; and the said
securities also being again three times solemnly called and required
to bring with them into Court the body of said defendant Thomas J.
Moore to answer said charge, which they altogether failed to do. It is
therefore considered, ordered adjudged and decreed by the Court,
that the said Bond of the said defendant Thomas J. Moore and
the said A B Burleson and the said John Van Hagan be and the
same is hereby forfeited, and that the State of Texas do have and re-
cover of and from them jointly and severally the sum of One Hundred
Dollars, the amount of said Bond, and that Writs Issue to each
of them severally, returnable to the next Term of this Court, commanding
them then and there to show cause, if any they can, why this judg-
ment should not be made final against them as aforesaid.

398 The State of Texas } Plaintiff } In this cause this day came the District
vs Attorney George W. Jones, who prose-
Gray Clements } Defendant } cutes for the State in this behalf,
and the said defendant Gray Clements being three times solemnly
called, came not but made default, and it appearing to the Court
that the said defendant Gray Clements as principal, and Augustus
Fore and Jas S. Payne as his securities, had entered into recognizance
in open Court, in the sum of One Hundred Dollars, on the 31st day of July,
1856, conditioned that the said defendant Gray Clements make his
personal appearance at the Dist'd Court of said County of Travis, there in

Fall Term, Thursday, December 31st 1857.

sefendant to answer the indictment preferred against him by the Grand Jurors of Travis County at the Spring Term A.D. 1855 of said District Court, for Exhibiting Monte and there remain from day to day and from Term to Term of said Court, and that he do not depart thence without leave of said Court; and the said defendant Gray Clements being three times solemnly called and required to answer said charge, came not, but wholly made default; and the said securities also being again three times solemnly called and required to bring with them into Court the body of said defendant Gray Clements, to answer said charge, which they wholly failed to do. It is therefore considered, ordered, adjudged and decreed by the Court that the said Recognizance of the said defendant Gray Clements and the said Augustus Howard and the said Jas. S. Payne be and the same is hereby forfeited, and that the State of Texas do have and recover of and from them jointly and severally, the sum of One Hundred dollars, the amount of said Recognizance, and that Scire Facias do issue to each of them severally, returnable to the next Term of this Court, commanding them then and there to shew cause, if any they can, why this Judgment should not be made final against them as aforesaid.

601 The State of Texas vs. Burwell J. Lewis } Plaintiff / Defendant } In this cause this day came the District Attorney Geo. W. Jones, who prosecutes for the State in this behalf; and the said defendant Burwell J. Lewis being three times solemnly called came not but made default, and it appearing to the Court that the said defendant Burwell J. Lewis as principal, and R. A. Blankenship and William R. Johnson as his securities, had entered into Recognizance in open Court in the sum of One Hundred Dollars, on the 16th day of December A.D. 1856, conditioned that the said defendant Burwell J. Lewis make his personal appearance at the District Court of said County of Travis, to be began and holden at the Court House of said County in the City of Austin on the seventh Monday after the first Monday in April, A.D. 1857 to answer the indictment preferred against him by the Grand Jurors of Travis County at the Spring Term 1855, of said District Court, for playing at a game with cards called Draw Poker for money in a house for retailing spirituous liquors, and there remain from day to day, and from Term to Term of said Court, and that he do not depart thence without leave of said Court; and the said defendant Burwell J. Lewis being

Fall Term, Thursday, December 31st 1855.

Three times solemnly called and required to answer said charge came not, but wholly made default, and the said securities also being again three times solemnly called and required to bring with them into Court the body of said defendant Burrell J Lewis to answer said charge, which they wholly failed to do, It is therefore considered, ordered, adjudged and decreed by the Court that the said Recognizance of the said defendant Burrell J Lewis and the said A A. Blanchship and the said William R Johnson be and the same is hereby forfeited, and that the State of Texas do have and recover of and from them jointly and severally, the sum of One Hundred Dollars the amount of said Recognizance, and that Scire Facias do issue to each of them severally returnable to the next Term of this Court, commanding them then and there to shew cause, if any they can, why this judgment should not be made final against them as aforesaid.

639 The State of Texas vs John Christian, et als } Plaintiff / Defendant } In this cause this day came the District Attorney, George W. Jones, who prosecutes for the State in this behalf and the said defendant John Christian being three times solemnly called, came not but wholly made default, and it appearing to the Court that the said defendant John Christian, as principal, and Wm O'Connell and Wm M. Walton as his securities, had executed their joint and several bonds payable unto the State of Texas in the sum of One Hundred Dollars, dated the Thirtieth day of October, A. D. 1855, conditioned that the said defendant John Christian make his personal appearance at the District Court of said County of Travis to be begun and holden at the Courthouse of said county in the City of Austin on the Second Monday after the first Monday in October, A. D. 1856, to answer the indictment preferred against him by the Grand Jurors of Travis County at the Fall Term A. D. 1855 of said District Court, for playing cards for money in a house for retailing spirituous liquors, and then remain from day to day and from Term to Term of said Court, and that he do not depart thence without leave of said Court; and the said defendant John M. Christian being three times solemnly called and required to answer said charge, came not but wholly made default; and the said securities also being again three times solemnly called and required to bring with them in to Court the body of said defendant John Christian to answer said charge, which they wholly failed to do. It is therefore considered, ordered, adjudged and decreed by the Court, that the said bond of the said defendant John Christian, and the said Wm O'Connell and the said Wm M.

Fall Term, Thursday, December 31, 1857.

Watson, be and the same is hereby forfeited, and that the State of Texas do have and recover of and from them jointly and severally, the sum of One hundred Dollars, the amount of said bond, and that Scire Facias do issue to each of them severally, returnable to the next Term of this Court, commanding them then and there to shew cause, if any they can, why this judgment should not be made final against them as aforesaid.

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The State of Texas vs James Burdett } Plaintiff / Defendant } In this Cause this day came the District Attorney, George W. Jones who prosecutes for the State in this behalf, and the said defendant James Burdett being three times solemnly called came not but made default, and it appearing to the Court that the said defendant James Burdett as principal, and David Williams as his security, had executed their joint and several bond payable unto The State of Texas in the sum of One Hundred Dollars, dated the Fifth day of March, A.D. 1857, conditioned that the said defendant James Burdett make his personal appearance at the District Court of said County of Travis to be begun and holden at the Courthouse of said County in the City of Austin on the Seventh Monday after the first Monday in April, A.D. 1857, to answer the indictment preferred against him the said by the Grand Jurors of Travis County at the Fall Term A.D. 1855, of said District Court, for the Assault and Battery, and there remain from day to day and from Term to Term of said Court, and that he do not depart thence without leave of said Court, and the said defendant James Burdett being three times solemnly called and required to answer said charge, came not, but wholly made default; and the said security also being again three times solemnly called and required to bring with him into Court the body of said defendant James Burdett to answer said charge, which he wholly failed to do. It is therefore considered, ordered, adjudged and decreed by the Court, that the said Bond of the said defendant James Burdett and the said David Williams be and the same is hereby forfeited, and that the State of Texas do have and recover of and from them jointly and severally, the sum of One Hundred Dollars the amount of said Bond, and that Scire Facias do issue to each of them severally, returnable to the next Term of this Court, commanding them then and there to shew cause, if any they can, why this Judgment should not be made final against them as aforesaid.

Fall Term, Thursday, December 31st, 1857.

781 The State of Texas vs Robinson, Pack & Travis Cathorn } Plaintiff / Defendants } In this cause this day came the District Attorney, George W Jones who prosecutes for the State in this behalf, and the said defendant Charles E Travis being three times solemnly called came not, but made default, and it appearing to the Court that the said defendant Charles E Travis had entered into Recognizance in open Court, in the sum of One Hundred Dollars, on the Fifth day of December A D 1856, conditioned that the said defendant Charles E Travis make his personal appearance at the District Court of said County of Travis then in session, to answer the indictment preferred against him, jointly with the above named defendants, by the Grand Jurors of Travis County, at the Fall Term A D 1856 of said District Court, for Betting at a certain unlawful game called Poolat Ten Pins and then remain from day to day and from Term to Term of said Court, and that he do not depart thence without leave of said Court, and the said defendant Charles E Travis being three times solemnly called and required to answer said charge, came not, but wholly made default, It is therefore considered, ordered adjudged and decreed by the Court, that the said Recognizance of the said defendant Charles E Travis be and the same is hereby forfeited, and that the State of Texas do have and recover of and from him the sum of One Hundred Dollars, the amount of said Recognizance, and that Scire Facias do issue to him returnable to the next term of this Court, commanding him then and there to shew cause, if any he can, why this Judgment should not be made final against him as aforesaid.

And thereupon It is ordered by the Court that Court do now adjourn until Saturday morning at nine o'clock January 2nd 1858

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Saturday, January 2nd 1858.

Court convened at nine o'clock, A M pursuant to adjournment. Present the Honorable A M Jewell, Judge, Frank Brown Clerk and Adolphus G Wren, Sheriff of Travis County. Whereupon the following proceedings were had by said Court, as follows, to wit.

1124 Boudin & Mills vs A O McCallum } Plaintiffs / Defendant } And now on this day came the parties in this cause by their attorneys. And thereupon, the said plaintiffs submit to the Court their motion for a new trial, which being argued by counsel, the same is overruled by the Court.

1109 L Fellman vs Nonks Admr. } Plaintiff / Defendant. } And now on this day came the parties to this cause by their attorneys, and the motion to reinstate the same on

Fall Term, 1857. - Saturday, January 2d 1858.

The docket being submitted, the said motion is sustained by the Court and the motion to dismiss is overruled

1293 — I. P. Cassidy vs Samuels & Mebane — Plaintiff / Defendants — Came non on this day came the plaintiff and defendants by their respective attorneys and the defendants motion to reinstate this cause on the docket which on a former day of the present term had been dismissed, being submitted and argued by counsel, It is ordered by the Court that said motion be sustained and that the motion to dismiss the certiorari be overruled.

1244 — The State of Texas vs John S. Ford, et als. — Plaintiff / Defendants — It is ordered by the Court that the Judgment final by default rendered in this cause at a former day of the present term be set aside and held for naught as to the principal, but that said defendants, to wit John S Ford, Edward R. Peck and William M. Walton pay the costs of this suit, for which executions may issue.

1104 — W. A. Hamilton vs George L. Watkins — Plaintiff / Defendant — And now come the parties to this cause by attorney; and defendants motion thereupon coming on to be heard and argued the same is overruled by the Court.

812 — The State of Texas vs Heffington & Randolph — Plaintiff / Defendants — It is ordered by the Court that the motions for a new trial and in arrest of judgment filed by the defendants in this cause be overruled.

849 — The State of Texas vs James Burdett — Plaintiff / Defendant — It is ordered by the Court that defts. motion for a new trial in this cause be overruled.

867 — The State of Texas vs James Burdett — Plaintiff / Defendant — It is ordered by the Court that defendants motion for a new trial in this cause be overruled

868 — The State of Texas vs James Burdett — Plaintiff / Defendant — It is ordered by the Court that defendants motion for a new trial in this cause be overruled.

And thereupon Court adjourned until Monday January 4th 1858-4 o'clock.

Fall Term, 1857 - Monday, January 4th 1858.

Monday, January 4th 1858.

Court Convened at 9 o'clock, A.M. pursuant to adjournment. Present The Honorable John Gregg, Judge of the Thirteenth Judicial District of the State of Texas; Francis Brown, Clerk of the District Court of Travis County, and Adolphus J. Mace, Sheriff of Travis County

1222	Benj. Grumbles Jarpe vs John D. Grumbles, et al	Plaintiffs / Defendants	It is ordered by the Court that this cause be continued.	
1259.	Edward Grumbles vs W S Oldham	Plaintiff / Defendant	It is ordered by the Court that this cause be continued.	
1603	Robert C Mills vs Albert Rust	Plaintiff / Defendant	And now come the parties to this cause by their attorneys and thereupon the motions of Plaintiff for a new trial being submitted the same is overruled by the Court.	
1626	F Dieterich vs H G. Blakey	Plaintiff / Defendant	George W. Glascock Garnishee.	

And now on this day came the plaintiff and the Garnishee by their attorneys, and the answer of the Garnishee and motion of plaintiff with reference to said answer were read and submitted to the Court. And thereupon on motion of said Garnishee by his said Attorneys, It is ordered that he have leave to amend his said answer, to which the said plaintiff's attorneys except. And thereupon said Garnishee having amended, It is ordered by the Court that the said Francis Dieterich do have and recover of and from the said Garnishee, George W Glascock the sum of Twenty Dollars and Nine Cts for which execution may issue. It is ordered that the costs of this Garnishment be deducted from said sum, to which said plaintiff excepts

Rec'd of Glascock $20.09 this 2d Feb. 1858 Brown Clk

1066	George Hancock vs U. St. Lowry	Plaintiff / Defendant	And now come these parties by their attorneys, and thereupon on motion of said parties It is Ordered by the Court that this cause be dismissed from the docket, and that the said plaintiff recover of the defendant U. St. Lowry all his costs in and about this suit expended, for which execution may issue.	

Fall Term, 1857. Monday, January 4th 1858.

1070 — James Sims, Plaintiff / W. C. & Thos Walker, Defendants — And now comes the plaintiff by his attorneys, and on motion, It is ordered by the Court that this cause be dismissed from the docket, and that the said plaintiff pay all costs of this suit, for which execution may issue.

1088 — Lowry & Cope vs Peter B. Lowe — Plaintiffs / Defendant — And now on this day appeared the parties to this cause by their attorneys, and said parties agree that this cause shall be tried at the present Term of this Court before E. B. Turner, Esq. as Special Judge.

1099 — George Hanneck vs James P. Cope — Plaintiff / Defendant — On this day came to Court these parties by their respective attorneys, and on motion and by agreement of said parties It is ordered by the Court that this cause be dismissed from the docket, and that defendant recover of the plaintiff all costs in this behalf incurred for which execution may issue.

1113 — L. Mok vs Josiah Fisk — Plaintiff / Defendant — And on this day the above entitled cause having been called and come up for trial, the respective parties by their attorneys announced themselves ready for trial, and the defendant having withdrawn his answer and both parties waiving a jury submitted the cause to the Court. And the Court having heard the testimony in the cause, give judgment for the plaintiff for the amount and interest claimed in his petition in the cause on the notes sued upon. It is therefore ordered, adjudged and decreed by the Court that the plaintiff L. Mok, do have and recover of the defendant Josiah Fisk, the sum of Four Hundred and Sixty-Nine Dollars, being the principal sum and interest due on the said notes to this date, with all the costs in this behalf expended, for which execution may issue.

1156 — R. M. Johnson & Co vs Josiah Fisk — Plaintiffs / Defendant — And now on this day came the plaintiffs and defendant by their attorneys - the defendant coming also in person and announced themselves ready for the trial of this cause, and waiving a jury submit the cause to the Court. And thereupon the said defendant having withdrawn his answer heretofore filed, and saying nothing in bar of plaintiffs demands, which is liquidated, It is therefore ordered, adjudged and decreed by the Court that the said plaintiffs, R. M. Johnson,

Fall Term, 1857. Monday, January 4th 1858.

John G. Gordon and Robert M. Wilcox under their firm name of R. M. Johnson & Co. do have and recover off and from the said Defendant Jonah Fisk, the sum of Two Hundred and Forty-Five 56/100 Dollars principal debt and interest due on the note sued on to this date with ten per centum interest thereon until paid, and all costs in this behalf incurred, for which execution may issue.

1157 Hugh Carter vs A. H. Cook } Plaintiff / Defendant } And now on this day came the parties to this cause by their attorneys and announced themselves ready for trial. And the defendant thereupon withdraws his answer heretofore filed, and says nothing in bar of plaintiffs' demands. And the parties waived a Jury and submitted the cause to the Court. And it appearing to the Court that the plaintiff is entitled to recover according to the prayer of his petition, It is therefore, ordered, adjudged and decreed by the Court that the said plaintiff, Hugh Carter have and recover of the defendant A. H. Cook, the sum of Five Hundred and Twenty-Seven Dollars and Forty Three Cents, the amount of principal debt and interest due on the note sued on in this case up to the date of the rendition of this Judgment, with interest thereon at the rate of ten per centum per annum from the date of the rendition of this Judgment until its final satisfaction aswell as all costs herein incurred, for all which execution may issue.

And thereupon Court adjourned until to morrow Morning at nine o'clock

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Tuesday, January 5th 1858.

Court convened at 9 o'clock A.M., pursuant to adjournment Present the Honorable John Gregg Judge of the Thirtieth Judicial District of the State of Texas presiding, Frank Brown clerk and Adolphus G. Mann, Sheriff of Bell County. Whereupon the following proceedings were had by said Court as follows, To wit

1159 Enoch Ardray vs Samson B. Collins } Plaintiff / Defendant } And now on this day comes the plaintiff by attorney and claims a Judgment [illegible] by default. And it appearing to the Court that said defendant has [illegible]dly and legally cited and has wholly failed to answer within the Time prescribed by law and it further appearing that plaintiffs cause of action is liquidated, It is therefore ordered adjudged and decreed by the Court that the said pff

June Term, 1857, Tuesday, January 5th 1858.

Enoch Adway, recd 66 and 6 from the defendant Lanson B. Cobbs, the sum of Six Hundred and Fifty-Two 8/100 Dollars principal debt and interest due on the note sued on to date with eight per centum interest thereon until paid and all costs of this suit, for which execution may issue.

John Oatman vs George Hancock } Plaintiff / Defendant } And now on this day appeared the plaintiff and defendant in this cause by their attorneys. And thereupon the defendant withdraws his answers heretofore filed, and says nothing in defence. Whereupon, It is ordered, adjudged and decreed by the Court that the said plaintiff, John Oatman recover of the defendant, George Hancock, the sum of Four Hundred and Thirty 50/100 Dollars said sum being the principal debt and interest due on the note sued on in this case up to the date of the rendition of this Judgment with legal interest thereon until the same is paid, together with all costs in this behalf incurred, for which execution may issue. It is ordered that no execution shall issue on this Judgment until the expiration of twelve months

Pleasant Oatman vs George Hancock } Plaintiff / Defendant } And now on this day appeared the plaintiff and the defendant by their attorneys. And the said defendant thereupon withdraws his answers heretofore filed in this cause, and says nothing in bar of plaintiffs demands. Whereupon, It is ordered, adjudged and decreed by the Court, that the said plaintiff, Pleasant Oatman, do have and recover off and from the defendant George Hancock, the sum of One Hundred and Twenty-Three 41/100 Dollars, principal debt and interest due on the note sued on in this case up to the date of the rendition of this Judgment, with legal interest thereon until paid and all costs in this behalf incurred, for all which execution may issue. It is further ordered by the Court that no execution shall issue on this judgment until the expiration of twelve months.

John W. Banton vs George Hancock } Plaintiff / Defendant } And now on this day appeared in open Court the plaintiff and defendant in this cause by their attorneys. And thereupon the defendant, by his said attorneys withdraws his answers heretofore filed, and says nothing in bar of the plaintiffs demand. Whereupon, It is ordered, adjudged and decreed by the Court that the said plaintiff, John W. Banton, do have

and recover of the said defendant, George Hancock, the sum of One Thousand Three Hundred and Sixteen 9/100 Dollars, said sum being the amount of principal debt and interest due on the note sued on in this case up to the date of the rendition of this Judgment, with legal interest thereon until paid, together with all costs in this behalf incurred, for all which execution may issue. It is further ordered by the Court that no executions shall issue on this judgment until the expiration of twelve months.

William Calvan vs George Hancock | Plaintiff Defendant | And now on this day appeared in open Court the plaintiff and defendant by their attorneys. And thereupon the said defendant, by his attorneys, withdraws his answers heretofore filed in this cause and says nothing in bar or preclusion of plaintiffs demands. Whereupon, It is ordered, adjudged and decreed by the Court that the said plaintiff, William Calvan, do have and recover of and from the defendant, George Hancock, the sum of One Hundred and Eighty-Four 51/100 Dollars, principal debt and interest due on the note sued on in this case up to the date of the rendition of this Judgment, with legal interest thereon until paid, together with all costs in this behalf incurred, for all which execution may issue. It is further ordered that no execution shall issue on this Judgment until the expiration of twelve months.

Dosha Bunton vs George Hancock | Plaintiff Defendant | And now on this day appeared in open Court the plaintiff and defendant in this cause by their attorneys. And thereupon the said defendant, by his attorneys, withdraws his answers heretofore filed, and says nothing in bar or preclusion of the plaintiffs demands. Whereupon, It is ordered, adjudged and decreed by the Court, That the said plaintiff, Dosha Bunton do have and recover of and from the defendant, George Hancock, the sum of Three Hundred and Sixty-Nine Dollars, principal debt and interest due on the note sued on in this case up to the date of the rendition of this Judgment, with legal interest thereon until paid and all costs in this behalf incurred, for all which execution may issue. It is further ordered by the Court that no execution shall issue on this Judgment for the space of twelve months.

Paul Dubs vs George Hancock | Plaintiff Defendant | And now on this day appeared in open Court the plaintiff and defendant in this cause by their attorneys. And thereupon the said defendant by his attorneys withdraws his answers heretofore filed, and says nothing in bar or preclusion of

Fall Term, 1857. Wednesday, January 5th, 1858.

The plaintiffs demand. Whereupon, It is ordered, adjudged and decreed by the Court, that the said plaintiff, Paul Deats, do have and recover off and from the defendant, George Hancock, The sum of Two Hundred and Forty Six Dollars, principal debt and interest due on the note sued on in this case up to the date of the rendition of this Judgment with legal interest thereon at the rate of eight per centum per annum from date, until paid, and all costs in this behalf incurred, for all of which execution may issue. It is further ordered, that no execution shall issue on this Judgment until the expiration of twelve month.

Seth Maby vs George Hancock	Plaintiff / Defendant	And now on this day came into Court the plaintiff and defendant in this cause by their attorneys, and thereupon the said defendant withdraws his answers heretofore filed, and says nothing in bar or preclusion of the plaintiffs demands, Whereupon, It is ordered, adjudged and decreed by the Court, that the said plaintiff, Seth Maby do have and recover off and from the defendant George Hancock, The sum of Four Hundred and One 32/100 Dollars, principal debt and interest due on the note sued on up to the date of the rendition of this Judgment, with legal interest thereon until paid, and all costs in this behalf incurred, for all which execution may issue. It is further ordered by the Court that execution shall not issue on this Judgment for the space of twelve months.
Ernst Raven vs John Killeba	Plaintiff / Defendant	And now on this day appeared the parties to this cause by their attorneys, and on motion of said parties It is ordered by the Court that the agreement filed in said cause on the 29th November, 1856 be set aside, and held for naught. And thereupon, It is further ordered that said cause be continued on affidavit of the defendant.

And thereupon Court adjourned until Tomorrow 9 o'clock, A.M.

Wednesday, January 6th, 1858.

Court convened at nine o'clock, A.M. pursuant to adjournment. Present The Honorable John Gregg, Judge of the Thirtieth Judicial District of the State of Texas; Frank Brown, Clerk, and Adolphus G. Wair, Sheriff of Travis County. Whereupon the following proceedings were had by said Court, as follows, to wit.

Lewella J. Nichols vs A.H. Cook	Plaintiff / Defendant	It is ordered by the Court that the defendant in this cause have leave to amend his answer.

Fall Term, 1857. Friday, January 8th 1858

1163 Joseph Harrell vs Swenson & De Normandie } Plaintiff / Defendants } And now at this Term came the parties to this cause by their attorneys, and announced them- selves ready for the trial of the same. Whereupon came a Jury of twelve good and lawful men of Travis county, to-wit: Robert M. Wilcox, Foreman and eleven others, who being duly tried, elected, empannelled and sworn heard the testimony introduced by the parties, the argument of counsel and the charge of the Court. Thereupon said Jury retired to consider of their verdict, and came into Court and suggested that they were unable to agree upon a verdict. Whereupon, by consent of parties It is ordered by the Court that said Jury be discharged from any further consideration of this cause, and that the same be continued.

And thereupon Court adjourned until to-morrow 9 o'clock a.m.

Thursday January 7th A.D. 1858.

Court Convened at 9 o'clock A.M. pursuant to adjourn- ment. Present the same as on yesterday. Whereupon Court adjourned until to-morrow morning at 9 o'clock

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Friday, January 8th A.D. 1858

Court Convened at 9 o'clock A.M. pursuant to adjourn- ment. Present the Hon. John Hegg Judge of the Thirteenth Judicial District of the State of Texas; Frank Brown, Clerk and Adolphus G. Wein, Sheriff of Travis County. Where- upon the following proceedings were had by said Court, as follows, to-wit:

1077 Asa Hoxey vs James May } Plaintiff / Defendant } Change of Venue to the Williamson County. Verdict and Judgment.

In this cause appeared the parties plaintiff and defend- ant by their attorneys, and announced themselves ready for trial. And thereupon came a Jury of twelve good and lawful men of Travis County, to-wit: J. Fannchell and eleven others, who being duly empannelled, tried and sworn as the law directs, after hearing the evidence intro- duced by the parties plaintiff and defendant, and charge of the Court, retired to consider of their verdict, and returned into Court the following verdict, to-wit: "We, the Jury, find for the plaintiff. J. J. Fannchell, Foreman." It is therefore ordered adjudged and decreed by the Court that the plaintiff Asa Hoxey do have and recover of

and from the defendant James May, the following described tract of land situated in the County of Williamson in the State aforesaid and bounded as follows, to wit. Situated upon the San Gabriel River, and embracing the point where the stream called "Williams's creek" empties into the said San Gabriel upon the left side thereof, and having lines, limits and landmarks as follows, to wit. Beginning at a stake erected for the South or South west corner of a tract of eleven leagues surveyed for Miguel Darella and which is situated upon the right bank of the River San Andres, from which stake S. 20° W. at 382 varas there is a Mesquite 8 inches in diameter. From this point runs a line S. 20° W. Ten Thousand, nine hundred and nine varas to a stake erected for the second corner on or near the San Gabriel and a creek called "Pecan creek." From said stake another line runs N. 70° W. Thirteen Thousand seven hundred and fifty varas to another stake erected for the third corner. From this point runs another line N. 20° E. Ten Thousand nine hundred and nine varas to the North or North-West Corner of the aforesaid tract. Thence on a line S. 70° E. and following the boundary line of said tract Thirteen Thousand seven hundred and fifty varas to the place of beginning.

It is further ordered, adjudged and decreed by the Court that the Clerk of this Court issue a writ of possession directed to the Sheriff of Williamson County, commanding him to dispossess the defendant James May, of the aforesaid tract of land, and put the plaintiff, Ata Storey in possession of said tract of land. It is further ordered by the Court that the plaintiff Ata Storey, recover of and from the defendant James May all costs of this suit in this behalf laid out and expended for which executions may issue.

1177 Ata Storey vs James May } Plaintiff / Defendant } And now on this day appeared the plaintiff and defendant in this cause by their attorneys. And thereupon the motion of defendant for a new trial being submitted the same is overruled by the Court, to which defendant excepts and gives notice in open Court, of an appeal to the Supreme Court. And thereupon Court adjourned until to-morrow 9 o'clock A.M.

John Gregg, Dist Judge &c.

Fall Term, 1857. Saturday, Painuary 9th 1858.

Saturday, Painuary 9th 1858.

Court convened at nine o'clock, A.M. pursuant to adjournment. Present the Honorable A. W. Terrell Judge of the Second Judicial District of the State of Texas, Frank Brown, Clerk and A. G. Weir, Sheriff. Whereupon, the following proceedings were had by said Court, as follows, to wit:

1295	B. Grumbles et ux vs W. S. Aldham	Plaintiffs / Defendant	It is ordered by the Court that the defendant have leave to file an amended answer.
1303	North, Sherman & Co vs Mitchell & Gibson	Plaintiffs / Defendants	It is ordered by the Court that this cause be continued on the motion of the defendants
1315	John Watson vs Joseph Newsham	Plaintiff / Defendant	It is ordered by the Court that this cause be continued on motion of the defendant.
1351	Martha Mitchell vs A B McGill & W Johnson	Plaintiff / Defendant Garnishee	It is ordered by the Court that the defendant A. B. McGill, have leave to amend his pleadings.
1425	Sampson & Heanick vs John H. Conner	Plaintiffs / Defendant	It is ordered by the Court that the defendant have leave to amend.

And Thereupon Court adjourned until Monday, January 11, 1858.

Monday, January 11th 1858.

Court Convened at nine o'clock, A.M. pursuant to adjournment Present The Honorable A. W. Terrell, Judge of the Second Judicial District of the State of Texas; Frank Brown Clerk and A. G. Weir, Sheriff of Travis County. Whereupon the following proceedings were had by said Court, as follows, to wit:

1316	Almanson Hanston vs C. A. Haldeman et al admrs.	Plaintiff / Defendants	And now on this day came the parties to this cause by their attorneys, and the Plaintiff files his affidavit for a continuance of the cause which application is overruled by the Court. Whereupon said Plaintiff excepts to the said ruling of the Court, and

Fall Term, 1857. Monday, January 11th 1858.

thereupon the plaintiff, by his said attorneys, takes a non suit. Whereupon, It is ordered by the Court that this cause be dismissed from the docket, and that the plaintiff, and the securities on his cost bond, to wit. C. Dew and A. E. Baker, pay all costs in this suit laid out and expended, for which execution may issue.

1317 W. A. Morris vs W. C. Callenworth et al — Plaintiff / Defendants — On this day this cause being regularly called, appeared the defendants by their attorneys and thereupon on motion, It is ordered by the Court that the said cause be dismissed from the docket, and that the plaintiff, W. A. Morris, pay all costs of this suit, for which execution may issue

1326 P. W. Humphries, et al vs Herman Case, et al — Plaintiffs / Defendants — It is ordered that this cause be continued for service on the defendant Case.

1328. L. D. Carrington & Co vs Josiah Fisk, et al — Plaintiffs / Defendants — And now on this day appeared the plaintiffs by their attorneys, and also came the defendant Fisk in person, and withdraws his answer heretofore filed and says nothing in defence. Whereupon, on motion of the said plaintiffs' attorneys, It is ordered, adjudged and decreed by the Court that the said plaintiffs, L. D. Carrington and David Clark, under their firm name of L. D. Carrington & Co, do have and recover of and from the defendants, Josiah Fisk & Wm. Bagley the sum of Two Hundred and Thirty-Five 30/100 Dollars, amount of principal debt and interest due on the note sued on in this case up to the date of the rendition of this Judgment, with interest thereon at the rate of ten per centum per annum from date until the final satisfaction of the same, together with all costs herein incurred, for all which execution may issue.

1328 L. D. Carrington & Co vs Josiah Fisk, et al. — Plaintiffs / Defendants — And now on this day again appeared the said plaintiffs by their attorneys. And thereupon, on motion of said plaintiffs' attorneys, It is ordered by the Court, that the Judgment rendered in this cause on this day be set aside and held for naught as to the defendant William Bagley, only, he not having been served with process up to this date, but that said Judgment is ordered to be and remain in full force as to the defendant, Josiah Fisk

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1327 Francis Dietrich } Plaintiff } And now comes the Plaintiff in
vs } } the above entitled cause and announced
John King } Defendant } himself ready for trial, and it appearing
to the Court that due and legal Service had been had upon the said Defendant King, and it further appearing that the said King had wholly failed to answer within the time prescribed by law, but makes default, and it appearing that the amount due the Plaintiff is uncertain a Writ of Inquiry is awarded. And therefore the Plaintiff announced himself ready for trial and proceeded to execute a Writ of Inquiry, and a Jury of twelve good and lawful men to wit Thomas H. Jones and eleven others, being duly empannelled and Sworn according to law, and having heard the pleadings, the evidence, the argument of Counsel, and the Charge of the Court, retired to consider of their verdict, and thereupon returned into Court the following verdict, to wit, "We the Jury find for the Plaintiff in this Suit the Sum of three hundred and twenty 13/100 dollars - We also find that the bill of Exchange sued on, was transferred to Plaintiff in part payment for the real estate described in Plaintiff's petition - Tho. H. Jones Foreman"
And thereupon it appearing to the Court that the allegations in the petition are true - It is ordered by the Court that the said Plaintiff, Dietrich, do have and recover of and from the said Defendant King, the sum of Three Hundred and Twenty 13/100 Dollars with interest on the same from the rendition of this Judgment to its final satisfaction -
It is further ordered, that the Plaintiff do have and recover of the Defendant all the costs of this Suit - It is further ordered, adjudged and decreed, that the lien of the Plaintiff on the following described property, lying and being in the said County of Travis, to wit, The South half of Lot number Five, in Block number Seventy in the City of Austin, and Situated on the West Side of Congress Avenue in said City, be foreclosed and the Sheriff of said County is hereby ordered to sell said property at public sale, according to law, and apply the proceeds to the Satisfaction of this Judgment, and the balance to pay over to the said Defendant, And in case the proceeds of sale should not be sufficient to Satisfy said judgment, then an execution against the property of the said King for the balance, is awarded. - It is further ordered by agreement of parties, that the Writ of Execution and order of sale in this case be stayed for Six Months.

1329 J. W. Chandler } Plaintiff } In this case appeared the Plaintiff
vs } } by his Attorney and announced
S W Keithley } Defendant } himself ready for trial, it appear-
ing to the Court that this suit was instituted by attachment, and Garnishments served upon W. P. DeNormandie and John T. Shiller, that the

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Defendant was, and is a non resident of the State of Texas and it further appearing to the Court that on the 20th of September 1857 the Defendant by his Attorney, W. P. Mc-Cormandie Esqr. accepted service in this Suit, and it further appearing to the Court, that the Defendant has failed to appear and file his answer within the time prescribed by law but wholly made default. It is therefore adjudged and decreed by the Court that the Defendant be and he is hereby estopped and precluded from filing answer or setting up any defence in this Suit, and it further appearing to the Court that the demand sued upon is not liquidated, a Writ of inquiry is hereby ordered, and a Jury called to assess the damages and thereupon came a Jury of twelve good and lawful men of Travis County, to wit;; R. M. Wilcox and eleven others, who being duly tried, empannelled and sworn according to law, after hearing the evidence introduced by the plaintiff and the charge of the Court, returned into Court the following verdict, to wit: "We the Jury find for plaintiff, Two Hundred and Seventy one and 13/100 Dollars. R. M. Wilcox Foreman" thereupon came the plaintiff and remitted forty 55/100 Dollars of the above amount. It is therefore ordered, adjudged and decreed by the Court, that the plaintiff Frederick W. Chandler do have and recover of and from the Defendant Samuel H. Keithley, the Sum of Two Hundred and Thirty 55/100 Dollars, with interest from date until paid, with all costs of this Suit, for which execution may issue.

1338

R T Browning, Plaintiff
vs
J. G. Mathews, et al, Defendants

And now on this day came the plaintiff in this Cause by his attorneys, and dismisses this suit as to the defendant John G. Mathews. And thereupon said plaintiff announced himself ready for trial as to the defendant James H. Mathews. Whereupon came a Jury of twelve good and lawful men of Travis County, to wit: Thomas H. Jones and eleven others, who being duly tried, empannelled and sworn, heard the petition and answer read, the testimony, and the charge of the court and having retired brought into Court the following verdict, to wit: "The Jury find for the plaintiff One Hundred and Sixty-Three 58/100 dollars. Thos H. Jones, Foreman." Whereupon it is ordered adjudged and decreed by the Court, that the plaintiff R. T. Browning do have and recover of the defendant James H. Mathews said sum of One Hundred and Sixty-Three 58/100 Dollars, with legal interest thereon until paid, and all cost of this suit, for which execution may issue

Fall Term, 1857. Monday, January 19th 1858.

√ 1343 — N. H. Carr } Plaintiff / S. G. Sneed } Defendant — On This day appears The plaintiff and defendant by their attorneys, and announced Themselves ready for Trial Whereupon Came a Jury of good and lawful men of Travis County, Towit R. M. Wilcox and eleven others, who were duly Tried, Elected, empannelled and sworn according to law. And Thereupon, The parties having introduced Their evidence to the Jury, and said Jury being charged by the Court, retired, and returned into Court the following verdict, towit: "We, The Jury, find for the plaintiff One Hundred and Thirty-Four 88/100 dollars. R. M. Wilcox, Fore. Whereupon It is ordered adjudged and decreed by the Court that the said plaintiff N. H. Carr do have and recover of and from the defendant S. G. Sneed said sum of One Hundred and Thirty-Four 88/100 Dollars and all costs of this suit, for which execution may issue.

√ 1350 — L. D. Carrington & Co. } Plaintiffs / P. J. Allen } Defendant — And now on This day appeared the plaintiffs and the defendant in this cause, by their attorneys. Whereupon said defendant, by his attorneys, withdraws his answer heretofore filed, and says nothing in defence of said suit. Whereupon It is ordered adjudged and decreed by the Court that the plaintiffs, L. D. Carrington and David Clarke under their firm name of L. D. Carrington & Co, do have and recover of and from the defendant, P. J. Allen the sum of Two Hundred and Twenty-Seven 43/100 dollars principal debt and interest due on the note sued on to date, with interest thereon at the rate of ten per centum per annum until the same is paid together with all costs of this suit, for which execution may issue.

√ 1355 — Moore & Owings } Plaintiffs / James M. Alexander } Defendant — It is ordered by the Court that this cause be continued generally

√ 1356 — Moore & Owings } Plaintiffs / Jas M. Alexander } Defendant — It is ordered by the Court that this cause be continued generally.

√ 1359 — The State of Texas } Plaintiffs / Archibald Martin et al } Defendants — It is ordered by the Court that this cause be cont'd on application of defendants.

√ 1360 — David Evans } Plaintiff / S. H. Locke, Sur. } Defendant — It is ordered by the Court that this cause be continued on application of plaintiff

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1361 John H. Conner vs E Nance, et al } Plaintiff / Defendants } And now on this day came the parties to this cause by their attorneys, and on motion, It is ordered by the Court that this cause be dismissed from the docket, and that the defendants recover of the said John H. Conner, all costs of this suit, for which execution may issue.

1364 J. D. Gillespie, Admx vs J Crosby, Cmr. } Plaintiff / Defendant } On this day this cause being regularly reached on the docket, the said plaintiff was called, and came not, neither in person or by attorney, and Whereupon, It is ordered by the Court that said cause be dismissed from the docket for want of prosecution, and that the defendant recover of the said Sarah D. Gillespie, admx Sarah D Smith as administratrix all costs of this suit,

1369 D. C Osborn, Agt &c vs George L Walton et al } Plaintiff / Defendants } On this day appeared the plaintiff and the defendants by their attorneys. And defendants demurrer to plaintiffs petition being sustained the same was overruled by the Court. Whereupon said parties having announced themselves ready for trial thereupon came a Jury of good and lawful men of Travis County, to wit: R. M. Wilcox and eleven others who were duly tried, elected, empannelled and sworn. And said Jury having heard the evidence and the charge of the Court, retired to consider of their verdict, and returned into Court the following verdict, to wit: "We, the Jury find for plaintiff four hundred and fifteen & 25/100 dollars & that the mortgage was given to secure note described in petition R. M. Wilcox, Foreman." Whereupon, It is ordered, adjudged and decreed by the Court that the plaintiff D. C. Osborn, Agent, do have and recover of and from the defendants, George L Walton, William M. Walton, and Joseph Bledsoe the sum of Four hundred and fifteen 25/100 dollars, as of this said, and all costs in this behalf incurred. And it appearing to the Court that the following described land, to wit: "Twenty-two hundred and fourteen acres of land, in Burleson county, in the State of Texas, being the lower or Southern two thirds of a league of land on Davidson's creek, surveyed by virtue of Certificate No. 21, purchased by Alfred R. Guild of the Government of Coahuila and Texas, the said half league being the same which was purchased by George L. Walton at administrator's sale on the 2d of

July, 1856" was mortgaged by the said George L Walton to secure the payment of the note described in the petition in this cause, It is therefore ordered, adjudged and decreed by the Court, that the mortgage lien of the said plaintiff as aforesaid, be, and the same is hereby foreclosed, and that an order of sale issue to the Sheriff of Burleson county Commanding him to sell the aforedescribed tract of land according to law, and apply the proceeds thereof to the satisfaction of this Judgment, and the remainder, if any, he shall pay over to the defendant, Walton. But if said land should not bring a sufficient amount to satisfy the principal, interest to now due and costs of this suit, then said Plaintiff shall have execution against each of said defendants for the remainder.

√1383 — Andrew Wortm vs Geo W Glasscock — Plaintiff / Defendant — It is ordered by the Court that the defendant in this cause have leave to amend.

√1408 — R D McAnelly vs Hamilton & Chandler — Plaintiff / Defendants — It is ordered by the Court that the defendants in this cause have leave to file amended answer.

√1301 — A J Harper vs Samuels & Mclson — Plaintiff / Defendants — On this day appeared the plaintiff and the defendants by their attorneys, and thereupon said plaintiff submits his motion to dismiss the cause, which motion was overruled by the Court. Whereupon said cause is continued on affidavit of the said plaintiffs' attorney.

1339 √ — James T Rosborough vs W W Dickson & S A Glasscock — Plaintiff / Defendants — This day the above entitled Cause coming on to be heard and the parties by their Attorneys having announced themselves ready for trial upon the issues of Law, And the Defendants' demurrer having been submitted to the Court upon Arguments of Counsel, It was considered by the Court that the demurrer Should be overruled. And the parties having announced themselves ready for trial upon the merits of the case, Whereupon came a jury of good and lawful men, to wit, Thomas H Jones and Eleven others who being duly Sworn and Charge, and the case having been submitted to them upon the evidence and the Charge of the Court, The jury returned into Court the following verdict, to wit, "We the Jury find for Plaintiff against Defendant Dickson Two Hundred and Twenty Eight 77/100 Dollars. We also find for Plaintiff against Defendants, Dickson and S. A. Glasscock now S. A. Nichols, Five Hundred and fifty One 35/100 Dollars. We also find that the Notes Suit one were executed as part of the Consideration

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for the Real Estate described in Plaintiff's Petition. Thos. H. Jones, Foreman. Whereupon it is considered by the Court that the Plaintiff have and recover of and from the Defendants, W. W. Dickson, Salina A. Nichols formerly Salina A. Glapcock, and her husband, Wiley B. Nichols, the Sum of Five Hundred and fifty one 38/100 Dollars, together with ten per Centum interest from date of this judgment, and the Costs in this behalf expended, And from the Defendant W. W. Dickson Two Hundred and Twenty Eight 91/100 Dollars, with Ten per Centum interest from the date of this judgment, and the costs herein incurred, That the Five Hundred acres of Land described in Plaintiffs Petition, the same being a portion of the Thomas Anderson League and known and described as beginning in the midst of Williamsons Creek on South and West of Colorado River, in Travis County, where the East line of said League crosses the said Williamson's Creek, a Stone mound bears S. 30° W. 10 varas, Thence up said Creek with its meander S. 44° 30' W. 237 varas, S. 84° 15' W. 381 varas S. 57° 15' 193 varas, S. 42° 30' W. 231 varas, S. 41° W. 337 varas, a Stone Mound bears S. 30° W. 40 varas, from which a Spanish Oak 6 inches in Diameter S. 16° E. 1/2 varas, Thence S. 30° W. 1150 varas, a Stone mound, from which a Black Jack 10 in. in diameter bears S. 47° W. 7 varas, Another 8 inches in Diameter bears S. 30° W. 7 varas, Thence S. 60° E. 1700 varas to a Stone mound in the midst of a drain from which a Post Oak 10 inches in Diameter bears S. 33° W. 60 varas, Thence S. 30° E. 1873 varas, with East boundary line of said League to the beginning, be subject to the Vendors Lien of said plaintiff, That the said described land be Sold by an order and Decree of this Court, and the proceeds of said Sale be applied to the payment of said Notes, according to the pro rata of the amounts thereof respectively, And that execution issue as in other Cases against the said Defendants for the balance that may be due upon said Notes. It is further ordered, adjudged and decreed by the Court, that the Plaintiff have and recover of the Defendants, all costs of this Suit as above ordered.

And thereupon, It is ordered by the Court that Court do now adjourn until to morrow morning at 9 o'clock.

Tuesday, January 12th 1858.

Court convened at nine o'clock, A.M. pursuant to adjournment. Present the same as on yesterday. Whereupon the following proceedings were had by said Court, as ordered to wit:

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1355	Moore & Owings vs James M. Alexander	Plaintiffs / Defendant	This ordered by the Court that the order continuing this cause generally entered on Yesterday, be set aside, and	

that the same be continued as on affidavit of plaintiffs

1356	Moore & Owings vs James M. Alexander	Plaintiffs / Defendant	It is ordered by the Court that the order continuing this cause generally, entered on Yesterday, be	

set aside, and that the same be continued as on affidavit of plaintiffs

1370	D C Osborn Adm'r vs Geo L Waelton, et al	Plaintiff / Defendants	On this day appeared the plaintiff and the defendants by their	

Attorneys. And the defendants submitted their demurrer to plaintiffs petition, which was overruled by the Court. Whereupon the parties announced themselves ready for trial. Then came a Jury of twelve Goods and lawful men of Travis County, to wit. Thomas H. Jones and eleven others, who were duly elected, empanelled, tried and sworn, And the parties having read the pleadings, and the Jury hearing the evidence in the case and being charged by the Court (the parties waiving written instructions) said Jury returned and brought into Court the following verdict, to wit: "D C Osborne, Adm'r &c. Geo L. Waelton, et al. We, the Jury, find for the Plaintiff in the sum the sum of Three Hundred and Seventy-Two 24/100 Dollars. We also find that the note sued on was executed as the consideration for the real estate described in plaintiffs petition. Thos H Jones, Foreman" Whereupon It is ordered, adjudged and decreed by the Court, that the said plaintiff, D C Osborne, do have and recover off and from the defendants George L Waelton, William H Waelton and Henry W. Tablea, said sum of Three Hundred and Seventy-Two 24/100 dollars found due by the Jury aforesaid, together with all costs in this behalf laid out and expended. And it appearing to the Court, from the finding of the said Jury, that the allegations in plaintiffs petition are true, and that the following described lands were given to secure the payment of the note sued on in this case, to wit: "Twelve Hundred and Eighty Acres of land in Victoria County, granted to Chichester Chaplin, as assignee of John Ricker, as per patent No. 666, Vol. 2, Transferred to Daniel C Osborne and from him to J Buchta, being the same 1280 acres which George L Waelton purchased at administrator's sale on the seventh day of Oct., 1856." It is therefore Ordered, adjudged and decreed by the Court that the mortgage lien of the said plaintiff be and the same is foreclosed, and that an order of sale issue to the Sheriff of Victoria County commanding him to seize the above described tract of land according to law, and apply the proceeds to the satisfaction of this Judgment, principal, interest & costs due, and costs; and the surplus if any, he shall pay over to the said George L Waelton But if said land should not bring a sufficient amount to satisfy this Judgment, then execution shall issue against said defendants for the remainder.

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1373 Catherine Lockhard et al vs Saml Jennings } Plaintiffs / Defendant } Ord and ordered by the Court that this cause be continued at the application of Defendant.

1376 Daniel C Astons vs Geo H Gray, et als } Plaintiff / Defendants } On this day appeared the plaintiff and the defendants by their attorneys, and defendants demurrer to plaintiffs petition coming on to be heard the same was overruled by the Court. Whereupon the parties having announced themselves ready for trial then came a jury of twelve good and lawful men of Travis County, to wit: R. M. Wilcox, Foreman and eleven others, who, having heard the petition and answer read, the testimony introduced in the case and the charge of the Court, the parties having written instructions retired, and brought in to Court the following verdict, to wit." We, the Jury, find for plaintiff five hundred and forty 16/100 dollars, also, that the mortgage described in petition was given to secure said note. R. M. Wilcox, Foreman." Whereupon, It is ordered, adjudged and decreed by the Court, that the plaintiff Daniel C Astons, do have and recover of and from the defendants George H. Gray, Frederick W. Chandler and Morgan C. Hamilton the said sum of Five Hundred and Forty 16/100 dollars, found due by the Jury aforesaid, together with all costs of this suit, And it appearing to the Court from the finding of the Jury aforesaid that the allegations of the plaintiffs petition are true, and that the following described tract of land was mortgaged to secure the payment of the note sued on in this cause, to wit: "Twenty-Three Hundred and two and one half acres of land granted to the heirs of Edward Wilson dec'd, in Hays County, as per Letter Patent No 433, Vol 5, Known as Survey No 83, on the waters of the San Marcos River, about seven miles north of San Marcos Spring, Beginning at the Southeast corner of Survey No 73 in the name of Wm Gray; the said 2302 1/2 acres being the same which George H Gray purchased at Administrators Sale on the 2nd day of July, 1856," It is therefore Ordered by the Court that the mortgage lien of the said plaintiff on the said land be and the same is hereby foreclosed, and that an Order of sale issue to the Sheriff of Travis County Commanding him to sell said land according to law and apply the proceeds thereof to the satisfaction of this Judgment, and the overplus if any he shall pay over to the said Gray. But if said land should not bring a sufficient amount to satisfy this Judgment, then execution shall issue against each of said defendants for the remainder.

1407 Joseph A. Sprague vs Philip Lambert } Plaintiff / Defendant } In this case appeared the Plaintiff by his Attorneys and the Defendant failing to appear by himself or submitted to the Court his exceptions

to the Motion of the Defendant to appoint an auditor in this cause and strike out so much of the Defendants answer in the shape of a Cross bill as seeks to make S. R. Mosteer Party to this Suit, and so much of said answer as prays for Citation to the Plaintiff in this Suit the same having been fully Considered by the Court, It is Ordered, Adjudged and decreed by the Court, that the Motion of the Defendant, to appoint an Auditor, be and the same is hereby overruled, that so much of the Defendants answer and Cross as seeks to make S. R. Mosteer a Party and asks for Citation to Plaintiff. be and the same is hereby dismissed. And the Plaintiff announced himself ready for trial, and thereupon Came a Jury of twelve Good and Lawful men of Travis County, to wit, Thomas H. Jones and eleven others, who being duly Sworn according to Law after hearing the evidence introduced by the Plaintiff, and Charge of the Court, returned into Court the following verdict, to wit; "We the Jury find for the Plaintiff in this Suit the Sum of Two thousand three hundred and Seven 47/100 Dollars. Tho. H. Jones Foreman." And thereupon the Plaintiff remitted the Sum of Nine hundred and one 32/100 Dollars. It is therefore Ordered, adjudged by the Court, that the Plaintiff Joseph A. Sprague do have and recover of and from the Defendant Phillippe Lambert the sum of Fourteen hundred and Six 17/100 Dollars for his Principal debt and interest up to the rendition of this judgment, with interest thereon at eight per Cent. Per annum until paid together with all costs of this Suit for which execution may issue.

1411 James D. Easton vs. Josiah Fisk & John H. Robinson } Plaintiff / Defendants } And now came the parties to the above entitled Cause and announced themselves ready for trial, and thereupon Came a Jury of twelve good and lawful men, to wit, R. M. Wilcox and eleven others who were duly empannelled and Sworn according to Law and thereupon Came the Defendant Fisk in person, and withdraws his answer and says naught against the Plaintiff's right to recover, and thereupon the parties announced themselves ready for trial, and thereupon the said Jury having heard the pleadings, the evidence the Argument of Counsel and the Charge of the Court, retired to Consider of their verdict, and thereupon brought into Court the following verdict, to wit, "We the Jury find for Plaintiff against the Defendants, Josiah Fisk & John H. Robinson the Sum of Nine hundred

& Forty & 80/100 Dollars, also that the Mortgage on the land described in Petition was given to secure Note described in Petition. R. M. Wilcox Foreman"

Thereupon it appearing to the Court, that the allegations in Plaintiffs Petition are true. It is ordered, adjudged and decreed that the said Plaintiff Easton do have and recover of and from the said Defendants Fisk and Robinson the sum of Nine Hundred and Forty 80/100 Dollars with interest at eight per cent on the same from the rendition of this judgment up to the day of its final satisfaction. It is further ordered, adjudged and decreed that the lien of the Plaintiff on the following described property be foreclosed, and that the same be sold by the Sheriff, to wit a certain parcel of the Land Situated in the County of Travis in said State, and known and designated as twelve feet off of the South side of Lot number three in Block number fifty five fronting on Congress Avenue and extending back to the Alley and also the following parcel of Land in Travis County described as follows to wit; Beginning at the South East Corner of a tract sold by the said Fisk to S. M. Carter Thence South 45° East with the Falls of the Brazos Road 1500 varas to Little Walnut Creek. Thence up the Channel of said Creek to where the North line of the original Survey Crosses said Creek. Thence South 40° West with the original North line of said Survey 920 varas to the N. West Corner of the same Thence South 30° West 1560 varas to a Stone mound Thence South 40° East 700 varas to the beginning Containing two hundred and thirty acres of Land including Fisk's Cold Water Tavern- The above two hundred and thirty Acres being a part out of the Donation Survey of James D. Wallace, the proceeds of the sale of the above premises to be applied by the Sheriff first to the extinguishment of this Judgment and the balance to be paid to said Fisk. It is further ordered that the Plaintiff have and recover all the costs in this suit from the Defendants. For which execution may issue. And if said Land and premises should not bring a sufficient amount to satisfy this Judgment then execution may issue against said defendants for the remainder.

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1377 David C. Osborne } Plaintiff } On this day appeared the
vs } plaintiff and the defendants
Gustavus Kirchburg et al } Defendants } by their attorneys, and the def.
endants having submitted their demurrer to plaintiff's petition, the same
was overruled by the Court. And the parties having announced themselves
ready for trial, thereupon came a jury of good and lawful men of Fave
County to wit Thomas H Jones and eleven others, who were duly elected, tried
empanelled and sworn. And said jury having heard the evidence, the
charge of the Court (written instructions being waived by the parties) retired,
and thereupon returned into Court the following verdict, to wit "David
" C. Osborne vs Gustavus Kirchburg et al" "We, the Jury, find for the plaintiff
" in this suit the sum of One Hundred and Ninety Three 39/100 Dollars.
" We also find that the note sued on was executed as the consideration
" for the real estate described in plaintiff's petition. Tho H Jones. Foreman"
Whereupon it is ordered by the Court that the said David C. Osborne
do have and recover of and from the defendants Gustavus Kirchburg,
Hugh H. Haynie and George B. Robinson said sum of One Hundred
and Ninety Three 39/100 Dollars and all costs of this suit. And it
appearing to the Court that the allegations contained in said
plaintiff's petition are true and that the land described in the
petition was mortgaged to secure the payment of the note sued on,
It is therefore ordered, adjudged and decreed by the Court,
that the mortgage lien of the said plaintiff on the following
described land be foreclosed and that the same be sold for
the satisfaction of this Judgment, to wit. "Six Hundred and
Forty acres of land situated in the County of Matagorda, about 17
miles North by East from the Town of Matagorda in Bay Prairie,
granted to Philip Kettler as per patent No 484, Vol 3; the said 640
acres being the same which was bought by the said Kirchburg at Admin-
istrator's Sale on the 2d day of July, 1856," and that an order of sale issue
forthwith upon to the Sheriff of Matagorda County, the proceeds of
which sale shall be applied to the satisfaction of this Judgment,
and the surplus, if any, shall be paid over to said Kirchburg;
But if said land should not bring a sufficient amount to satisfy
this Judgment, then execution shall issue against each of said
defendants for whatever amount may remain due after such sale.

1380 David C. Osborne } Plaintiff } On this day appeared the plain-
vs } tiff and defendants by their attorneys
John Horan, et al } Defendants } and announced themselves ready
for trial, and waived a jury and submitted the cause to the Court.
Whereupon, the defendants demurrer was overruled. And thereupon
the parties introduced the evidence in the case. Whereupon, It is ord-
ered adjudged and decreed by the Court that the plaintiff

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David C Osborne doh and ands recvr off and from the defendants, John Horan, Robert H. Clements and Amen O'Brien, the sum of Two Hundred and Sixty-Two 29/100 dollars principal debt and interest thereon the note sued on up to the date of the rendition of this Judgment and all costs of this suit. It is further Ordered by the Court that the mortgage then of the said Plaintiff in the following described land be foreclosed, to wit: Eleven Hundred and Seven (1107) acres of land in San Augustine County, granted by the Mexican Government to Isom Parmer as his headright and numbered as per Title No. 104, of Pet's lying on the West side of Ayish Bayou being one league & a league granted by the Mexican Commissioner, George Ant Nixon, June 28th 1835, and Commencing at the Southeast Corner of Major Smith's Survey, as will appear by the records in Book D, pages 305 & 306, April 24th 1838, the said land being the same which was purchased by the said Horan on the 3rd day of July, 1856, at adminis'trs sale". Ordered, further, that an Order of sale issue to the Sheriff of San Augustine County Commanding him to sell the above described land according to law, the proceeds of which sale to be applied to the satisfaction of this Judgment, and the overplus, after satisfying this Judgment, if any, shall be paid over to the said Horan. But if said land should not bring a sufficient amount to satisfy this Judgment, then execution shall issue against each of said defendants for the remainder.

No 1380
This judgment is satisfied
the same having been
June 15th 1858
Jas W Wilson Atty for Plaintiff

No 1381

David C Osborne } Plaintiff
vs
John Horan, et al } Defendants.

On this day appeared the plaintiff and the defendants by their Attorneys, and the defendants' demurrer to plaintiff's petition coming on to be heard, the same was, thereupon, overruled by the Court. Whereupon said parties announced themselves ready for trial, whereupon came a Jury of good and lawful men of this County, to wit: R. M. Wilcox and eleven others, who were duly Tried, Elected, empannelled and sworn. And said Jury having heard the evidence, the pleadings, argument of counsel and charge of the Court, the parties having waived written instructions, retired to consider of their verdict. And said Jury returned into Court the following verdict, to wit: "We, the Jury, find for plaintiff the sum of Two Hundred and Ninety-Two and 37/100 dollars. Also that mortgage described in petition was given to secure said note. R. M. Wilcox, Foreman." Whereupon it is ordered, adjudged and decreed by the Court that the plaintiff, David C Osborne, recover of and from the defendants, John Horan, Robert H Clements and Amen O'Brien, the sum of Two Hundred

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and Ninety Two 37/100 Dollars, found due by said Jury, together with all costs of this suit. And it is further ordered, adjudged and decreed by the Court, that the mortgage lien of the said plaintiff in and to the following described tract of land, to-wit: "Fourteen Hundred and Seventy-Six acres of land on the East side of the Neches River in Angelina County five or six miles below old Fort Terrell, patented to Stephen W. Blount a superpatent No. 418, Vol 2, sold by Stephen W. Blount to John D. Finks, and by John D. Finks to F. Buchta, and being the same 1476 acres which the said John Horn purchased at administrator's sale on the 3d day of July, 1856." It is further ordered by the Court that an order of sale issue Commanding the Sheriff of Angelina County to sell the above described tract of land and apply the proceeds thereof to the satisfaction of this Judgment, and the Costs, if any, shall be paid to the said Horn. But if said land shall bring an insufficient amount to satisfy said Judgment, then execution shall issue against each of said defendants for the remainder.

1382 John Moodie vs S. G. Sneed } Plaintiff / Defendant } On this day appeared the parties by their Attorneys and announced Defendants demurrer being overruled by the Court. Whereupon a Jury of good and lawful men of Trinity County to-wit. Thomas H. Jones and eleven others, who were duly tried, elected, empanelled and sworn. Thereupon said Jury heard the pleadings and answer, and also the evidence, and were charged by the Court / the parties having waived written instructions. And said Jury having retired, returned into Court the following verdict, to-wit: "John Moodie vs Selon G. Sneed We the Jury, find for the plaintiff in this suit the sum of Two Hundred and Six 77/100 dollars. Tho. H. Jones, Foreman." Whereupon, It is ordered by the Court that the said plaintiff, John Moodie do have and recover of and from the defendant S. G. Sneed, said sum of Two Hundred and Six 77/100 Dollars, with interest thereon at the rate of ten per centum per annum from the date of the rendition of this Judgment until its final satisfaction, together with all Costs of this suit, for all which execution may issue.

1383 Andrew Horton vs Everett W. Glasscock } Plaintiff / Defendant } On motion of the defendant It is ordered by the Court that the plaintiff in this cause enter into bond and security for the costs of said suit on or before the next Term of this Court, said plaintiff's Attorney being present in open Court, and notified. And thereupon It is further ordered that this Cause be continued under the rule aforesaid, plaintiff not being ready to comply with the same.

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1384 — George F. Glofenck vs. Wm B Budd — Plaintiff / Defendant — It is ordered that this cause be continued as an affidavit of the plaintiff, and that said plaintiff have leave to amend his pleadings.

1392 — Banner & Krans vs. G. R. Freeman et al — Plaintiffs / Defendants — On this day appeared the plaintiffs by their attorney, and dismissed this suit as to the defendant G. R. Freeman. Whereupon also came the other defendants by attorney, and said parties announced themselves ready for trial. Whereupon came a jury of good and lawful men of Travis County, to wit: Thomas H. Jones and eleven others, who were duly tried, elected, empannelled and sworn. And said jury having heard the pleadings and evidence, and having also heard the charge of the Court & the parties waiving written instructions, retired, and thereupon returned into Court the following verdict, to wit:—
" Banner & Krans vs. G. R. Freeman et al " We, the jury, find for the plaintiff " in this suit the sum of three hun " dred and fifty 38/100 dollars. Tho. H. Jones, Foreman."
Whereupon, It is ordered by the Court, that the plaintiffs, B. Banner and J. Krans, do have and recover of and from the defendants, Joseph Harrell, George M. Glofenck and William Custard, said sum of Three Hundred and Fifty 38/100 Dollars and eight per cent. interest thereon until paid, and all costs of this suit, for all which execution may issue.

1395 — William Armstrong vs. Claiborne Reed — Plaintiff / Defendants — This cause is continued on motion of the plaintiff.

1400 — R. D McAnelly vs. J. D. Grumbles — Plaintiff / Defendant — It is ordered by the Court that the plaintiff have leave to amend his petition. Ordered, further, that this cause be continued on application of the defendant by affidavit.

1419 — Meredith Wacton vs. W. K. Brown & K. Jennings — Plaintiff / Defendants — On this day appeared the plaintiff by attorney and announced himself ready for trial, and the defendants came not. Whereupon, came a jury of good and lawful men of Travis County, to wit: Thomas H. Jones and eleven others who were empannelled, sworn and tried according to law. And said jury having heard the petition read, and the evidence

introduced by the Plaintiff and also the charge of the Court, whereupon returned into Court the following verdict, towit: — "Meredith Walton vs W K Brown et al } We the Jury, find for the Plaintiff in this suit, the sum of four hundred and nine 84/100 dollars" "Tho. H. Jones, Foreman." — Whereupon, It is ordered by the Court that the plaintiff Meredith Walton, do have and recover off and from the defendants W. K. Brown and S. K. Jennings, The sum of Four Hundred and Nine 84/100 dollars, found due by the Jury aforesaid, with interest thereon at the rate of Ten per centum per annum from date until paid, and all costs of this suit for which executions may issue.

1451 D W McCormack vs S H Sneed Jr. and motion of said plaintiff, It is therefore ordered by the Court that A.M. Lindsay } Plaintiff } Defendant } It is adjudged by the Court that the plaintiff have leave to file an amended petition. be made party defendant to this suit by proper process.

1453. A. O. Ford vs Geo. & John Hancock } Plaintiffs } Defendants } And now comes the plaintiff and dismisses this suit as to the defendant John Hancock Whereupon also came the defendant George Hancock and the said plaintiff and defendant George Hancock announced themselves ready for trial and submitted the cause to the Court. Whereupon, It is ordered by the Court, that the plaintiff A.O. Ford recover off and from the defendant George Hancock, the sum of Four Hundred and Forty One 13/100 Dollars, principal debt and interest due on the note sued on to date, with legal interest thereon until paid and all costs of this suit for which executions may issue.

1399 D. C. & J. R. Freeman vs Payne & McNamara } Plaintiffs } Defendants } On this day appeared the plaintiffs by attorney, and announced themselves ready for trial. And thereupon came a jury of twelve good and lawful men of Travis County Towit: R.M. Wilcox and eleven others, who were duly tried, empanelled and sworn according to Law. And said Jury hearing the petition and answer read; and also hearing the evidence and charge of the Court retired, and thereupon returned into Court the following verdict, towit: "We, the Jury, find for plaintiffs in this suit the sum of Five Hundred and eleven 33/100 dollars. R.M. Wilcox, Foreman" Whereupon, It is ordered, adjudged and decreed by the Court, that the plaintiffs, D. C. Freeman and J. R. Freeman, do have and recover off

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and from the defendants, James S. Payne and William P. de Normandie, said sum of Five Hundred and Eleven 33/100 dollars, together with eight per centum interest thereon until the same is paid, and all costs of this suit, for which execution may issue

1333 | S M. Swenson vs Marshall & Oldham | Plaintiff / Defendants. | On this day appeared in Open Court the parties to this cause by their respective attorneys; and by agreement of said parties Judgment is taken by plaintiff against the defendants for the sum of Five Hundred and Eighty Four Dollars. Whereupon, It is ordered, adjudged and decreed by the Court, that the plaintiff S. M. Swenson, do have and recover off and from the defendants John Marshall and William A. Oldham, said sum of Five Hundred and Eighty-Four Dollars, with eight per centum per annum interest thereon until paid and all costs of this suit, for all which execution may issue.

1343 | James W. Holman vs Patsey Holman | Plaintiff / Defendant | This cause coming on to be heard and the defendant, in her own proper person, having admitted all the facts as set forth in the plaintiff's petition to be true, and the said W. A. Morris, in his own proper person, in open Court, consenting to take upon himself the obligations and duties of trustee as prayed for in plaintiff's petition, It is therefore ordered, adjudged and decreed by the Court, that the legal title in and to the following described negro slaves, to wit: Milly, Matt, Eliza, Rhoda, Bob, Sally, Tom, Amanda, Ikee, Bird and Ann - the three first named being the same included in the deed of trust referred to in plaintiff's petition, and the five last mentioned slaves, being descendants of the said Milly in the female line - be and the same is hereby vested in the said W. A. Morris, his heirs and assigns in special trust and confidence, for the sole use, benefit and behoof of the said Patsey Holman, during her natural life; the said Patsey Holman, during the said Term of her natural life, to have and enjoy the possession, control and profits of the said Negro slaves, together with their increase - and at her death to be equally divided among such children as she may have living at that time, and the descendants of such of her children as may be dead - if any such there may be - said descendants to take such part as their deceased parents would be entitled to if living, the said children and grand children as aforesaid, to have and to hold the same forever in fee simple - And it is further ordered, adjudged and decreed by the Court, that the said James W. Holman is hereby divested of all legal title in and to

said slaves; and that the said James W. Holman is also hereby fully released and discharged - hence forth, from all the duties, responsibilities and obligations as Trustee imposed by virtue of the said deed of Trust executed by the said Elizabeth Holman in the State of Tennessee in the month of June, A.D. 1837, wherein the said James W. Holman was vested with the legal title to the said three negro slaves as Trustee for the use and benefit of the said Patsy Holman during her natural life - and at her death to her children, &c. And it is further decreed that the defendant pay all costs of this suit, for which execution may issue.

And thereupon Court adjourned until 9 o'clock tomorrow morning.

Wednesday, January 13th 1858.

Court convened at 9 o'clock A.M. pursuant to adjournment. Present the Honorable A.W. Terrell, Judge of the Fourth Judicial District; Thos. Brown Clerk and A.G. Wear, Sheriff of Travis County. Whereupon the following proceedings were had by said Court, as follows, to wit:

1408 R.D. McAnelly vs. Hamilton & Chandler } Plaintiff / Defendants } On this day came the parties to this cause by their attorneys and announced themselves ready for the trial of the same. Thereupon came a jury of twelve good and lawful men of Travis County, to wit: R.M. Wilcox, and eleven others, who were duly sworn, elected, empannelled and sworn according to law. And said jury having heard the pleadings, the evidence and the argument of counsel and the charge of the Court retired, and thereupon returned into Court the following verdict to wit: "We, The Jury, find for plaintiff in this suit the sum of One Hundred and eighty-six dollars. R.M. Wilcox, Foreman." Whereupon, It is ordered adjudged and decreed by the Court that the said plaintiff, R.D. McAnelly, do have and recover of and from the defendants, A.J. Hamilton and J.W. Chandler, said sum of One Hundred and Eighty-Six Dollars, with legal interest thereon until paid, and all costs of this suit, for which execution may issue.

1331 P.G. Milam vs. Red and wife } Plaintiff / Defendants } And now on this day appeared the plaintiff and defendants in this cause by their attorneys and announced themselves ready for the trial of the same. And thereupon the motion to dismiss the scire facias coming on to be heard, the same was submitted and argued by counsel, and was overruled by the Court.

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And Thereupon, the amendment of the defendants filing upon new cause of damages not relied on or pleaded before the Magistrate, was refused. Whereupon came a Jury of twelve good and lawful men of Linn County to wit: Thomas H. Jones and eleven others who were duly tried, elected, empannelled and sworn according to law. And thereupon said Jury having heard the testimony introduced by the parties, the argument of the counsel and the charge of the Court, retired, and returned into Court the following verdict, to wit: "Milam vs. Reed and wife. The Jury find for the plaintiff against the defendant Elijah Reed, the sum of Sixty 70/100 dollars. Thos. H. Jones, Foreman." Whereupon, It is Ordered, adjudged and decreed by the Court, that the plaintiff, P. G. Milam, do have and recover off and from the defendant, Elijah Reed, and the securities on the Attachment in this case, to wit: Charles S. West and S. C. West, said sum of Sixty 70/100 Dollars, with ten per cent. damages thereon, and all costs in this Court and the Court below laid out and expended, for all which execution may issue.

1412.

James H. Raymond } Plaintiff
vs.
John C. McKean, A. J. Hamilton and J. W. Chandler } Defendants } Judgment.

This Cause having been regularly docketed for trial, came the respective parties by Attorney, whereupon the Defendants waived a Jury and withdrawing their answer the same was submitted to the Court for determination. It appearing to the Court that the cause of action is a promissory note against the said William A. Matthews and John C. McKean as principals and endorsed by the said Hamilton and Chandler. It is therefore ordered, adjudged and decreed by the Court, that the said plaintiff do have and recover of and from the said Defendants, John C. McKean, said Mathews not being a party to this suit as maker of said note, and against the said A. J. Hamilton and J. W. Chandler as endorsers, for the just and full sum of Six hundred and Sixteen Dollars, together with all Costs of this suit, to be taxed, for all which execution may issue pursuant to law.

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1423. ✓ D. L. Buck & Co. vs L. Horst & Co. } Plaintiffs / Defendants } In this case appeared the parties Plaintiffs and Defendants by their Attorneys and announced themselves ready for trial and waived a Jury and submitted the matters in Controversy, to the Court after hearing the evidence introduced by the parties Plaintiffs and Defendants, It is ordered, adjudged and decreed by the Court that the Plaintiffs Jacob L. Buck and Judah Hart under the firm, name, and Style of D. L. Buck & Co. do have and recover of and from the Defendants L. Horst and L. Hellman under the firm name and Style of L. Horst & Co. the Sum of Three Hundred and thirty eight 38/100 Dollars for their principal debt and interest up to this date with interest thereon at eight Per Cent Per annum until paid together with all costs of this Suit for which execution may issue.

And thereupon Court adjourned until to-morrow nine o'clock, A.M.

Thursday, January 14th 1858.

Court Convened at 9 o'clock, A.M. pursuant to adjournment. Present the same as on yesterday. Whereupon the following proceedings were had by said Court, as follows, to wit.

✓1409 Peyton W. Hawkins vs Wm. M. & Geo. L. Wallace } Plaintiff / Defendants } On this day appeared the parties to this cause by their attorneys. And thereupon it is ordered by the Court that the Order heretofore granted dismissing attachment be reconsidered, and that said motion be overruled. And thereupon the general demurrer of defendants was submitted, and the same was overruled. And thereupon it is ordered by the Court that the amendment filed by the plaintiff giving Cure of fraction against the debt. William M. Walton be allowed on payment by said plaintiff, of all costs incurred by bringing said Wm. M. Walton into Court including said amendment. It is further ordered that the defendants have leave to amend their answers, and that said cause be continued as on affidavit of the defendant George L. Walton.

✓1416 Joseph Henshaw vs David L. Crofs. } Plaintiff / Defendant } It is ordered by the Court that this cause be continued under the rule for security for costs filed by the defendant in open Court, plaintiffs attorney being present and noticed. Ordered, further, that plaintiff have leave to amend.

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1118 — Geo. Hancocks vs Mary A. Brady — Plaintiff / Defendant — It is ordered by the Court that this cause be cont'd generally.

1125 — Sampson & Hennicks vs John H. Conner — Plaintiff / Defendant — On this day came the plaintiffs and the defendant by their attorneys. Whereupon defendant's attorney submitted to the Court an affidavit for continuance of this cause, which motion for continuance was overruled. Thereupon said parties announced themselves ready for trial. When came a jury of twelve good and lawful men of Travis County to wit: John T. Price and eleven others, who were duly tried, elected, empannelled and sworn according to law. And the jury having heard the testimony and the charge of the Court, the parties waiving written instructions, retired, and thereupon returned into Court the following verdict, to wit: "We, the jury, find for the plaintiffs the sum of Two Hundred and Eighty-Nine 64/100 Dollars. John T. Price, Foreman." Whereupon It is ordered by the Court that the said plaintiffs, Geo. W. Sampson and Abram Hennicks, under their firm name of Sampson & Hennicks, do have and recover off and from said defendant John H. Conner, said sum of Two Hundred and Eighty-Nine 64/100 Dollars, with ten per cent thereon interest thereon until paid, and all costs in this behalf laid out and expended, for all which execution may issue.

1128 — A. G. Campbell vs William Gibson — Plaintiff / Defendant — And now on this day came the parties to the above entitled cause by their attorneys, and defendant's demurrer having been submitted and argued by Counsel, was overruled by the Court. Whereupon came a jury of twelve good and lawful men of Travis County, to wit: Robert M. Wilcox and eleven others, who were duly tried, elected, empannelled and sworn according to law. Whereupon the jury having heard the evidence and the charge of the Court, the parties waiving written instructions, retired, and thereupon returned into Court the following verdict, to wit: "We, the Jury, find for plaintiff in this suit One Hundred and Ninety-Two 74/100 dollars. R. M. Wilcox, Foreman." Whereupon It is ordered by the Court that the plff A. G. Campbell do have and recover of and from said defendant William Gibson the sum of One Hundred and Ninety-Two 74/100 dollars, with legal interest thereon until paid, and all costs of this suit, for which execution may issue.

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1457

S. W. McConnie
vs
L. H. Luckett &
A. M. Lindsay, Surveyor
of Travis Land District
their own proper Persons } Plaintiff
Defendants

This cause having been regularly called for trial, and the Defendants in person having appeared and answered the allegations in Plaintiffs Petition, and the Plaintiff by his Attorney, having announced himself ready for trial, thereupon came a Jury of twelve good and lawful men of Travis County, to wit: W. M. Wilcox, and eleven others, who were tried, empannelled and sworn according to law, and who after hearing the allegations, proof, and argument of Counsel, retired under charges of the Court, written instructions having been waived, and returned into Court the following verdict to wit: "We the Jury find verdict for the Plaintiff in this suit. W. M. Wilcox Foreman"

It thereupon appearing to the satisfaction of the Court that the allegations in Plaintiffs Petition are true. It is therefore ordered, adjudged and decreed by the Court that the Writ of Mandamus prayed for in Plaintiffs petition do issue, Commanding and requiring the said Andrew M. Lindsay, District Surveyor of Travis Land District, to record the Fieldnotes of the Preemption claim of the said S. W. McConnie as set out in Plaintiffs petition as follows, to wit; "The State of Texas, Travis District Survey No. 2 of 320 acres of land for John W. McConnie, said Survey is No. 2, situated in Travis District, on the waters of Lynches Creek, a tributary of the Colorado River about 25 miles S.W. of the town of Hamilton, and beginning on the South boundary line of Survey No. 1. 1911 varas East of the S.W. Corner of the same, a Stone Corner from which a Live Oak, marked H bears S. 74 E. 38 varas and a Black Jack marked H bears N. 43 E. 4 varas, Thence South 992 vas to a Stake from which a Live Oak marked H. brs. N. 85 W. 44 vas another Live Oak marked H. brs. N. 80 W. 48 vas Thence East at 895 vas Cross the West prong of Lynches Creek 1820 vas a Stone Corner on the West line of Survey No. 24. from which a Post Oak marked H bears N. 77 W. 1 vara, another Post Oak marked H bears N. 3 E. 3 varas. Thence North at 441 vas Cross a branch of Lynches Creek 992 vas a Stake, the South East Corner of Survey No. 1. from which a Post Oak marked H brs. N. 25 E. 7 vas another Post Oak marked H brs. N. 5 E. 6 vas. Thence West with the South line of Survey No. 1, at 4491 vs Cross a branch of Lynches Creek 1820 vas to the place of beginning." And Commanding and requiring the said Andrew M. Lindsay District Surveyor as aforesaid to pass said field notes up to the General Land Office for Patents, according to law. And it is further Considered, ordered and adjudged by the Court that the said Defendants do have and recover of and from the said

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Plaintiff all their costs of suit in this behalf laid out and expended, for which Execution may issue.

1351

Martha Mitchell } Plaintiff
vs } $2412.17
A.B. McGill deft. in attachment }
W.G. Johnson, Garnishee } Defendants

This day came the parties by Attorneys and agreeing to waive a Jury and submit this Cause to the Court to render judgment according to the agreement of the parties, Here made known to the Court and the Defendant having consented that judgment be rendered against him for the amount of Plaintiffs demand, as alleged in his petition and Defendant further admitting that the Mortgage and Deed of Trust set out and made a part of Plaintiffs original and amended petition were executed upon the Land therein described to secure the payment of the money specified in the Note, set out in Plaintiffs petition and consenting that a decree of foreclosure of the said Mortgage and Trust Deed be rendered by the Court. And it further appearing to the Court that a Garnishment has been regularly issued in this Cause and duly served upon W.G. Johnson and said Garnishee having answered an indebtedness to the said McGill of money and effects in the hands of the Garnishee in an amount greater than the amount of Plaintiffs demand against the said McGill and the parties agreeing that judgment rendered against the said W.G. Johnson for the sum of Sixteen Hundred and twelve 17/100 Dollars, which amount when collected to be credited upon the judgment) and Decree against the said McGill It is therefore considered, ordered, adjudged and decreed by the Court, that the Plaintiff Martha Mitchell have and recover of the Defendant A.B. McGill the sum of Seventy Six Hundred and twelve 17/100 Dollars, the amount of the Principal and interest upon the Note sued on and set out in Plaintiffs Petition, to bear interest at the rate of twelve per cent per annum from the date of this judgment, together with all costs in and about this suit expended. It is further ordered, adjudged and decreed by the Court that the Mortgage and deed of Trust set out in Plaintiffs Petition be and the same are hereby foreclosed, and that an order of sale issue to the Sheriff of Travis County, Commanding him to sell the following described tracts or parcels of Land, described in said Mortgage and deed of Trust, to wit, Three hundred

and twenty acres of Land in Travis County on Gilleland Creek being the Head Right of James Cooney the said tract being the same on which the plantation of said McGill is situated, the said tract of Land having been transferred by said Cooney to said McGill, also Three Hundred acres of Land in the County of Travis on Gilleland Creek, the same being part of the Head Right of Oliver Buckman and sold by said Buckman to Thomas A. Moore and by said Moore to S. L. Gwin and by the said Gwin to the said A.B. McGill, the said tract is bounded on the North by the Land of Nathaniel Moore and on the East and South by the John Burleson and Joseph Duty Surveys. And the proceeds of said sale of[illegible] to the satisfaction pro tanto of this judgment, and that the Plaintiff have execution against the other property of the said McGill for whatever sum may remain unpaid hereon. It is further ordered and adjudged that the Plaintiff have and recover of the Garnishee W. G. Johnson as per his answer filed and the agreement of the said Parties, the sum Sixteen Hundred and twelve 7/100 Dollars, together with interest thereon at the rate of twelve per cent per Annum, which said amount when collected from the said Johnson shall be entered as a credit and a satisfaction pro tanto of the judgment aforesaid against the Defendant A.B McGill, and that Execution issue against the said W.G. Johnson for said sum. It is further ordered that the Defendant McGill, pay all the costs of the Garnishment in this case, and that execution may issue therefor in favor of the Plaintiff.

And thereupon Court adjourned until tomorrow morning 9 oclock a.m.

Friday Morning January 15th 1858.

Court convened at 9 o'clock A.M. pursuant to adjournment. Present the same as on yesterday. Whereupon the following proceedings were had by said Court as follows, to wit;

1785 The State of Texas vs James M.W. Hall } Plaintiff / Defendant } Permitting Faro

And now on this day appeared in open Court John C. Hampton and James R. Pace and acknowledged themselves bound unto the State of Texas in the sum of Fifty dollars the amount of fine affixed against the said Defendant J.M.W. Hall at the present Term of this Court as well as all costs in said cause incurred, To be void if the said J.M.W. Hall shall pay said fine and costs on or before the [illegible] day next

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Term of this Court, otherwise the same to become a final judgment of this Court.

784 The State of Texas } Plaintiff
vs. } Exhibiting gaming table.
James M. W. Hall } Defendant

And now on this day appeared in open Court John C. Hampton and James R. Pace and acknowledge themselves bound unto the State of Texas in the sum of Ten Dollars, the amount of the fine assessed against the said Defendant James M. W. Hall, at the present Term of this Court as well as all costs herein incurred. To be void if the said J. M. W. Hall shall pay said fine and costs, on or before the next Term of this Court otherwise the same to become a final judgment of this Court.

787 The State of Texas } Plaintiff
vs. } Permitting Faro.
James M. W. Hall } Defendant

And now on this day appeared in open Court John C. Hampton and James R. Pace and acknowledge themselves bound unto the State of Texas in the sum of Twenty five Dollars, the amount of the fine assessed against the said Defendant James M. W. Hall at the present Term of this Court as well as all costs herein incurred. To be void if the said J. M. W. Hall, shall pay said fine and costs on or before the next Term of this Court, otherwise the same to become a final judgment of this Court.

831 The State of Texas } Plaintiff
vs. } Selling Liquor
James M. W. Hall } Defendant

And now on this day appeared in open Court John C. Hampton and James R. Pace and acknowledge themselves bound unto the State of Texas in the sum of Fifty Dollars, the amount of the fine assessed against the said Defendant, James M. W. Hall at the present Term of this Court as well as all costs herein incurred. To be void if the said J. M. W. Hall shall pay said fine and costs on or before the next Term of this Court, otherwise the same shall become a final judgment of this Court.

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831
√

The State of Texas } Plaintiff
vs.
James M. W. Hall } Defendant } Selling Liquor.

And now on this day appeared in open Court John C. Hampton and James R. Pace and acknowleged themselves bound unto the State of Texas in the sum of Fifty Dollars, the amount of the fine opposed against the said Defendant James M. W. Hall at the present Term of this Court, as well as all costs herein incurred. To be void if the said James M. W. Hall shall pay said fine and costs on or before the next Term of this Court, otherwise the same to become a final judgment of this Court.

1444

Amelia Brichta
Augustus Brichta and
Frank V. Brichta } Plaintiffs
vs.
Robert H. Brichta and
Cecilia Brichta } Defendants } Report of Commissioners.

To the Honorable Alex. W. Terrell, Judge of the Second Judicial District of the State of Texas.

The undersigned Commissioners appointed by your Honor at the present Term of the District Court of Travis County to partition certain Lands and Land Certificates belonging to the heirs of Francis Brichta deceased, described in a certain petition in a Cause now pending before said Court No. 1444, wherein Amelia Brichta, Augustus Brichta and Frank V. Brichta are Plaintiffs and Robert H. Brichta and Cecilia Brichta are Defendants. Beg leave to report their proceedings in the premises which are as follows, to wit:

The whole amount of Lands and Land Certificates the Commissioners appraised and valued at the sum of Nine thousand two hundred and Sixty eight Dollars. And in accordance with the said decree of appointment and Writ of Partition we proceeded to partition said property, and set apart to Amelia Brichta one half of the same as follows to wit: Donation Land Certificate issued by Robt. M. Elgin acty. Commissioner of the General Land Office on the 28th of July 1857 to Philip Stark for (199) One hundred and Ninety Nine acres No. 6/180. An unlocated balance of Colony Certificate issued by the Commissioner of the General Land Office to Johan A. Woerling on the 12th December 1855 for (32½) thirty two and one half acres No. 2 374. An unlocated balance of Headrights Certificate issued by the Commissioner of the General Land Office to Johan Hochkirch on the 1st September 1854 for (213) two hundred and three acres No. 3618/3719. Bounty Land Certificate issued by James S. Calvert, Adjutant General to Adolphus

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Defeba on the 3rd day of January 1853 for (241) Two Hundred and forty acres No 1189 Bounty Land Certificate issued by James L. Gillett Adjutant General to Barney Cannon on the 3rd day of January 1853 for (240) Two hundred and forty acres No 1188 Bounty Land Certificate issued by James L. Gillett Adjutant General

1444

Amelia Brichta
Augustus Brichta and
Frank V. Brichta
vs
Robert H. Brichta and
Cecilia Brichta

Plaintiffs
Defendants

Partition of Lands and Land Certificates

Come the Plaintiffs by attorneys and Defendants by Joseph Bledsoe Esq and W.W.D Carrington Esq. their Guardians ad litem also come H.G Compton, Nathaniel Townsend and D.W. Peacock Commissioners appointed at the present term of this Court to Partition certain Lands and Land Certificates among the parties to this suit and make report of their proceedings in the premises in writing sworn to and subscribed by them which report is in the words and figures following, to Wit

Report of Commissioners

To the Honorable Alex W. Terrell Judge of the Second Judicial District of the State of Texas.

The undersigned Commissioners appointed by your Honor at the present term of the District Court of Travis County to Partition certain Lands and Land Certificates belonging to the Heirs of Francis Brichta deceased described in a certain petition in a cause now pending before said Court No 1444 wherein Amelia Brichta Augustus Brichta and Frank V. Brichta are Plaintiffs and Robert H. Brichta and Cecilia Brichta are Defendants. Beg leave to report their proceedings in the premises which are as follows to Wit The whole amount of Lands and Land Certificates the Commissioners appraised and valued at the sum of Nine thousand two hundred and Sixty eight Dollars. And in accordance with the said decree of appointment and Writ of Partition we proceeded to Partition said property and set apart to Amelia Brichta one Half of the same as follows to Wit * Donation Land Certificate issued by Robt M. Elgin act'g Commissioner of the General Land Office on the 28th of July 1857 to

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Philip Stroh For (199) One hundred and Ninety Nine acres No. 1180. An unlocated balance of Colony Certificate issued by the Commissioner of the Gen. Land Office to Ethan A. Hocking on the 12th December 1835 For (32½) thirty two and one half acres No. 4314. An unlocated balance of Headright Certificate issued by the Commissioner of the Genl Ld Office to Johan Hochstick on the first September 1854. For (203) two hundred and three acres No. 3618/3719. X Bounty Land Certificate issued by James S. Gillett, Adjutant General to Joseph Kenah on the 31st December 1852. For (240) two hundred and forty acres No. 1183. X Bounty Land Certificate issued by James S. Gillett, Adjutant General, to Adolphus Lefebre on the 3rd day of January 1853, for (240) Two Hundred and forty acres, No. 1189. Bounty Land Certificate issued by James S. Gillett, Adjutant General to Barney Cannon on the 3rd day of January 1853 for (240) Two Hundred and forty acres No. 1188. Bounty Land Certificate issued by James S. Gillett, Adjutant General, to George Leonard by Anthony O'Donell, Assignee, on the 21st day of Feby 1852. for (1280) Twelve hundred and eighty acres of Land No. 1853. All of the said Certificates said Commissioners appraised in the aggregate at the sum of (133) Six Hundred and thirty three Dollars.

The following described Lands said Commissioners also set apart to Amelia Brichta, viz- Three hundred and twenty Acres of Land in Bexar County on the Waters of the Colorado river about 18 miles N. 47° W. from the mouth of Braggs Creek known as Survey No. 795. The field Notes of which are now particularly described in Patent issued to the heir of Francis Brichta, deceased, Assignees of Frederick Hirsch on the twenty second day of October, Eighteen hundred and fifty five No. 3775. Vol. 12. Appraised at one hundred and Sixty Dollars. Three Hundred and twenty acres of Land in Bexar County on the Waters of the Colorado River about 18½ miles N. 46° W. From the mouth of Braggs Creek known as Survey No. 796. For field Notes reference is made to Patent issued to heirs of Francis Brichta, deceased, Assignees of Frederick Hirsch on the twenty second day of October 1855 - Eighteen Hundred and fifty five, No. 3776. Vol. 12. Appraised at One hundred and Sixty Dollars. Six Hundred and forty acres of Land in Calhoun County about 6 miles S. 85° W. From Indianola. The field Notes of which is fully described in Patent issued to the Heirs of Francis Brichta, deceased, Assignees of Joseph H. Merrin on the fourteenth day of September 1855. Eighteen Hundred and fifty five, No. 4335. Vol. 2. Appraised at one Hundred and Sixty Dollars.

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Fourteen hundred and Seventy Six acres of Land in Colorado County about 9 miles S.W. of Columbus Beginning at the South East Corner of a Survey made for Richard Gundy. The Field Notes of which are Particularly described in Patent issued to S. M. Langby on the Sixth day of February Eighteen Hundred and forty Seven, No 22 Vol. 4. appraised at Fourteen Hundred and Seventy Six Dollars. Six Hundred acres of Land undivided out of a Survey in Cass County about five Miles from Perry Lake and 9 miles N.E. by E. from Jefferson reference is made for a further description and field Notes to Patent issued for said League to Abram Scott, assignee of Jackson Grayson on the fifth day of June Eighteen Hundred and Forty Nine No 991 Vol. 6. Appraised at Four Hundred and fifty Dollars.

One Hundred and Sixty acres of Land in Bexar County on the Waters of the Colorado River about 27½ miles N. 12° E. of the Old San Saba Fort known as Survey No 891. The Field Notes of which are fully described in Patent issued to the Heirs of F. Bricita, deceased assignee of Johan Michel Bader on the Seventeenth day of November Eighteen Hundred and fifty Five No 502 Vol. 12, Appraised at Eighty Dollars. One Hundred and Sixty acres of Land in Bexar County known as Survey No 1893 on the Waters of the Colorado River about 27 miles N. 11° E. of the Old San Saba Fort. The Field Notes of which are fully described in Patent issued to the Heirs of F. Bricita, dec'd assignee of Johan M. Bader on the 17th November Eighteen Hundred and fifty Five No 573. Vol. 12. Appraised at Eighty dollars. One Hundred and Sixty acres of Land in Bexar County, known as Survey No 1892, on the Waters of the Colorado River about 27 miles N. 12° E of the Old San Saba Fort. The Field Notes of which are in Patent issued to the Heirs of F. Bricita, dec'd assignees of Johan Michel Bader on the Seventeenth day of November Eighteen hundred and fifty Five No 499. Vol. 12. Appraised at Eighty Dollars. (Three Hundred and twenty acres of Land in Bexar County known as Survey No 113. on the waters of the San Saba river about 18½ miles N. 31° E. from Fort Mason. The field Notes of which are fully set forth in Patent issued to the Heirs of F. Bricita, deceased assignees of B. Bickman on the twenty eighth day of November Eighteen hundred and fifty Five, No 523. Vol. 12. Appraised

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at one Hundred and Sixty Dollars. Three Hundred and twenty acres of Land known as Survey No. 114 in Bexar County on the waters of the San Saba river about 19 miles N. 30° E. from Fort Mason. The field notes of which are fully set forth in Patent issued to the Heirs of F. Brichta, dec'd. assignees of B. Bickman on the twenty eighth day of November Eighteen hundred and fifty five No. 524 Vol. 13. appraised at one Hundred and Sixty Dollars. One Hundred and Sixty acres of Land in Bexar County, known as Survey No. 578. on the Waters of the Colorado river, about 41 miles N. 38° E. of the old San Saba Fort. Field Notes ~~as~~ contained in Patent issued to the Heirs of F. Brichta, dec'd, assignees of Leonhard Dietz on the eighth day of November, Eighteen hundred and fifty five No. 1342, Vol. 10 appraised at Eighty Dollars. One Hundred and Sixty acres of Land in Bexar County known as Survey No. 579, on the waters of the Colorado River about 41¼ miles N. 38° E. of the Old San Saba Fort. The field Notes of which are contained in Patent issued to the Heirs of F. Brichta, dec'd assignees of Leonhard Durr, on the eighth day of November, Eighteen hundred and fifty five, No. 1343. Vol. 10. appraised at Eighty Dollars. One hundred and Sixty acres of Land in Bexar County known as Survey No. 610, on the waters of the Colorado river about 41½ miles N. 38° E. of the old San Saba Fort For field notes see Patent issued to the Heirs of F. Brichta, dec'd, assignees of Leonhard Durr, on the Eighth day of November, Eighteen hundred and fifty five, No. 1344 Vol. 10. appraised at Eighty Dollars. One Hundred and Sixty acres of Land in Bexar County known as Survey No. 611. on the waters of the Colorado river about 41¼ miles N. 38° E. of the Old San Saba Fort. The field notes of which are contained in Patent issued to the Heirs of F. Brichta dec'd assignees of Leonhard Durr on the eighth day of November Eighteen hundred and fifty five, No. 1345. Vol. 10 appraised at Eighty Dollars. Three Hundred and three 75/100 acres in Bexar County known as Survey No. 221 on the Waters of the San Saba River 11 miles North of Fort Mason the field notes of which are fully set forth in Patent issued to the Heirs of F. Brichta, dec'd assignees of Johan A. Woerling on the third day of December, Eighteen hundred and fifty five, No. 7. Vol. 13. appraised at One Hundred and fifty one and one half Dollars. Three Hundred and three and 75/100 acres of Land in Bexar County known as Survey No. 220. on the waters a the San Saba River, about 11½ miles North of Fort Mason. The field notes of which are fully set forth in Patent issued to the Heirs of F. Brichta, deceased, assignees of Johan A. Woerling, on the third day of December Eighteen Hundred and fifty five, No. 8 Vol. 10. appraised at

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One Hundred and Sixty one and one Half Dollars.
X One Hundred and Sixty acres Land in Bexar County on the waters of Spring Creek a tributary of the Colorado rived about 6 miles N. 15° E. from the mouth of Bradys Creek known as Survey No. 338. The Field Notes of which are fully set forth in Patent issued to the Heirs of F. Bricka dec'd Assignees of Isham Schack on the twenty second day of October Eighteen Hundred and fifty five No. 373. Vol. 12. Appraised at Eighty Dollars. One hundred and Sixty acres of Land in Bexar County on the waters of Spring Creek a tributary of the Colorado River about 16 miles N. 11¾ E. from the mouth of Brady Creek known as Survey No. 339 The Field Notes of which are set forth in Patent issued to the Heirs of Bricka dec'd Assignees of Isham Schack on the twenty second day of October Eighteen Hundred and fifty five. No. 374 Vol. 12. Appraised Eighty dollars.

Also Austin City Lot numbered One (1) in Block No. Nineteen (19) in the City of Austin fronting on Congress Avenue and Live Oak Streets. and Lot numbered two (2) in Block Numbered Nineteen (19) fronting on Congress Avenue in the City of Austin, both of which are Appraised at Two Hundred and fifty Dollars. The aggregate value of the property above described and set apart to Mrs. Amelia Bricka is Four thousand Six hundred and thirty two Dollars. X

Said Commissioners set apart to Augustus Bricka the following described property, to wit: Two hundred and thirteen and one third acres of Land in Refugio County out of a Survey Patented to Robert Wilson Assignee of William Brian for six hundred and forty acres beginning at the beginning Corner of said large Survey thence N. 76° W. 1911 varas to the North West Corner in San Nicholas Lake. Thence S. 14° W. for quantity so as to make one third of the whole Survey. Appraised at One hundred and Ninety eight dollars. Three Hundred and twenty acres of Land in Bexar County known as Survey No. 1739 on the waters of the Colorado River about 30½ miles N. 16° E. of the Old San Saba Fort more fully described in Patent issued to the Heirs of F. Bricka dec'd Assignees of O. Lopinston on the eighth day of November Eighteen hundred and fifty five No. 476 Vol. 12. Appraised at One Hundred and Sixty Dollars. Three Hundred and twenty of Land in Bexar County known as Survey No. 1740 on the waters of the Colorado River about 30 miles N. 16° E. of the Old San Saba Fort the Field Notes of which are fully set forth

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in Patent issued to the Heirs of F. Brichta dec'd. Assignees of G. Lopenstein on the Eighth day of November Eighteen hundred and fifty five No. 471. Vol. 12. Appraised at one Hundred and Sixty Dollars. One Hundred and Sixty acres of Land in Bexar County known as Survey No. 1741. on the waters of the Colorado River, about 29½ miles N. 15° E. from the old San Saba Fort fully described in Patent issued to the Heirs of F. Brichta dec'd. Assignees of Louisa Palitz on the Seventh day of November, Eighteen hundred and fifty five, No. 464 Vol. 12. Appraised at Eighty Dollars. One Hundred and Sixty acres of Land in Bexar County known as Survey No. 1742 on the waters of the Colorado River, about 29¼ miles N. 15° E. from the old San Saba Fort more fully described in Patent issued to the Heirs of F. Brichta dec'd. Assignees of Louisa Palitz on the Seventh day of November Eighteen hundred and fifty five No. 465 Vol. 12. Appraised at eighty dollars. One Hundred and Sixty acres of Land in Bexar County on the waters of the Colorado River about 29 miles N. 15° E. from the old San Saba Fort known as Survey No. 1743. fully described in Patent issued to the Heirs of F. Brichta dec'd. Assignees of Louisa Palitz on the seventh day of November Eighteen hundred and fifty five, No. 466. Vol. 12. Appraised at Eighty Dollars. One Hundred and Sixty acres of Land in Bexar County, on the waters of the Colorado River about 29¼ miles N. 15° E. of the Old San Saba Fort, known as Survey No. 1744. more fully described in Patent issued to the Heirs of F. Brichta dec'd. Assignees of Louisa Palitz on the Seventh day of November Eighteen hundred and fifty five No. 467. Vol. 12 Appraised at Eighty Dollars. One Hundred and Sixty acres of Land in Bexar County known as Survey No. 106. about 16 miles N. 17° E. from Fort Mason, the Field Notes being fully set forth in Patent issued to the Heirs of F. Brichta dec'd. Assignees of Carl Prexentine on the thirtieth day of November Eighteen hundred and fifty five, No. 5. Vol. 13. Appraised at Eighty Dollars. One Hundred and Sixty acres of Land in Bexar County known as Survey No. 1107 on the waters of the San Saba River about 16 miles N. 15° E. from Fort Mason, more fully described in Patent issued to the Heirs of F. Brichta, dec'd. Assignees of Carl Prexentine on the thirtieth day of November Eighteen hundred and fifty five, No. 6. Vol. 13. Appraised at Eighty dollars. One hundred and Sixty acres of Land in Fisher & Millers Colony in Llano County on the waters of the Llano River 19 miles N. 70° W. from Hamilton known as Survey No. 241. Binghams District No. 10. by virtue of Certificate No. 356. Granted to Herman Lutkenhaus not yet Patented Appraised at One Hundred and Sixty dollars. The aggregate value of the Lands above described and set

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apart to Augustus Bricka is Eleven Hundred and fifty eight Dollars.

Said Commissioners set apart to Frank V. Bricka the following described property, to wit; Six hundred and forty acres of Land in Refugio County about 11 miles N.E.& E. from Refugio the field Notes of which are contained in Patent issued to Francis Bricka on the twenty Seventh day of May, Eighteen Hundred and fifty Six No. 822 Vol. 9 Appraised at Six Hundred and forty dollars. Three Hundred and twenty acres of Land known as Survey No. 181 in District No. 7 on the Waters of the Llano River about 2 1/2 miles S. 88° W. from Fort Mason for field Notes reference is made to Patent issued to the Heirs of F. Bricka Assignee of George Langer on the thirtieth day of November Eighteen hundred and fifty five No. 531 Vol. 12 Appraised at One Hundred and Sixty Dollars. Three Hundred and twenty acres of Land in Bexar County known as Survey No. 186 in District No. 7 on the Waters of the Llano River, about 22 miles S. 88° W. from Fort Mason. The field Notes of which are contained in Patent issued to the Heirs of F. Bricka dec. Assignee of George Southwood on the thirtieth day of November Eighteen Hundred and fifty five No. 532 Vol. 12 Appraised at One Hundred and Sixty Dollars. Two Hundred and forty acres of Land in Galveston County known as Survey No. 9 on the head Waters of Highland Bayou, For field Notes, reference issued to John Bremon on the 15th day of May Eighteen hundred and fifty one No. 653 Vol. 5 Appraised at Fifty Eight Dollars. Two Hundred and forty acres of Land in Galveston County known as Survey No. 13 on the head Waters of Highland Bayou the field Notes of which are contained in Patent issued to Joseph Bray on the fifteenth day of May Eighteen hundred and one, No. 655 Vol. 5, Appraised at Sixty dollars. One Hundred and Sixty acres of Land, in Galveston County known as Survey No. 12, on the head waters of Highland Bayou, for a particular description and field Notes reference is made to Patent issued to Lewis L. Doscher, on the fourteenth day of May, Eighteen hundred and fifty one. No. 653, Vol. 5, Appraised at Forty Dollars. One Hundred And Sixty Acres of Land, in Galveston County, on the head Waters of Highland Bayou, known as Survey No. 11. The field Notes of which are fully set forth in Patent issued to William Kelly on the

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fourteenth day of May Eighteen Hundred and fifty one, No. 651. Vol. 5. Appraised at Forty dollars. + The aggregate value of the Lands above described and set apart to Frank V. Brichta is Eleven Hundred and fifty eight dollars.

Said Commissioners set apart to Robert H. Brichta the following described property, to wit: Twelve Hundred and Eighty acres of Land in Victoria County about 8½ miles N. 70° W. from Port Lavaca the Field Notes of which are fully set forth in Patent issued to the Heirs of F. Brichta, deceased, Assignees of Lemon Walker on the fourteenth day of September Eighteen Hundred and fifty five, No. 621. Vol. 5. Appraised at Three Hundred and twenty dollars. Four Hundred and forty one acres in Grayson County on the waters of Buck Creek a tributary of Jordan, about 21 miles S. 35° W. of Sherman. The field Notes of which are in Patent issued to Philip Stroh on the twenty third day of July Eighteen Hundred and fifty Seven No. 525 Vol. 2. Appraised at Four hundred and forty one dollars. One hundred and Sixty acres + of Land in Bexar County on the waters of Brady's Creek a tributary of San Saba river about 32½ miles N. 46° E. from the old San Saba Fort known as Survey No. 1044 in District No. 3. the Field Notes of which are fully set forth in Patent No. 377, Vol. 12. issued to the Heirs of F. Brichta deceased Assignees of Michael Bay on the twenty second day of October Eighteen hundred and fifty five. Appraised at Eighty dollars. One hundred and Sixty acres of Land in Bexar County on the waters of Brady's Creek a tributary of the San Saba River about 32 miles N. 46° E. from the old San Saba Fort known as Survey No. 1045, in District No. 3 the Field Notes of which are fully set forth in Patent issued to the Heirs of Francis Brichta dec'd Assignees of Michael Bay on the second day of October Eighteen Hundred and fifty five. No. 378. Vol 12. Appraised at Eighty Dollars. Three hundred and twenty acres of Land in Bexar County on the South side of the San Saba River about 18 miles N. 37½° W. of Fort Mason known as Survey No. 11. in District No. 4. the Field Notes of which are fully described in Patent issued to the Heirs of F. Brichta dec'd. Assignees of F. W. Sullivan on the first day of September Eighteen Hundred and fifty. Six No. 93. Vol. 15. Appraised at One hundred and fifty. Seven Dollars. Three hundred and twenty acres of Land in Victoria County about 9½ miles S. 82° E. from Victoria, for Field Notes reference is made to Patent issued to the Heirs of F. Brichta dec'd Assignees of Thomas McKay on the fourteenth day of September, Eighteen hundred and fifty five No. 63. Vol. 8. Appraised at Eighty Dollars. The aggregate value of the Lands above described and set apart to Robert H. Brichta is Eleven hundred and fifty eight dollars.

(Said Commissioners set apart to Cecelia Brichta

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the following described Property to wit: Three Hundred and Ninety two acres of Land in Cook County in the Upper Cross Timbers near Elm River about 27 miles N. 67° W. from Gainsville known as Survey No. 11 being the half of said Survey, which contains Nine Hundred and Eighty Four acres and was Patented to the Heirs of F. Bricka deceased, Assignees of Ed. C. Conner on the Fifth day of October Eighteen Hundred and fifty Seven, No. 969 Vol. 3. Appraised at Four Hundred and Ninety two Dollars. Three Hundred and Twenty acres of Land 1/3 in Llano and 2/3 in Bexar County on the Waters of the San Saba, about 13½ miles N. 33° E. of Fort Mason the field Notes of which are Contained in Patent issued to the Heirs of F. Bricka deceased Assignees of Joseph Kirsh on the Twentieth day of February, Eighteen Hundred and Fifty Six, No. 936, Vol. 12, Appraised at one Hundred and Sixty dollars. Three Hundred and Twenty Acres of Land 1/3 in Llano and 2/3 in Bexar County on the Waters of the San Saba River, about 14 miles N. 33° E. of Fort Mason, the Field Notes of which are Contained in Patent issued to the Heirs of F. Bricka, deceased, Assignees of Joseph Kirsh, on the Twenty fifth day, of February Eighteen Hundred and fifty Six No. 937, Vol. 12, Appraised at One Hundred and Sixty Dollars. One Hundred and Twenty Acres of Land in Refugio County about 10 miles North of the Town of Refugio, the field Notes to which are contained in a Patent issued to Frederick Lacks, on the Ninth day of May Eighteen Hundred and fifty Seven, No. 957, Vol. 8, Appraised at One Hundred Twenty Dollars. Four Hundred and thirty Seven acres in San Saba County on the South bank of the Colorado River about 28½ miles above the mouth of the San Saba river known as Survey No. 233, in Warren's District No. 2, The field Notes to which are in the Land Office - and Survey made by virtue of Certificate No. 234 in the name of Johan Hockerch Appraised at One Hundred and Seventy Six dollars. Three Town Lots in the Town of Matagorda Nos. (1) One, (2) two, and (3) three in Block No. (12) twelve in Tier No. 4, Appraised at Fifty Dollars. The aggregate value of the above described Property set apart to Cecilia Bricka, is Eleven Hundred and Fifty eight dollars.

* Having thus partitioned and set apart to each Distributee his and her respective share of the Lands and Land Certificates in said Decree mentioned, quantity, quality & value having been ascertained by us in accordance with said Decree and Order of Court under the circumstances

to the best of our ability. We therefore ask to be discharged, all of which is respectfully submitted to the Court.

We do Solemnly Swear the above and foregoing is a fair and just Partition and distribution to the best of our knowledge & belief.

A. G. Compton
Nath'l Townsend, Commissioners
G. W. Glasscock

Sworn and Subscribed to before me this 15th of January A.D. 1858.
John J. Graves J.P.

And no exceptions having been taken to said Report, and the Court having duly examined and considered the same, and it appearing that said Partition and distribution has been fairly made and in accordance with Law- It is therefore Ordered and Decreed by the Court that said Report so made as aforesaid be and the same is hereby approved.

It is Further Ordered and Decreed by the Court that the Decree of Partition heretofore made in this case, said Report and this Decree stand as a muniment of title to each Distributee of his and her respective share as set forth in said Report. It is Further Ordered and Decreed by the Court that all the right, title and interest of each of said Distributees in and to said Lands and Land Certificates set apart to their codistributees be and is hereby divested out of them, and the same is vested fully in each distributee to the extent of his or her respective share as set forth in said Report.

It is Further Ordered and decreed by the Court That Amelia Brichta pay One Half of the Costs in and about this Case expended and that each of the remaining Distributees pay one Fourth of the remainder of said Costs, and Further that Robert H. Brichta and Cecilia Brichta pay, each the sum of Twelve 50/100 dollars as Fee of Guardians Ad Litem, for all which Execution may issue.

And thereupon Court adjourned until to morrow morning 9 o'clock A.M.

Saturday Morning January 16th 1858.

Court Convened at 9 o'clock A.M. Pursuant to adjournment. Present the same as on yesterday. Whereupon the Following proceedings were had by said Court as follows to wit;

1074

Thomas J. Moore } Plaintiff
vs } Debt
A. J. Denson } Defendant

And now on this day come the parties to the above entitled cause by their attorneys and announced themselves ready for trial and thereupon came a Jury to wit John J. Price and eleven others, twelve good and lawful men of Travis County, who being duly Elected empanelled

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and Sworn according to law and who after hearing the evidence adduced by the parties, the argument of Counsel and the charge of the Court retired to consider of their verdict and returned into Court the following verdict towit: "We the Jury find for the plaintiff the sum of four hundred dollars. John T. Price Foreman"
It is therefore ordered adjudged and decreed by the Court that the plaintiff Thomas P. Moore have and recover of and from the defendant A. S. Denson the said sum of four hundred dollars the amount so found to be due by the Jury together with all costs in this behalf expended for which execution may issue.

And thereupon Court adjourned until Monday morning 9 O'Clock A.M.

Monday Morning January 18th 1858.
Court Convened at 9 O'clock A.M. Pursuant to adjournment. Present the same as on Saturday. Whereupon the following proceedings were had by said Court as follows, to wit,

813 The State of Texas } Plaintiff
vs.
Thos. P. Randolph } Defendant } Motion for New Trial.

And now on this day come the parties by their Attorneys, and the Motion for new trial in this case coming on to be heard, and the Court having heard the arguments of Counsel on said Motion and the Law arising on the same having been duly considered, It is therefore ordered by the Court, that said Motion be and is hereby overruled.

817 The State of Texas } Plaintiff
vs.
Thos. P. Randolph } Defendant } Motion for new trial

And now on this day come the parties by their Attorneys and the Motion for new trial in this case coming on to be heard, and the Court having heard the argument of Counsel on said Motion, and the Law arising on the same having been duly considered, It is therefore ordered by the Court that said Motion be and is hereby overruled.

1369 D. C. Osborne } Plaintiff
vs.
Geo. P. Walton et al } Defendants } Motion for new trial.

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And now on this day come the Parties by their Attorneys, and the Motion for new trial in this case Coming on to be heard, and the Court having heard the Argument of Counsel on said Motion and the Law arising on the same Having been duly considered, It is therefore ordered by the Court, that said Motion be and is hereby overruled, and thereupon the Defendants by attorney, in Open Court, gives notice of an appeal to the Supreme Court.

1377. D. C. Osborn } Plaintiff
vs. } Motion for new trial.
G. Kirchberger } Defendants

And now on this day come the Parties by their Attorneys, and the Motion for new trial in this case Coming on to be heard and the Court having heard the Argument of Counsel on said Motion, and the Law arising on the same having been duly considered, It is ordered by the Court that said Motion be and is Hereby overruled, And thereupon the Defendants, by attorney, in Open Court give notice of an appeal to the Supreme Court.

1376. D. C. Osborne } Plaintiff
vs. } Motion for new trial.
Geo. H. Graybeal } Defendants

And now on this day come the Parties by their attorneys and the motion for new trial in this case Coming on to be heard and the Court having heard the Argument of Counsel on said Motion and the Law arising on the same having been duly considered, It is therefore ordered by the Court that said Motion be and is hereby overruled, and thereupon the Defendants, by attorney, in Open Court, give notice of an appeal to the Supreme Court.

1443 L. D. Carrington & Co. } Plaintiffs. } [illegible]
vs. }
Reuben Runner and } Defendants }
Mary Runner

And now on this day come the Parties by their Attorneys, and the Motion to set aside judgment by default entered at the present Term of this Court in this case Coming up to be heard and the same being duly considered, It is therefore ordered by the Court that the said Motion be and is hereby granted and said judgment is hereby set aside.

1069 L. Fillman } Plaintiff } Certiorari —
vs. }
Geo. Hook & Admr. } Defendant }

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Now on this day the above entitled cause having been called for trial, the parties by their respective Attorneys announced themselves ready for trial. Whereupon came a Jury of good and lawful men, to wit, John F. Price and eleven others who after being duly empannelled and sworn after hearing the pleadings, the testimony of the respective parties, and the charge of the Court retired, and after due deliberation returned into Court the following Verdict to wit. "We the Jury find for the Plaintiff the sum of Fifty Seven dollars and twelve cents, which being less than the judgment obtained in the Magistrates Court by the sum of three dollars and Sixty three cents. It is therefore ordered adjudged and decreed by the Court that the Plaintiff L. Fellman do have and recover from the Estate of the said Geo. Hook the sum of Fifty Seven Dollar and twelve cents, with interest thereon till paid, together with the costs expended in this behalf in this Court, and that this decree be certified to the Probate Court of Travis County for its observance as the Law directs. It is further ordered, adjudged and decreed by the Court that the Admr. (A. J. Brown) of the Estate of the said Geo. Hook, dec'd. do have and recover from the said L. Fellman the costs expended in this behalf in the Magistrates Court, for which execution may issue.

1377

D. C. Osborne } Plaintiff
vs. } Motion for new trial
C. Kirchberg et al } Defendants

And now on this day come the parties by their Attorneys and the Motion for new trial in this cause coming on to be heard, and the Court having heard the argument of Counsel on said Motion, and the law arising on the same having been duly considered. It is therefore ordered by the Court that said Motion be and is hereby overruled, and thereupon the Defendants by Attorney in Open Court, give notice of an Appeal to the Supreme Court.

1408

A. D. McAnelly } Plaintiff
vs. } Motion for new trial
Hamilton & Chandler } Defendants

And now on this day come the parties by their Attorneys and the Motion for new trial in this cause coming on to be heard and the Court having

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heard the Argument of Counsel on said Motion and the Law arising on the same having been duly considered. It is therefore ordered by the Court that said Motion be and is hereby granted.

1381. D. C. Osborne } Plaintiff
vs
John Horan et al } Defendants } Motion for New trial.

And now on this day come the parties by their Attorneys, and the Motion for new trial in this cause coming on to be heard, and the Court having heard the Argument of Counsel on said Motion and the Law arising on the same having been duly considered. It is therefore ordered by the Court that said Motion be and is hereby overruled, And thereupon the Defendants by Attorney in open Court gives notice of an Appeal to the Supreme Court.

1380 D. C. Osborne } Plaintiff
vs
John Horan et al } Defendants } Motion for new trial

And now on this day come the Parties by their Attorneys and the Motion for new trial in this cause coming on to be heard, And the Court having heard the Argument of Counsel on said Motion and the Law arising on the same having been duly considered. It is therefore ordered by the Court that said Motion be and is hereby overruled, And thereupon the Defendants by Attorney in open Court give notice of an appeal to the Supreme Court.

1382. John Moodie } Plaintiff
vs
S. G. Sneed } Defendant } Motion for new trial.

And now on this day come the Parties by their Attorneys and the Motion for new trial coming on to be heard in this cause, And the Court having heard the argument of Counsel on said Motion, and the Law arising on the same having been duly considered, It is therefore ordered by the Court that said Motion be and is hereby overruled, and thereupon the Defendant by Attorney in open Court gives notice of an appeal to the Supreme Court.

1379 R. L. Daniels } Plaintiff
vs
S. J. Price } Defendant } Motion to Change Venue.

And now on this day come the Parties by their Attorneys and the Motion to change the Venue of this cause

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To Williamson County, It is therefore ordered that the said venue of this cause be changed to Williamson, and that the Clerk of this Court forward the Papers in this cause together with a certified Copy of all the Entries herein to said County, on or before the next Term of the District Court of Williamson County.

1043 — J. P. McLaurin } Plaintiff
vs.
J. F. Price } Defendant

And now come the parties by their attorneys, and on Motion It is Ordered that the venue of this cause be changed to Williamson County and that the Clerk of this Court forward the Papers in this cause together with all the entries Certified Therein to said County on or before the next Term of the District of Williamson County.

1044 — Benj. Holland } Plaintiff
vs.
L. F. Price } Defendant

And now on this day come the parties by their Attorneys, and on Motion It is Ordered that the Venue of this cause be changed to Williamson County, and that the Clerk of this Court forward the Papers in this cause together with a certified Copy of all the entries herein to said County, on or before the next Term of this District Court of Williamson County.

1107 — J. A. Sprague } Plaintiff
vs.
P. Lambert } Defendant

And now on this day come the Parties by their Attorneys, and the Motion to set aside Verdict and for new trial in this case Coming on to be heard, and the Court having Heard the Argument of Counsel on said Motion and the Law arising on said Motion having been duly Considered, It is therefore ordered by the Court that said Motion be and is Hereby overruled.

1281 — Josiah Fish } Plaintiff
vs.
Geo. Hancock et al } Defendants.

And now on this day come the Parties by their Attorneys and on Motion. It is ordered by the Court that the Venue of this cause be Changed to Williamson County and that the Clerk of this Court forward the Papers in this cause together with a Certified Copy of all the entries Herein to said County on or before the next Term of the District Court of Williamson County

Fall Term 1837. Monday, January 16th 1838

1331 ✓

P. G. Nelson vs. E. Reed wife } Plaintiff vs. Defendants } And now on this day come the parties by their Attorneys, and the Motion for new trial in this cause coming on to be heard and the Court having heard the Argument of Counsel on said Motion and the Law arising on the same having been duly considered. It is therefore ordered by the Court that said Motion be and is hereby overruled. And thereupon the Defendants by Attorney in open Court, give notice of an appeal to the Supreme Court.

1425 ✓

Sampson & Hendricks vs. Solon H. Comey } Plaintiffs vs. Defendant } And now on this day come the parties by their Attorneys and the Motion for new trial in this cause coming on to be heard, and the Court having heard the Argument of Counsel on said Motion, and the Law arising on the same having been duly considered. It is therefore ordered by the Court that said Motion be and is hereby overruled, And thereupon the Defendant gives Notice of an appeal to the Supreme Court.

1401 ✓

I. D. Easton vs. Fiske & Robinson } Plaintiff vs. Defendants } This day came the parties by Attorneys and the Motion heretofore filed by Defendants in arrest of judgment rendered in this cause on a former day of this Term, coming on to be heard. And the ground of said Motion being considered, and the argument of Counsel thereon being heard. It is therefore ordered by the Court, that said Motion be, and is hereby overruled. It is further considered by the Court, that the Plaintiff have and recover of the Defendants the costs of this Motion. And thereupon the Defendants to give notice of an appeal to the Supreme Court.

1193 ✓

Horatio Grooms vs. Andrew Coleman } Plaintiff vs. Defendant } And now at this day come the parties to the above entitled cause and it is ordered that the judgment by default heretofore rendered in this cause be set aside, and the Defendant having answered and both parties appearing by attorneys announced themselves ready for trial, and thereupon came a Jury of twelve good and Lawful, to wit: Erhard F. Price and Eleven others being duly Sworn and empannelled according to Law, and having heard the Pleadings, the evidence, the Arguments of Counsel, and the Charge of the Court, retired to Consider of their Verdict, and thereupon returned into Court the following

Fall Term, Monday June 18th 1838.

verdict to wit "We the Jury Find for the Plaintiff the sum of One Hundred and fifty seven 95/100 dollars John S. Price, Foreman"

Whereupon It is ordered and decreed by the Court that the said Plaintiff Groves do have and recover of and from the said Defendant Coleman the sum of One Hundred and fifty seven 95/100 Dollars with legal interest at eight Per Cent on the same from the date of this rendition of this judgment together with all his Costs for which Execution may issue.

It appearing further to the Court that in this cause the Plaintiff has sued out a Writ of Attachment and that the same was levied on Property of the Defendant and the same replevied according to Law by the Defendant It is therefore ordered by the Court that in case the said Defendant Coleman and his securities on the replevin bond shall fail to deliver to the Sheriff in ten days after the adjournment of Court the Property Attached, or so much as may be sufficient to satisfy said judgment that an execution do issue against the securities on the replevin bond of the said Defendant for the full amount of the penalty expressed in said bond.

And thereupon Court adjourned till Tuesday Morning 9 O'clock A.M.

Tuesday Morning January 19th 1838

Court Convened at 9 O'clock A.M. Pursuant to adjournment Present the same as on yesterday Whereupon the following Proceedings were had by said Court as follows, to wit;

1278 Samuels & Mason vs Elijah Reed } Plaintiffs / Defendant } And now at this day come the parties and the Motion for new trial coming on to be heard It appearing to the Court that the said Plaintiffs have filed their remittiter of freight in this cause amounting to the sum fifteen 85/100 dollars It is thereupon ordered by the Court that the Motion for new trial be overuled And thereupon the Defendants gave notice of Appeal to the Supreme Court in terms of the Law.

Fall Term, Tuesday, Sany 29th 1878.

1316 A. Houston } Plaintiff } The Motion to set aside the Non
vs. } suit taken in the above cause
Holman & Holman } Defendants } at the Present Term of this Court
coming on to be heard, and it appearing to the Satisfaction
of the Court that the said Plaintiff is entitled to have said Non
Suit set aside, It is therefore ordered by the Court that said
Non Suit be set aside, and that said cause is hereby reinstated
upon the docket, and Continued until the next Term of this
Court to come up upon its merits as other causes upon the docket.

1463 Deats & Blew } Plaintiffs } And now on this day came
vs. } the ~~xxxxxx~~ Plaintiffs by Attorneys,
Abner H. Cook } Defendant } and the Defendant having failed
to Plead answer or demur within the time prescribed by Law,
the Plaintiffs claim a Judgment by default against said
Defendant, and a writ of enquiry to be executed immediately
Thereupon Came a Jury of twelve good and Lawful men of
Travis County, to wit, Selom G. Sneed and eleven others, who
being duly empannelled and Sworn to try the issues Submitted
to them in said Cause, after Hearing the evidence, Argument of
Counsel and Charge of the Court, retired to Consider of their
Verdict and thereupon, returned into Court the Following Verdict
to wit: "We the Jury find for the Plaintiffs the Sum of
thirteen Hundred and eleven dollars and fifty cents, and that
the Note Sued on was executed for the Payment of the pur-
chase money of parts of Lots Nos. 10, 11 and 12, in Block
No. 69 in the City of Austin designated as the Property
upon which Deats & Blews Tin-Shop was situated. S. G. Sneed
Foreman" Whereupon It is Considered, ordered, adjudged and
decreed by the Court here, that the Plaintiffs George A. Deats and
John H. Blew under their firm name of Deats & Blew, do
have and recover of and from the Defendant Abner H. Cook
the Sum of Thirteen Hundred and Eleven Dollars and fifty
Cents found due by said Jury, together with all Costs in this
behalf expended, It is further ordered by the Court
that parts of Lots No Ten (10) Eleven (11) and Twelve (12)
in Block No Sixty-nine (69) in the City of Austin, designa-
ted as the Property upon which Deats & Blew's Tin-Shop
was situated be and the same is hereby Subjected to a foreclo-
sure of the Vendor's lien of said Plaintiffs, and that an
order of Sale issue to the Sheriff of Travis County Comman-
ding him to sell said above described Property under and
by virtue of this judgment and order of foreclosure,
and the Proceeds of said Sale to be Applied to the Satisfaction

Fall Term 1857 Tuesday January 19th 1858

of this judgment if said Property should bring more than the debts interest and costs in this case the overplus shall be Paid to the Defendant but if said Property should not bring a sufficient amount to satisfy this judgment interest to grow due and costs, then in that event execution may issue for the remainder.

1464 S. M. Swenson & S. M. Swisher vs. Abner H. Cook et al

Plaintiffs Debt. Defendant

And now on this day come the Plaintiffs in the above entitled cause by Attorneys and dismissed said suit as to the Defendants George S. Nash and John W. Blue whereupon it is considered by the Court that the said Defendants, George S. Nash and John W. Blue go hence without day and recover all their Costs in this behalf expended.

And the said Defendant Abner H. Cook coming in Proper Person by Consent of said Parties the following judgment and decree was entered into this cause as the judgment and decree of the Court here, to wit:

It is ordered adjudged and decreed by the Court that the Plaintiffs Septimus M. Swenson and John M. Swisher under the firm name and style of Swenson & Swisher, do have and recover of and from the Defendant Abner H. Cook and William P. de Normandie the sum of One Thousand Five Hundred and Five 74/100 Dollars the amount of the principal and interest due on the Note sued on herein and all Costs in this behalf expended. It is further ordered, adjudged and decreed by the Court that Parts of Lots No. Eleven (11) and Twelve (12) in Block No. Sixty Nine (69) in Austin City with the brick building thereon situated on Pecan Street, Twenty Five feet Front and running back Ninety Two feet, be and the same is hereby subjected to a foreclosure of the Vendors lien of said Plaintiffs, and that an Order of Sale issue to the Sheriff of Travis County Commanding him to sell said above described Property under and by virtue of this judgment and Order of Foreclosure, and the proceeds of said Sale to be applied to the satisfaction of this judgment: if said said Property should

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bring more than the debt, interest and costs in this cause, the overplus shall be paid to the Defendants, but if said property should not bring a sufficient amount to satisfy this judgment, interest to grow due and costs, in that event execution may issue for the remainder.

1427 Robert Stroud } Plaintiff
H. C. Holman and } Defendants } Debt on Note
L. L. Holman }
vs.

And now at this day came the Plaintiff in the above entitled cause and the order for a judgment by default and Writ of enquiry heretofore entered in this cause is by the Court set aside, and it appearing that full and legal service had been perfected on the Defendants, and that they have failed to file an Answer in the time prescribed by Law but have wholly ~~failed~~ made, and it appearing to the Court that the amount of the Plaintiffs demand is evidenced by an instrument in writing. It is therefore ordered, adjudged and decreed by the Court that the said Plaintiff do have and recover of the said Defendants the sum of One Hundred and Two 60/100 Dollars, with legal interest at eight Per Cent from the rendition of this judgment, together with all costs in this behalf expended, for all which execution may issue.

1329 J. W. Chandler } Plaintiff
vs.
J. W. Keithley, } Defendants } Debt
Wm. P. McNormandie &
John T. Miller Garnishees

This cause coming on to be heard upon the answers of the said William P. McNormandie and John T. Miller Defendants in Garnishment and the answers of said Defendants being filed under oath and no question having been made as to the Correctness of such answers. Upon Motion of the said Plaintiff It is ordered adjudged and decreed by the Court that the said Plaintiff, J. W. Chandler do have and recover of and from the said John T. Miller and William P. McNormandie the just and full sum of One Hundred and Sixty one 33/100 dollars. This judgment so far as the ~~Garnishees~~ said McNormandie is concerned may be discharged by his delivering unto the said Plaintiff the Note he holds against said Miller for said Keithley or by delivering the same or

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such parts thereof as are mentioned in the said Defendants answers unto the Clerk of this Court within thirty days from this date. And it is further adjudged and decreed that the said Miller be released from any liability to the said Keithley on said note to the extent of this judgment and decree against him — It is ordered adjudged and decreed that the said Plaintiff may have execution for said sum, and for such costs as shall hereafter accrue in the collection thereof-

1293

S. S. Capidy } Plaintiff }
vs. } Debt.
Samuels & Mopson } Defendants }

And now on this day appeared the Parties to the above entitled cause by their Attorneys and announced themselves ready for trial, and thereupon came a Jury, to wit: John J. Price and eleven others, twelve good and lawful men of Travis County, who being duly elected, empannelled and sworn according to Law, and who after hearing the evidence the Argument of Counsel and the Charge of the Court, retired to consider of their verdict and after due deliberation returned into Court the following verdict to wit: "We the Jury find for the Plaintiff the sum of Five dollars and fifty eight cents. John J. Price, Foreman"

And it appearing to the Court that this cause is brought from a Justices Court by a Writ of Certiorari, and that the verdict of the Jury against said Defendants is for a less amount than the judgment of the Justice of the Peace. It is therefore ordered, adjudged and decreed by the Court, that the Plaintiff S. S. Capidy have and recover of and from the Defendants, H. Samuels and H. Mopson and R. M. Johnson and R. M. Wilcox their securities on Certiorari bond the sum of five dollars and fifty eight Cents, the amount so found by the Jury in their verdict, together with all the costs in said cause expended in this Court, for which execution may issue. It is further ordered by the Court, that the defendants, H. Samuels and H. Mopson have and recover of and from the Plaintiff S. S. Capidy all the costs in said cause expended in the Magistrates Court, for which execution may issue

Rec'd five & 58/100 dollars in full of this Judgment- This 2nd day of June 1858
Jones & Bleasse
Attys for Capidy-

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1109

L. Fellman vs. A. J. Brown, Admr. of Geo. Houk, dec'd. } Plaintiff / Defendant

And now on this day come the parties to the above entitled cause by their Attorneys, and the Motion of Plaintiff to amend the judgment entered in said cause at a former day of the present Term of this Court coming on to be heard, It is ordered by the Court that said Motion be granted, and that said judgment be amended so as to read as follows to wit:

L. Fellman vs. A. J. Brown, Admr. of Geo. Houk, dec'd. } Plaintiff / Defendant

1109

And now on this day appeared the parties to the above entitled cause by their Attorneys and announced themselves ready for trial, and thereupon came a Jury to wit: John T. Price and eleven others, twelve good and lawfull men of Travis County, who being duly elected empannelled and sworn and who after hearing the evidence, the argument of Counsel and the Charge of the Court, retired to Consider of their verdict, and after due deliberation returned into Court the following verdict, to wit: "We the Jury find for the Plaintiff the sum of Fifty Seven 12/100 Dollars John T. Price, Foreman." And it appearing to the Court that this cause was brought to this Court by a writ of Certiorari from a Justice's Court by the Defendant, and that the amount found against the Defendant by the Jury is less than the judgment of the Justice of the Peace. It is therefore ordered, adjudged and decreed by the Court, that the Plaintiff L. Fellman, have and recover of and from the defendant A. J. Brown as Administrator of the Estate of George Houk, deceased, and John T. Price, Gustavus Kirchberg and Lewis Molitzky the securities of said George Houk on the Certiorari bond in this cause said sum of Fifty Seven 12/100 Dollars the amount as found by the Jury, together with all the Costs incurred in this Court, and that execution issue against said securities for the same - It is further ordered by the Court that said Defendant have and recover of and from said Plaintiff L. Fellman, all the costs expended in the Justice's Court, for which Execution may issue -

For various services rendered in the above Judgment I charge $5.00
May 20th 58
L. Fellman

1134

John Bremond vs. Geo. E. Robinson } Plaintiff / Defendant

This day came the parties by their Attorneys, and announced themselves ready for trial, whereupon came a Jury of good and lawful men, to wit: John T. Price and eleven others, who being duly empannelled and sworn, and having heard the evidence and charge of the Court, returned the following verdict

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to wit: "We the Jury find for the Plaintiff the Sum of Two Hundred and Seventy Six 89/100 Dollars. John T. Price. Foreman" It is therefore ordered and considered by the Court, that the said Plaintiff, Brevard, do have and recover of said Defendant, Robinson the above Sum of Two Hundred and Seventy Six 89/100 Dollars, with Ten Per cent interest from the date hereof, until satisfied, and also costs of suit, for which execution may issue.-

1454. James R. Jackson } Plaintiff }
vs
E. R. Peck and } Defendants } Debt.
W. P. Normandie }

And now on this day came the Parties by Attorneys, in the above entitled cause, and announced themselves ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County, to wit: John T. Price and eleven others, who being duly elected, empannelled and sworn, after hearing the evidence, the Argument of Counsel, and the Charge of the Court, retired to consider of their verdict, and after due deliberation, returned into Court the following verdict, to, wit:" We the Jury find for the Plaintiff the Sum of One Hundred and Sixty 4/100 Dollars. John T. Price, Foreman" It is therefore ordered, adjudged and decreed by the Court, that the Plaintiff James R. Jackson, do have and recover of and from the defendants. Peck and W. Normandie the Sum of One Hundred and Sixty 4/100 Dollars, Principal debt and interest up to date, with interest thereon at eight Per cent, from the rendition of this judgment until Paid, together with all costs of this suit expended, for which execution may issue.

1074. Thos. L. Moore } Plaintiff } And now on this day
vs } came the Parties by their
A. J. Donson } Defendant } Attorneys, and the Motion for new trial coming on to be heard in this cause, and the Court having heard the argument of Counsel on said Motion, and the law arising thereon, having been Considered. It is ordered by the Court that said Motion be overruled, And thereupon the Defendant by attorney in open Court gave notice of an appeal to the Supreme Court.

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1288. O. K. Peck vs Banyan Payne et al } Plaintiff / Defendants } And now on this day came the parties by Attorneys, and the Motion to change venue in this cause coming on to be heard, and the Court having heard the Argument of Counsel, Doth order that the venue be changed to Williamson County, and that the Clerk of this Court forward the Papers in this cause, together with a Certified Copy of the entries made herein, to said County, on or before the next Term of the District Court of Williamson County

1452. James R. Jackson vs E. R. Peck and W. P. De Normandie } Plaintiff / Defendants } And now on this day came the Plaintiff in this cause by his Attorney and moves the Court to set aside the judgment heretofore rendered in this cause, which said Motion was granted by the Court, And thereupon the said Plaintiff announced himself ready for trial, and dismissed this suit as to E. R. Peck, who had not been served with process, and the Plaintiff waiving a Jury submitted the matter in Controversy to the Court, And the demand of the Plaintiff being liquidated as evidenced by a certain instrument of writing.

It is therefore ordered, adjudged and decreed by the Court, that the Plaintiff, Jas. R. Jackson, do have and recover off and from the Defendant W. P. De Normandie the sum of One Hundred and Sixty and 14/100 Dollars, and all costs of this suit laid out and expended, for which execution may issue.

And thereupon Court adjourned until tomorrow Morning 9 o'clock A.M.

Wednesday Morning, January 20th 1858.

Court Commenced at 9 o'clock A.M. Pursuant to adjournment. Present the same as on yesterday. Whereupon the following Proceedings were had by said Court, as follows to wit

1204. Mary Jane Chalmers & William L. Chalmers } Plaintiffs
vs
L. H. Luckett, Thomas H. Duval Exor. Adam M. Luckett, dec'd, Alfred T. Luckett and John B. Costa } Defendants
Partition

And now at this Term the above entitled Cause having come on to be finally heard on the report

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of Commissioners of Partition and the report of Commissioners for Sale of Property for Payment of debts of the Estate of Roland M. Luckett, deceased, and it appearing to the Court that the sale of Property made by said S. H. Luckett was fairly made and in conformity with law, and the decree of the Court appointing him for that purpose, It is ordered that said report of sale be recorded in the words and figures following, to wit:

Mary S. Chalmers and William S. Chalmers
S. H. Luckett and
Thos. H. Duval Exrs. of
R. M. Luckett, decd. Pets

To the Hon. A. W. Terrell
Judge of the District Court
of Travis County.—

By a Decree of your Hon. Court at its Fall Term 1836, made on the 4th February 1837, in the above titled case for the sale of Certain Negroes named in said decree, I S. H. Luckett one of the Executors of R. M. Luckett, decd and Guardian of A. F. Luckett, submit the following report. Notice being given (of said sale of Negroes) of 20 days setting forth the time and place said sale would take place, also terms of said sale (being same as set forth in said decree) by Handbills published and set up in more than three places in said County, and also sent to the adjoining Counties, said place being at the Auction Room of Hinnin & Carr in the City of Austin, and the day the 3rd of March 1837. I did, on said day between the hours of 10 a.m. and 4 P.m. offer at Public Auction, to the highest & best bidder, said Slaves, who were bought by the names opposite their names, and sold for the amounts also put opposite their names, to wit:

Fed	bought	by A. Davidson	For	$ 963
Sorrell	"	" William Burdett	"	1,223
Darson	"	" Eborn	"	803
Custom	"	" Wm. Morris		850
Making total amount of said sale				$3833,00

Thus the said Davidson, Burdett, Morris and Eborn being the highest and best bidders for said Slaves, were knocked off to them, & the said Purchasers each gave his note with good security

Fall Term 1857 Wednesday January 20th 1858.

and deed of Trust for said purchase money, as set forth in said decree of Court. All of which is respectfully submitted this 30th October 1857. L. H. Luckett. Exer. of N. M. Luckett. dec'd. and a Guardian of A. T. Luckett).

And it is further Ordered and decreed that said Report and sale be in all things ratified and confirmed by this Court.

And the Report of said Commissioners of Partition having been duly returned, and the same appearing fair and in conformity with Law. and no objection being made to the same, It is ordered that said Report be recorded in words and Dollar figures following:

W. L. Chalmers et.al.
vs
L. H. Luckett et.al.

The undersigned Commissioners appointed by the Honorable the District Court of Travis County, to appraise and a partition the Estate of Nolen M. Luckett dec'd make the following report, viz:

Appraised value of Out Lots No. 34, 33, 36, 46, 47, 38, & 39, of 10 acres each, and 14½ acres known as the reserve, all adjoining the City of Austin

Negro Man	George	$3,000.00
"	Richard	330.00
" Woman	Viney	1200.00
"	Maria	300.00
" Man	Luther	900.00
"	Green	850.00
" Girl	Susan	900.00
"	Ellen	600.00
" Woman	Rose	450.00
"	Eliza	500.00
" Man	Belford	950.00
" Boy	Hap	1,000.00
"	Gus	800.00
" Girl	Sarah	650.00
" Man	Joe	400.00
" Woman	Amanda	450.00
" Boy	Richard	800.00
" Woman	Margaret	400.00
" Boy	Wayne	450.00
" "	Henry	500.00
" Girl	Jane	300.00
	Amt. car. forward	$16,550.00
	Amount brt. forward	$16,550.00
Lot No. 2. of Dora League 300 acres		3,000.00

Fall Term 1857, Wednesday, January 20th 1858.

" " 1, 3 & 4. " 1100 " @ $2 Per acre. 3,320,00
Whole Apprised value $22,870,00

We make the following Partition giving to each what is Set Apart in the Will of said A. M. Luckett.

To Mary Jane Chalmers
Set Lots No. 34, 35, 36, 46, 47, 58 & 59. and
14 1/2 acres known as the reserve. 3,000,00
Negro Woman Rose 500,00
" Man Beford 1,000,00
" Woman Eliza 950,00
" Boy Alex 800,00
" Girl Ges 650,00
" Girl Sally 400,00
" Boy Richard 400,00
" Woman Amanda 800,00
" Man Lee 450,00
Lots No. 3 & 4 of Neva League containing
1107 acres @ $2. Per acre. 2214,00
Amt advanced to Mary Jane by
A. M. Luckett Executor 803,85
Amt. Set Apart to Mary Jane $11,967,85

To Alfred Thunton Luckett
Lot No 1 of Neva League Cntg 3000 acres 3,000,00
Negro Man George 350,00
" Woman Viney 300,00
" Man Richard 1200,00
" Woman Maria 900,00
" Boy Green 900,00
" " Luther 850,00
" Girl Susan 600,00
" " Ellen 450,00
" " Margaret 800,00
" Boy Nage 450,00
" " Henry 500,00
" Girl Jane or Bell 300,00
Lot No 1 of Neva League Containing 553/c acres @ $2. 1107,00
Amt Set Apart to Alfred $11,707,00

The Amount thus given to Mary Jane Chalmers exceeds the Portion given Alfred T. Luckett, Two Hundred and Sixty and 85/100 dollars, but following the directions of the Will a more equal division cannot be

1858

Fall Term 1857, Wednesday, January 21st, 1858

made - She must therfore in accordance with said decree pay to the said Alfred T. Luckett the sum of One Hundred and thirty 42/100 dollars. The annexed plot of the Reba League shows which part is set apart to each. Your Commpsioners ask that for said appraisement and division they be allowed the sum of Ten dollars each. All of which is respectfully submitted.

James. Cole
G. W. Davis
W. P. D'Normandie

Sworn to and subscribed before me, December 28th, 1857
John B. Costa, Chief Justice Travis Co.

And it is farther ordered, adjudged and decreed that the said partition be and is hereby ratified and confirmed in all things, and the property therein assigned to the respective parties be and is hereby vested in them respectively according to the report of said Commissioners. And it is farther ordered and decreed that all the costs of this suit be adjudged against the Estate of said Noland M. Luckett, and that the same shall be Paid by the Executors in due course of Administration, And that this decree be certified below for observance. For which Execution may issue.

1147. ✓

James Robb & Co — Plaintiffs
v
William W Knowles, Sherman Reynolds & William B McGehee — Defendants

This day came the parties by their attorneys and announced themselves ready for trial. Thereupon came a jury of good and lawful men of Travis County, to wit. Thomas M James and eleven others who being duly elected empannelled & sworn well and truly to try the issue joined, and having heard the evidence, the argument of Counsel and charge of the Court, retired to consider of their verdict, and returned into Court the following verdict to wit.

"We the jury find for the plaintiffs in this suit, the sum of Two thousand one hundred and thirty one 16/100 dollars. (Signed) Tho. M James Foreman" It is therefore ordered adjudged and decreed by the Court, that the plaintiffs James Robb and George Robb under the firm name of James Robb & Co have and recover of the defendants William W Knowles, Sherman Reynolds and William B McGehee the sum of Two thousand one hundred And thirty one 16/100 Dollars as aforesaid assessed by the jury; with interest at the Rate of eight per centum per annum until paid, together with all the Cost in and about this suit expended; for which execution may issue &c

Fall Term 1857 Wednesday, January 20th 1858

Motion Docket

1147 James Robb & C
vs
William H Knowles et al

This day the motion filed by plaintiff to set aside the judgment of non suit, rendered at a former day of this Term Coming on to be heard and being considered by the Court, It is ordered by the Court that said judgment of non suit be and the same is set aside and the said cause be and the same is hereby reinstated upon the Docket to stand for trial at this Term of the Court

1342 Stephen A. Boyce } Plaintiff
vs
A. Lockwood as an affidavit } Defendant

It is ordered by the Court that this cause be Continued of Defendant.

1403 L. Fiske } Plaintiff
vs
L. L. Fragier et al } Defendants

It is ordered by the Court that the venue of this cause be Changed to Williamson County, and that the Clerk of this Court forward the Papers together with a Certified Copy of the entries made herein to said County on or before the next Term of the District Court of Williamson County, on application of Plaintiff.

1431 A. Superville } Plaintiff
vs
John H. Herndon & S. M. Swenson } Defendants

It is ordered by the Court that this cause be Continued for Service on Hernandon.

Thomas L Evans } Plaintiff
1452 L. H. Luckett, Surveyor } Defendant

On Motion of Plaintiff, It is ordered by the Court that Citation issue to A. M. Lindsay to make him party defendant to this suit.

Thomas L. Evans } Plaintiff
1452 L. H. Luckett Surveyor } Defendant

It is ordered by the Court that this cause be Continued for Service on A. M. Lindsay

E. A. Pearson Admr. &c. } Plaintiffs
261 vs
G. H. Burdett et al } Defendants

And now on this day Come the Parties by their Attorneys.

Fall Term, 1857. Wednesday, January 20th 1858.

and the Motion for change of venue coming on to be heard, and the Court Having taken the same into consideration, Doth order that the venue of this cause be changed to Williamson County, and that the Clerk of this Court forward the Papers together with a certified Copy of the entries made herein, to said County on or before the next Term of the District Court of Williamson County.

1402 — R. W. Braham } Plaintiff
v.
W. P. D. Normandie & Thos. F. McKinney } Defendants

And now on this day came the Parties to the above entitled cause by Attorneys and announced themselves ready for trial, Whereupon came a Jury of twelve good and lawful men of Travis County, to wit: R. M. Wilcox and eleven others, who being duly tried, elected, empannelled and sworn according to law, after hearing the evidence, Argument of Counsel and the charge of the Court, retired to Consider of their verdict, who after due deliberation returned into Court the following verdict, to wit: "We the Jury find for Plaintiff against Defendants W. P. D. Normandie & Thos. F. McKinney the sum of Two Hundred & Fifty Five & 15/100 Dollars. R. M. Wilcox, Foreman.

It is therefore ordered, adjudged and decreed by the Court that the Plaintiff R. W. Braham, do have and recover off and from the Defendants, W. P. D. Normandie and Thomas F. McKinney the sum of Two Hundred and Fifty five and 15/100 Dollars Principal debt and interest to the date, with interest thereon from the rendition of this judgment until paid, at the rate of Ten per centum per annum, together with all costs of this suit laid out and expended, for all which execution may issue.

1929 — J. E. Brady } Plaintiff
v.
John F. Miller } Defendant

On Motion, It is ordered by the Court that the venue of this cause be changed to Williamson County, and that the Clerk of this Court forward the Papers in this cause together with a Certified Copy of the entries made herein to said County, on or before the next Term of the District Court of Williamson County.

1956 — E. Warren } Plaintiff
v.
J. Killebrew } Defendant

On Motion, It is ordered that the venue of this cause be changed to Williamson County, and that the Clerk of this Court forward the Papers in this cause, together with a Certified Copy of the entries made herein to said County, on or before the next Term of the District Court of Williamson County.

And thereupon Court adjourned until to-morrow Morning 9 O'clock A.M.

Fall Term 1857 Thursday January 21st 1858.

Thursday Morning, January 21st 1858.

Court Convened at 9 o'Clock am. Pursuant to adjournment. Present the same as on yesterday. Whereupon the following Proceedings were had by said Court, as follows, to wit.

1295. B. Grumbles & wife } Plaintiffs
W. S. Oldham } Defendant
Williamson County, and that the Clerk of this Court forward the Papers in this cause, together with a Certified Copy of the entries made herein to said County, on or before the next Term of the District Court of Williamson County.
} On Motion, It is ordered by the Court that the venue of this cause be changed to

1296 B. Grumbles & wife } Plaintiffs
S. G. Sneed } Defendants
to Williamson County, and that the Clerk of this Court forward the Papers in this Cause, together with a Certified Copy of the entries made Herein, to said County, on or before the next Term of the District Court of Williamson County.
} On motion, It is ordered by the Court, that the venue of this Cause be changed

1434 John Bremond } Plaintiff
vs. } and
Geo. E. Robinson } Defendant
filed in this cause to set aside the judgment heretofore rendered in this cause, coming on to be heard, the Court and having Considered the same, It is ordered by the Court that said Motion be and is hereby granted, to which ruling the Plaintiff excepted.
} And now on this came the parties by their Attorneys, and the Motion heretofore

813 The State of Texas } Plaintiff
vs. } and
Hopkins & Randolph } Defendant
Wm O'Connell who after making oath in accordance with Article 271 of the Code of Criminal Procedure, acknowledged himself bound for the sum of Ten dollars, the amount of the fine imposed in this cause against the Defendant Thos. L. Randolph, as well as all costs herein incurred To be void if the said Randolph shall pay said fine and Costs on or before the next Term of this Court otherwise the same to become a final judgment of this Court.
} And now on this day came and appeared in open Court, Hon

Fall Term, 1857. Thursday, January 21st 1858.

814 The State of Texas vs. Heffington & Randolph } And now on this day came in and appeared in open Court Owen O'Brien, who after making oath in accordance with Article 271 of the Code of Criminal Procedure, acknowledged himself bound for the sum of Ten dollars, the amount of the fine imposed in this cause against the defendant Thos. J. Randolph, as well as all costs herein incurred. To be void if the said Randolph shall pay said fine and costs on or before the next Term of this Court, Otherwise the same to become a final judgment of this Court.

816 The State of Texas vs. Heffington & Randolph } And now on this day came and appeared in open Court Robert H. Clements, who after making oath in accordance with Article 271 of the Code of Criminal Procedure, acknowledged himself bound for the sum of Ten dollars, the amount of the fine imposed in this cause against the defendant Thos. J. Randolph, as well as all costs herein incurred. To be void if the said Randolph shall pay said fine and costs, on or before the next Term of this Court, Otherwise the same to become a final judgment of this Court.

817 The State of Texas vs. Heffington & Randolph } And now on this day came and appeared in open Court Horatio Grooms, who after making oath in accordance with Article 271 of the Code of Criminal Procedure, acknowledged himself bound for the sum of Ten dollars the amount of the fine imposed in this cause against the defendant Thos. J. Randolph, as well as all costs herein incurred. To be void if the said Randolph shall pay said fine and costs on or before the next Term of this Court. Otherwise the same to become a final judgment of this Court.

818 The State of Texas vs. Heffington & Randolph } And now on this day came and appeared in open Court Geo. W. Davis who after making oath in accordance with Article 271 of the Code of Criminal Procedure, acknowledged himself bound for the sum of Ten Dollars, the amount of the Fine imposed in this cause against the said Defendant Thos. J. Randolph as well as all costs herein incurred. To be void if the said Randolph shall pay said fine and costs on or before the next term of this Court, otherwise the same to become a final judgment of this Court.

888. The State of Texas vs. Heffington & Randolph } And now on this day came and appeared in open Court John Horen, who after making oath in accordance with Article 271 of the Code of Criminal Procedure, acknowledged himself bound for the sum of Ten dollars, the amount of

Fall Term, 1857, Thursday, January 21st 1858.

the Fine and Costs imposed in this cause against the Defendant Thos. L. Randolph, as well as all costs herein incurred. To be void if the said Randolph shall pay said fine and Costs on or before the next Term of this Court, Otherwise the same to become a final judgment of this Court.

1889 The State of Texas vs. Wellington & Randolph } And now on this day came and appeared in open Court, Lillo L. Nichols, who after making oath in accordance with Article 271. of the Code of Criminal Procedure, acknowledged himself bound for the sum of Ten dollars, the amount of the fine imposed in this cause against the Defendant Thos. L. Randolph as well as all costs herein incurred. To be void if the said Randolph shall pay said fine and costs on or before the next Term of this Court. Otherwise the same to become a final judgment of this Court.

1409 Joseph A. Sprague vs. P. D. Lambert } Plaintiff, Defendant. } And now on this day came the parties by their Attorneys, and the Motion heretofore filed in this cause to appoint an Auditor, coming on to be heard, and the Court after taking the same into Consideration, Doth order that the same be overruled.

1455 John C. Perry vs. A. H. Chalmers et al. } Plaintiff, Defendants. } This cause having been called, and the Defendants having appeared and withdrawn their Answers heretofore filed, and the Plaintiff having by his Attorneys and offered in evidence the Note in the Petition sued on, Whereupon it ordered, adjudged and decreed by the Court, that the Plaintiff, John C. Perry, have judgment by nil dicit against the Defendants for the sum Specified in said Note, with interest, that is to say, For Two Hundred and Seventy One 42/100 Dollars, together with all the costs of this suit laid out and expended, For all which execution may issue.

Fall Term 1857. Thursday, January 21st 1858

1812 The State of Texas } Plaintiff } The Defendant Randolph being
vs. } } in the custody of the Sheriff and
Huffington & Randolph } Defendants } failing to give security. It is
Ordered by the Court that he be committed to the County Jail
for the space of thirty days in accordance with Article No 694
of the Code of Criminal Procedure.

January 14th 1858

1442 L. H. Cannington & Co } Plaintiffs } This day came the parties by
vs. } } their attorneys and the defend-
William M Walton } Defendant } -ant having withdrawn his
answer heretofore filed, and saying nothing further in bar of
plaintiffs demand; and the papers, pleadings and evidence being
submitted to the Court, upon inspection thereof, it is ordered
adjudged and decreed by the Court that the plaintiffs L. H. Canning-
ton and David Clarke partners under the firm name of L.H. Canning-
ton & Co have and recover of the defendant William M Walton the
sum of one Hundred and Ninety nine 87/100 Dollars, amount appear-
ing to be due to said plaintiffs, to bear interest at the rate of Ten
per centum per annum from the date of this judgment until
paid together with all cost in this behalf expended, for which exe
cution may issue &c

State of Texas } Dfft } Motion Docket
vs. } } This day came William S Patter-
Huffington & Randolph } Defts } son Security an Appearance Bond
Wm S Patterson } Security on Bond } for Defendant Randolph, And moves
the Court to set aside the judg-
ment Nisi rendered against him on a former day of this Term;
and said Motion being heard by the Court, and it appearing to the Court
that the said Defendant Randolph was present in Court in his
own proper person and was tried and convicted by the jury, and
that said judgment nisi was rendered after said Defendant had
been tried and convicted; It is therefore Considered ordered and
adjudged by the Court that the said forfeiture and judgment
nisi, be and the same is hereby set aside and held for nought
and that the said Patterson be hence discharged

And thereupon Court adjourned till tomorrow morning 9 oclock am

Friday Morning January 22nd 1858.

Court convened at 9 o'clock A.M. Pursuant to adjournment, Present the Hon.
Joseph H. Caldwell Judge. Whereupon the following proceedings were had by said Court as
follows, to wit

Fall Term 1857 Friday January 23rd 1858

1178 L C Cunningham & Co vs James E Brady $175.78 — This day came the parties by their Attorneys and agreeing to waive a Jury and submit this cause to the Court, and the same being submitted upon inspection of the papers and the promissory note sued on in this action, It is ordered adjudged and decreed by the Court that the plaintiffs L C Cunningham and Henry Crockrow partners under the firm name of L C Cunningham & Co have and recover of the defendant James E Brady the sum of One Hundred and Seventy five 78/100 Dollars appearing to be due from the note set out in plaintiffs petition to bear interest at the rate of ten per centum per annum from the date of this judgment, together with all costs in this behalf expended for which execution may issue &c

It is ordered by the Court that E. B. Turner Esq. be appointed District Attorney to represent the State in the absence of G. W. Jones Esq. District Attorney in all cases that may come up in this Court in which the State is interested.

819 The State of Texas vs Heffington & Wallace — Plaintiff, Defendants

820 The State of Texas vs Heffington & Wallace — Plaintiff, Defendants

821 The State of Texas vs Heffington & Wallace — Plaintiff, Defendants

Came now on this day came E. B. Turner appointed in the absence of Geo. W. Jones, District Attorney and having moved the Court to correct and amend the original Judgments entered on the Minutes of the Court in said causes on pages 159, 160, and 161, and to revise said Judgments "nunc pro tunc" and because it appears to the satisfaction of the Court from an inspection of the original entries on the Docket that Wm M. Fowler was security for the payment of the fine and costs in said causes adjudged against Wm G. Wallace alone, and that there was error in said Judgments entered upon Pages 159, 160, and 161 in making said Fowler security for H. C. Heffington,

It is therefore ordered adjudged and decreed that so much of said Judgments as purport to make the said Fowler security for the Payment of said fines and costs of said Heffington be annulled set aside & held for naught and that said Judgments remain in full force & for as they make said Fowler Security in

said causes for the payment of the fine and costs in said causes adjudged against said Wallace and it further appearing that the said Heffington was present in Court at the time of the return of verdict in said causes & that he has neither paid the fines and costs in said causes adjudged against him, nor given Security under the Law for the payment of the same, nor been impresoned for non payment of the same, It is therefore ordered, that a Capias issue directed to the Sheriff of Travis County in each of said causes, commanding him to take into his custody the said Heffington, and to bring him into Open Court forthwith that he may give security in said causes, or be dealt with as the law directs.

1269

Thomas Adams, Plaintiff
B. F. Smith, George L. Walton & William M. Walton, Defendants

This day came the parties by their Attorneys, and announced themselves ready for trial, and the demurrer of Defendants to Plaintiffs Petition being overruled by the Court, and leave given to amend his petition. Thereupon came a Jury of good and lawful men of Travis County, to wit. S. G. Sneed and eleven others who being elected, empannelled and sworn, well and truly to try the issue joined between the parties, and having heard the evidence and the charge of the Court returned into Court the following verdict to wit "We the Jury find for the Plaintiff the sum of Two Hundred and Ninety Four 80/100 Dollars, and we find further, that the Note sued on was given for the Land described in Plaintiffs petition. S. G. Sneed, Foreman." It is therefore considered, adjudged and decreed by the Court, that the Plaintiff have and recover of the Defendants B. F. Smith, George L. Walton and William M. Walton the sum of Two Hundred and Ninety Four 80/100 Dollars, as aforesaid assessed by the Jury, to bear interest at the rate of ten per cent per annum from the date of this judgment until paid. And it is further ordered, adjudged and decreed by the Court, that the vendors lien in favor of the Plaintiff be and the same is hereby foreclosed upon Lot No. Twenty as described in the plan of subdivision of Three Hundred and Sixteen acres out off of the South West end of the George W. Spear Survey, about two miles above the City of Austin on the Colorado River and that an order of sale issue to the Sheriff of Travis County, Commanding him to sell the above described Lot of Land, and the Proceeds apply to the satisfaction of this judgment, and that the Plaintiff have execution against the Property of the Defendants for any deficit there may remain unpaid. It is further ordered adjudged and decreed that Plaintiff recover of the Defendants all costs in and about this suit expended, for which execution may issue.

Fall Term, 1857. Friday, January 23rd 1858.

1431. C. D. Nichols } Plaintiff
A. H. Cook } Defendant

This cause coming on to be heard, (Geo. W. Tipple Judge.) and the Defendant's Counsel withdrawing the Pleadings in the defence, and the action being based upon a liquidated demand in writing, to wit a Promissory Note, which was exhibited to the Court and the Defendant saying nothing in the defence of this cause and it appearing to the satisfaction of the Court that the said Defendant Abner H. Cook was justly indebted to the said Plaintiff C. D. Nichols in the sum of Three Thousand One Hundred and Forty dollars Principal debt and interest to date,

It is therefore ordered adjudged and decreed by the Court, that the said Plaintiff Dillon D. Nichols, have and recover of the said Defendant Abner H. Cook the said sum of Three Thousand One Hundred and Forty Dollars Principal and interest, together with all costs of this suit, laid out and expended, for which execution may issue.

1359 The State of Texas } Plaintiff
vs.
Archibald Martin ex'dr. } Defendant

This day came the State by E. B. Turner, Dist. Cty. pro tem. District Attorney Protem, and the Defendants by the District Attorney by their Attorneys and on motion of the District Attorney and by Consent of Parties, It is ordered, adjudged and decreed, that the Continuance entered in this cause at a former day of the Present Term of this Court, be and the same is hereby set aside, and this cause coming on to be heard upon its merits, the Defendants by their Attorneys withdrew their Answers, and making no further defence, but making default, and the Defendants also having waived a Jury, and submitted the cause to the Court, the Court upon hearing the evidence, being satisfied that on the fifth day of April 1856, in the County Court of Travis County, Archibald Martin Administrator of the estate of Samuel Taylor on settlement of his final account was found to be indebted to said estate in the sum of Twelve Hundred and Ninety 15/100 dollars, and there being no heirs to claim said sum of money, the same was ordered by said County Court to be paid over to James H. Raymond, Treasurer of the State of Texas. But the said Martin having failed

Fall Term, 1857. Friday, January 2d, A.D. 1858.

to pay over said sum of $1290.65 until since the commencement of this suit and that he retained the same in his hands seventeen and a half months from the time he was required by law to pay the same, It is therefore considered by the Court, and it is hereby ordered, adjudged and decreed, that in addition to said sum of $1290.65 acknowledged by the District Attorney to have been paid as aforesaid, that the said James H. Raymond, Treasurer of the State of Texas, in behalf of said State have and recover of said Archibald Martin, administrator as aforesaid, and his said sureties E. L. Johnson, D. H. Matthews and [illegible] the sum of eleven hundred and Nineteen 07/100 dollars as a penalty for failure on the part of said Martin to pay over said sum of money, and that he have and recover all costs by him about this suit expended, and that the District Attorney pay Defendants his legal fees for prosecuting this suit, and that execution may be issued for the same.

1338. S. M. Swenson, Plaintiff, vs. Oldham, Ferrell & White, Defendants.

This cause having been regularly reached upon the docket for trial, and the Plaintiff having announced himself ready for the trial, and no defence being insisted upon, came a jury of twelve good and lawful men, to wit: John S. Allan and eleven others, who after being duly tried, empanelled and sworn, the cause was submitted to them upon the pleadings of the respective parties and the proofs introduced by the Plaintiff. The said jury under the charge of the Court returned into Court the following verdict, to wit: "We the jury find for the Plaintiff the sum of One Hundred and Ninety dollars. John S. Allan Foreman." Whereupon it is ordered, adjudged and decreed by the Court, that the said Plaintiff Swante M. Swenson do have and recover of and from said Defendants, Williamson S. Oldham, Alexander W. Ferrell and George W. White the just and full sum of One Hundred and Ninety Dollars, together with all costs of this suit laid out and expended, for all which execution may issue.

1341. A. H. Cook, Plaintiff, vs. John S. Ford, R. E. B. Baylor, J. M. Gibson, Defendants.

Before A. W. Terrell, Judge. Now on this day came on this cause for the purpose of enquiry the default of the Defendants having been duly entered at a previous day of this Term. Whereupon came the said Plaintiff by his Attorneys, and the said Defendants

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having wholly failed to appear, demur, plead or answer, and the said Cause was submitted to a Jury of twelve good and lawful men, to wit R.M. Wilcox and eleven others, who having heard the allegations and proofs of the Plaintiff, retired under the charge of the Court to consider of their verdict, and returned into Court the following verdict to wit: "We the Jury find for the Plaintiff the Sum of Four Hundred Dollars, Amount prayed for in Petition For rent of the Brick Tin-Shop, described in Petition, R.M. Wilcox Foreman." It appearing to the Court that on the day of the Commencement of this Suit in this Court the said Plaintiff sued out a distrip warrant and seized the Property of said Defendants known as the Times Office Consisting of two Presses type apparatus and all things belonging to said Office, which said Warrant issued by J. J. Grams a Justice of the Peace in and for said County, upon the Affidavit of the said Plaintiff before such Justice. And it appearing that after the Seizure of the said Property, the said Defendants, with George W. Glapcock as security entered into bond of Replevy conditioned as the Law directs, for the delivery of the said Property to be levied upon by virtue of any execution to be issued upon any Judgment rendered in favor of the said Plaintiff, against said Defendants in this suit. The said Property being the same used by the said Defendants upon the rented premises. And whereas appeared the Plaintiff in open Court and acknowledged the Payment by the said Defendant Ford, of the Sum of One Hundred Dollars to the said Plaintiff, which amount is hereby allowed and remitted-

It is therefore ordered, adjudged and decreed by the Court, that the said Plaintiff, Abner H. Cook, do have and recover of and from the said Defendants, John S. Ford, H.C. McBray and F.W. Gibson, Defendants, the just and full sum of Three Hundred Dollars, together with all costs of suit, for which Execution may issue. And it is further ordered, adjudged and decreed, that in case the said Defendants deliver into the possession of the Sheriff of Travis County, within twenty days from the adjournment of this Court, the said two presses, type and the apparatus known as the Times office that the same may be sold to satisfy said debt upon said execution, then in that case the said George W. Glapcock security on said delivery bond be discharged

Fall Term, 1857. Friday, January 22nd 1858.

from all liability in consequence thereof, And in case the said Defendants refuse to deliver said Property to be Sold as aforesaid and such execution shall be returned unsatisfied in whole or in part, then the said Plaintiff may have alias Execution upon this judgment as well against the said George W. Glapcock as the said Defendants. Ford, DeBray and Gibson as in other cases.

↓1318

R. N. Turner } Plaintiff
vs.
C. W. McAnally et al, } Defendants

And now on this day Judge J. H. Crosby presiding the Parties by their Attorneys, on a the Motion coming on to be heard, heretofore filed in this, to dismiss Certiorari, and the same having been Considered by the Court, It is ordered that said Motion be and is hereby overruled.

↓1324

John Brennon } Plaintiff
vs.
Geo. E. Robinson } Defendant

Now on this day came the Parties to this cause by Attorneys, and the Motion heretofore filed in this cause for new trial coming on to be heard, and the Court having taken the same into Consideration Doth order that the same be and is hereby overruled, and thereupon the Defendant (by Counsel) Asst. Attorney in open Court gave notice of an appeal to the Supreme Court.

↓1043

L. L. McLaurin } Plaintiff
vs.
John T. Price } Defendant

And now come the Parties by attorneys, and the Motion heretofore filed in this Cause to reinstate said Cause on the Docket coming on to be heard, and the Court having taken the same under due consideration, Doth order that the said Motion be granted, and that said Cause be reinstated on the Docket.

1044 ↓

Benj. Hollman } Plaintiff
vs.
John T. Price } Defendant

And now come the Parties by attorneys, and the Motion heretofore filed in this cause to reinstate said cause on the Docket, coming on to be heard, and the Court having taken the same under due consideration. Doth order that the said Motion be granted and that said Cause be reinstated upon the Docket.

↓819

The State of Texas } Plaintiff
vs.
Heffington & Wallace } Defendants

And now on this day came the State of Texas by E. B. Turner Esq. District Attorney Protem, and the Motion heretofore filed in this cause to Correct the judgment in this Cause rendered at a former day of the present Term of this Court, Coming on to be heard, and the Court taking the same into Consideration. Doth order that said Motion be and is hereby granted. And that said judgment be Corrected.

Clerk thereof Court

Fall Term, 1857, Friday, January 22nd 1858.

820 The State of Texas } Plaintiff
v.
Heffington & Wallace } Defendants.

821 The State of Texas } Plaintiff
v.
Heffington & Wallace } Defendants

On Motion of E.B. Turner Esq. District Attorney Protem, It is ordered that the judgment heretofore rendered in the above causes Nos. 820 and 821. at a former day of the Present Term of this Court be Corrected.

865 B. D. Hendricks Admt. of Isaac N. Burton dec'd } Plaintiff
v.
George W. Glapcock } Defendant

In this case appeared the parties Plaintiff, Defendants and Intervenors by their Attorneys, and the Defendant withdrew, and amended his plea to jurisdiction of the Court, and announced themselves ready for trial, thereupon came a Jury of good and lawful men of Travis County, to wit. S. G. Sneed and eleven others twelve good and lawful men, ; ; who being duly tryed impannelled and sworn according to law, after hearing the evidence introduced by the Parties, Plaintiff, Defendant and Intervenors, and retired to consider of their verdict, and returned into Court the following verdict, to wit. "B. D. Hendricks vs. G. W. Glapcock, Heirs of Burton, Intervenors. We the Jury find for the defendants George W. Glapcock, S. G. Sneed, Foreman" It is therefore ordered, adjudged and decreed by the Court, that the Plaintiffs Bird D. Hendricks as Administrator of Isaac N. Burton as Plaintiff and the Intervenors, W. C. Dawson and Martha Dawson his wife, formerly Martha Burton, and Consort of I. W. Burton, dec'd. B. D. Hendricks and Susan Hendricks, his wife, formerly Susan Burton, daughter of I. W. Burton, and Martin Burton the son of the said I. W. Burton, who sues by his next friend B. D. Hendrick, take nothing by this Suit, that the defendant George W. Glapcock go hence without day. It is further ordered adjudged and decreed by the Court that the plaintiff B. D. Hendrick as the administrator of the estate of I. W. Burton deceased and the Intervenors W. C. Dawson and Martha Dawson his his wife and consort of the said I. W. Burton deceased and B. D. Hendrick and his wife Susan Hendrick the daughter of the said I. W. Burton and Martin Burton the son and minor heir of the said I. W. Burton who sues by his next friend B. D. Hendrick be and they are by virtue of this decree divested of all right title and claim in and to the following

Fall Term 1857. Friday, January 22nd 1858.

tract of land situate in the County of Williamson and State aforesaid it being a League and Labor of Land patented to George W. Glapcock Assignee of John A. Ferguson bounded and described as follows. On the San Gabriel about Six miles below Georgetown Beginning at the South West corner of Samuel Kinnon's League a Stake in the prairie from which an elm bears North 48° West 800 varas. Thence South 19° East at 450 varas a branch, at 6500 varas a Stone mound for the South West corner. Thence North 71° East 4000 varas to the South East corner a Stake. Thence North 19° West at 3.300 varas a Branch at 4000 varas the San Gabriel 6.500 a Stone in prairie from which a hackberry bears North 85 500 varas. Thence South 71° West at 3970 varas the San Gabriel at 4000 varas the place of beginning. It is further ordered adjudged and decreed by the Court that the title of the above described tract of land be and the same is by virtue of this Judgment and decree fully vested in the defendant George W. Glapcock. It is further ordered adjudged and decreed by the Court that the defendant George W. Glapcock do have and recover of and from the plaintiffs and Intervenors all the costs of this Suit. It is further ordered that the Clerk of this Court certify this Judgment and the bill of costs due thereon to the County Court of Houston County to be paid in due course of administration of the Estate of I. W. Burton deceased. It is further ordered that the defendants, plaintiffs and Intervenors have leave to withdraw their title papers in this Suit.

And thereupon Court adjourned till to-morrow morning 9 O'Clock a.m.

Saturday Morning, January 23rd 1858.

Court Convened at 9 O'Clock A.m. Pursuant to adjournment. Present the Hon. Wm. Taylor Presiding. Whereupon the following proceedings were had by said Court as follows to wit:

1466 Sarah H. Garretson } Plaintiff
vs. } Divorce —
John A. Garretson } Defendant

This cause coming on to be heard upon the petition, answer and Proofs, And it appearing that the petition is to have the Marriage heretofore celebrated between the ~~Plaintiff~~ Petitioner and defendant annulled and declared void by reason of the abandonment and continued absence of the defendant from Petitioner for the term of three years next before the filing of her said petition with the intention of abandonment. The said parties having

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appeared by their Attorneys, respectively, James P. Neal for Petitioner, and Thomas E. Sneed and N. S. Ridge for the Defendant. And it appearing to the Court, that the said Defendant had by his Attorneys admitted service of the Writ of Summons, and waived copy of Petition at least five days before the convening of this Term of the Court. Thereupon came a Jury, to wit: John F. Price and eleven others, good and lawful men of Travis County, who after being duly elected empannelled and sworn, and after hearing the following evidence: that said Parties were united in the bonds of matrimony in the State Arkansas in September 1846, that the said Defendant abandoned Petitioner about the 10th day of September 1854. with the intention of entire abandonment, and has remained from her up to this time, that Petitioner became a citizen of Travis County Texas in the Winter of 1854.-55. after retiring for Consideration, returned into Court the following verdict, to wit. "We the Jury find the allegations as set forth in Plaintiffs Petition to be true & that the said abandonment is of three years standing. John F. Price Foreman."

It is therefore ordered, adjudged, declared and decreed by the Court, that such marriage heretofore entered into between the Petitioner and Defendant herein is wholly null and void, and forever dissolved from the date of this Decree. And it appearing that both the said Petitioner and Defendant are now alive, it is also adjudged that this Sentence or decree shall be deemed and taken Conclusive evidence of the nullity of such marriage in all Courts and Proceedings. And it is further ordered and decreed, that the Defendant Pay all Costs in this Case, laid out and expended, and that Execution issue thereon.

✓ 847	The State of Texas vs. Thomas Bowles	Plaintiff / Defendant	On Motion of the District Attorney, the Court ordered alias Capias to bring the Defendant Bowles into Court that he may give security for Payment of Fine and Costs or Stand Committed to Jail for its non Payment
✓ 867	The State of Texas vs. James Burdett	Plaintiff / Defendant	On Motion of E. B. Turner Esq. District Attorney Pro-tem, It is ordered that alias Capias issue against the Defendant James Burdett to bring him into Court, that he may give Security for the Fine and Costs herein incurred or Stand Committed to Jail

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for the non payment of the same.

And thereupon Court adjourned till Monday Morning 9 Oclock a.m.

Monday Morning, January 25th 1858.

Court Commenced at 9 o'clock A.M. Pursuant to adjournment Present F. L. Cowsby Judge of the 9th Judicial District, Frank Brown Clerk, and Adolphus G. Weir Sheriff of Travis County. Whereupon the following proceedings were had by said Court as follows, to wit.

1447

L Horst	Plaintiff	This day came the plaintiff by attorney
vs		and the defendant in his own proper
W P de Normandie	Defendant	person and withdraws his answer heretofore
		filed and says nothing further in bar of

plaintiffs demand, and excuses that judgment be rendered for plaintiff, for amount of his demand against him. It is therefore ordered, adjudged and decreed by the Court that the plaintiff have and recover of the defendant W P de Normandie the sum of One hundred and Sixty One 87/100 Dollars with legal interest from this date until paid, together with all costs in and about this suit expended, for which execution may issue &c

1457

Chandler & Barnett	Plaintiff	Be this cause appeared
vs.		the parties, Plaintiffs and
Giles H. Burdett &		Defendants, and by their
Pike F. Burdett Admrs	Defendants	Attorneys announced themselves
of N. W. Burdett dec'd		ready for trial, and waived

a Jury and Submitted the matters in Controversy to the Court, after the evidence introduced by the Parties Plaintiffs and Defendants, and the same having been fully Considered by the Court. It is ordered, adjudged and decreed by the Court by the Court that the judgment of the Court below be and the same is hereby in all things affirmed. It is therefore ordered and adjudged by the Court that the Estate of the said Newell H. Burdett is indebted to the Plaintiff H. W. Chandler as a balance due on the three judgments that are attached to and made a part of his Petition in this cause including Costs due on the same in the sum of Two hundred and Nineteen 99/100 Dollars with interest from the 30th day of June 1857. together with all Costs of this suit in the Court below, and the Costs of this Court. It is further ordered adjudged and decreed by the Court that by virtue of the rendition of the aforesaid three several judgments rendered

Fall Term 1857 Saturday January 23rd 1858.

in this Court in favor of the Plaintiff F. M. Chandler against the said N. W Burdett and the levying of the Executions issued upon said judgment upon the following described tract of Land in Travis County to wit Seven Hundred and thirty eight acres of Land off the Homestead of two hundred acres being in Travis County on Big Walnut Creek a part of the H. J. Davis third League, that the Plaintiff Chandler has Special lien upon said Land. And it further appearing to the satisfaction of the Court that by virtue of a judgment rendered in this Court and levied upon said land at the same time in favor of the Plaintiff Ed. Barnett against the said N. W. Burdett that the said Burnett also has a special lien upon said Land which amounts to the Sum of two hundred and Seventeen 30/100 Dollars with interest at the rate of ten Per Cent Per Annum from the 2nd day of May A.D. 1857 until Paid. It is therefore ordered, adjudged and decreed by the Court that the Defendants Giles H. Burdett and Sepe F. Burdett as Administrators of the estate of N.W. Burdett dec'd. are hereby Commanded to advertise and sell the aforesaid Tract of Land off the Homestead two hundred acres as the Law directs on the first Tuesday in March 1858. to the highest bidder on a Credit of Six months at the place prescribed by Law, taking Note with two or more good Securities and Mortgage on the same to secure the payment of the Purchase money, and that the proceeds of said Sale or so much thereof as be necessary to pay off and discharge the aforesaid claims of the Plaintiffs, F. M. Chandler and E. H. Barnett, without reference to the Extensive debts or claims of any other Creditor or Creditors of the said N. W. Burdett. It is further ordered adjudged and decreed by the Court that the Plaintiffs F. M. Chandler and E. H. Barnett do have and recover off and from the said G. H. and S. F. Burdett as Administrators of the said N. W Burdett dec'd all costs of this Suit in the County Court and all costs of this Court Suit in this Court, that this judgment and decree be certified to the County Court for observance.

1169 Joseph Harrell vs Swenson & Normandie } Plaintiffs / Defendants } And now on this day Came the Parties by their Attorneys, and the Motion Coming on to be heard heretofore filed in this cause

Fall Term 1857 Monday January 26th 1858.

to change the venue of said cause to Williamson County, And the Court after having Considered the same, Doth order the venue of said Cause, be Changed to Williamson County, and that the Clerk forward the papers in this cause, together with a certified copy of the entries herein made, on or before the next Term of the District Court of Williamson County.

1819 The State of Texas vs Heffington & Wallace } Plaintiff / Defendant } And now on this day came Wm. M. Fowler pending and appears in open Court and Wm. M. Fowler who after making oath in accordance with Article 271 of the Code of Criminal Procedure, acknowledged himself bound for the sum of One hundred dollars the amount of the fine imposed in this cause against the defendant Heffington as well as all costs herein incurred. To be void if the said Heffington shall pay said fine and costs on or before the next Term of this Court. Otherwise the same to become a final judgment of this Court.

1820 The State of Texas vs Heffington & Wallace } Plaintiff / Defendants } And now on this day came and appeared in open Court Wm. M. Fowler, who after making oath in accordance with Article 271 of the Code of Criminal Procedure acknowledged himself bound for the sum of Fifty eight Dollars, the amount of the fine ~~xxxx xxxxx~~ imposed in this cause against the Defendant David C. Heffington as well as all costs herein incurred. To be void if the said Heffington shall pay said fine and costs on or before the next Term of this Court, Otherwise the same to become a final judgment of this Court.

1821 The State of Texas vs Heffington & Wallace } Plaintiff / Defendants } And now on this day came and appeared in open Court Wm. M. Fowler, who after making oath in accordance with Article 271 of the Code of Criminal Procedure acknowledged himself bound for the sum of One hundred dollars the amount of the fine imposed in this cause against the Defendant David C. Heffington, as well as all costs herein incurred. To be void if the said Heffington shall Pay said fine and Costs on or before the next Term of this Court. Otherwise the same to become a final judgment of this Court.

1817 The State of Texas vs Thomas Bowles } Plaintiff / Defendant } And now on this day came and appeared in open Court L. H. Luckett, who after making

Fall Term 1857. Monday, January 26th 1858.

oath in accordance with Article 271. of the Code of Criminal Procedure acknowledged himself bound for the sum of Ten dollars the amount of fine imposed in this cause against the Defendant Thomas Bowles as well as all costs herein incurred. To be void if the said Bowles shall pay said fine and costs on or before the next Term of this Court. Otherwise the same to become a final judgment of this Court.

897. The State of Texas vs. William Thomas } Plaintiff / Defendant } And now on this day came and appeared Richard A. Dane, who after making oath in accordance with Article 271. of the Code of Criminal, acknowledged himself bound for the sum Ten dollars the amount of the fine imposed in this cause against the Defendant William Thomas, as well as all costs herein incurred. To be void if the said Thomas shall pay said fine and Costs on or before the next Term of this Court, Otherwise the same to become a final judgment of this Court.

1334. James E. Boulding vs. Thomas Cassidy & Owen O'Brien } Plaintiff / Defendants } This cause coming on to be heard, and the parties appearing by their attorneys, and agreeing to waive a Jury and Submit the matters in Controversy to the decision of the Court upon the Pleadings in the Cause - and such evidence as the parties might produce, and the Plaintiff producing in evidence the Promissory Note described in his petition upon which said Note were endorsed a Credit of Two hundred Dollars and the Defendants offering no evidence in defence of this action. It is therefore ordered adjudged and decreed by the Court, that the said Plaintiff James E. Boulding do have and recover of the said Defendants Thos. Cassidy and Owen O'Brien the Sum of Four Hundred and Six Dollars and eighty ×34 Cents Principal and interest to this date, over and above the said Two Hundred dollars the Amount Credited on said Note and all costs of this suit laid out and expended, for which execution may issue.

1443. L. D. Carrington & Co. vs. Reuben Runner & Mary Runner } Plaintiffs / Defendants } And now on this day came the Parties to this cause by their Attorneys and on Motion it is

Fall Term, 1857. Monday, January 25th 1858.

ordered by the Court, that the said cause, be dismissed from the Docket and that the Plaintiff recover of the Defendants all costs of this suit, for which execution may issue.

1439 A. A. Cook vs. R. Runner } Plaintiff / Defendant } And now on this day came the parties to this cause by their Attorneys and on motion, It is ordered by the Court that said cause be dismissed from the docket, and that the Plaintiff recover of the defendant all costs of this suit, for which execution may issue.

1284 Thomas J. Chapman vs. S. G. Sneed } Plaintiff / Defendant } It is ordered by the Court that the defendant have leave to amended.

1274 Andrew M. Cox vs. Robert Creuzbaur } Plaintiff / Defendant } And now on this day came the parties to this cause by their Attorneys and by Consent, It is heretofore entered in this cause be dismissed from the docket at Plaintiffs Costs, for which execution may issue. ordered that the Continuance be set aside, and that this

1174 J. J. Alexander admr. vs. Thomas Adams et al } Plaintiff / Defendants } It is ordered that this cause be dismissed by Consent of parties.

891 The State of Texas vs. O. H. Rondeau } Plaintiff / Defendant } And now on this day came before A. W. Terrell Mayor presiding and appeared in Open Court, Wm P. De Normandie who after making oath in accordance with Article 271 of the Code of Criminal Procedure, acknowledged himself bound for the sum of Two dollars the amount of the fine imposed in this cause against the Defendant Rondeau as well as all costs herein incurred To be void if the said Rondeau shall pay said fine and costs on or before the next Term of this Court, Otherwise the same to become a final judgment of this Court.

And thereupon Court adjourned until tomorrow morning 9 o'clock am

Tuesday Morning January 26th 1858.

Court convened at 9 o'clock A.M. pursuant to adjournment. Present the Hon. J. J. Crosby Judge of the 11th Judicial District, Frank Brown Clerk, and A. G. Weir Sheriff of Travis County Whereupon the following proceedings were had by said Court as follows to wit:

Fall Term, 1857, Tuesday, January 26th 1858.

1284 Thomas F. Chapman } Plaintiff
S. G. Sneed } Defendant } Injunction

This cause coming on to be heard upon a motion to dispolve the Injunction. Whereupon came the respective parties by their Attorneys and announced themselves ready for the hearing of the said Motion and after hearing the Pleadings in the cause read, and the Argument of Counsel thereupon. It is ordered, adjudged and decreed by the Court the said Injunction be and the same is hereby wholly and entirely dispolved - It appearing to the Court that the said Injunction was improperly granted, it is ordered, ~~xxxx~~ adjudged and decreed by the Court, that the said Defendant S. G. Sneed do have and recover of and from the said Thomas F. Chapman, Plaintiff in this suit and William P. De Normandie, George W. Paschal and R. H. Peck the securities of the said Chapman upon the bond filed in this cause upon the issuance of the Injunction, the just and full sum of Three Hundred Dollars being the amount enjoined. And it is further ordered, adjudged and decreed by the Court, that the said S. G. Sneed do have and recover of and from the said Chapman, De Normandie, Paschal and Peck, all the costs of this suit, the judgment of which was in this suit enjoined as well as all costs in this behalf expended, for all which Execution may issue.

1079 Attorney } Plaintiff } Defendant's leave to amend.
v.
Joseph Rhubarb } Defendant

Judge Terrell presiding
Ordered that the Defendant
leave to withdraw the
plea filed in this cause

1198 B. C. Bennett } Plaintiff
vs
I. A. Blair } Defendant

1226 The State of Texas } Plaintiff } Ordered by the Court that the
v Judgment final by default
Martin Moore } Defendant rendered in this cause at a
former day of the present term be set aside as to the principal, but that defendant pay all costs of this proceeding, for which execution may issue.

Fall Term, 1857, Tuesday, January 26th 1858.

1104 — J A Sprague v. P Lambert — Plaintiff / Defendant — The motion to set aside the verdict and for a new trial in this cause is overruled by the Court, the defendant by Attorney giving notice, in open Court, of an appeal to the Supreme Court.

1401 — James L Easton v. Thos L Robinson — Plaintiff / Defendants — Ordered that defendants have leave to amend their motion for a new trial in this cause.

1203 — N C Raymond & wife v. Cook & House — Plaintiffs / Defendants — It is ordered that the venue of this cause be changed to Williamson County, and that the Clerk forward the papers and the usual transcript according to law.

1194 — Hiram W House v. Lucinda Raymond — Plaintiff / Defendant — It is ordered that the venue of this cause be changed to Williamson County, and that the Clerk forward the Original papers and the usual transcript according to law.

1161 — R M McAlpin & Co v. Cassidy & Runnin — Plaintiffs / Defendants — It is ordered that the venue of this cause be changed to Williamson County and that the Clerk forward the Original papers and the usual transcript in the case.

1023 — J J McLaurin v. John T Price — Plaintiff / Defendant — It is ordered that the venue of this cause be changed to Williamson County and that the Clerk forward the Original papers and the usual transcript in the case.

1044 — Benj Hollamon v. John T Price — Plaintiff / Defendant — It is ordered that the venue of this cause be changed to Williamson County, and that the Clerk forward the Original papers and the usual transcript in the case.

896 — S D Croft v. Joseph Newham — Plaintiff / Defendant — It is ordered by the Court that the Plaintiff be allowed to amend his return with last exception to the true facts of the case.

1311 — Pike v. Harrell — Plff / Deft. — It is ordered that the venue of this cause be changed to Williamson County, and that the Clerk forward the Original papers and the usual transcript in the case.

Fall Term, 1857. Tuesday January 26th 1858

It is Ordered by the Court that Philander Priestley Esq. be and he is hereby admitted to practice as an Attorney and Counsellor at Law in all the inferior and District Courts of the State of Texas, he having produced satisfactory evidence to the Court of having been admitted as such by the Supreme Court of Tennessee.

The following Orders and Judgments rendered by me in the following named causes, and on the pages of this Record Book designated below are hereby approved by me, as follows, to wit:

865 Hendricks Admr vs Jesse M Glasscock page 280.
1043 J. J. McLaurin vs John T. Price page 279.
1044 Benj Hollands vs John T. Price page 279
1174 John T. Alexander vs Thomas Adams et al page 287.
1178 Cunningham & Co. vs James E Brady page 274
1269 Thomas Adams vs B J. Smith et al page 275
1284 Thomas F Chapman vs Sebron G Sneed page 288.
1334 James E Boulden vs Cyprey O'Brien page 286
1358. J M Swenson vs Adam, Terrell & White page 277
1359 The State of Texas vs A. Martin et al page 276
1139 J M Cox R vs Reuben Rummer page 287
1145 S P Carrington & Co vs Reuben Rummer et al page 286
1147 Louis Hunt vs W. P. & Norman & Co page 283
1318 R. M. Tyner vs C. M McNeely et al page 279.
1043 McLaurin vs John T. Price page 279.
1044 Benj. Holland, vs John T. Price page 279
1163 Joseph Harrell vs J. M. Swenson et al page 284
847 The State of Texas vs Thomas Bowles page 285
891 The State of Texas vs Charles H Rindsen page 287.

This Jany 27th 1858

L. T. Smith

Jan 27th 10 o'clock A.M.

And thereupon Court adjourned until tomorrow Morning 9 o'Clock am

Wednesday Morning January 27th 1858.

Court Convened at 9 O'Clock A.M. Pursuant to adjournment. Present the Hon. J. Terrell Judge, Frank Brown Clerk, and A. C. Weir Sheriff of Travis County. Whereupon the following Proceedings were had by said Court as follows, to wit:

Fall Term 1857 Wednesday, January 27th 1858.

A List of the Grand and Petit Jury, to the Fall Term 1857 of the District Court of Travis County, Texas and the number of days Served by each, and the amount due them for such Service.

	Names of the Grand Jury.	No. of days.	Amounts.
1	M. C. Hamilton	11	$ 12. 00
2	Washington Anderson	11	12. 00
3	Aaron Burleson	11	12. 00
4	John Bremond	11	12 111
5	Eustace Davidson	11	12. 11
6	E. S. Giles	11	12 111
7	B. C. Bennett	11	12 111
8	George T. Bowds	11	12 111
9	Robert Bratlin	11	12 111
10	H. N. Burdett	11	12. 00
11	William Armstrong	11	12. 00
12	Isaac Wilburn	11	12. 00
13	L. A. Enoch	11	12. 00
14	William M. Fowler	11	12. 00
15	D. L. Crop	11	12 00
16	Matthew Bowne	11	12 00
	Grand Jury.	128	$192 00

	Names of the Petit		
2	Allan, John L.	1	$ 1. 50
3	Atwood, W. H.	1	1. 50
4	Adams, F. E.	18	27 111
5	Brush L. B.	10	15 111
6	Baker, William R.	6	9. 00
7	Bingner, H. C.	8	12. 00
8	Burdett, William	11	16 50
9	Bennett, Hezram	5	7. 50
10	Bishop, Josiah	6	9. 00
11	Baker, Clinton	8	12. 00
12	Bennett L. W.	5	7. 50
13	Birchard P.	18	27 00
14	Barnes, A. H.	6	9. 00
15	Banks, John B.	5	7. 50
16	Burdett Giles H.	14	21. 00
17	Burdett, W. C.	9	18. 50
18	Brown, Leander	2	3. 00
19	Bostick J.	8	12. 00
20	Bremond, Eugene	1	1 50
21	Compton, A. G.	16	24 111
22	Carr, Wm. H.	7	10. 50

Fall Term, 1857, Wednesday, January 21st, 1858.

23	Cook,	A. H.	23	34	50
24	Carrington,	L. D.	16	24	00
25	Castara,	Wm.	14	21	00
26	Christian,	Edward	4	6	00
27	Chapman,	Thos. H.	2	3	00
28	Davis,	Jenkins	20	30	00
29	Davis,	George,	16	24	00
30	Daniel,	R. E.	24	36	00
31	Dawson,	Joseph	8	12	00
32	Darter,	E. H.	11	16	50
33	Doyle,	James	5	7	50
34	Evans,	A.	1	1	50
35	Freeman,	Thos.	19	28	50
36	Flournoy	G. M.	2	3	00
37	Grumbles,	Perry	2	3	00
38	Grumbles,	Wm. A.	1	1	50
39	Glascock,	Geo. H.	27	40	50
39 1/2	Granick.				
40	Grooms,	Horatio	22 21	33	00
41	George,	R. F.	3	4	50
42	Gordon	L. G.	2	3	00
43	Grooms	E. J.	14	21	00
44	Grant,	W. M.	17	25	50
45	Holman,	W. C.	7	10	50
46	Hurst,	Lewis	18	27	00
47	Hammett,	Isaac	6	9	00
48	Horn,	A. G.	31	46	50
49	Hamilton,	Wm. A.	1	1	50
50	Hosmer,	George,	8	12	00
52	Houston	M. A.	10	13	00
52	Hedgecoxe	C.	5	7	50
53	Johnson,	Enoch	14	21	00
54	Johnson	Richard M.	16	24	00
55	Jackson	Jos. R.	4	6	00
56	Jolley	L. G.	6	9	00
57	Jol.	P. W.	13	19	50
58	Jones,	Thos. H.	9	13	50
59	Kirchberg	G.	11	16	50
60	Kyrimy	D. P.	10	15	00
11	Lambert	P.	9	13	50
62	Hammett	W.	15	22	50
63	Hopkington	D. C.	6	9	00
64	Hopkins	C. A.	4	6	00
65	Hampton	L. C.	20	30	00
66	Haynie	L. G.	4	6	00
67	Mapin	E.	1	1	50

Fall Term 1867 Wednesday, January 29th 1868.

68	McGill,	A.B.	3		4	50
69	McBride,	Hugh	19		28	50
70	Milliean	A.H.	9		13	50
71	Martin,	Enoch	16		24	00
72	Martin,	Colman	14		21	00
73	McMath,	M.W.	2		3	00
74	Milam	P.G.	11		16	50
75	Matthews	Jas H.	12		18	00
76	Mansfield	J.M.	10		13	00
77	Nowlin	P.W.	32		48	00
78	Newbrand	John.	6		9	00
79	Norton	Wm J	1		1	50
80	Oliphent	Wm.	12		18	00
81	O'Brien	O.	9		13	50
82	Price	John, J.	42		63	00
83	Pick.	R.H.	1		1	50
84	Palm,	Augustus	14		21	00
85	Payne,	J.S.	21		31	50
86	Palm,	Spencer	1		1	50
87	Roberts,	W.W.	6		9	00
88	Rogers	Jas.	1		1	50
89	Rott,	John	10		15	00
90	Speed	S.G.	2		3	00
91	Symmerow	M.	7		10	50
92	Smith,	Alfred	16		24	00
93	Stuffy,	Henry	5		7	50
94	Spence	J.S.	18		27	00
95	Spicers	Edward	13		19	50
96	Stylfox,	John	11		16	50
97	Sampson,	Geo. W.	8		12	00
98	Spivisher,	Sno. M.	11		16	50
99	Schwartz,	Augustus	4		6	00
100	Samuels.	H.	1		1	50
101	Janney,	John.	7		10	50
102	Jamichill	John. D	22		33	00
103	Thaxton,	J.B.	16		24	00
104	Tong.	B.C.	4		6	00
105	Townsend	Martin	10		13	00
106	Tanney	Thos H.	7		10	50
107	Thompson,	J.A.	16		24	00
108	Sims,	James	1		1	50
109	Upshur.	W.L.	1		1	50
110	Varner,	J.P.	16		24	00
111	Vanclave,	John	7		10	50
112	Ware,	Thos. H.	3		4	50

Fall Term, 1857. Wednesday, January 27th 1858.

113	Walsh, Dennis	2.	3,00
114	Wilcox, Robert	12	18,00
	Grand Total —	1273 Days.	$1.909.50

I certify that the above report of the Jury Service is correct.
Adolphus G. Weir, Shff. of Travis County, Texas.

The above Report after examination, is found correct & is approved
January 26th 1858. A. W Terrell, 2d Dist. Judge.

The County of Travis, To F. L. Mayfield Dr
To Services as Bailiff To the Grand Jury at Fall Term, 1857 @ $15 $16.50
I certify that this acct is correct. 26th January, 1858.
Adolphus G. Weir Shff. Travis County.

The County of Travis To M. D. Whitaker Dr.
To Services as Bailiff To Petit Jury at said Term 62 days @ $1.50 $93.00
The County of Travis To Albert Wars Dr
To Services as Bailiff to Petit Jury at said Term 59
days at $1.50 per day $ 88.50
I certify that this acct is correct Adolphus G. Weir Shff. of
Travis County.

A Statement of all Moneys collected by Adolphus G. Weir, Sheriff of Travis County, Texas, at the November Term, 1857, of the District Court of said County, Towit.

644	The State of	William Clapton	$	10 00
711	"	" " Giles A. Boggess		10 00
712	"	" " " " "		10 00
713	"	" " " " "		10 00
703	"	" " Thomas P. Ochiltree		20 00
843	"	" " Robert Campbell		20 00
853	"	" " Samuel Tate		100 00
845	"	" " Norvell & Smith		10 00
727	"	" " Wm P. Ochiltree		25 00
831	"	" " Bate Robinson		10 00
837	"	" " " "		10 00
			$	235 00

By this amount paid George W. Jones, Esq., District Attorney 5 per cent. on $235		11 75
By this amount retained by me as my Commissions on $235 See Article No 808		11 75
By balance on hand		211 50
	$	235 00

Fall Term 1857. Wednesday, January 27th 1858.

I have remaining in my hands Two Hundred and Eleven Dollars and Fifty Cents belonging to the County of Travis, 26th January, 1858.

Adolphus G Weir Sheff of Travis County.

The State of Texas } Travis County } Be it: This day Adolphus G Weir personally appeared before me, Frank Brown, Clerk of the District Court of said County, and made oath that the foregoing Report is correct, and that it Contains an exact account of the moneys received by him during said Term January 26th 1858. Adolphus G Weir

Sworn to and Subscribed before me, in open Court, This 26th day of January, 1858. Frank Brown, Clerk, D.C.T.C.

The State of Texas } County of Travis } The Clerk reports the following case in which Jury fees are due and receivable as follows to wit

144	Townsend	v.	DeFrate et al	1	3	00
578	Wood	"	Rawles	2	3	00
603	Mills	"	Rust	3	3	00
719	Rose & Wife	"	Collins	4	3	00
766	Lowery	"	Capity & Finnin	5	3	00
803	Wall	"	Brown, Admr et al	6	3	00
832	Burdett	"	Rowe	7	3	00
865	Hendricks	"	Glapcock	8	3	00
954	Gillespie Admr	"	Colpeton	9	3	00
964	Biggy	"	Hancock	10	3	00
982	Shropshire et al	"	Ford et al	11	3	00
998	Mabin	"	Dancer et al.	12	3	00
1007	Oatman	"	Hancock	13	3	00
1029	J. W. Buntin	"	Hancock	14	3	00
1028	Oatman	"	Hancock	15	3	00
1030	Oatman	"	Hancock	16	3	00
1031	Buntin	"	Hancock	17	3	00
1032	Deats	"	Hancock	18	3	00
1033	Mabry	"	Hancock	19	3	00
1047	Freeman	"	Smith	20	3	00
1074	Moore	"	Denson	21	3	00
1077	Hoxey	"	May	22	3	00
1104	Hamilton	"	Walton	23	3	00
1109	Tellman	"	Hook	24	3	00
1113	Moke	"	Fish	25	3	00
1124	Burdett & Miller	"	W. C. Martin	26	3	00
1126	McMurtry	"	Easton	27	3	00
1131	Wright	"	Burdett	28	3	00
1141	Holt & Co.	"	Knowles et al	29	3	00
1154	Cushmeny, Groves & Co.	"	Hopkins & Jones	30	3	00

Fall Term 1857: Wednesday, Jany 27, 1858.

1155	Hartzrader	v.	Conner	31	3	00
1156	Johnson Ho.	"	Fisk	32	3	00
1157	Carter	"	Cook	33	3	00
1165	TenEyck	"	Hamilton	34	3	00
1167	Peirsen & Dunn	"	TenEycks	35	3	00
1172	Murdoff	"	Brown et al	36	3	00
1176	Miller Ho.	"	Chapman	37	3	00
1178	Cunningham Ho.	"	Brady	38	3	00
1179	Bywater	"	Johnson et al	39	3	00
1180	Sneed	"	Mathis	40	3	00
1184	Nichols	"	Nichols	41	3	00
1185	McGill	"	Noulin et al	42	3	00
1187	Thomas	"	Richardson et al	43	3	00
1191	Hewett & Newton	"	Travis	44	3	00
1193	Grooms	"	Clemon	45	3	00
1196	Tyers	"	D'Normandie	46	3	00
1198	Bennett	"	Carr	47	3	00
1202	Hopkins	"	Pettmecky	48	3	00
1204	Chalmers et al	"	Luckett et al	49	3	00
1206	Green, Admr.	"	Collinsworth	50	3	00
1207	Walton	"	Emmobles	51	3	00
1208	Montague	"	Thomas	52	3	00
1209	Cartwright	"	Neily	53	3	00
1268	Green	"	Hamilton	54	3	00
1269	Adams	"	Smith et al	55	3	00
1270	Carr	"	Speed & Wilson	56	3	00
1272	Steele	"	Payne et al	57	3	00
1276	Miller	"	Buckholts	58	3	00
1278	Samuels & Mason	"	Reed	59	3	00
1279	Peck	"	Matthews	60	3	00
1282	Land	"	Land	61	3	00
1287	McDonald	"	Fellman	62	3	00
1291	Prentiss	"	D'Normandie & Hardeson	63	3	00
1292	Duffau	"	Ferguson et al	64	3	00
1293	Capidy	"	Samuels & Mason	65	3	00
1294	Baker	"	Roy et al	66	3	00
1297	Kearney	"	Davenport et al	67	3	00
1304	Richardson	"	Baker & Rost	68	3	00
1306	Swenson	"	D'Normandie et al	69	3	00
1307	Compton & Strother	"	McCall	70	3	00
1308	Peck	"	Davidson	71	3	00
1312	Carrington & Co.	"	Boyd & Moore	72	3	00
1313	Freeman	"	Richardson et al	73	3	00
1319	Coors	"	Coors	74	3	00

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1320	Haman		"	Walton	75	3 00
1322	Harrell		"	Raven	76	3 00
1325	Hamilton	Chandler & Co.	"	Haling	78	3 00
1328	Carrington		"	Fisk et al	78	3 00
1329	Chandler		"	Keithly et al	79	3 00
1330	Webster		"	Bennett et al	80	3 00
1331	Milam		"	Reed wife	81	3 00
1333	Swenson		"	Marshall et al	82	3 00
1334	Boulding			Capidy et al	83	3 00
1335	Brown		"	Cook et al	84	3 00
1336	Carrington	& Co.	"	Carr	85	3 00
1337	Cannon		"	McGehee & Rector	86	3 00
1338	Brunnigg		"	Matthews et al	87	3 00
1339	Rosborough		"	Dickson	88	3 00
1341	Cook		"	Ford et al	89	3 00
1344	Henston		"	Walton et al	90	3 00
1348	Carrington	& Co.	"	Pace	91	3 00
1349	Carrington	& Co.	"	Bailey & Shifflett	92	3 00
1350	Carrington	& Co.	"	Allen	93	3 00
1351	Mitchell		"	McGill	94	3 00
1352	Carrington	& Co.	"	Fisk & Terrell	95	3 00
1353	Oliphant	et al	"	Heffington	96	3 00
1354	Smith		"	Baker	97	3 00
1357	Townsend		"	Payne	98	3 00
1358	Swenson		"	Oldham et al	99	3 00
1362	Carrington		"	Grumbles	100	3 00
1363	Hedrian		"	Hedrian	101	3 00
1365	Brumond		"	Oldham	102	3 00
1366	Brumond		"	Roy wife	103	3 00
1368	Guess		"	McGill et al	104	3 00
1369	Osborn		"	Walton et al	105	3 00
1370	Osborn		"	Walton et al	106	3 00
1371	Conner		"	Tiner	107	3 00
1372	Smith		"	Fellman	108	3 00
1374	Cook		"	McGill	109	3 00
1375	Earnest		"	Fowler et al	110	3 00
1376	Osborn		"	Gray et al	111	3 00
1377	Osborn		"	Kirchberg et al	112	3 00
1379	Reager	Admr.	"	Le Normandie	113	3 00
1380	Osborn		"	Horan et al	114	3 00
1381	Osborn		"	Horan et al	115	3 00
1382	Myrdie		"	Snead	116	3 00
1385	Grimes	& Co.	"	Lockwood	117	3 00
1386	Greaves		"	McGill	118	3 00

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1389	Tyler	"	Willie	109	3 00
1390	Hancock	"	Davidson et al	120	3 00
1392	Brauner	"	Freeman et al	121	3 00
1393	Mantle	"	Smith et al	122	3 00
1396	Hall	"	Monroe	123	3 00
1397	Grimes Ho.	"	Wilhelm	124	3 00
1398	Hill	"	Cook	125	3 00
1399	Freemans	"	Payne & DeNormandie	126	3 00
1401	Eastin	"	Tisk et al	127	3 00
1402	Van Alstyne	"	Rutherford	128	3 00
1404	Cardwell	"	Robertson	129	3 00
1406	Van Alstyne	"	Thomas	130	3 00
1407	Sprague	"	Lambert	131	3 00
1408	Hamilton		McAnally et al	132	3 00
1410	Cardwell	"	Fennin et al	133	3 00
1412	Raymond	"	McKean et al	134	3 00
1417	Hamilton	"	Jennings	135	3 00
1419	Cochwein	"	Ussher	136	3 00
1420	Bach	"	Hurst	137	3 00
1425	Sampson & Hennicks	"	Conner	138	3 00
1427	Strond	"	Holeman	139	3 00
1428	Campbell	"	Gibson	140	3 00
1429	Crawey	"	Collins	141	3 00
1430	Nichols	"	Cook	142	3 00
1432	Gray et al	"	Rowell	143	3 00
1434	Bernard	"	Robinson	144	3 00
1435	Cannon	"	Fitzgerald	145	3 00
1437	Kirkland & Baughn Ho.	"	Rutherford	146	3 00
1441	Carrington Ho.	"	Johnson	147	3 00
1442	Carrington	"	Walton	148	3 00
1444	Brickta et al	"	Brickta et al	149	3 00
1446	Carrington Ho.	"	Chalmers	150	3 00
1447	Hurst	"	DeNormandie	151	3 00
1449	Walton	"	Brown et al	152	3 00
1451	McCormack	"	Luckett, Surety	153	3 00
1453	Ward	"	Hancock	154	3 00
1454	Jackson	"	Peck et al	155	3 00
1455	Perry	"	Chalmers et al	156	3 00
1456	Pollard	"	Fellman	157	3 00
1457	Burnetts, Admrs	"	Chandler & Barnett	158	3 00
1462	Braham	"	DeNormandie et al	159	3 00
1463	Deats & Blue	"	Cook	160	3 00
1464	Sevenson & Swisher	"	Cook et al	161	3 00
1128	Heinze	"	Kirchberg	162	3 00

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1466	Garretson	v.	Garretson	163	3 00
1467	Rankin et al.	"	Chandler	164	3 00
1073	O'Connell et al.	"	Carrington et al	165	3 00
1284	Chapman	"	Smith	166	3 00
	State of Texas.	"	Ned, a Slave of Silas Parson		3 00
1327	District	"	King	167	3 00
1343	Carr	"	Smith	168	3 00

168 Jury Fees in Civil Causes $ 504.00
1 " " " Criminal Case 5.00
Total Jury Fees — $509.00

The Clerk of the District Court of Travis County furthers reports as follows: That the amount of Jury Fees due as aforesaid amounts to the said sum of $509.00
2½ per cent. Commissions allowed by law deducted 12.73
Amount of Jury Fund to be distributed among the Jurors at this Term $496.27
That the amount of Service by the Grand Jurors is 1268 days
" " " " " " " Petit " 1145 "
Total No. of Days Served 2273 "
That the Pro Rata pay of the Jurors aforesaid amounts to the sum of Thirty-Nine (39) cents per day, as follows:

2273 days.
39 ¢ per day.

11457
3819

$496.47 Dollars as above reported.
Respectfully Submitted, Frank Brown, Clerk D.C.T.C.

The above is approved this 27th day January, 1858, in open Court,
A W Terrell, 2d Dist Judge.

The foregoing minutes having been examined the same are hereby approved and thereupon it is ordered that the Court do now stand adjourned until the next regular Term
A W Terrell
Judge 2d Judicial Dist

Spring Term, Monday, June 7th 1858

The State of Texas } At a Term of the District Court begun and
County of Travis } holden at the City of Austin, within and for the County and State aforesaid, on the ~~nin~~ to Monday after the first Monday in April, anno Domini Eighteen hundred and fifty-eight, the same being the seventh day of June, A. D. 1858, and the time appointed by Law for the meeting of said Court, Present the Honorable Alexander W. Terrell, Judge of the Second Judicial District of the State of Texas, Frank Brown, Clerk of said Court, and L. M. Blackwell, Sheriff of Travis County. Whereupon the following proceedings were had by said Court, as follows, to wit:

X The ~~names on the~~ Regular Venire Facias, elected by the County Court, having been called by the Sheriff; and a sufficient number of the Veniremen summoned as aforesaid not answering to their names, It is ordered by the Court that a Special Venire Facias be issued, commanding the Sheriff to summon ten good and lawful men of Travis county, to complete the panel of Grand Jury men - which said Special Venire Facias having been duly issued and returned into Court by the Sheriff - the Court thereupon constituted the following as the Grand Jury of Travis County for the term of the Court, regularly summoned as aforesaid - each Juror answering to his name, as follows, to wit: Alfred Smith, James Berry, W. B. Burditt, A. G. Compton, Benjamin Chate, William M. Wilson, Giles H. Burditt, James Carter, Hall Medlin, James Rogers, Joseph Harrell, Wm W. Hamilton, John G. Jolly, C. S. Matthews and W. S. McCutchan. And thereupon said Jurors above named having been duly sworn according to Law, the Court appointed Alfred Smith foreman of said Grand Jury. And thereupon the Court having charged said Jury as to the duties devolving upon them, under the Law, they were ordered to retire, under charge of the Bailiff, to enter upon a discharge of their duties

And thereupon It is ordered by the Court, that the Clerk issue a Special Venire for twenty-four men, to serve as the Petit Jurors for the present term of the Court, returnable to-morrow morning at 8 o'clock

And thereupon, It is further ordered by the Court, that the Criminal Docket be set for hearing on the third Monday of this term, the same being two weeks from to-day

1476 Andrew D. Dodd vs Matthew Brown } Plaintiff / Defendant } And now on this day appeared the parties to this cause by attorney, and thereupon it is agreed by said parties, that the Court may render Judgment for plaintiff against defendant for the amount rendered in the Court below, with costs of suit. And thereupon, It is ordered, adjudged and decreed by the Court, that the said plaintiff, Andrew D. Dodd, do have and recover of and from the def-

endant, Matthew Brown, and the security on his certiorari bond, to wit: John T. Price, the sum of forty-seven 50/100 dollars, being the amount of the Judgment rendered by the Magistrate, Thomas W. Nolen, together with all costs expended in said Magistrate's Court, and the District Court. And it appearing to the Court that the Judgment of this Court is for the same amount as the Judgment of the Court below, It is adged that the Plaintiff recover of the defendant and his said security, ten per centum damages on said sum of forty-seven dollars and fifty cents, for all which sums execution may issue.

196	Giles H. Burditt vs William Custard	Plaintiff / Defendant	It is ordered by the Court that this cause be continued on application of Plaintiff
413	R. D. McAnelly v. Simon Purdon	Plaintiff / Defendant	It is ordered by the Court that this cause be continued on application of Plaintiff.
910	The Corporation of the Town of Bastrop vs Alfred Smith.	Plaintiff / Defendant	And now on this day appeared the parties to this cause by their respective attorneys. And by agreement of said parties, It is ordered by the Court that the said cause be dismissed from the docket at the cost of Plaintiff. And thereupon, It is ordered, adjudged and decreed by the Court, that the defendant, Alfred Smith, do have and recover off and from the Plaintiff, the Corporation of the Town of Bastrop, in Bastrop county, all costs in this behalf expended, for which execution may issue.
1190	Peters & Sweeney vs James M. Alexander, et al.	Plaintiffs / Defendants	It is ordered by the Court that the defendants have leave to amend their pleadings
1288	Thomas Blair v. Sidon H. Harris	Plaintiff / Defendant	It is ordered by the Court that the ~~Defendant~~ Parties have leave to amend his pleadings.
1326	R. W. Humphries et al v Sherman Cure et al	Plaintiffs / Defendants	It is ordered by the Court that the defendant Freeman have leave to amend.

And thereupon It is ordered that Court adjourn until to-morrow morning at 8 o'clock

Spring Term, Tuesday June 8th 1858.

Tuesday Morning, June 8th 1858.

Court convened at eight o'clock, A. M. pursuant to adjournment. Present the same as on Yesterday. Whereupon the following proceedings were had by said Court, as follows, to wit:

1138	B. O. & Susan C. Payne vs. Josiah G. Dunn	Plaintiffs / Defendant	On this day appeared the counsel for the Plaintiffs in this cause, F. W. Chandler, Esq, and on his motion, it is ordered by the Court that the said cause be dismissed from the docket, and that said Plaintiffs pay all costs incurred herein, for which execution may issue.	
643	George W White vs. Case and Payne	Plaintiff / Defendants	It is ordered by the Court that this cause be continued, on motion of the Plaintiff	
738	Chandler & McFarland vs. Augustus Fore & John J. & John J. Grumbles, Jr	Plaintiffs / Defendant / Garnishees	On this day appeared the Plaintiffs by attorney, and thereupon it appearing to the Court that the Garnishees have answered that they are not indebted to Defendant, and have no effects of Defendant in their hands, and know of no person who has, and upon motion of said Plaintiffs attorney, It is ordered by the Court that said Garnishees be discharged, and go hence, and recover of the Plaintiffs all costs in this behalf incurred, for which execution may issue.	
818½	Henry Rose vs. John A. Green	Plaintiff / Defendant	It is ordered that this cause be continued generally.	
849	R. E. Flanniken v. Daniel McKenzie	Plaintiff / Defendant	Continued for service	
850	Newell W. Burdett v. William Burdett	Plaintiff / Defendant	Continued generally.	
864	J. & T. Robb vs. Joseph Newsham	Plaintiffs / Defendant	This cause having been regularly reached in the docket, and the Plaintiffs neither appearing in person or by attorney to prosecute the same, It is ordered by the Court that said cause be dismissed, and that the Defendant recover of said	

Spring Term Tuesday June 8th 1858

Plaintiffs all costs of this suit, for which execution may issue.

✓ 879	Zach A. Burdett v. S. W. Keithley	Plaintiff / Defendant	Continued by the defendant on application of Charles S. Crest attorney.
✓ 887	William C. Cochinsworth v. John Caldwell	Plaintiff / Defendant	And now comes the defendant by attorney, and on his motion it is ordered that the plaintiff enter into bond and security for the costs of this suit within the prescribed time the said Plaintiffs' attorney being present, in open Court, and notified of said motion. And thereupon, it is further ordered that this cause be continued under the rule aforesaid
✓ 918	Giles H. Burdett v. S. W. Keithley	Plaintiff / Defendant	ordered that this cause be continued generally
✓ 945	S. W. Dunson, pro. ads. v. Zach A. Burdett	Plaintiffs / Defendant	ordered that this cause be continued on application of I. A. Green, who appears for plaintiffs.
✓ 958	Thomas F. Chapman v. Zalmon D. Grumbles & John M. Duncan	Plaintiff / Defendants	and now comes the Plaintiff by attorney, and dismisses this suit as to the defendant Grumbles. And thereupon it is ordered by the Court that the defendant Zalmon D. Grumbles go hence without day. Ordered, further, that this cause be continued as on application of defendant Duncan.
✓ 1041	Thomas F. Chapman v. Stone & Calvin	Plaintiff / Defendant	and now comes the Plaintiff, by attorney, and suggests to the Court the death of the defendant Samuel Stone; and, on motion of said plaintiff, it is ordered that this cause be continued, and that Scire facias issue to the legal representative of said Stone, when known.
✓ 1058	William Custard v. Richard Forehand, et. al.	Plaintiff / Defendants	Continued by consent of parties.
✓ 1059	James Beck & Co. v. I. A. & W. W. Burdett	Plaintiffs / Defendants	In this case appeared the parties plaintiff and defendants, by their attorneys, and announced themselves ready for trial. And thereupon came a Jury of twelve good and lawful

Spring Term, Tuesday June 8th 1858.

men of Travis County, to wit: S. W. Charles, Freeman, and eleven others, who being duly tried, empanneled and sworn according to law, after hearing the evidence introduced by the plaintiffs and defendants and charge of the Court, retired to consider of their verdict, and returned into Court the following verdict, to wit: "We, the Jurors, find for the plaintiff $1011.11 It is therefore ordered, adjudged and decreed by the Court, that the plaintiff James Beck, George W. Read and William Hewit, under the firm name and style of James Beck & Co., do have and recover off and from the defendant Joel A. Burditt, in this in din dual right, and Giles H. Burditt and Jesse Burditt, as the administrators of N. W. Burditt, deceased, the sum of One thousand and one 10/100 dollars, for their principal debt and interest up to this date, with interest thereon at the rate of eight per cent. per annum from this date until paid, together with all the costs of this suit for which execution may issue against the defendant Joel A. Burditt. It is further ordered, adjudged and decreed by the Court, that this Judgment is an established claim against the estate of the said N. W. Burditt, deceased, and that this Judgment be certified to the Probate Court of Travis county, to be paid in due course of administration of the estate of N. W. Burditt, dec'd.

↓ 1117 — Tempa Spencer, Adm'x vs Richard Wells — Plaintiff / Defendant — It is ordered by the Court that Scire facias issue to W. W. Brown of Hays county, as the legal representative of the estate of Richard Wells, dec'd returnable to the next term of this Court.

↓ 1162 — Arthur G. Wavell v. E. M. Peace, Gov'r — Plaintiff / Defendant — Ordered that this cause be continued generally

↓ 1183 — John Kraus v. Theodore Sterzing — Plaintiff / Defendant — It appearing to the Court that a rule was entered at the last term requiring the plaintiff to enter into bond and security for the costs of this suit, with notice to Plff's, and it appearing that said rule has not been complied with, It is ordered that this Cause be dismissed from the docket, and that the defendant recover of the Plaintiff all his costs in this behalf incurred, for which execution may issue.

↓ 1189 — James McGruder, et al vs Richard Wells of the estate of Richard Wells, deceased — Plaintiffs / Defendant — ordered, that this cause be continued for service on W. W. Brown, of Hays county, the administrator accordingly, and that Scire facias issue to him

↓ 1448 — Meredith Colston v. J. R. McCall, et al — Plaintiff / Defendants — ordered by the Court that the Plaintiff have leave to amend his petition.

Spring Term, Wednesday June 9th 1858

√ 1103 P. W. Nowlin vs W. C. Walker, et als. } Plaintiff certiorari Defendants } and now on this day appeared the parties to this cause by their respective attorneys, and announced themselves ready for trial. And thereupon came a Jury of twelve good and lawful men of Travis county, to wit: R.W. Humphreys, Foreman, and eleven others, who being duly tried, elected, empannelled and sworn according to law, and having heard the evidence, argument of counsel and the charge of the Court, retired to consider of their verdict. And thereupon said Jury returned into Court the following verdict, to wit: "We, the Jury, find for the defendant. R.W. Humphreys, Foreman." Wherefore, It is ordered, adjudged and decreed by the Court, that the said Plaintiff take nothing by this said action; that the defendants go hence, and recover of the plff. P. W. Nowlin, and the securities on his cost bond, to wit: M. A. Taylor and Ed. Fennin, all costs expended in the Magistrate's Court and this Court, for which execution may issue.

1143 F. W. Chandler vs. J. W. Houdleston, et als. } Plaintiff Defendants } and now on this day appeared the parties to this cause by attorney, and announced themselves ready for trial. Whereupon, came a Jury of twelve good and lawful men of Travis county, to wit: S. W. Charles, foreman, and eleven others, who being duly tried, elected, empannelled and sworn according to law, and having heard the evidence, argument of counsel, and the charge of the Court, retired to consider of their verdict. Whereupon said Jury returned into Court the following verdict, to wit: "We, the Jurors, find for plaintiff $569.45. S.W. Charles, Foreman." Wherefore, It is ordered, adjudged and decreed by the Court that the said plaintiff, Frederick W Chandler, do have and recover of & from the defendants, J. W. Houdleston, A. C. Isaacs, Asa Perry and W. M. Perry, said sum of Five Hundred and Sixty-Nine 45/100 dollars, with legal interest thereon from this date until payment, and all costs of this suit, for which execution may issue.

And thereupon Court adjourned until to-morrow morning 9 o'clock

Wednesday June 9th A. D. 1858

Court convened at Eight o'clock, A. M. pursuant to adjournment. Present the Hon. A. W. Terrell, Judge of the 2d Judicial District of the State of Texas; Frank Brown, clerk, and J.M. Blackwell, Sheriff of Travis county. Whereupon the following proceedings were had by said Court as follows, to wit:

√ 1190 Peters & Sweeney vs John M. Alexander, et als. } Plaintiffs Defendants } And now on this day appeared the plaintiffs and the defendant James M. Alexander by their respective attorneys, and the exceptions of said defendant to the sufficiency of the affidavit on which the attachment in this cause was issued,

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coming on to be heard, and after argument of counsel thereon, It is ordered by the Court that said exceptions be sustained and the attachment quashed. And thereupon the defendant submitted to the Court his application under oath, for a continuance of said cause, which is refused. And thereupon plaintiffs' exceptions to defendants plea in abatement being submitted and argued, the same are sustained by the Court. Whereupon the plaintiffs dismiss their suit as to the defendants in this cause, except James M. Alexander. Whereupon It is ordered by the Court that said defendants go hence without day. And thereupon defendants demurrer to plaintiffs petition coming on to be heard, and being argued by counsel, the same is overruled by the Court. Whereupon the parties announced themselves ready for trial. Whereupon came a Jury of good and lawful men of Travis county, to wit: R.W. Humphries, foreman, and eleven others who being duly elected, tried, empannelled and sworn, and having heard the evidence and charge of the Court, retired, and returned into Court the following verdict, to wit: "We, the Jury, find for the plaintiffs the sum of thirteen and thirty-eight 38/00 dollars. R. W. Humphreys, foreman." Whereupon, It is ordered, adjudged and decreed by the Court, that the pffs. R. S. Peters and Wm Sweeney, under their firm name of Peters & Sweeney, do have and recover off and from the defendant James M. Alexander, the said sum of Thirteen Hundred and thirty-eight 38/00 dollars, with legal interest thereon until paid, and all costs in this behalf expended, for which execution may issue.

1192 — John D Kerfoot, et als. v. Henry Rhiegler, et als. — Plaintiffs / Defendants — Continued on application of defendants by affidavit.

1199 — W.C. Sansom v. W. Brown, admr. — Plaintiff / Defendant — on this day this cause being regularly reached on the docket, and the pffs. neither appearing in person or by atty. to prosecute the same, It is ordered by the Court that said cause be dismissed for want of prosecution, and that defendant J. W. Brown, Admr of Samuel Craft, dec'd recover off and from the ~~plaintiff~~ W.C. Sansom and the security on his cost bond, to wit: J. W. Henderson, all costs in this suit expended, for which execution may issue.

1200 — James C. Brady v. R. M. Johnson — Plaintiff / Defendant — and now on this day came the parties to this cause by attorney, and announced themselves ready for trial. And defendants demurrer to plaintiffs petition coming into be heard, the same is overruled by the Court. And thereupon came a Jury of good and lawful men of Travis county, to wit: S.W. Charles, foreman, and eleven others, who were duly tried, elected, empannelled and sworn. And said Jury having heard the testimony, and the charge of the Court, retired, and brought into Court the following verdict, to wit: 'We, the Jury, find for

the plaintiff #88xx D. W. Charles, foreman." Wherefore, It is adjudged and decreed by the Court, that the plaintiff, James E. Brady, do have and recover off and from the defendant, R. M. Johnson, the sum of Eighty-Eight dollars aforesaid, and all costs in this behalf expended, for which execution may issue.

1205 ✓ Samuel Cooper v. James Phillips } Plaintiff / Defendant } And now on this day appeared these parties by attorney, and announced themselves ready for the trial of this cause, when came a jury of good and lawful men of Travis County, to wit: P. W. Humphreys, foreman, and eleven others, duly tried, elected, empannelled and sworn, who having heard the testimony and charge of the Court rendered the following verdict, to wit: "We, the Jury, find for the plaintiff the sum of #163.20/00 R. W. Humphreys." Wherefore, It is adjudged and decreed by the Court, that said plaintiff, Samuel Cooper, do have and recover off and from the defendant, James Phillips, said sum of One Hundred and Sixty-three 20/00 dollars, with legal interest thereon until paid, and all costs in this behalf expended, for which execution may issue.

1224 ✓ The State of Texas v. Alfred Ten Eyck } Plaintiff / Defendant } It appearing to the Court that the defendant ~~Edward~~ Alfred Ten Eyck was fined in the sum of Fifty dollars, as a defaulting Grand Juror, at the fall term, 1856, of this Court, and that he has been regularly served by writ of Scire facias to appear and show cause why the same should not be made final, and has failed to do so, and wholly made default, It is therefore adjudged, adjudged and decreed by the Court, that the judgment nisi aforesaid be made final, and that the said State of Texas, do have and recover off and from the defendant Alfred Ten Eyck, said sum of fifty dollars and all costs of this proceeding, for which execution may issue.

✓ 1226 The State of Texas v. William Custard } Plaintiff / Defendant } It is adjudged by the Court that the fine entered against the defendant in this cause, at the fall term, 1856, be remitted, but that said defendant, Custard, pay all costs of this proceeding, for which execution may issue

✓ 1266 Edward R. Peck v. Willard C. Walker } Plaintiff / Defendant } This cause being regularly reached, and said plff. neither appearing in person or by attorney, to prosecute the same, It is adjudged by the Court that the suit be dismissed from the docket for want of prosecution, and that the plff. Edward R. Peck, pay all the costs of the same, for which execution may issue.

✓ 1271 Geo. L. & W. M. Walton v. H. L. Roy } Plaintiffs / Defendants } On this day came the parties to this cause by attorney, and the Defendant submitted to the Court

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a motion to appoint an Auditor to state the accounts between the parties - which motion is sustained by the Court. And thereupon the Court appointed Joseph Lee, Esq. an attorney of this Court, as Auditor, to examine the accounts of the parties, and to make his Report in three weeks from to-day, said Lee being in Court, and accepting said appointment.

1273	Wm T. Gamble, admr vs A. J. Denson	Plaintiff / Defendant	And now comes George W. Jones, Esq. attorney for the Peff and suggests to the Court the death of the said William T. Gamble, and on motion of said attorney, Mrs. Josephine Gamble, admrix debonis non of said George Gamble, dec'd. is made party Peff. in this action	
1277	Amers O'Brien vs W. C. Walker	Plaintiff / Defendant	Continued.	
1286	Albert G. Compton v. Western Stage Co.	Plaintiff / Defendant	It is ordered by the Court that the defendants have leave to file amended answers	
1286	Albert G. Compton v. Western Stage Co	Plaintiff / Defendant	It is ordered by the Court that the Plaintiff have leave to file amended petition.	
1288	Thomas Blair v. Sidon M. Harris	Plaintiff / Defendant	Continued generally.	
1289	L. H. Luckett, et al. Exrs v. Joseph W. Robertson	Plaintiffs / Defendant	Continued by consent.	
1303	North, Sherman & Co vs Mitchell & Gibson	Plaintiffs / Defendants	Continued generally	
1305	John Watson vs Joseph Newsham	Plaintiff / Defendant	In this case appeared the parties Plaintiff and Defendant, by their attorneys, and announced themselves ready for trial, and waived a Jury and submitted the matters in controversy to the Court; after hearing the evidence introduced by the parties Plaintiff and Defendant, It is ordered, adjudged and decreed by the Court, that the Peff. John Watson, do have and recover, off and from the Defendant Joseph Newsham, the sum of Two Hundred	

Spring Term. Wednesday. June 9th A. D. 1858

and Eighteen 46/100 dollars, principal debt and interest up to this date, with lawful interest until paid, it being the balance found to be due on the Judgment rendered in this Court at the fall term, 1853, in favor of the Plaintiff against the defendant, together with all costs of said original cause and of this cause, for which execution may issue

1321 G. Kirchburg v. W. C. Walker, et al. } Plaintiff / Defendants } Continued by consent.

1286 Albert G. Compton vs The Western Stage Co } Plaintiff / Defendants } on this day appeared the Pleff. and the defendants in this cause by their attorneys, and said Plaintiff's demurrer to defendants plea ~~in abatement~~ of non est factum being submitted, and argued by counsel, is sustained by the Court. And thereupon It is ordered by the Court that this cause be continued, on account of plaintiff filing an amended petition on the eve of the calling of the cause for trial, which set up new cause of action; and ordered, further, that said plaintiff pay all costs that have accrued at this term of the Court, for which execution may issue.

1301 A. J. Harper v. Samuels & Mopon } Plaintiff / Defendants } and now on this day appeared the parties to this cause by their attorneys and announced themselves ready for trial; thereupon came a Jury of good and lawful men of Travis county, to wit: D. W. Charles and eleven others, who being duly tried, elected, empannelled and sworn, and having heard the evidence, argument of counsel, and the charge of the Court, retired to consider of their verdict. Whereupon said Jury returned into Court the following verdict, to wit: "We, the Jurors, decide that the Goods belong to the defendants Samuels & Mopon D. W. Charles, foreman." Whereupon It is ordered, adjudged and decreed by the Court, that the goods levied upon in this case be discharged and released from said levy, and that the defendants recover off and from the plaintiff, A. J. Harper, all costs in this behalf expended, for which execution may issue.

And thereupon Court adjourned until to-morrow morning at eight o'clock

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Thursday Morning June 10th 1858.

Court convened at eight o'clock pursuant to adjournment. Present the same as on yesterday. Whereupon the following proceedings were had, by said Court as follows, to wit:

Spring Term, Thursday, June 10th A. D. 1858

1324 John L. Smith, admr vs. William Woods } Plaintiff / Defendant } Continued by consent.

1316 Almanzon Houston v. Eunicetta N. Nealman & John C Nalman, Adms } Plaintiff / Defendants } And now on this day of the term appeared the parties in this cause by attorney, and announced themselves ready for trial. And thereupon Defendants' demurrer to Plaintiff's being submitted and argued by counsel, is overruled by the Court. Whereupon the parties announced ready to try of good and lawful men of Travis County, to wit: R.W. Humphreys, foreman and eleven others, who being duly tried, elected, empannelled and sworn, heard the testimony, argument of counsel and the charge of the Court, and retired to consider of their verdict. Whereupon said Jury returned into Court the following verdict, to wit: "We, the Jury, find for the defendants. R.W. Humphreys, foreman." Whereupon, It is adjudged and decreed by the Court that the said Plff. take nothing by their said action; that the defendants go hence, and recover off and from said Plaintiff, Almanzon Houston, and the securities on his cost bond, to wit: C. Deen and A. E. Baker, all cost in this behalf expended for which execution may issue.

1342 Stephen A. Boyce v. Sylvester Lockwood } Plaintiff / Defendant } And now on this day appeared these parties by attorney; and thereupon Defendant submitted to the Court his affidavit for the continuance of said cause, which application is refused. Whereupon the parties announced themselves ready for trial - And thereupon came a Jury of good and lawful men of Travis County, to wit: I. H. Pope, foreman, and eleven others, who were duly tried, elected, empannelled and sworn. And said Jury having heard the evidence and the charge of the Court, retired, and brought into Court the following verdict, to wit: "We, the Jury, find in favor of the Plaintiff seven hundred & fifty-four 32/100 dollars, principle and interest. I. H. Pope, foreman." Wherefore, It is adjudged and decreed by the Court that said Plaintiff, Stephen A. Boyce, do have and recover off and from the Defendant, Sylvester Lockwood, said sum of Seven Hundred and fifty-four 32/100 dollars, with legal interest thereon until paid, and all costs in this behalf expended, for which execution may issue

And thereupon Court adjourned until to-morrow morning at half past eight o'clock

Spring Term. Friday, June 11th A.D. 1858.

Friday morning, June 11th 1858.

Court convened at half past eight o'clock pursuant to adjournment. Present the Hon. A. W. Terrell, Judge of the Second Judicial District of the State of Texas; Frank Brown, Clerk, and J. M. Blackwell, Shff. of Travis county. Whereupon the following proceedings were had by said Court, as follows, to wit:

993 — Phil. Claiborne (Plaintiff) v. James E. Brady (Defendant) — and now comes the Pltff. Phil. Claiborne, and on motion of said Claiborne, it is ordered by the Court, that the venue of this cause be changed to the county of Williamson, and that the Clerk of this Court forward to the Clerk of the District Court of Williamson county all the Original Papers in this cause and a transcript of all the entries, on or before the next term of said Court.

1214 — E. J. C. Robertson (Plaintiff) v. M. Longat (Defendant) — And now comes the Pltff. by attorney — and thereupon it appearing to the Court that the defendant has been summoned by the Sheriff according to law, and that said defendant has failed to answer within the prescribed time, and wholly made default, It is ordered, on motion of said Pltff, that the said Pltff. recover of the defendant, M. Longat according to the prayer of his petition, and that a writ of inquiry be awarded.

1310 — David Evans (Plaintiff) as S. H. Sueket, Surveyor (Defendant) — and now comes the Plaintiff, by attorney, and on this motion, It is ordered by the Court, that this cause be dismissed from the docket, and that the defendant recover of said Plaintiff, David Evans, all costs of this suit, for which execution may issue.

1400 — R. D. McAnelly (Plaintiff) v. J. J. Grumbles (Defendant) — and now at this day comes the plaintiff by his attorney, and suggests to the Court the death of the defendant Grumbles, Whereupon, on motion, It is ordered by the Court, that the legal representatives of the said John J. Grumbles be cited, when Known.

1413 — Jesse Day (Plaintiff) v. A. M. Davidson (Defendant) — and now comes the attorney for the Pltff and moves the Court for a final Judgment by default against the defendant. And it appearing to the satisfaction of the Court, that the defendant has been duly served with process, and has failed to file his answer to Plaintiffs' petition within the time prescribed by law; and it further appearing that Pltffs cause of action is liquidated, as evidenced by a note of hand produced in open Court, It is, therefore, ordered, adjudged and decreed by the court, that

Spring Term, Friday, June 11th A D 1858.

the said Pff. Jesse Day, do have and recover off and from the defendant, A. M. Davidson, the sum of Seven Hundred and Eleven 40/100 dollars, principal debt and interest due on the note of hand sued on to date, with ten percentum per annum interest thereon until paid, and all costs in this behalf expended, for all which execution may issue.

1426	Robin R. McCall, et al v. Wm H. Syman	}	Plaintiffs Defendants	} Continued for service, and alias citation ordered to Nueces county for the defendant

1438	George Rattenbeni v. Edward Fontaine	}	Plaintiff Defendant	} By agreement of the parties in this cause, it is ordered by the Court that that this suit be dismissed from the docket, and that defendant pay all costs herein incurred by both parties, for which execution may issue.

1448	Meredith Wallon v. I. R. McCall & William Burdett	}	Plaintiff Defendants	} and now on this day comes the Pff by attorney; and thereupon it appearing to the Court that the defendants have been duly cited and have failed

to answer within the time prescribed by law, It is therefore ordered, adjudged and decreed by the Court, that the said plaintiff recover according to the prayer of his petition, and that a writ of inquiry be awarded

1452	Thomas S. Evans v. L. H. Luckett, Surveyor	}	Plaintiff Defendant	} on this day appeared the Pff in this cause, by his attorney, and on motion of said plaintiff, it is ordered, adjudged and decreed by the Court, that said cause be dismissed from the docket, and that the plaintiff Thomas S. Evans, pay all costs of this suit, for which execution may issue.

1474	Peterson Smith vs I. H. Zuvley	}	Plaintiff Defendant	} Continued for service.

1475	Abner P. Blocker v Samuel K. Jennings	}	Plaintiff Defendant	} It appearing to the Court that the defendant has acknowledged service of Pff's petition and that he has wholly failed to answer

the allegations of the same, It is therefore, on motion of plaintiff's attorney, ordered by the Court, that the said plaintiff, Abner P. Blocker, do recover off and from the defendant Samuel K. Jennings according to the prayer of his said petition, and that a writ of inquiry be awarded.

Spring Term, Friday, June 11th A. D. 1858.

1479 D. L. Gibbs } Plaintiff } and now comes the Peff by attorney; and
v. thereupon it appearing to the Court that
Peter Vanzyckle } Defendant } the Defendant has acknowledged due and
legal service of plaintiffs petition, and has wholly failed to answer the allegations thereof within the time prescribed by law, It is ordered by the Court, that the said plaintiff recover according to the prayer of his petition, and that a writ of inquiry be awarded

1488 R. A. Kelley } Plaintiff } and now comes the Peff by attorney, and
v. claims a Judgment final by Defendant.
James M. W. Hall } Defendant } And it appearing to the Court that the Defendant has been duly served with process and has failed to file his answer to plaintiffs petition within the prescribed time, and that plaintiffs cause of action is liquidated, It is, therefore, ordered, adjudged and decreed by the Court, that the plaintiff, R. A. Kelley, do have and recover off and from the defendant, James M. W. Hall, the sum of One hundred and thirty 62/100 dollars principal debt and interest due on the note sued on to date, with legal interest thereon until paid, and all costs in this behalf expended, for which execution may issue

1490 The State of Texas } Plaintiff } It appearing to the Court that the defend-
v. ant entered into Recognizance, in open
Charles E. Travis } Defendant } Court, in cause No 781, of the State of Texas v. Robinson, Pack, Travis and Cochran, in the sum of one hundred dollars on the fifth December A. D. 1856, and it further appearing that on the 31st day of December A. D 1857, said Recognizance was forfeited; and that Judgment nisi was entered at said day of said term, and the statute not requiring personal and said defendant not appearing and showing cause why said Judgment nisi should not be made final, service on the defendant; It is therefore ordered, adjudged and decreed by the Court that the said Judgment nisi be made final, and that the State of Texas do have and recover off and from the defendant Charles E. Travis, said sum of One hundred dollars, and all costs of this proceeding, for which execution may issue.

1491 The State of Texas } Plaintiff } It appearing to the Court that on the 31st
v. December, 1857, at the Fall Term, 1857, of this
James Burditt, et. al } Defendants } Court, Judgment nisi was entered against the defendants Burditt and Williams for the sum of One hundred dollars, on a forfeited appearance bond, and that said defendants have been duly served by writ of Scire facias to appear and show cause why said Judgment nisi should not be made final, and have failed to do so. It is therefore ordered, adjudged and decreed by the Court, that said Judgment nisi be made final - and that the State of Texas do have and recover off and from the defendants, James Burditt, as principal, and David Williams, as security, said sum of One Hundred dollars, and all costs in this proceeding accrued, for which execution may issue.

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1492 The State of Texas v. Thomas I. Moore, et. als. } Plaintiff / Defendants } And now comes George W. Jones, District attorney, and dismisses this suit as to the defendant Van Hagen, who has not been sumed. And thereupon, it appearing to the Court, that on the 21st December, 1857, Judgment ni si was entered against three defendants for the sum of one hundred dollars on a forfeited appearance bond; and it appearing that the defendant Burleson, who is security, has been duly sumed by writ of Scire facias - and that said defendants have failed to appear and show cause why said Judgment ni si should not be made final - It is, therefore, ordered, adjudged and decreed by the Court, that said Judgment ni si be made final, and that the State of Texas do have and recover off and from the defendants, Thomas I. Moore and A. B. Burleson, said sum of One Hundred dollars and all costs in this proceeding incurred, for which execution may issue.

1493 The State of Texas v. Thomas I. Moore, et. als. } Plaintiff / Defendants } and now comes George W. Jones, District attorney, and dismisses this suit as to the defendant John Van Hagen, who has not been sumed. And thereupon, it appearing to the Court, that on the 21st december, 1857, Judgment ni si was entered against three defendants for the sum of one hundred dollars, on a forfeited appearance bond; and it appearing that the defendant Burleson, who is security, has been duly sumed by writ of Scire facias, - and that said defendants have failed to appear and show cause why said Judgment ni si should not be made final - It is, therefore, ordered, adjudged and decreed, by the Court, that said Judgment ni si be made final, and that the State of Texas do have and recover off and from the defendants, Thomas I. Moore and A. B. Burleson, said sum of one hundred dollars, and all costs of this proceeding, for which execution may issue.

1494 The State of Texas v. Gray Clements, et. als. } Plaintiff / Defendants } And now comes George W. Jones, District attorney, and dismisses this suit as to the defendant Augustus King, who has not been sumed. And thereupon, it appearing to the Court, that on the 21st December, 1857, Judgment ni si was entered against three defendants for the sum of one hundred dollars on a forfeited recognizance; and it appearing that the defendants Clements and Payne, have been duly sumed by writ of Scire facias - and that they have failed to appear and show cause why said Judgment ni si should not be made final - It is, therefore, ordered, adjudged and decreed by the Court, that said Judgment ni si be made final, and that the State of Texas, do have and recover off and from the defendants, Gray Clements and James S. Payne said sum of one hundred dollars, and all costs of this suit, for which execution may issue.

1495. The State of Texas v. Burwell J. Lewis, et. als. } Plaintiff / Defendants } It appearing to the Court, that on the 21st December, 1857, Judgment ni si was entered against the defendants in this cause, to wit:

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Burwell J. Lewis, A. A. Blankenship and William R. Johnson, for the sum of one hundred dollars, on a forfeited recognizance; and it appearing that the said defendants have been duly served by writ of Scire facias - and that they have failed to appear and show cause why said Judgment nisi should not be made final - It is, therefore, ordered, adjudged and decreed by the Court, that said Judgment nisi be made final, and that the said State of Texas do have and recover off and from said defendants, Burwell J. Lewis, A. A. Blankenship and William R. Johnson said sum of one hundred dollars and all costs, for which execution may issue

1501 John Wahrenberger, Admr. v. John Henninger } Plaintiff / Defendant } and now comes the Pleff by attorney, and moves the Court for a final Judgment, and it appearing to the Court that the defendant has been duly served by citation, and has failed to answer plaintiff's petition within the time prescribed by law, but has wholly made default; and it appearing to the Court that the cause of action is liquidated, as evidenced by a note of hand produced in open Court, It is, therefore, ordered, adjudged and decreed by the Court, that the said plaintiff John Wahrenberger, Admr. of the Estate of Henry Stuessy, deceased, do have and recover off and from the defendant, John Henninger, the sum of Two Hundred and forty-three 98/100 dollars, principal debt and interest to date, with legal interest thereon until paid, and all costs in this behalf expended, for which execution may issue.

1505 John Gauche v. S. Fellman } Plaintiff / Defendant } and now comes the plaintiff by attorney and claims a Judgment final by default. And it appearing to the Court, that the defendant has been cited according to law and has wholly failed to answer Pleff's petition, and it further appearing that the cause of action is liquidated, as evidenced by a note of hand; It is, therefore, ordered, adjudged and decreed by the Court, that the said Pleff. John Gauche, do have and recover off and from the defendant, S. Fellman, the sum of One hundred and nineteen 61/100 dollars, principal debt and interest to date, with legal interest thereon until paid, and all costs in this behalf expended, for which execution may issue.

1507 G. G. Steele v. P. A. Monroe } Plaintiff / Defendant } and now on this day comes the plaintiff by attorney and moves the Court for a Judgment final by default. and thereupon, it appearing to the Court that the defendant has been legally served with process and has failed to appear and answer the allegations of plaintiff's petition, within the time prescribed by law, and wholly made default; and it further appearing to the Court that plaintiff's cause of action is liquidated, as evidenced by a promissory note, produced in Court, It is, therefore, ordered, adjudged and decreed by the Court, that the plaintiff, George G. Steele, do have and recover off and from the defendant P. A. Monroe, the sum of One Hundred and Eighty-Six 50/100 dollars, principal debt and interest due on the note sued on to date, with ten Percent. interest thereon until final payment, and all costs of this suit, for which execution may issue.

Spring Term, Friday, June 11th A. D. 1858.

1510 — D. C. & G. R. Freeman v. John M. McCalla — Plaintiffs / Defendant — This suit having been brought by publication, It is ordered that the same be continued to perfect service

1511 — W. D. Miller v. W. O. Maiden — Plaintiff / Defendant — And now at this day comes the Plaintiff by attorney; and on motion of said attorney, It is ordered by the Court that this cause be dismissed from the docket, and that the Defendant Maiden recover off and from the Pff. W. D. Miller, all costs in this suit incurred, for which execution may issue.

1512 — A. C. Cottingham & wife v. William W Atwood — Plaintiffs / Defendant — And now on this day appeared the Pffs. in this cause, by attorney, and move the Court to enter Judgment final by default. And thereupon, it appearing to the Court, that Pffs cause of action is liquidated, as evidenced by Defendants note of hand exhibited in open Court; and it further appearing to the Court, that the Defendant has been duly served by citation, and has wholly failed to answer Pffs. petition within the time prescribed by law, It is, therefore, ordered, adjudged and decreed by the Court, that the Pffs. A. C. Cottingham, and his wife Cottingham, do have and recover off and from the Defendant William W Atwood, the sum of One Hundred and twenty-one 3/100 dollars, principal debt and interest due on the note sued on to the date of the rendition of this Judgment, with ten per cent. interest thereon until paid, and all costs in this behalf expended, for which execution may issue.

1428 — A. G. Campbell v. Wm Gibson, Deft & Ben. Gooch, Gar: — Plaintiff / Defendant / Garnishee — And now comes the Pff in proper person, and moves the Court to dismiss the Garnishment in this cause. And thereupon it is ordered by the Court, that this cause be dismissed from the docket; that said Garnishee go hence and recover of the Pff Campbell, all costs of this proceeding, for which execution may issue

1355 — Moore & Owings v. James M. Alexander — Plaintiffs / Defendant — It is ordered by the Court that this cause be continued, on the suggestion of the Defendant, because of Plaintiffs' absence

1356 — Moore & Owings v. James M. Alexander — Plaintiffs / Defendant — It is ordered by the Court that the Pff have leave to amend his Pleadings

1373 — Catherine Lockwood, et. al. v. Samuel Jennings — Plaintiffs / Defendant — And now on this day comes the Pffs by attorney, and move the Court to dismiss this cause at their cost. And thereupon, It is ordered, Adjudged and decreed by the Court, that this cause be dismissed from the docket, and that the Defendant have and recover off and from the Pffs Catherine Lockwood and Sylvester Lockwood, all costs of this suit, for which execution may issue.

Spring Term, Friday, June 11th A. D. 1858.

1405 ✓

Brown, Miller & Co } Plaintiffs
v. } And now on this day came the plaintiffs by their attorney, and claim a
J. M. Collinsworth } Defendant } Judgment final by default. And thereupon, it appearing to the Court, that the defendant has been legally cited, and has wholly failed to answer the plaintiffs' petition within the time prescribed by law; and it further appearing to the Court, that pffs' cause of action is liquidated, as evidenced by a note of hand, It is, therefore, ordered, adjudged and decreed by the Court, that the said plaintiffs, John W. Brown and Robert Miller, under their firm name of Brown, Miller & Co. do have and recover off and from the defendant, J. M. Collinsworth, the sum of One Hundred and Eighty-seven 50/100 dollars, principal debt and interest to date, with legal interest thereon until paid, and all costs in this behalf laid out and expended, for all which execution may issue.

1426 ✓

Sampson & Henricks } Plaintiffs } And now on this day appeared the
v. } plaintiffs, by attorney, and move the Court
Josiah Fisk } Defendant } to render a Judgment final by default.
And thereupon, it appearing to the Court, that the defendant has been legally cited, and has wholly failed to answer pltffs' petition within the prescribed time, and it further appearing that the cause of action is liquidated, It is, therefore, ordered, adjudged and decreed by the Court, that the said pffs. George W. Sampson and Abram Henricks, under their firm name and style of Sampson & Henricks, do have and recover off and from the defendant, Josiah Fisk, the sum of Two Hundred and Forty-Seven 20/100 dollars, principal debt and interest to date, with ten per cent. interest thereon until paid, and all costs of this suit, for which execution may issue.

✓ 1433

A. H. James } Plaintiff
v. } Continued for service.
Thos C. Collins } Defendant }

✓ 1440

L. D. Learnington & Co } Plaintiffs } And now come the pffs. by attorney, and claim a Judgment final by
v. } default. And thereupon, it appearing to the Court, that the defendant has been duly cited, and has wholly failed to answer within the prescribed time, and that the cause of action is liquidated, as shown by a note of hand, It is, therefore, ordered, adjudged and decreed by the Court, that the pffs. L. D. Learnington and Baird Clarke, under their firm name of L. D. Learnington & Co, do have and recover off from the defendant Johnson White the sum of One Hundred and Sixty-three 46/100 dollars, principal debt and interest due on the note sued on to this date, with ten per cent. interest thereon until paid, and all costs in this behalf expended, for which execution may issue.
John M. White } Defendant }

Spring Term, Friday, June 11th A. D. 1858.

1524 C. S. C. Robertson } Plaintiff
v.
George H. Gray } Defendant

and now on this day appeared the Peff. by attorney, and claims a Judgment final by default. And thereupon, it appearing to the Court that the defendant has been legally cited, and has wholly failed to answer Peffs. petition within the time prescribed - and said peffs. cause of action being liquidated, as shown by defendants note of hand produced in open Court - It is, therefore, ordered, adjudged and decreed by the Court, that the plaintiff, C. S. C. Robertson, do have and recover off and from the defendant, George H. Gray, the sum of One Hundred and Sixty - four 33 1/3/100 dollars, principal debt and interest due on the note sued on to date, with ten per cent. interest thereon until paid, and all costs in this behalf expended, for which execution may issue.

1526 Sampson & Henricks } Plaintiffs
v.
Abner H. Cook } Defendant

and now come the plaintiffs by attorney, and claim a Judgment final by default. And it appearing to the Court, that the defendant has been duly cited, and has wholly failed to answer plaintiffs' petition within the time prescribed by law - and peffs. cause of action being liquidated, as shown by defendants note of hand produced in open Court, It is, therefore, ordered, adjudged and decreed by the Court that the said peffs. ... George W. Sampson and Abram Henricks, under their firm name of Sampson & Henricks, do have and recover off and from the defendant, Abner H. Cook, the sum of One Hundred and Thirty - Three 50/100 dollars, principal debt and interest due on the note sued on to date, with ten per centum interest thereon until paid, and all costs in this behalf expended, for which execution may issue.

1528 S. F. Thompson } Plaintiff
v.
Joseph Dyches, et als } Defendants

It is ordered by the Court that the plaintiff have leave to amend his petition

1530 Hough Lewis } Plaintiff
v.
Joseph Rowe & John H. Conner } Defendants

and now at this day comes the peff by atty. and claims a Judgment final by default. And thereupon, it appearing to the Court, that the defendants have been duly cited, and have wholly failed to answer within the time prescribed by law, and it further appearing that peffs. cause of action is liquidated, as shown by defendants note of hand produced in open Court, It is, therefore, ordered, adjudged and decreed by the Court, that the peff. Hough Lewis, do have and recover off and from the defendants, Joseph Rowe and John H. Conner, the sum of one hundred and forty - three 83/100 dollars, principal debt and interest due on the note sued on to date, with ten per cent. interest thereon until paid, and all costs of this suit, for which execution may issue.

1531 A. H. Barnes } Plaintiff
v.
Thomas Griffin } Defendant
Joseph Bledsoe, Admr. of Franta. } Garnishee

It is ordered by the Court, that this cause be continued to perfect service, the defendant having been summoned by publication

Spring Term, Friday, June 11th A. D. 1858.

1532 ✓

John B. Costa, Judge &c. } Plaintiff
v.
N. P. Richardson, et al. } Defendants

} It appearing to the Court that the four defendants in this cause have been legally cited, and have wholly failed to answer the allegations of pltffs' petition within the time prescribed by law; It is ordered, adjudged and decreed, on motion of the pltffs' attorney, that the said plaintiff do have and recover off and from the defendants according to the prayer of his said petition, and that a writ of injunction be awarded in this cause

✓ 1533

Martha A. Hagne } Plaintiff
v.
John W. Hagne } Defendant

} The defendant in this cause having been summoned by publication, it is ordered by the Court that the same be continued to perfect service.

✓ 1542

George L. Walton } Plaintiff
v.
Thomas Griffin } Defendant
J. Bledsoe, Admr. of Panton } Garnishee

} The defendant, Griffin, having been summoned by publication, it is ordered by the Court that this cause be continued to perfect service.

✓ 1543.

L. D. Carrington & Co } And now come the Plaintiffs, by
vs. } attorney, and claim a judgment final
William R. Jones } by default— And it appearing

to the satisfaction of the Court, that the defendant has been duly cited, and has wholly failed to answer the plaintiffs petition within the time prescribed by law— and the plaintiffs Cause of action being liquidated, as shown by the note of hand, of said defendant, produced in open Court— It is therefore ordered adjudged and decreed by the Court that the said Plaintiffs, L. D. Carrington & D Clarke, under their firm name of L. D Carrington & Co do have & recover of & from the defendant William R. Jones, the sum of two hundred thirty five and 01/100 Dollars, principal debt & interest due on the notes sued on, to this date, with ten per centum interest thereon, until paid— together with all Cost in this behalf expended, for all which execution may issue—

1549

Swenson & Swisher
vs.
W. D. Miller } Principal
Wm B. Burdett
Sampson & Henrick } Endorsers

} And now come the Plaintiffs, by attorneys, and claim a judgment final by default— And the Cause, it appears, to the satisfaction of the Court that the defendants have been duly cited, and have wholly failed to answer the plaintiffs Petition, within the time prescribed by law; and the plaintiffs Cause of action being liquidated, as shown by the note of hand of the said W D. Miller & the endorsements of the said Wm B Burdett & Sampson & Henricks, produced in open

Court— It is therefore ordered adjudged & decreed by the Court that the plaintiffs S. M. Swenson and John M. Swisher under their firm name of Swenson & Swisher do have and recover of & from the said defendants W D Miller principal and the said Wm B Burdett and George W Sampson & Abram Henricks under their firm name of Sampson & Henricks the sum of, Three Thousand One Hundred Seventeen & 33/100 Dollars principal debt and interest up to this date with Eight per Centum per annum thereon until paid and all cost in this behalf expended for all which execution may issue —.

1855 — Edward Ford ... Plff
v
Robert H. Clements ... Deft

And now comes the Plaintiff by attorney and moves the Court to dismiss this suit— It is therefore ordered adjudged and decreed by the Court that this Case be dismissed— that the defendant go hence without day, and that the defendant recover of the Plaintiffs ~~Edward Ford~~ all cost in this behalf expended, for which execution may issue —.

1856 — John W. Lawrence ... Plff
v
Geo Pearman & Hugh Nelson ... Defts

And now comes the Plff. by atty. & moves the Court to continue this Cause— Ordered by the Court that the Cause be continued for Service —.

1857 — Bird Holland, use of Wm F. Cook — ... Plff
v
David C. Heffington ... Deft

And now comes the Plaintiff by attorney and claims a judgment by default with writ of inquiry to be executed at a subsequent day, and because it appears to the court that the defendant was duly cited and wholly failed to answer the plaintiffs petition in the time prescribed by law It is therefore ordered adjudged and decreed by the Court that the plaintiff Bird Holland for the use of W F Cook do have and recover of and from the defendant David C. Heffington according to the prayer of his said petition and that a writ of inquiry be awarded in this cause —.

1858— Brice Dillingham ... Plff
v
M A Whitaker ... Deft

On motion in open Court this cause is continued by the Court.

Spring Term, Holiday, June 11th 1858.

1559 Miles Byrne vs R. H Clements & John Horan } Plff / Defts } And now comes the Plff by attorney, and claims judgment final by default. And because it appears to the Court, that the defendants have been duly & legally cited and have failed wholly, to answer the plaintiffs petition within the time prescribed by law, and that the cause of action is liquidated as is shown by the note of hand of the defendants. It is therefore ordered, adjudged and decreed by the Court, that the plaintiff Miles Byrne do have and recover, of & from the defendants, Robert H. Clements, and John Horan, the sum of Three hundred twenty nine & 15/100 Dollars, principal debt & interest to this date - with Eight per cent per annum thereon till paid, and all cost in this behalf expended, for all which execution may issue ——.

1560 George Hancock vs David C. Heffington & John D. Nash. } Plff / Defts } And now comes the Plaintiff by attorney, and claims a judgment final by default — And because it appears to the Court that the Defendants were duly & legally cited and have wholly failed to appear and answer to the plaintiffs petition within the time prescribed by law - and that plaintiffs cause of action is liquidated as is evidenced by note of hand, produced in open Court It is therefore ordered, adjudged and decreed by the Court that the plaintiff George Hancock do have, and recover of & from the defendants David C. Heffington and John D Nash the Sum of Three Hundred, twenty Eight & 20/100 Dollars, principal debt and interest to this date — with Ten per centum per annum interest thereon till paid - together with all cost in this behalf expended - for all which execution may issue —.

1562 Joseph Harrell vs Clifton & Clifton } Plff / Deft } upon the application of the Defendants, an order of Survey is granted — Wherefore, it is ordered by the Court that an order of Survey issue directed to A M Lindsay, the District Surveyor of the Travis land District, requiring the said Surveyor to Survey, and trace the dividing line, between out Lots Nos 41 and 42 in Division D, adjoining the

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City of Austin, Travis County Texas, laid off, and designated upon the plat or map of the said City of Austin and also, The following piece or parcel, of said out Lot No 41 - to wit - The west portion of Lot No 41 in Division "D", of out lots adjoining the City of Austin — Beginning at a point on the Division line between lots, No 30 & 41, one hundred, and Eighty two feet from a stake set for the South West Corner of Lot No 40, and the North West Corner of Lot No 31, and - Thence running at right angles with said line to a street - Thence with said street, to the North East corner of Lot No 41, and North West Corner of Lot No 42 - Thence with said dividing line of Lots No 41 & 42 to a stake, for the South East Corner of Lot No 42 & the North East Corner of Lot No 29 - Thence to the place of beginning, from the Remainder of said out Lot No 41 - And to Report to this Court, on or before the first Day of the next Term thereof, a plat & field notes, of the said Lots & lines, Representing and describing the true position of said piece or portion of said out Lot No 41, with Reference to the true line between said out Lots Nos 41 & 42 and the position & situation of defendants, dwelling House & improvements, upon Said out Lot No 42, and whether the said Dwelling, House & improvements, are situated upon said out Lot No 41, or upon said out Lot No 42, as laid off upon the said plat or map, of the said City of Austin — and further that this Cause be continued till the next Term of this Court —.

1585 Wm P. Mabin, plaintiff } and now comes the Deff by attorney, and
v } claims a Judgment final by default. and
A. B McGill, Defendant } thereupon, it appearing to the Court, that the defendant has been served by citation, and has wholly failed to answer within the time prescribed by law - and Deffs cause of action being liquidated as evidenced by defendants' note of hand produced in open Court - It is, Therefore, ordered, adjudged and decreed by the Court - that the said Deff. William P. Mabin do have and recover off and from the defendant, A. B. McGill, the sum of One Hundred and Seventy - One 86/100 dollars, principal debt and interest due on the note sued on to date, with eight per cent. interest thereon until paid, and all costs in this behalf expended for all which execution may issue.

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√ 1567	J. C. Crigler v. A. N. Hopkins	Plaintiff Defendant	And now on this day comes the Pff. by attorney, and moves the Court for a Judgment final by default. And thereupon it appearing to the Court, that the defendant has been legally cited, and has wholly failed to answer within the time prescribed by law - and that Pffs. cause of action is liquidated, as evidenced by defendants' note of hand produced in open Court: It is, therefore, ordered, adjudged and decreed by the Court, that the said Pff. J. C. Crigler, do have and recover of and from the defendant, A. N. Hopkins, the sum of one hundred and twenty-one 34/100 dollars principal debt and interest due on the note sued on to date, with legal interest thereon until paid, and all costs in this behalf expended, for which execution may issue.
√ 1568	John C. Perry v. D. M. Durham, et als	Plaintiff Defendants	Continued by agreement of parties.
√ 1571	Thomas Freeman v. R. D. Rutherford	Plaintiff Defendant	And now comes Pffs atty, and claims a judgment final by default. and thereupon, it appearing to the Court that the defendant has been legally cited and has wholly failed to answer Pffs. petition within the time required by law and that plaintiffs' cause of action is liquidated, as shown by defendants' note of hand exhibited to the Court, It is, Therefore, ordered, adjudged and decreed by the Court, that the said Thomas Freeman do have & recover off and from the defendant R. D. Rutherford, the sum of two hundred and twenty 14/100 dollars, principal debt and interest due on the note sued on to date, with ten per centum per annum interest thereon until paid and all costs in this behalf expended, for which execution may issue.
√ 1573	John W. Phillips v. Zuilla J. Nichols	Plaintiff Defendant	Continued for service.
√ 501	John D. Allen v. H. S. Roy	Plaintiff Defendant	It appearing to the Court that the defendant has been duly cited, and has failed to answer to plaintiffs petition in this cause - It is, therefore, ordered, adjudged and decreed by the Court, that the said Pff. have and recover from the defendant according to the prayer of his petition, and that a writ of inquiry be awarded in this cause
√ 1574	John W. Broom, Admr v. Wm Fowler, et als	Plaintiff Defendants	And now comes the Pff. by atty. and dismisses this suit as to the defts. Gilbert, who is not served. Whereupon, it appearing to the Court that the other defts. have been duly cited, and have failed to answer - It is ordered by the Court, that the Pff. recover according to the prayer of his petition - and that a writ of inquiry be awarded in this cause

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1582 — John Wahrenberger vs. Admr. v. Quilla T. Nichols — Plaintiffs / Defendant — Continued for service.

1583 — Nancy Bray, et al v. L. L. Lykes — Plaintiffs / Defendant — And now at this day comes Andrew M. Cox, by attorney, and moves the Court to be allowed to intervene in this cause, which motion is granted

1587 — C. Yale, Jr. & Co. v. L. Fellman — Plaintiffs / Defendant — And now at this day come the plaintiffs in this cause by attorney, and move the Court for Judgment final by default against the deft. And because it appears to the Court that said deft. has been legally cited, and has failed to answer pltffs petition within the time required by law — and that pltffs' cause of action is liquidated, as evidenced by a promissory note exhibited to the Court. It is therefore, ordered, adjudged and decreed by the Court, that said pltffs. Cyrus Yale, Richard H. Yale, and John P. Fowler, under their name of C. Yale, Jr. & Co. do have, and recover off and from the defendant, L. Fellman, the sum of two hundred and Ninety 64/100 dollars, principal debt and interest to date, with eight per centum per annum interest thereon until paid, and all costs in this behalf expended, for which execution may issue.

1591 — James Phillips v. I. M. Bennett — Plaintiff / Defendant — It is ordered by the Court that the plaintiff and defendant in this cause have leave to amend their pleadings.

1592 — Charlotte Huling v. Mary Ann Huling — Plaintiff / Defendant — It is ordered by the Court that the plaintiff have leave to amend

1594 — A. M. Cox v. L. L. Sykes — Plaintiffs / Defendant — Continued for service on the Defendant.

1596 — E. D. Carrington & Co v. Railey & Shiflett — Plaintiffs / Defendants — Continued for service on defendant Shiflett.

1597 — Louis Horst v. Burditt & Burleson — Plff. / Defts. — And now comes the plaintiff by attorney and claims a final judgment by default. And because it appears to the Court that said Defendants have been duly cited, and have failed to answer pltffs petition within the time required by law — and said pltffs. course of action being liquidated as is evidenced by defendants note sphand shown to the Court. It is, therefore, ordered, adjudged and decreed by the Court, that said pltff. Louis Horst, do have and recover off and from the defendants, M. C. Burditt and Aaron Burleson, the

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sum of two hundred and eighty-one 9³/₁₀₀ dollars, principal debt and interest to date, with legal interest thereon until paid, and all costs in this behalf expended, for which execution may issue.

1600 ✓ George Hancock v. Thomas W. Nolen } Plaintiff / Defendant } And now at this day comes the Pleff. by Attorney, and claims a Judgment final by Default - And because it appears to the Court that the Deft. has been legally cited, and has wholly failed to answer within the time required by Law - and Pleff's cause of action being based on a note of hand exhibited to the Court - It is, therefore, ordered, adjudged and decreed by the Court, that the Pleff. George Hancock, do have and recover off and from the defendant, Thomas W. Nolen, the sum of One Hundred and thirty-three 25/100 dollars, principal debt and interest due on the note sued on to date, with twelve per centum per annum interest thereon until paid, and all costs in this behalf expended, for which execution may issue.

✓ 1603. John W. Lawrence v. Smith & Davis } Plaintiff / Defendants } And now on this day comes the Pleff. by Attorney, and claims a Judgment final by Default. And because it appears to the Court that the Defendants have acknowledged service of Pleff's Petition and waived process - and have failed to answer said Petition within the prescribed time, It is, therefore, ordered, adjudged and decreed by the Court, that the Plaintiff John W. Lawrence, do have and recover of the defendants, B. F. Smith and George W. Davis, the sum of One Hundred and Nineteen 62/100 dollars, principal debt and interest due on the note sued on in this case to date - with twelve per centum per annum interest thereon until payment, and all costs in this behalf expended, for which execution may issue.

✓ 1605. Daniel C. Asborn v. John S. Spence, et. al. } Plff. / Defts. } It appearing to the Court that the defendants have been legally summoned, and have wholly failed to answer plaintiff's petition within the time required by Law, It is therefore ordered, adjudged, and decreed by the Court, that said Pleff. recover of the defendants herein according to the prayer of his petition - and that a writ of inquiry be awarded in this cause. -

✓ 1609 Wm G. Lane & Co v. D. I. Nichols. } Plff. / Deft } continued for service on the defendant Nichols

✓ 1611 J. J. Dickson v. G. W. Nelson, et. al. } Plff. / Defts. } And now comes Pleff. by Amos Morrill, Esq, and on his motion, It is ordered by the Court, that this cause be dismissed from the docket, and that said Plaintiff, J. J. Dickson, pay all costs of this suit, for which execution may issue.

✓ 1612 N. S. Slaten v. P. deLaurora et. al. } Plff / Defts. } And now comes the Pleff. by Atty. and claims a Judgment final by Default. And because it appears to the Court that the defendants have been duly cited, and have

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failed to answer within the time required by law - and that Pffs. cause of action is based upon defendants' promissory note, exhibited to the Court, It is, therefore, ordered, adjudged and decreed by the Court that the said Pffs. N. S. Slaten, do have and recover off and from the defendants, P. de Cordova and A. M. Davidson, the sum of One Hundred and twenty 50/100 dollars, principal debt and interest due on the note sued on to date - with ten percentum per annum interest thereon until paid, and all costs in this behalf expended, for which execution may issue.

1614 R. McKinstry, Jr. } Pffs. v. R. H. Peck, et als } Defts. } And now comes the Pff by attorney and dismisses this suit as to the defendant Alfred Lee Eyck. Whereupon it is ordered by the Court that said Alfred go hence without day and recover his costs. And because it appears to the Court that the other defendants herein have been duly summoned, and have wholly failed to answer within the time required by law - and Pffs. cause of action being liquidated as evidenced by a note of hand to the Court shown - It is, therefore, ordered, adjudged and decreed by the Court, that said Pff. R. McKinstry, Jr. do have and recover off and from said defendants, R. H. Peck and Edward Lee Eyck, the sum of Four hundred and fifty-seven 60/100 dollars, principal debt and interest due on the note sued on to date, with eight per cent. per annum interest thereon until paid, and all costs in this behalf expended - for which execution may issue.

1172 H. Murdoff } Pff v. Bonner et al } Defts. } And now comes the Pff by atty. and dismisses this suit as to the Deft. Bonner. And because it appears to the Court that the Deft. Aldrege has been duly cited, and has failed to answer - it is ordered by the Court that Pff recover of said Aldrege according to the prayer of his petition - and that a Jury be empannelled to assess the debt and damages -

1616 Silas Parsons } Pff. v. Quilla J. Nichols } Deft. } Continued for service on the defendant.

1617 The City of Austin } Pff. v. Wm M. Fowler } Deft. } And now comes A. G. Campbell, Esq., who represents the Corporation of the City of Austin, and moves the Court for a Judgment final by default. And because it appears to the Court that Deft. has waived service of process in this cause, and waived copy of Pffs. petition - and having failed to answer the same within the required time - and the cause of action being a promissory note exhibited to the Court, It is Therefore, ordered, adjudged and decreed by the Court, that the Corporation of the City of Austin do have and recover off and from the said defendant, William M. Fowler, the sum of One hundred and fifty-eight 11/100

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dollars, principal debt and interest to date, with legal interest thereon until paid, and all costs of suit, for which execution may issue.

1618 Arnold, Nusbaum & Co v. C. Lockwood, et. al. } Plffs. / Defts. } Continued for service on defts. not served

1619 H. Crocheron & Co v. Reuben Runner } Plffs. / Deft. } continued for service on the defendant.

1620 × L. D. Carrington & Co v. Sherman Case } Plffs / Deft. } And now on this day appeared the plffs. by atty. and claim a Judgment final by default. And because it appears to the Court that the deft. has been duly cited and has failed to answer within the required time - and plffs' cause of action being based on a note of hand shown to the Court, It is, therefore, ordered, adjudged and decreed by the Court, that the plffs. L. D. Carrington and David Clarke, under their firm name of L. D. Carrington & Co. do have and recover off and from the defendant, Sherman Case, the sum of Two hundred and eighty-five 46/100 dollars, principal debt and interest to date, with ten per centum per annum interest thereon until paid, and all costs of suit, for which execution may issue.

1625 James L. Nichols v. Catherine Lockwood, Sylvester Lockwood & Grant Lestrange } Plff / Defts } On motion of plff it is ordered by the Court that this cause be Continued for service -

1631 × William Alexander v. Thomas F. Chapman } Plff / Deft } Ordered by the Court that this Cause be Continued to the next Term, under agreement of Counsel —

1633 × ↓ F. Dieterich v. J. W. Robertson } Plff / Deft } Now comes the Plaintiff by Counsel and claims a judgment final by default And because it appears to the satisfaction of the Court that the defendant has been duly cited, and has failed to appear and answer the plffs. petition within the time prescribed by law - and the plaintiffs cause of action being liquidated, as shown by note of hand which is produced in open Court - It is therefore ordered adjudged and decreed by the Court that the plaintiff F. Dieterich do have and recover of & from the

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defendant Joseph W Robertson the Sum of Five Hundred and Ninety & 88/100 — Dollars, principal debt and interest to this time with 11 per centum interest per annum thereon fee paid and all cost of Suit in this behalf expended — for which execution may issue —.

1637. C. S. West vs. Reuben Runner { Reff / Deft } On motion of plaintiff it is ordered by the Court that this Cause be Continued for Service —. So

1638. Francis Dietzsch vs Michael Ziller & D. Bohls { Reff / Defts } It appearing to the satisfaction of the Court, that the defendants, Ziller & Bohls were duly Cited, and that they have wholly failed to appear and answer the petition of the plaintiffs within the time prescribed by law. It is ordered, adjudged and decreed by the Court on motion of plaintiffs attorney, that the plaintiff do have and recover of and from the said defendants Michael Ziller & D Bohls according to the prayer of the plaintiffs petition, and that a writ of inquiry be awarded in this Cause —.

1639. William S. Harney vs Ernest Raven { Reff / Defft } It appearing to the satisfaction of the Court that the defendant has been duly Cited, and that he has wholly failed to appear and answer to the plaintiffs petition within the time prescribed by law. It is therefore ordered adjudged and decreed by the Court on motion of plaintiffs attorney, that the plaintiff William S. Harney, do have and recover of and from the defendant Ernest Raven, according to the prayer of the said plaintiffs petition, and that a writ of inquiry be awarded in this Cause —.

1644. Wm Ingate vs P. P. Johnson & Wm Martin { } On motion of plffs Counsel it is ordered by the Court that this Cause, be Continued for Service —

And thereupon it is ordered by the Court that Court do now adjourn until to-morrow morning eight 1/2 o'clock

Spring Term, Saturday, June 12th 1858.

Saturday Morning, June 12th 1858.

Court convened at half-past eight o'clock pursuant to adjournment. Present the same as on yesterday. Whereupon the following proceedings were had by said Court as follows, to wit

And thereupon, A. J. Hamilton, Esq. addressed the Court, announcing the death of General J. Pinckney Henderson, Senator from Texas in the Congress of the United States, and moved that Court stand adjourned until Monday Morning the 14th instant, in respect to the memory of the distinguished Senator.

Whereupon it is ordered that Court do now stand adjourned until Monday morning, ½ past eight o'clock. June 14th 1858.

Monday Morning June 14th 1858.

Court convened at half past eight o'clock pursuant to adjournment. Present the Hon. A. W. Terrell, Judge of the 2d Judicial District; Frank Brown Clerk and W. Blackwell, Sheriff of Travis county. Whereupon the following proceedings were had by said Court, as follows, To wit. And now on this day appeared the Grand Jury of Travis county, in open Court, and through their foreman, Alfred Smith, presented to the Court the following Bills of Indictment to wit:

✓ 910	The State of Texas v. John T. Gillam	Plaintiff / Defendant	Larceny
✓ 911	The State of Texas v. J. M. Dunkin	Plaintiff / Defendant	Selling Liquor in quantities less than a quart.
✓ 912	The State of Texas v. J. H. Dunkin	Plaintiff / Defendant	Selling liquors in quantities less than a quart.
✓ 913	The State of Texas v. J. M. Dunkin	Plaintiff / Defendant	Selling Liquors in quantities less than a quart
✓ 914	The State of Texas v. J. H. Dunkin	Plaintiff / Defendant	Selling Liquors in quantities less than a quart.
✓ 915	The State of Texas v. E. O. Warren	Plaintiff / Defendant	Selling Liquors in quantities less than a quart.

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916	The State of Texas v E. O. Warren	Plaintiff Defendant	Selling Intoxicating Liquors in quantities less than a quart
917	The State of Texas v E. O. Warren	Plaintiff Defendant	Selling Intoxicating Liquors in Quantities less than a quart
918	The State of Texas v E. O. Warren	Plaintiff Defendant	Selling Intoxicating Liquors in quantities less than a quart
919	The State of Texas v E. O. Warren	Plaintiff Defendant	Selling intoxicating Liquors in quantities less than a quart
920	The State of Texas v. E. O. Warren	Plaintiff Defendant	Selling Intoxicating Liquors in quantities less than a quart
921	The State of Texas v. E. O. Warren	Plaintiff Defendant	Selling Intoxicating Liquors in quantities less than a quart
922	The State of Texas v. E. O. Warren	Plaintiff Defendant	Selling Intoxicating Liquors in quantities less than a quart
923	The State of Texas v. Isiah Archer	Plaintiff Defendant	Selling Intoxicating Liquors in quantities less than a quart.
924	The State of Texas v Isaiah Archer	Plaintiff Defendant	Selling Intoxicating Liquors in quantities less than a quart
925	The State of Texas v Isaiah Archer	Plaintiff Defendant	Selling intoxicating Liquors in quantities less than a quart
926	The State of Texas v Isaiah Archer	Plaintiff Defendant	Selling Intoxicating Liquors in quantities less than a quart

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✓ 927	The State of Texas v. Isaiah Archer	Plaintiff / Defendant	Selling Intoxicating Liquors in quantities less than a quart
✓ 928	The State of Texas v. George Robertson	Plaintiff / Defendant	Selling Intoxicating Liquors in quantities less than a Quart.
✓ 929	The State of Texas v. George Robertson	Plaintiff / Defendant	Selling Intoxicating Liquors in quantities less than a Quart
✓ 930	The State of Texas v. John Horan & John Robertson	Plaintiff / Defendants	Selling intoxicating Liquors in quantities less than a Quart.
✓ 931	The State of Texas v. John Horan and John Robertson	Plaintiff / Defendants	Selling Intoxicating Liquors in quantities less than a Quart
✓ 932	The State of Texas v. John Horan and John Robertson	Plaintiff / Defendants	Selling Intoxicating Liquors in quantities less than a quart.
✓ 933	The State of Texas v. John Horan and John Robertson	Plaintiff / Defendants	Selling intoxicating Liquors in quantities less than a quart
✓ 934	The State of Texas v. John Horan and John Robertson	Plaintiff / Defendants	Selling intoxicating Liquors in quantities less than a quart
✓ 935	The State of Texas v. John Horan	Plaintiff / Defendant	Permitting a game with cards to be played in his house for retailing spirituous Liquors
✓ 936	The State of Texas v John Horan	Plaintiff / Defendant	Selling Liquor in quantities less than a Quart.

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937	The State of Texas v. John Horan	Plaintiff Defendant	Selling Intoxicating Liquors in quantities less than a Quart
938	The State of Texas v. John Horan	Plaintiff Defendant	Selling Intoxicating Liquors in quantities less than a quart
939	The State of Texas v John Horan	Plaintiff Defendant	Selling Intoxicating Liquors in quantities less than a quart
940	The State of Texas v John Horan	Plaintiff defendant	Selling Intoxicating Liquors in quantities less than a quart
941	The State of Texas v. John Horan	Plaintiff Defendant	Selling Intoxicating Liquors in quantities less than a quart
942	The State of Texas v John Horan	Plaintiff Defendant	Permitting card Playing in his House for retailing Spirituous Liquors
943	The State of Texas v. Heffington & Wallace	Plaintiff Defendants	Selling Intoxicating Liquors in quantities less than a quart.
944	The State of Texas v. Heffington & Wallace	Plaintiff Defendants	Selling Intoxicating Liquors in quantities less than a quart
945	The State of Texas v. Heffington & Wallace	Plaintiff Defendants	Selling Intoxicating Liquors in quantities less than a quart
946	The State of Texas v Heffington & Wallace	Plaintiff Defendants	Permitting card playing in his House for retailing Spirituous Liquors
947	The State of Texas v. Heffington & Wallace	Plaintiff Defendants	Selling Intoxicating Liquors in quantities less than a quart

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✓ 948	The State of Texas v. Heffington & Wallace	Plaintiff Defendants	Selling Intoxicating Liquors in quantities less than a quart
✓ 949	The State of Texas v. Heffington & Wallace	Plaintiff Defendants	Permitting card playing in his house for retailing spirituous Liquors
✓ 950	The State of Texas v. Heffington & Wallace	Plaintiff Defendants	Selling Intoxicating Liquors in quantities less than a quant.
✓ 951	The State of Texas v. Heffington & Wallace	Plaintiff Defendants	Selling Intoxicating Liquors in quantities less than a quant
✓ 952	The State of Texas v. Heffington & Wallace	Plaintiff Defendants	selling Intoxicating Liquors in quantities less than a quant
✓ 953	The State of Texas v. Heffington & Wallace	Plaintiff Defendants	Selling Intoxicating Liquors in quantities less than a quant
✓ 954	The State of Texas v. Heffington & Wallace	Plaintiff Defendants	Selling Intoxicating Liquors in quantities less than a quant
✓ 955	The State of Texas v David Heffington	Plaintiff Defendant	Playing Cards in a house for retailing Spirituous Liquors
✓ 956	The State of Texas v. William H. Carr, Robert Barr & Edward Finnin	Plaintiff Defendants	Selling Intoxicating Liquors in quantities less than a quant
✓ 957	The State of Texas v William H. Carr, Robert Barr & Edward Finnin	Plaintiff Defendants	Selling Intoxicating liquors in quantities less than a quant.

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958.	The State of Texas v. William H. Carr, Robert Barr & Edward Hinnin	Plaintiff Defendants	Selling Intoxicating Liquors in quantities less than a quart
959	The State of Texas v William H. Carr, Robert Barr & Edward Hinnin	Plaintiff Defendants	Selling Intoxicating Liquors in quantities less than a quart
960	The State of Texas v. William H Carr, Robert Barr & Edward Hinnin	Plaintiff Defendants	Selling Intoxicating Liquors in quantities less than a quart.
961	The State of Texas v William H. Carr	Plaintiff Defendant	Assault with intent to Kill.
962	The State of Texas v. William H. Carr, Thomas Slaughter & Edward Hinnin	Plaintiff Defendants	Selling Intoxicating Liquors in quantities less than a quart.
963	The State of Texas v. William H. Carr, Thomas Slaughter & Edward Hinnin	Plaintiff Defendants	Selling Intoxicating Liquors in quantities less than a quart.
964	The State of Texas v. William H. Carr, Thomas Slaughter & Edward Hinnin	Plaintiff Defendants	Selling Intoxicating Liquors in quantities less than a quart.
965	The State of Texas v. Wm H. Carr, Thomas Slaughter & Edward Hinnin	Plaintiff Defendants	Selling Intoxicating liquors in quantities less than a quart.

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✓ 966	The State of Texas v. William H Carr, Thomas Slaughter, Edward Finnin	Plaintiff, Defendants	Selling Intoxicating liquors in quantities less than a quart.
✓ 967	The State of Texas v. William H. Carr, Edward Finnin, Robert Barr	Plaintiff, Defendants	Selling Intoxicating liquors in quantities less than a quart
✓ 968	The State of Texas v. William H. Carr, Edward Finnin, Robert Barr	Plaintiff, Defendants	Selling Intoxicating liquors in quantities less than a quart
✓ 969	The State of Texas v. William H. Carr, Edward Finnin, Robert Barr	Plaintiff, Defendants	Selling Intoxicating liquors in quantities less than a quart
✓ 970	The State of Texas v. William H. Carr, Edward Finnin, Robert Barr	Plaintiff, Defendants	Selling Intoxicating liquors in quantities less than a quart.
✓ 971	The State of Texas v. Wm H. Carr, Edward Finnin, Robert Barr	Plaintiff, Defendants	Selling Intoxicating liquors in quantities less than a quart.
✓ 972	The State of Texas v. Robert Barr, Edward Finnin, Wm H. Carr	Plaintiff, Defendants	Selling Intoxicating liquors in quantities less than a quart

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973	The State of Texas v. William H. Carr Thomas Slaughter Edward Hinnin	Plaintiff Defendants	Selling Intoxicating liquors in quantities less than a Quart
974	The State of Texas v. Wm H Carr Thomas Slaughter Edward Hinnin	Plaintiff Defendants	Selling intoxicating liquors in quantities less than a quart
975	The State of Texas v. William H. Carr. Thomas Slaughter Edward Hinnin	Plaintiff Defendants	Selling Intoxicating liquors in quantities less than a quart
976	The State of Texas v William H. Carr, Thomas Slaughter Edward Hinnin	Plaintiff Defendants	Selling Intoxicating liquors in quantities less than a quart
977	The State of Texas v. Wm H Carr Thomas Slaughter Edward Hinnin	Plaintiff Defendants	Selling Intoxicating liquors in quantities less than a quart
978	The State of Texas v Wm H Carr Thomas Slaughter Edward Hinnin	Plaintiff Defendants	Selling Intoxicating liquors in quantities less than a grant
979	The State of Texas v. James M. Forehand	Plaintiff Defendant	Selling Intoxicating liquors in quantities less than a grant
980	The State of Texas v. James M. Forehand	Plaintiff Defendant	Selling Intoxicating liquors in quantities less than a grant

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✓ 981	The State of Texas v. James Mc Forehand	Plaintiff / Defendant	Selling intoxicating liquors in quantities less than a quart
✓ 982	The State of Texas v. Mc. G. Gay	Plaintiff / Defendant	Playing at a game with cards in a public house
✓ 983	The State of Texas v. Mc.arron G. Gay, William Mc Burnett John T Wamsley	Plaintiff / Defendants	Playing at a game with cards at a public place
✓ 984	The State of Texas v. Mc G Gay	Plaintiff / Defendant	Playing at a game with cards at a public house
✓ 985	The State of Texas v. W.P. Mc Armantie	Plaintiff / Defendant	Playing at a game with cards in a house for retailing spirituous liquors
✓ 986	The State of Texas v. J.M.N. Hall	Plaintiff / Defendant	Playing at a game with cards in a house for retailing spirituous liquors
✓ 987	The State of Texas v. James Mc. Cusner John W. Warrick John Lamum	Plaintiff / Defendants	Playing at a game with cards at a house for retailing Spirituous liquors
✓ 988	The State of Texas v. Thos Anderson	Plaintiff / Defendant	Playing at a game with cards in a house for retailing Spirituous liquors
✓ 989	The State of Texas v. George Babcock	Plaintiff / Defendant	Playing at a game with cards at a house for retailing spirituous liquors
✓ 990	The State of Texas v. Hannibal Nichols & Joseph C. Cabaniss	Plaintiff / Defendants	Affray

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991	The State of Texas v. William M. Wallen	Plaintiff / Defendant	Playing at a game with cards in a public place
992	The State of Texas v. Isaac Cook	Plaintiff / defendant	Playing at a game with cards in a public place
993	The State of Texas v. J. W. Robertson	Plaintiff / defendant	Playing at a game with cards in a public place
994	The State of Texas v. Alexander Eaves	Plaintiff / defendant	Playing at a game with cards in a public place
995	The State of Texas v. C. C. McAnelly	Plaintiff / defendant	Playing at a game with cards in a house for retailing spirituous liquors
996	The State of Texas v. S. G. Worrell	Plaintiff / defendant	Playing at a game with cards in a public place
997	The State of Texas v. Thomas Rowlin	Plaintiff / defendant	Playing at a game with cards in a public house.

And said Court being duly organized by the Grand Jury being called that there was still further business before them, they were ordered by the Court to retire and further discharge of their duties

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And Thereupon, George W. Jones, District Attorney for this District made a motion that the following resolutions, be spread on the minutes of the Court — prefacing his motion by a few feeling and impressive remarks —.

"Whereas by yesterdays mail, the sad intelligence reached this City, of the death of our fellow Citizen Genl J P Henderson — which occurred at the City of Washington on the 4th instant — and desiring, to give some suitable and public evidence of our sense of the loss to Texas, and the Country, in his death — Therefore

Resolved 1st. That another great and good man is gone —. One of Texas earliest — ablest — and most fearless Champions, has fallen — but fell at the post of duty — where he ever stood, while living, whether in private life — or in the capacity of a public agent —.

" 2nd That our deceased brother in a most eventful life has discharged the high functions of Minister from the infant Republic of Texas, to the Courts of two of the oldest, and most powerful Governments on earth — of Minister from the Same Republic to the U. S. Govt — of delegate to the Convention which framed the Constitution of the State — as first Governor of our State — as an able — indefatigable — and untiring attorney and advocate in our profession — and last though not least — as the Representative of the Sovereignty of Texas in the Senate of the U. S; in all of which positions, his acts have been Characterised, by a lofty and fearless sense of duty — an integrity of purpose, and pure patriotism, which has won the confidence and love of the people of Texas, and in which his memory will be embalmed —

3rd. That the illustrious dead, was in the private relations of life, not less ~~illustrious~~ admirable, than in his devotion to public duty — as husband — father, or friend — his name is without blemish or reproach —

4th That his death at this particular period, must be regarded as a Calamity to the entire South — the uncompromising enemy of wrong and oppression in whatever form presented — the advocate of the Constitution — of the Union, and of every right reserved by it to the States, — he was looked to as one who would preserve the rights of the South — or failing in that at least preserve its honor

5th That we present to his bereaved family and Relatives our unfeigned Condolence, in their severe afflictions —"

Whereupon Court adjourned until tomorrow the 15th June 1858 —

Spring Term, Tuesday, June 13th 1858.

Court convened at the usual hour. Present as on Yesterday. Whereupon the following proceedings were had:

1121 ↓

David S. Hanna — Plff
v
F. S. & H. B. Millard — Defts

And now on this day come the parties plaintiff and defendants by their respective attorneys, and announce themselves ready for trial, and waive a jury, and submit the matters in controversy to the Court, and agree that the plaintiff David S. Hanna, is entitled to have and recover off & from said defendants Frad S & Henry B Millard only the sum of two hundred and forty two & 08/100 dollars, and all costs in this suit expended, for all of which execution may issue — after the first day of December next — and it is further agreed between said parties that if Evan Williams has not taken up & paid the John Hanna note executed by said defendants, to said John for two hundred dollars, then said judgment is to be credited with two hundred dollars and interest thereon from the 25th of December 1857 — as this judgment of two hundred and forty two & 08/100 dollars —

↓ 1326

R.W. Humphries & George W. White
v
Sherman Case & Thomas Freeman
— Plaintiffs / Defendants

And now on this day appeared the Plffs. and the defendant Freeman, by their attorneys. And the defendant Case having been cited, and having failed to answer within the time prescribed by Law, It is ordered by the Court that the said Plffs. above named recover of said Case according to the prayer of their petition. And thereupon said Plffs and the defendant Freeman announced themselves ready for trial. And thereupon the Court having excluded from the Jury part of the answers of the defendant Freeman to the Interrogatories propounded to him by the Plffs. the said Defts. excepted to the ruling of the Court. Whereupon the parties introduced to the Jury their testimony in the case — and said Jury hearing the argument of the counsel and the charge of the Court, retired — and afterwards returned into Court the following verdict, to wit: "We, the Jury, find for the defendant Freeman" Whereupon, It is ordered by the Court, that said Plffs. take nothing by their said action as to the defendant Freeman, that said Freeman go hence, and recover off & from said Plffs. R. W. Humphreys and George W. White, all costs in this behalf expended, for which execution may issue.

↓ 1355

Moore Towings
v
James Mc. Alexander
— Plaintiffs / Defendant

It is ordered by the Court that the Plffs. have leave to amend their pleadings.

Spring Term, Tuesday, June 13th A D 1858.

✓ 1387	George Sanders v. Ne le Nolman et al	Plaintiff / Defendants	It is ordered by the Court that the defendants have leave to amend
✓ 1431	A. Superville v. John H Kennedy et al / T. M. Swenson	Plaintiff / Defendants	It is ordered by the Court that the defts Swenson have leave to withdraw his plea heretofore filed in this cause, and be permitted to plead de novo
✓ 1483	A. J. Evans v. Edward Clark	Plaintiff / Defendant	It is ordered by the Court that the defendant Clark have leave to amend his answer in this cause
✓ 1537	R. F. George v. Phillip L Black	Plaintiff / Defendants	It is ordered by the Court that the Plff have leave to amend his petition.
✓ 1548	Benjamin Chate v. Ebon Wright	Plaintiff / Defendants	The defendant Wright having been duly cited, and having wholly failed to answer Plaintiffs petition within the time prescribed by law, It is ordered by the Court that the said Plaintiff do have and recover off and from said Defendant Wright according to the prayer of his petition.
✓ 1563	Samuels & Mason v. Joseph Warren / Joseph W. Robertson	Plaintiffs / Defendant / Intervenor	And now on this day comes Joseph W. Robertson, by attorney, and moves the Court for leave to intervene in this cause - which motion is allowed by the Court. And thereupon said Robertson now in the Court for an order of Survey of the premises in dispute between him and the plaintiffs, to wit: to ascertain the boundaries of the Daniel J. Gilbert survey, and of the location of the Intervenor, in the name of W. W. Stark, as set forth in said petitions of plaintiff and intervenor - and to report thereon -. It is, therefore, for sufficient reasons made apparent to the Court, ordered, that L. H. Sackett be appointed to survey the said tracts of land, and to report upon the boundaries of the same to the present term of this Court, setting forth all the facts necessary for the ascertainment of the true boundaries thereof.

And thereupon Court adjourned until to-morrow morning at 1/2 past 8 o'clock

Wednesday Morning, June 16th 1858.

Court convened at 1/2 past eight o'clock pursuant to adjournment. Present the same as on yesterday. Whereupon the following proceedings were had by said Court as follows, to wit:

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1367	Pratt & Co v. Parthenia Lloyd	Plaintiffs / Defendant	And now on this day came the parties by attorney and move the Court to dismiss this cause at the mutual costs of the parties, which agreement filed. And thereupon, it is adjudged by the Court, that said cause be dismissed from the docket, and that the Plffs. Daniel Pratt and Samuel W. Griswold, under their firm name of Pratt & Co. pay all costs by them incurred in this suit, and that the defendant Parthenia Lloyd, pay all costs by her incurred, for all which execution may issue
1378	W. D. Houston v. Thomas Puckett	Plaintiff / Defendant	Continued for service on application of plaintiff's counsel
1383	Andrew Weston v. George W. Glasscock	Plaintiff / Defendant	And now on this day appeared the Plff. and the Deft. in this cause by attorney, and announced themselves ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis county, to wit: J. H. Pope foreman, and eleven others, who being duly elected, empannelled, tried and sworn according to law, heard the evidence introduced by the parties, the argument of counsel and the charge of the Court - and retired to consider of their verdict. Whereupon said Jury returned into Court the following verdict, to wit: "We, the Jury, find the verdict in favor of Plaintiff for the amount of two hundred and sixty-four dollars and eighteen cents. J. H. Pope, foreman." Wherefore, It is ordered, adjudged and decreed by the Court, that the Plaintiff, Andrew Weston, do have and recover off and from the Defendant, George W. Glasscock, the said sum of two hundred and sixty-four 18/100 dollars, and all costs in this behalf expended, for which execution may issue.
1384	Geo. J. Glasscock v. Wm B. Burdett	Plaintiff / Defendant	It is ordered by the Court that the defendant have leave to amend.
1388	Eleanor Lane, et al. v. Silas Parsons	Plaintiffs / Defendant	Continued by agreement
1578	James M. Ballinsworth v. John W. Brown, Admr	Plaintiff / Defendant	It is ordered by the Court that the defendant have leave to amend his answer
1583	Nancy Bray, et al v. L. L. Sykes	Plaintiffs / Defendant	And now comes R. Mc Cox, by attorney and moves the Court for leave to withdraw his plea of intervention heretofore filed in

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this cause. And thereupon, It is ordered by the Court that said motion be granted, and that said Cox pay all costs of said intervention, for which execution may issue.

1800 The State of Texas v. Joseph Newsham } Plaintiff / Defendant } on motion of George W. Jones, District attorney, It is ordered by the Court that a Special Venire issue for forty Jurors, to be in attendance on Monday Morning next, the 21st instant, at eight o'clock, for the purpose of trying causes on the Criminal docket.

And thereupon Court adjourned until to-morrow morning half past 8 o'clock.

Thursday Morning, June 17th A. D. 1858.

Court convened at half past eight o'clock pursuant to adjournment. Present the Hon. A. W. Terrell, Judge; Frank Brown, Clerk and J. M. Blackwell, Sheriff. Whereupon the following proceedings were had by said Court as follows, to wit:

910 Corporation of Baeliah v. Alfred Smith } Plaintiff / Defendant } It is ordered by the Court that the defendant have leave to withdraw his pleas filed in this cause.

1387 Geage Sanders v. H. G. Holman et als } Plaintiff / Defendants } And now on this day came the parties to this cause by attorney, and thereupon defendants demurrer to plaintiff's petition being submitted, was overruled by the Court. And the parties having announced themselves ready for trial, thereupon came a Jury of good and lawful men of Travis County to-wit: J. H. Robinson and eleven others, who being duly tried, elected, empannelled and sworn heard the evidence and the charge of the Court, (written instructions being waived) and retired to consider of their verdict. Whereupon said Jury returned into Court the following verdict, to wit: "We, the Jury, find for the plaintiff Six Hundred and Sixty-Eight 65/100 dollars. J. H. Robinson, Foreman." Whereupon It is ordered adjudged and decreed by the Court that the plaintiff, George Sanders, do have and recover of and from the defendants H. G. Holman, J. S. Holman, J. A. Finley and Nelson Merrill the said sum of Six hundred and Sixty Eight 65/100 dollars, together with all costs in this behalf expended for which execution may issue.

1391 Mary L. Cartmell v. John P. Coleman } Plaintiff / Defendant } And now on this day came the Plaintiff by attorney, and announced herself ready for

trial. said defendant not appearing, but made default. And thereupon Neff's counsel suggested to the Court the marriage of said plaintiff with Irving Root. Whereupon It is ordered by the Court, that said Irving Root be made party Neff in this action. And thereupon came a Jury of twelve good and lawful men of Travis County, to wit: John G. Matthews, foreman, and eleven others, who were duly Tried, empannelled and sworn according To Law. And thereupon the plaintiff introduced Frank Brown who Testified that he made the contract, for Neff, with John T Coleman, for the rent of the house described in the petition at the rate of twenty five dollars per month from the 7th Day of January, 1857. To the 7th Day of September, 1857; that deft. admitted the account, (in substance, as set out in the petition, leaving a balance due of One Hundred and Fifty Dollars, him To the defendant leaving the City of Austin. And thereupon said Jury having received the charge of the Court, retired, and brought into Court the following verdict to wit: "We the Jury, find for the plaintiff the sum of One hundred and fifty dollars. John G Matthews, Foreman." Whereupon, It is ordered, adjudged and decreed by the Court that the plaintiffs Mary L Root and Irving Root do have and recover of and from the defendant John T Coleman, the sum of One Hundred and Fifty dollars and all costs in this behalf laid out and expended, for which execution may issue.

1394 M A Taylor } Plaintiff
v. } Continued for Service
King & Ford } Defendants

1395 William Armstrong } Plff
vs } and now come the parties by
Claiborne & Reed } Defts. } attorney, and thereupon the
answer heretofore filed, and say nothing in bar or preclusion of plaintiffs demand. And it appearing To the Court that Plff's cause of action is liquidated, as shown by defendants note of hand, produced in open Court, It is, therefore, ordered adjudged and decreed by the Court, that the said Neff. Wm Armstrong, do have and recover of and from the defendants, Phil. Claiborne and D. G. Reed the sum of Two Hundred and three 4/100 dollars, which is principal debt and interest due on the note sued to date, after deducting all the credits, together with ten per centum per annum interest thereon until paid and all costs of suit, for which execution may issue.

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1418 — R. L. McAnelly vs Hamilton & Chandler } Plaintiff / Defendants } It is ordered by the Court that the defendant is have leave to amende. And adered, further, that said cause be continued on affidavit of defendants.

1411 — F. W. Chandler vs Jack A. Budd } Plaintiff / Defendant } And now on this day came the plff. by attorney, and the defendant in proper person withdraws his ~~abo~~ heretofore filed, and says nothing in bar of plff's demand. And it appearing to the Court that the defendant is indebted to the plaintiff in the sum of Two Hundred and Seventy-Three 23/100 dollars as shown by his note of hand set out in plff's petition and filed in this case It is, therefore, ordered, adjudged, and decreed by the Court, that the plaintiff, Frederick W. Chandler, do have and recover of and from the defendant, Jack A. Budd, the said sum of Two Hundred and Seventy-Three 23/100 dollars, principal debt and interest to date, after deducting all credits, together with all costs in this behalf expended, for which execution may issue

1409 — Peyton W. Rowlin vs G. L. & W. M. Walton } Plaintiff / Defendants } And now on this day appeared the parties to this cause by attorney, & announced themselves ready for trial. And thereupon, the parties having gone to trial with a jury, the cause was withdrawn from said jury and submitted to the Court; and the parties agreed that the plaintiff should recover of the defendants the amount of their note sued on, but that the defendant Wm M. Walton should recover his costs up to the fall term, 1857. And thereupon, It is Ordered, adjudged and decreed by the Court, that the said plff P. W. Rowlin, do have and recover of and from the defendants, William M. Walton and George L. Walton the sum of One Hundred and Eighty-Nine 40/100 dollars, principal debt and interest due to date, with legal interest thereon until paid, for which execution may issue. It is further ordered, that the defendants, Wm M. Walton, recover of the plaintiff Rowlin all ~~the~~ costs (up to the date of the rendition of judgment at the fall term) 1857, of this Court, and that the plff. Rowlin recover of and from the defendants Wm M Walton and George L Walton the balance of the costs of this suit, for which execution may issue.

1414 — J. T. Alexander vs L. B. Moore, et al } Plaintiff / Defendants } And now on this day came the plaintiff by attorney and declares a Judgment final by default. And it appears to the

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Court that the defendant have been legally cited, and have wholly failed to answer plaintiff's petition within the time prescribed by law. And pltffs demand being liquidated, as is evidenced by defendants promissory note herein sued on when Court. Its, therefore, ordered, adjudged and decreed by the Court, that the plaintiff, John T. Alexander, ~~xxxx xx xx. x. Alexander xxx~~ do have and recover off and from the defendants, L. B. Moore and G. A. Burdett, the sum of One Hundred and Thirty-Three dollars, principal debt and interest to date, with legal interest thereon until paid, and all costs in this behalf expended, for all which execution may issue

1415	J. T. Alexander vs Milton Perry, et als	Plaintiff / Defendants	And now comes the pltff by atty. and claims a final Judgment by default. And because it appears to the Court that the defendants have been duly cited and have wholly failed to answer pltffs petition within the time prescribed by law, and plaintiffs cause of action being liquidated, as shown defendants promissory note exhibited to the Court. Its therefore ordered adjudged and decreed by the Court, that the plaintiff, John T. Alexander ~~xxxx xx x. Alexander xxx~~ do recover from the defendants, Milton Perry and ~~xxxx~~ the sum of One Hundred and Thirty-Three dollars, principal debt and interest to date, with legal interest thereon until paid and all costs of this suit, for which execution may issue	
1416	Joseph Newsham vs David L. Crop	Plaintiff / Defendant	This ordered that the defendant have leave to amend his answer.	
1461	Eliza Millard, et. al vs F. L. Millard, et al	Plffs. / Defts	Ordered that the plaintiffs have leave to amend their pleadings in this cause.	
1540	Nelson L. Rector vs G. A. Burdett, et als.	Plaintiff / Defendants	This ordered that the pltff have leave to amend his petition	
1578	James M. Collinsworth vs John W. Brown admr	Pltff / Deft	Continued as per agreement on file.	

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1624	A. O'Horne et al vs D.W. Dignan, et al.	Plaintiffs / Defendants	Ordered that the plaintiff have leave to amend his petition.
1635	B. Gonzales, Sr. vs Frank Gildart	Plaintiff / Defendant	Ordered that the pff have leave to amend his petition
1645	W.T. Norton vs J.W. Brown, admr	Plaintiff / Defendant	Ordered, that the defendant have leave to amend
1647	Thomas C Collins vs John A. Green et. als.	Plaintiff / Defendants	Ordered that the defendants have leave to amend

And thereupon Court adjourned till to-morrow morning 9 o'clock

Friday Morning, June 16th 1855

Court convened at Nine o'clock pursuant to adjournment Present the same as on yesterday, Whereupon the following proceedings were had by said Court to wit:

And now on this day appeared the Grand Jury of Travis County, in open Court, and through their foreman, Alfred Smith, presented to the Court the following Bills of Indictments, to wit:

998	The State of Texas vs Wm Bennett	Plaintiff / Defendant	Exhibiting Monte
999	The State of Texas vs Wm Bennett	Plaintiff / Defendant	Exhibiting Monte
1000	The State of Texas vs A. Robertson	Plaintiff / Defendant	Playing Cards in a house for retailing spirituous liquors
1001	The State of Texas vs John B Banks	Plaintiff / Defendant	Playing cards at a public house
1002	The State of Texas vs John B. Costa	Plaintiff / Defendant	Playing Cards at a public house

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1003	The State of Texas vs J.W. Robertson	Plaintiff / Defendant	Playing cards at a house for retailing Spirituous liquors.
1004	The State of Texas vs John A. Green	Plaintiff / Defendant	Playing cards at a house for retailing Spirituous liquors.
1003)	The State of Texas vs John Hampton	Plaintiff / Defendant	Playing cards at a house for retailing Spirituous liquors.
1006	The State of Texas vs S.G. Arnell	Plaintiff / Defendant	Exhibition Monte.
1007	The State of Texas vs S. Sneed	Plaintiff / Defendant	Playing Cards at a house for retailing Spirituous liquors.
1008	The State of Texas vs R.T. Brownrigg	Plaintiff / Defendant	Betting at monte.
1009	The State of Texas vs Thos. Slaughter	Plaintiff / Defendant	Playing cards at a house for retailing Spirituous liquors.
1016	The State of Texas vs James Jackson	Plaintiff / Defendant	Betting at Monte
1011	The State of Texas v. Theo. Anderson	Plaintiff / Defendant	Playing cards in a house for retailing Spirituous liquors
1012	The State of Texas vs A. Eanes	Plaintiff / Defendant	Playing cards in a house for retailing Spirituous liquors
1013	The State of Texas vs Nelson Merrell	Plaintiff / Defendant	Playing Cards at a public house

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1014	The State of Texas vs A Robertson	Plaintiff / Defendant	Playing Cards in a house for retailing Spirituous liquors.
1015	The State of Texas vs Carr & Finnin	Plaintiff / Defendants	Permitting card playing.
1016	The State of Texas vs John Robertson	Plaintiff / Defendant	Playing cards in a house for retailing Spirituous liquors.
1017	The State of Texas v. Robertson & Robertson	Plaintiff / Defendants	Selling liquor in quantities less than a quart.
1018	The State of Texas v Robertson & Robertson	Plaintiff / Defendants	Selling liquor in quantities less than a quart.
1019	The State of Texas v Robertson & Robertson	Plaintiff / Defendants	Selling liquor in quantities less than a quart
1020	The State of Texas v. Robertson & Robertson	Plaintiff / Defendants	Selling liquor in quantities less than a quart.
1021	The State of Texas v. Robertson & Robertson	Plaintiff / Defendants	Selling liquor in quantities less than a quart.
1022	The State of Texas v. Robertson & Robertson	Plaintiff / Defendants	Selling liquor in quantities less than a quart.
1023	The State of Texas v. Robertson & Robertson	Plaintiff / Defendants	Selling liquor in quantities less than a quart.
1024	The State of Texas v. Robertson & Robertson	Plaintiff / Defendants	Selling liquor in quantities less than a quart.

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1025	The State of Texas v. Robertson & Robertson	Plaintiff / Defendants	Selling liquor in quantities less than a quart
1026	The State of Texas v. Robertson & Robertson	Plaintiff / Defendants	Selling liquor in quantities less than a quart
1027	The State of Texas v. Robertson & Robertson	Plaintiff / Defendants	Selling liquor in quantities less than a quart
1028	The State of Texas v. John Horan	Plaintiff / Defendant	Permitting card playing in his house
1029	The State of Texas v. John Horan	Plaintiff / Defendant	Permitting card playing in his house
1030	The State of Texas v. John Horan	Plaintiff / Defendant	Permitting card playing in his house
1031	The State of Texas v. John Horan	Plaintiff / Defendant	Permitting card playing in his house
1032	The State of Texas v. John Horan	Plaintiff / Defendant	Permitting card playing in his house
1033	The State of Texas v. John Horan	Plaintiff / Defendant	Permitting card playing in his house
1034	The State of Texas v. Pistard & Pistard	Plaintiff / Defendants	Permitting Monte in their house
1035	The State of Texas v. Pistard & Pistard	Plaintiff / Defendants	Permitting "Monte" in their house

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1036	The State of Texas v. Pistard & Pistard	Plaintiff Defendants	Permitting monte in their house
1037	The State of Texas v. Pistard & Pistard	Plaintiff Defendant	Permitting card playing in their house
1038	The State of Texas v. Wallace & Heffington	Plaintiff Defendants	Permitting card playing in their house.
1039	The State of Texas v. Wallace & Heffington	Plaintiff Defendants	Permitting monte in their house
1040	The State of Texas v. Wallace & Heffington	Plaintiff Defendants	Permitting card playin their house
1041	The State of Texas v. Wallace & Heffington	Plaintiff Defendants	Permitting monte in their house
1042	The State of Texas v. Wallace & Heffington	Plaintiff Defendants	Permitting monte in their house
1043	The State of Texas v. Wallace & Heffington	Plaintiff Defendants	Permitting card playing in their house.
1044	The State of Texas v. Thos. Randolph	Plaintiff Defendant	Selling liquor in quantities less than a quart
1045	The State of Texas v. Thos. Randolph	Plaintiff Defendant	Selling liquor in quantities less than a quart.
1046	The State of Texas v. Thos Randolph	Plaintiff Defendant	Selling liquor in quantities less than a quart.

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1047	The State of Texas v. Thos. Randolph	Plaintiff / Defendant	Selling liquor in quantities less than a quart
1048	The State of Texas v. Thos. Randolph	Plaintiff / Defendant	Selling liquor in quantities less than a quart
1049	The State of Texas v. Thos. Randolph	Plaintiff / Defendant	Selling liquor in quantities less than a quart
1050	The State of Texas v. Geo. Robertson	Plaintiff / Defendant	Permitting card playing in his house
1051	The State of Texas v. Geo. Robertson	Plaintiff / Defendant	Permitting card playing in his house
1052	The State of Texas v. Geo. Robertson	Plaintiff / Defendant	Permitting card playing in his house
1053	The State of Texas v. Geo. Robertson	Plaintiff / Defendant	Permitting card playing in his house
1054	The State of Texas v. Geo. Robertson	Plaintiff / Defendant	Permitting card playing in his house
1055	The State of Texas v. David Wills	Plaintiff / Defendant	Betting at Monte
1056	The State of Texas v. A. S. Pitt	Plaintiff / Defendant	Playing cards in public house
1057	The State of Texas v. A. S. Pitt	Plaintiff / Defendant	Playing cards in a public house

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1058	The State of Texas v. A. J. Pitt	Plaintiff / Defendant	Playing cards in a public house
1059	The State of Texas v. A. J. Pitt	Plaintiff / Defendant	Playing cards in public house
1060	The State of Texas v. A. J. Pitt	Playing / Defendant	Playing cards in a public house
1061	The State of Texas v. A. J. Pitt	Plaintiff / Defendant	Playing cards in a public House
1062	The State of Texas v. W. C. Dalrymple	Plaintiff / Defendant	Playing cards at a public House
1063	The State of Texas v. W. C. Dalrymple	Plaintiff / Defendant	Playing cards in a public house
1064	The State of Texas v. W. C. Dalrymple	Plaintiff / Defendant	Playing cards in a Public house
1065	The State of Texas v. W. C. Dalrymple	Plaintiff / Defendant	Playing cards in a public house
1066	The State of Texas v. W. C. Dalrymple	Plaintiff / Defendant	Playing cards in a public house
1067	The State of Texas v. W. C. Dalrymple	Plaintiff / Defendant	Playing cards in a public house
1068	The State of Texas v. James Cole	Plaintiff / Defendant	Playing cards in a public house

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1069	The State of Texas v. Jas Cole	Plaintiff / Defendant	Playing cards in a public house
1070	The State of Texas v. James Cole	Plaintiff / Defendant	Playing cards in a public house
1071	The State of Texas v. James Cole	Plaintiff / Defendant	Playing cards in a public house
1072	The State of Texas v. James Cole	Plaintiff / Defendant	Playing cards in a public house
1073	The State of Texas v. James Cole	Plaintiff / Defendant	Playing cards in a public house
1074	The State of Texas v. A.H. Barnes	Plaintiff / Defendant	Playing cards in a public house
1075	The State of Texas v. A.H. Barnes	Plaintiff / Defendant	Playing cards in a public house
1076	The State of Texas v. A.H. Barnes	Plaintiff / Defendant	Playing cards in a public house
1078	The State of Texas v. A.H. Barnes	Plaintiff / Defendant	Playing cards in a public house
1079	The State of Texas v. Price & Barnes	Plaintiff / Defendants	Permitting Card playing in their House
1080	The State of Texas v. Price & Barnes	Plaintiff / Defendants	Permitting card playing in their House

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1081	The State of Texas v. Price & Barnes	Plaintiff Defendants	Permitting Card playing in their house
1082	The State of Texas v. Price & Barnes	Plaintiff Defendants	Permitting Card playing in their house
1083	The State of Texas v. Price & Barnes	Plaintiff Defendants	Permitting Card playing in their house
1084	The State of Texas v. Price & Barnes	Plaintiff Defendants	Permitting Card playing in their house
1085	The State of Texas v. A. H. Barnes	Plaintiff Defendant	Playing Cards in a public house
1086	The State of Texas v. A. H. Barnes	Plaintiff Defendant	Playing Cards in a public house
1087	The State of Texas v. Hardy Holman	Plaintiff Defendant	Playing Cards in a house for retailing Spirituous liquors.
1088	The State of Texas v. W. P. De Normandie	Plaintiff Defendant	Playing Cards in a house for retailing Spirituous liquors.
1089	The State of Texas v. W. P. De Normandie	Plaintiff Defendant	Playing Cards in a house for retailing Spirituous liquors.
1091	The State of Texas v. W. P. De Normandie	Plaintiff Defendant	Playing Cards in a house for retailing Spirituous liquors.
1092	The State of Texas v. W. P. De Normandie	Plaintiff Defendant	Playing Cards in a house for retailing Spirituous liquors.

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1093	The State of Texas v. W. P. De Normandie	Plaintiff / Defendant	Playing cards in a house for retailing Spirituous liquors.
1094	The State of Texas v. Geo. Hancock	Plaintiff / Defendant	Playing cards in a house for retailing Spirituous liquors.
1095	The State of Texas v. Geo. Hancock	Plaintiff / Defendant	Playing cards in a house for retailing Spirituous liquors.
1096	The State of Texas v. Geo. Hancock	Plaintiff / Defendant	Playing cards in a house for retailing Spirituous liquors.
1097	The State of Texas v. Geo. Hancock	Plaintiff / Defendant	Playing cards in a house for retailing Spirituous liquors.
1098	The State of Texas v. Geo. Hancock	Plaintiff / Defendant	Playing cards in a house for retailing Spirituous liquors.
1099	The State of Texas v. Hancock, Cole & Dalrymple	Plaintiff / Defendant	Playing cards in a public house
1100	The State of Texas v. C. W. McAnally	Plaintiff / Defendant	Playing cards in a house for retailing Spirituous liquors.
1101	The State of Texas v. C. W. McAnally	Plaintiff / Defendant	Playing cards in a house for retailing Spirituous liquors.
1102	The State of Texas v. C. W. McAnally	Plaintiff / Defendant	Playing cards in a house for retailing Spirituous liquors
1103	The State of Texas v. C. W. McAnaly	Plaintiff / Defendant	Playing cards in a house for retailing Spirituous liquors.

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1104	The State of Texas v. C.W. McAnally	Plaintiff Defendant	Playing Cards in a house for retailing Spirituous liquors.
1105	The State of Texas v. Robt. Barr	Plaintiff Defendant	Playing Cards in a house for retailing Spirituous liquors
1106	The State of Texas v. Robt. Pace	Plaintiff Defendant	Playing Cards in a house for retailing Spirituous liquors.
1107	The State of Texas v. Robt. Pace	Plaintiff Defendant	Playing Cards in a house for retailing Spirituous liquors
1108	The State of Texas v. Robt. Pace	Plaintiff Defendant	Playing cards in a house for retailing Spirituous liquors.
1109	The State of Texas v. Robt. Pace	Plaintiff Defendant	Playing Cards in a house for retailing Spirituous liquors.
1110	The State of Texas v. Robt. Pace	Plaintiff Defendant	Playing Cards in a house for retailing Spirituous liquors.
1111	The State of Texas v. I.W. Robertson	Plaintiff Defendant	Playing Cards in a house for retailing Spirituous liquors
1112	The State of Texas v. I.W. Robertson	Plaintiff Defendant	Playing Cards in a house for
1113	The State of Texas v. I.W. Robertson	Plaintiff Defendant	Playing Cards in a house for retailing Spirituous liquors
1114	The State of Texas v. I.W. Robertson	Plaintiff Defendant	Playing Cards in a house for retailing Spirituous liquors

Spring Term Friday, June 18th A.D. 1858

1115	The State of Texas v. Amos Morrill	Plaintiff / Defendant	Playing cards in a house for retailing Spirituous liquors
1116	The State of Texas v. Amos Morrill	Plaintiff / Defendant	Playing cards in a house for retailing Spirituous liquors
1117	The State of Texas v. Amos Morrill	Plaintiff / Defendant	Playing cards in a house for retailing Spirituous liquors
1118	The State of Texas v. Amos Morrill	Plaintiff / Defendant	Playing cards in a house for retailing Spirituous liquors
1119	The State of Texas v. Amos Morrill	Plaintiff / Defendant	Playing cards in a house for retailing Spirituous liquors
1120	The State of Texas v. L. F. Purvis	Plaintiff / Defendant	Playing cards in a house for retailing Spirituous liquors
1121	The State of Texas v. L. F. Purvis	Plaintiff / Defendant	Playing cards in a house for retailing Spirituous liquors
1122	The State of Texas v. Thos. Achiltree	Plaintiff / Defendant	Betting at Monte.
1123	The State of Texas v. Thos. Achiltree	Plaintiff / Defendant	Betting at Monte.
1124	The State of Texas v. A.G. Weir	Plaintiff / Defendant	Failing to execute writs.
1125	The State of Texas v. A.G. Weir	Plaintiff / Defendant	Failing to arrest.

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1126	The State of Texas v. O.S. Weir	Plaintiff / Defendant	Failing to execute Arrest.
1127	The State of Texas v. Leroy Robertson	Plaintiff / Defendant	Betting at Monte.
1128	The State of Texas v. Leroy Robertson	Plaintiff / Defendant	Playing Cards in a House for retailing Spirituous Liquors.
1129	The State of Texas v. Benj. Heinds	Plaintiff / Defendant	Playing Cards in a house for retailing Spirituous Liquors.
1130	The State of Texas v. Benj. Heines	Plaintiff / Defendant	Exhibiting Monte.
1131	The State of Texas v. W.C. Poag	Plaintiff / Defendant	Betting at Monte.
1132	The State of Texas v. W.C. Poag	Plaintiff / Defendant	Betting at Monte.
1133	The State of Texas v. James Toft	Plaintiff / Defendant	Larceny.
1134	The State of Texas v. John Fanny	Plaintiff / Defendant	Murder.
1135	The State of Texas v. Wm T. Copperton	Plaintiff / Defendant	Assault.
1136	The State of Texas v. Marcus Hedins	Plaintiff / Defendant	Assault & Battery — and said Grand Jury thereupon retired upon a further discharge of their duties

And thereupon Court adjourned until tomorrow Morning 9 o'clock

Spring Term, Saturday, June 19th A.D. 1838.

Saturday Morning June 19 A.D. 1838.

Court convened at 9 o'clock pursuant to adjournment. Present the same as on yesterday. Whereupon the following proceedings were had, towit.

And now on this day appeared the Grand Jury of Travis County in open Court, and through their foreman, Alfred Smith, presented to the Court the following Bills of Indictment to wit.

1137	The State of Texas v. Sam. Tate	Plaintiff / Defendant	Exhibiting Faro
1138	The State of Texas v. Sam. Tate	Plaintiff / Defendant	Exhibiting Faro.
1139	The State of Texas v. A Roberson	Plaintiff / Defendant	Betting at Faro.
1140	The State of Texas v. A Roberson	Plaintiff / Defendant	Betting at Faro.
1141	The State of Texas v. Geo. Roberson	Plaintiff / Defendant	Selling liquor in quantities less than a quart
1142	The State of Texas v. Geo. Roberson	Plaintiff / Defendant	Selling liquor in quantities less than a quart.
1143	The State of Texas v. Jno. B. Costa	Plaintiff / Defendant	Playing cards in a public house.
1144	The State of Texas v. Jno. B. Costa	Plaintiff / Defendant	Playing cards in a public house
1145	The State of Texas v. Jno. F. Purvis	Plaintiff / Defendant	Playing cards in a house for retailing spirituous liquors

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1146	The State of Texas v. Jerry Robertson	Plaintiff / Defendant	Playing Cards in a house for retailing spirituous liquors
1147	The State of Texas v. Jno. F. Price	Plaintiff / Defendant	Playing Cards in a house for retailing Spirituous liquors
1148	The State of Texas v. Danus Burdett	Plaintiff / Defendant	Playing Cards in a house for retailing spirituous liquors
1149	The State of Texas v. Thos. Green	Plaintiff / Defendant	Playing Cards in a house for retailing spirituous liquors.
1150	The State of Texas v. Jos. Willie	Plaintiff / Defendant	Playing Cards in a house for retailing spirituous liquors.
1151	The State of Texas v. James Cole	Plaintiff / Defendant	Playing Cards in a public house
1152	The State of Texas v. A. Merrell	Plaintiff / Defendant	Playing Cards in a house for retailing spirituous liquors.
1153	The State of Texas v. Anasen Cox	Plaintiff / Defendant	Playing Cards in a house for retailing spirituous liquors
1154	The State of Texas v. A. P. Blocker	Plaintiff / Defendant	Playing Cards in a public house.
1155	The State of Texas v. W. F. Chalmers	Plaintiff / Defendant	Playing Cards in a house for retailing spirituous liquors
1156	The State of Texas v. Wm Samms	Plaintiff / Defendant	Playing Cards in a house for retailing spirituous liquors.

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1157	The State of Texas v. Jas. M. Lanisher	Plaintiff / Defendant	Playing cards in a house for retailing Spirituous liquors
1158	The State of Texas v. J. Lee	Plaintiff / Defendant	Playing cards in a house for retailing Spirituous liquors
1159	The State of Texas v. Wm. Patterson	Plaintiff / Defendant	Playing cards in a house for retailing Spirituous liquors
1160	The State of Texas v. A. Tooper	Plaintiff / Defendant	Playing Cards in a house for retailing Spirituous liquors.
1161	The State of Texas v. Geo. H. Gray	Plaintiff / Defendant	Playing Cards in a house for retailing Spirituous liquors
1162	The State of Texas v. W. L. Neill	Plaintiff / Defendant	Playing Cards in a house for retailing Spirituous liquors
1163	The State of Texas v. Jno. V. A. Sinclair	Plaintiff / Defendant	Playing Cards in a house for retailing Spirituous liquors
1164	The State of Texas v. A. Fore	Plaintiff / Defendant	Playing Cards in a house for retailing Spirituous liquors
1163)	The State of Texas v. Jno. Newbrand	Plaintiff / Defendant	Playing Cards in a house for retailing Spirituous liquors
1166	The State of Texas v. Wallace & Huffington	Plaintiff / Defendants	Permitting Pool in their House.
1167	The State of Texas v. D. C. Heffington	Plaintiff / Defendant	Playing Cards in a house for retailing Spirituous liquors

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1168	The State of Texas v. O. J. Hamilton	Plaintiff / Defendant	Playing Cards in a house for retailing Spirituous liquors
1168½	The State of Texas v. Jas Alexander	Plaintiff / Defendant	Playing Cards in a house for retailing Spirituous liquors
1169	The State of Texas v. Jas P. McKinney	Plaintiff / Defendant	Playing Cards in a house for retailing Spirituous liquors
1170	The State of Texas v. Thos F. McKinney	Plaintiff / Defendant	Playing Cards in a house for retailing Spirituous liquors
1171	The State of Texas v. Jno. Blue	Plaintiff / Defendant	Playing Cards in a house for retailing Spirituous liquors
1172	The State of Texas v. Wm Crumbles	Plaintiff / Defendant	Playing Cards in a house for retailing Spirituous liquors
1173	The State of Texas v. Wm Robertson	Plaintiff / Defendant	Playing Cards in a house for retailing Spirituous liquors
1174	The State of Texas v. A. G. Weir	Plaintiff / Defendant	Playing Cards in a house for retailing Spirituous liquors
1175	The State of Texas v. Carrington & Sampson	Plaintiff / Defendants	Affray
1176	The State of Texas v. L. W. Gilliam	Plaintiff / Defendants	Swindling
1167	The State of Texas v. Jno. W. Kirk	Plaintiff / Defendant	Larceny

Spring Term, Saturday. June 19th A.D. 1858.

1160 The State of Texas } Plaintiff
v. } larceny.
Longley & Cannon } Defendants

And thereupon said Grand Jury was discharged from further attendance on the Court.

N64 J. & T. Robb } Plaintiffs } And now on this day appeared the
v. } pffs. and the defendant by attorney;
Joseph Newsham } Defendant } and said plaintiff's attorney submitted to the Court his Application to reinstate said cause on the docket. And thereupon It is ordered by the Court, that said cause be reinstated on the docket, and that said pffs. pay the costs of the dismissal of said suit, for which execution may issue.

1286 Albert G. Compton } Plaintiff } It is ordered by the Court that the
v. } order heretofore made in this cause
Western Stage Co } Defendants } at the present term, sustaining
the demurrer to plea of "non est factum" be set aside, and that said motion be continued

1356 Moore & Owings } Plaintiffs } It is ordered by the Court that
v. } the demurrer of the defendant
James M. Alexander } Defendant } filed in this cause be and
the same is hereby overruled

1416 Joseph Newsham } Plaintiff } Ordered that this cause be
v. } continued, upon application
David L. Crofs } Defendant } of defendant

1421 A. Supernille } Plaintiff } And now at this term appeared
v. } the parties by attorney. And there-
Herndon & Swenson } Defendants } upon, on motion of defendant, It is
ordered by the Court that said Herndon have leave to amend. And pffs. demurrer to the plea to the jurisdiction having been submitted, was overruled by the Court. And the parties having gone to the Jury on the question of fact as to the jurisdiction, and brought in the verdict filed in this cause, the Court doth order that said verdict be set aside. And thereupon by consent of parties, said cause is withdrawn from the Jury.

1473 A. M. Phelps } Plaintiff } It is ordered by the Court that the pltff
v. } have leave to amend his petition
J. S. Roalman } Defendant

Spring Term, Saturday, June 19th 1858

√ 905	Hiram S. Smith v Walker & Pellman	Plaintiff / Defendants	2tis ordered that the defendants have leave to amend	
√ 1518	C. P. Smith v Nelson Merrill	Plaintiff / Defendants	ordered by the Court that the defendants have leave to amend	
√ 1103	P. H. Rourke v W. Walker et als and Pepp.	Plaintiff / Defendants	And now on this day came the plaintiff and the securities of the defendant Walker by attorney; submitted to the Court his motion for a new trial in said cause And said motion having been duly considered by the Court, 2tis ordered that the same be overruled. And Pepp thereupon, gives notice of appeal.	
√ 1209	James E. Brady v R. M. Johnson	Plaintiff / Defendant	This motion of defendant for a new trial being regularly reached on the motion docket, and the defendant appearing - said motion was thereupon read in the hearing of the Court - and being considered, was overruled	
√ 1190	Peters & Sweeney v James M. Alexander	Plaintiffs / Defendant	On this day came the parties to this cause, by attorney - and the defendant submitted to the Court his motion for a new trial. and the same being argued by counsel and duly considered by the Court, the same is overruled. Whereupon defendant gives notice, in open Court, of an appeal to the Supreme Court.	
√ 1342	Stephen A. Boyce v S. Lockwood	Plaintiff / Defendant	On this day appeared the pltff and deft. by attorney, and the motion of said defendant for a new trial in this cause coming on to be heard, and the same being argued and duly considered by the Court, 2tis ordered that said motion be overruled	
√ 1552	John Hendrickson v C. J. Nichols	Plaintiff / Defendant	2tis ordered by the Court that the motion of pltff. to substitute a bond for the Original attachment bond filed in this cause be granted, and that said Original attachment bond be cancelled - and the matter day day filed and approved be substituted therefor.	
√ 1316	A. Houston v D. C. Holman, Tab Admr	Pltff / Defl.	And now on this day came the parties in this cause by attorney and plaintiff's	

Spring Term, Monday June 21st 1858

motion for a new trial coming on to be heard, was, after argument of counsel thereon, overruled by the Court. Whereupon said Plff. gave notice, in open Court, of an appeal to the Supreme Court

↓ 1530	Hugh Lewis v. Rowe & Conner	Plaintiff / Defendant	It is ordered by the Court that the Judgment final by default rendered in this cause at a former day of the present term of this Court, be & the same, vacated, and held for naught, as to the defendant John N. Conner.
↓ 1074	Thomas J. Moore & A. J. Denson	Plaintiff / Defendant	It is ordered by the Court that the account of James Carter, Deputy Sheriff of Travis county during the last term hereof, (for the sum of twelve dollars) for taking care of the horse attached in this cause, be allowed, as of the last term of this Court, nunc pro tunc, and that the Clerk tax the same in the bill of costs.

And thereupon Court adjourned until Monday June 21st 1858 at half past eight o'clock

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Monday, June 21st, 1858.

Court convened at half-past eight o'clock A.M. pursuant to adjournment. Present The Honorable W. W. Turnell, Judge of the Second Judicial District, Frank Brown clerk, and P. M. Blackwell, Sheriff of Travis county. Whereupon the following proceedings were had by said Court, as follows, to-wit:

↓ 1355	Moore & Owings vs. J. M. Alexander	Plaintiff / Defendant	And now on this day appeared the parties to this cause by their Attorneys, and announced themselves ready for trial, the parties waiving a jury and submitting the cause to the Court. And thereupon, it appearing to the Court, that the defendant is indebted to the Plaintiffs in the sum of Two Hundred and Seventeen 50/100 dollars, principal debt and interest due on the note sued on to date, It is therefore ordered, adjudged and decreed, that said Plffs. Jesse Moore and Luther L. Owings, under their firm name of Moore & Owings, do have and recover of and from the defendant, James M. Alexander, said sum of Two Hundred and Seventeen 50/100 principal debt and interest to date, as aforesaid, with interest thereon at the rate of Eight per cent. per annum until paid, and all costs in this behalf expended, for which execution may issue

Spring Term Monday June 21st 1858.

1470 Robert Rose, former, &c vs The State of Texas } Plaintiff & Defendant } And now on this day came the parties to this cause by their attorneys. And upon motion, It is Ordered by the Court, that the said Plaintiff and defendant have leave to amend their pleadings. And thereupon came Anthony Dey George Curtis and Wm H. Sumner by attorney and ask the Court for leave to intervene in the above cause, which said motion is granted And thereupon the parties announced themselves ready for trial, and waived a jury, and submitted the cause to the Court. And thereupon, the parties read their pleadings, introduced the evidence in the cause, and after argument of counsel thereon, It is Ordered, adjudged and decreed by the Court, that said Plffs and intervenors take nothing by their said action, and that they pay all costs of this suit, for which execution may issue. And thereupon said plaintiffs and intervenors gave notice in open Court, of an appeal to the Supreme Court of the State of Texas.

1471 Robert Rose, former, &c vs The State of Texas } Plaintiff & Defendant } And now on this day came the parties to this cause by their attorneys, and upon motion it is ordered that the said parties have leave to amend their pleadings. Whereupon came Anthony Dey, George Curtis and Wm H. Sumner by attorney and move the Court for leave to intervene in the above cause, which said motion is Granted. Whereupon the parties announced themselves ready for trial, and waived a jury and submitted the cause to the Court. And said parties having introduced the evidence in the cause, and argued the same to the Court, It is ordered, adjudged and decreed by the Court, that said plaintiffs and intervenors take nothing by their said action, and that they pay all costs of suit, for which execution may issue. and thereupon the pffs. and intervenors give notice of appeal

1537 A. H. Hopkins vs E. J. Nichols } Plaintiff & Defendant } And now at this day came the plaintiff and the defendant, by attorney, and the defendant submitted to the Court his motion to quash the attachment in this cause, and to dismiss the petition Whereupon, after argument of counsel, and due consideration of the motion and the matters of law thereon arising, It is ordered, adjudged and decreed, that said motion be sustained, and the attachment quashed, and cause dismissed, and that Pff pay all costs of suit, for which execution may issue. And thereupon the Pff gives notice of appeal

Spring Term, Tuesday, June 22d 1858.

1552 John Hendrickson } Plaintiff
v.
Lucilla J. Nichols } Defendants

And now at this day came the plaintiff and the defendants by attorney and the defendants ~~in~~ submitted his motion to quash the attachment issued in this cause. And thereupon, The ~~Court~~ having argued said matter, and the Court considering the questions of law therein arising, Doth order, adjudge and decree that said motion be sustained, and the attachment quashed.

And thereupon, It is ordered by the Court that a Special Venire issue, returnable forthwith, for thirteen jurors, to complete the number of forty, summoned in the case of The State v. Joseph Newsham and to try cause on the criminal docket.

808

1555 The State of Texas } Plaintiff
v.
J. P. Zimplemann } Defendant

And now comes the District attorney, Geo. W. Jones, Esq, and dismisses this prosecution. Whereupon It is ordered that said defendant go hence, fully discharged.

And thereupon Court adjourned until to-morrow morning half past eight o'clock

Tuesday, June 22d 1858.

Court convened at half past eight o'clock, A.M. pursuant to adjournment. Present the same as on yesterday. Whereupon the following proceedings were had by said Court as follows, to-wit:

1560 The State of Texas } Plaintiff
v.
Joseph Newsham } Defendant

And now at this term appeared the parties to this cause by attorney, and defendants demurrer to the Indictment being submitted, was overruled by the Court. and thereupon the parties announced themselves ready for trial. Whereupon came a Jury of good and lawful men of Travis county, to-wit: Thos. H. Jones and eleven others, who, being duly tried, elected, empannelled and sworn according to law, heard the evidence, charge of the Court and argument of counsel, and said Jury having retired, returned into Court the following verdict, to-wit: "We, The Jury, find the defendant not guilty, as charged. Thos. H. Jones. Foreman." Whereupon It is decreed by the Court that said defendant, Newsham go hence, fully acquitted and discharged.

Spring Term Tuesday June 22nd 1858.

861	The State of Texas vs R A Binford	Plaintiff / Defendant	And now on this day came the parties by attorney, and announced themselves ready for trial. Whereupon came a Jury, who were duly tried, elected, empannelled and sworn; and said Jury having heard the evidence, argument of counsel and the charge of the Court, retired and brought into Court the following verdict, to wit: "We, the Jury, find the defendant not guilty, as charged. S. C. Holman, Foreman." Whereupon, It is ordered by the Court that said defendant, Binford, go hence, fully acquitted and discharged.
872	The State of Texas vs S Lockwood	Plaintiff / Defendant	Continued on affidavit of defendant
883	The State of Texas vs Meeks & Meeks	Plaintiff / Defendant	And now on this day came the plaintiff and the defendant Sudduth Meeks, by attorney, and announced themselves ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis county, to wit: S M Swearon and eleven others, who being duly tried, elected, empannelled and sworn, heard the evidence, argument of counsel and the charge of the Court, and having retired, returned into Court the following verdict, to wit: "We, the Jury, find defendant guilty of simple assault and battery and fine him Fifteen dollars and costs. S. M. Swearon, foreman." Whereupon It is Ordered, adjudged and decreed by the Court, that the said State of Texas do have and recover of the defendant Sudduth Meeks, said sum of fifteen dollars, and all costs of this prosecution. And thereupon appeared in open Court David Enpright, and acknowledged himself bound for the amount of the fine and costs in the above entitled cause
1154	The State of Texas vs A. P. Blocker	Plaintiff / Defendant	And now on this day came the said parties and the defendant and announced themselves ready for trial the said parties coming by the District Attorney, and the defendant in proper person. And thereupon came a Jury of Twelve good and lawful men of Travis county, To wit: Thomas H Jones and eleven others, who were duly Tried, elected, empannelled and sworn, and said Jury having heard the plea of guilty, and the charge of the Court, retired, and brought it into Court the following verdict, to wit: "We, the Jury, find the defendant guilty as charged, and assess his fine at Ten dollars. Thos H. Jones, Foreman." Whereupon,

Spring Term, Wednesday June 23rd 1858.

It is ordered, adjudged and decreed by the Court, that the said State of Texas do have and recover of & from the defendant, A. P. Blocker, The sum of Ten Dollars, as aforesaid and all costs of this prosecution. And thereupon, appeared in open Court R. H. Peck and W. L. Chalmers, and acknowledged themselves bound for the amount of the fine and costs in the above entitled and numbered cause

Louis Dohme

And the said Louis Dohme having filed herein Court his petition praying to be admitted to become a citizen of the United States, and the Court being satisfied by the oaths of John L. Braas and Jacob Hornberger citizens of the United States, that the said Louis Dohme was known to them for the last five years as residing within the limits and under the jurisdiction of the United States and within one year in the State of Texas, that during that time he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States and well disposed to the good order and happiness of the same, and being also satisfied that the said Dohme has made his declaration to become a citizen of the United States in the District Court of the County of Travis, two years previous to the filing of his said petition according to the Act of Congress in such case made and provided. And the said Dohme having taken the oath prescribed by law to support the Constitution of the United States, and that he doth absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign Prince Potentate, State or Sovereignty whatever, and particularly to the Prince of Kurhessen, Germany, of whom he was heretofore a subject, It is, therefore, ordered by the Court, that the said Louis Dohme be and is hereby admitted a citizen of the United States and that the Clerk of this Court issue to him a certificate accordingly.

1551 A. N. Hopkins vs. Lucilla J. Nichols } Plaintiff / Defendant } It is ordered by the Court that the plaintiff have leave to file an amended petition

And thereupon Court adjourned until To-morrow morning, 1/2 past eight o'clock.

Wednesday Morning June 23rd 1858.

Court convened at half past eight o'clock pursuant to adjournment Present The Honorable A. W. Terrell Judge of the Second Judicial District of the State of Texas, Mark Brown, clerk and J. M. Blackwell Sheriff of Travis County. Whereupon the following proceedings were had

Spring Term, Thursday, June 24th 1858

by said Court, as follows, To wit.

✓ 795	The State of Texas v. George E. Robinson	Plaintiff / Defendant	And now on this day appeared the parties to this cause by Atty and Deft in proper person, &c., and by Atty and announced themselves ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County, To wit:

foreman, and eleven others, who being duly tried elected, empannelled and sworn, and having heard the evidence, argument of counsel and the charge of the Court, retired, and brought into Court the following verdict, To wit: "We, the Jury, find the defendant guilty, and affix the fine at one Hundred dollars. foreman." Whereupon, It is ordered, adjudged and decreed by the Court, that the State of Texas do have and recover of and from the defendant, George E. Robinson, said sum of One Hundred Dollars and all costs of this prosecution, and that said defendant remain in custody until said fine and costs are paid

And thereupon, It is ordered by the Court, that John A. Warnick be fined Seven Dollars and Fifty Cents, for Jacking in Court, and that he be committed to jail for three hours in default of the payment of said fine.

And thereupon Court adjourned until To morrow morning 9 past eight o'clock

Thursday Morning, June 24, 1858

Court convened at half past eight o'clock pursuant to adjournment Present the same as yesterday. Whereupon the following proceedings were had in said Court, viz follows, To wit.

✓ 1088	The State of Texas v. W. P. McCormick	Plaintiff / Defendant	And now on this day came the State by the District Atty and the Deft in proper person, and also by Attorney, and announced themselves ready for trial. And Deft's exceptions to the indictment being submitted and argued by counsel, was overruled, to which ruling of the Court, Deft. by Atty. excepted. Whereupon came a Jury of Travis County, to wit: Jacob Walker and eleven others, duly tried, elected, empannelled and sworn, who heard the plea of not guilty, the testimony and charge of the Court. Whereupon said Jury retired, and brought into Court the following verdict, to wit: "We, the Jury, find the defendant not guilty, as charged. Jacob Walker, foreman." Whereupon It is ordered, that said defendant go hence, fully acquitted and discharged.

Spring Term, Friday June 25. 1858.

And thereupon Court adjourned until to morrow morning 1/2 past eight o'clock.

Friday Morning, June 25. 1858.

Court convened at half past eight o'clock pursuant to adjournment. Present the Hon. A.P. Powell Judge; Frank Brown, Clerk and W.M. Blackwell, Sheriff of Travis county. Whereupon the following proceedings were had by said Court, as follows, to wit:

398 The State of Texas vs Thomas J. Moore } Plaintiff & Defendant } And now on this day came the parties by attorney, the deft. also appearing in person and announced themselves ready for trial. Whereupon came a jury of 12 good and lawful men of Travis county, to wit: J. M. Swenson, Foreman and eleven others, who being duly tried, elected, empannelled, sworn and charged, and having heard defendants plea of guilty, retired, and being brought into Court the following Verdict, to wit: "We, the Jury, find the defendant guilty as charged in the indictment, and fine him twenty-five dollars. J. M. Swenson, Foreman." Whereupon it is ordered, adjudged and decreed by the Court that the State of Texas do have and recover off and from the defendant Thomas J. Moore, said sum of twenty five dollars and all costs in this behalf recovered, and that said defendant remain in custody of the Sheriff until the same is paid, or security given

399 The State of Texas vs Thomas J. Moore } Plaintiff & Defendant } And now on this day came these parties by attorney, the deft. also coming in proper person, and announced themselves ready for trial. Whereupon came a jury of good and lawful men of Travis county, to wit: J. M. Swenson and eleven others, who heard the plea of guilty, the testimony and the charge of the Court, and being also tried, elected, empannelled and sworn according to law. Whereupon said jury retired, and brought into Court the following verdict, to wit: "We, the Jury, find the defendant guilty as charged in the indictment, and fine him Twenty-five dollars. J. M. Swenson, Foreman." Whereupon, it is ordered, adjudged and decreed by the Court, that the State of Texas do have and recover off and from the defendant Thomas J. Moore, said sum of Twenty-five dollars, and all costs of this prosecution; and that said deft. remain in the custody of the Sheriff until said fine and costs are paid, or security given therefor.

Spring Term, Friday, June 25. 1858

1811

The State of Texas } Plaintiff
vs
Cuff a Slave } Defendant

And now at this Term came the said Deft by Attorney, the defendant also appearing in proper person and announced themselves ready for trial. Whereupon came a Jury of twelve Good and Lawful men of Travis county, to wit: J. A. Brodie, foreman, and eleven others, who being elected, tried, empannelled and sworn according to law, heard the testimony, argument of Counsel and charge of the Court, and retired to consider of their verdict. Whereupon, It is ordered adjudged said Jury returned into Court the following verdict, to wit. "We, the Jury, find the defendant not guilty, as charged. J. A. Brodie, Foreman." Whereupon It is ordered, adjudged and decreed by the Court, that the said defendant Cuff be released from custody and delivered to his master, and that he go hence without day fully acquitted and discharged.

1004

The State of Texas } Plaintiff
vs
S. G. Howell } Defendant

And now on this day came the parties to this cause by attorney, and announced themselves ready for trial. Whereupon came a Jury of good and lawful men of Travis county, to wit: Joel A. Brodie and eleven others, who were duly tried, elected, empannelled and sworn. And thereupon said defendant, by attorney, plead guilty to the indictment. And the Jury having heard the evidence, argument of counsel and the charge of the Court, retired, and brought into Court the following Verdict, to wit: "We, the Jury, find the defendant guilty, as charged, and assess his fine at Twenty-Six dollars. Joel A. Brodie, foreman." Whereupon It is ordered, adjudged and decreed by the Court that the State of Texas do have and recover of and from the defendant, S. G. Howell, said sum of Twenty-Six dollars and all costs of this prosecution

1008

The State of Texas } Plaintiff
vs
R. T. Broocreq } Defendant

And now on this day came the State by the District Attorney, and the defendant in proper person and announced themselves ready for trial. Whereupon came a Jury of Twelve Good and lawful men of Travis county, to wit: R. H. Peck and eleven others, who were elected, tried empannelled and sworn according to law, and thereupon said defendant pleads guilty to the charge in the indictment. And said Jury having heard the evidence, argument of counsel and charge of the Court, retired, and brought into Court the following verdict, to wit: "We, the Jury, find the defendant guilty and assess the fine ten dollars. R. H. Peck, Foreman." Whereupon It is Ordered, adjudged and decreed by the Court, that the State of Texas do have and recover of and from the defendant,

Spring Term, Friday, June 25. 1858.

R. T. Bowring & said sum of Ten Dollars and all cost of this prosecution, and that said defendant remain in custody of the Sheriff until the same is paid.

1044 The State of Texas vs Thomas J. Randolph } Plaintiff / Defendant } And now on this day came the parties to this cause, by attorney the defendant also coming in proper person, and announced themselves ready for trial. Whereupon came a jury of good and lawful men of Travis county, to wit: Tho. H. Jones, Foreman and eleven others, who were duly tried, elected, empannelled and sworn according to law. And thereupon said defendant plead not guilty to the charges of the indictment and said jury having heard the testimony, argument of counsel and charge of the Court, retired, and brought into Court the following verdict, to wit: "We, the Jury, find the defendant guilty as charged, and assess the fine at Sixty dollars. Whereupon, It is ordered, adjudged and decreed by the Court, that the State of Texas do have and recover of and from the said defendant Thomas J. Randolph, said sum of Sixty dollars and all costs of this suit, for which execution may issue

1151 The State of Texas vs James Wellis } Plaintiff / Defendant } And now on this day came the parties to this cause by attorney and announced themselves ready for trial. Whereupon came a jury of twelve good and lawful men of Travis county, to wit: M. E. McLaren, Foreman, and eleven others, who were duly tried, elected, empannelled and sworn according to law. And thereupon said defendant to plead guilty to the charges contained in the indictment. And said jury having heard the evidence, argument of counsel and charge of the Court, retired and brought into Court the following verdict, to wit: "We, the Jury, find the defendant guilty, as charged in the indictment, and fine him Twenty dollars. M. E. McLaren, Foreman." Whereupon It is ordered, adjudged and decreed by the Court that the State of Texas recover of and from the defendant, James Wellis, said sum of Twenty dollars, and all costs of this prosecution

Spring Term, Friday, June 25, 1858

1134 The State of Texas vs. John Jones } Plaintiff / Defendant } And Thereupon, It is ordered by The Court that the clerk issue a Special Venire Facias in this cause for fifty Jurors, returnable on Tuesday morning next, to try said cause and to try other causes on the criminal docket of this Court.

1826 The State of Texas vs. James A. Mack } Plaintiff / Defendant } And now on this day came the parties to this cause by atty. and announced themselves ready for trial. Whereupon came a Jury of good and lawful men of Travis county, to wit: J. H. Robinson and eleven others, who were duly tried, elected empanneled and sworn. And said defendant plead not guilty to the indictment &c and the Jury having heard the evidence, argument of counsel and charge of the Court, retired, and brought into Court the following verdict, to wit: "We, the Jury, find the defendant not guilty as charged. J. H. Robinson, Foreman." Whereupon it is adjudged by the Court that said defendant go hence without day, fully acquitted and discharged.

1827 The State of Texas vs. James A. Mack } Plaintiff / Defendant } And now on this day came the Pltff and the deft. and announced themselves ready for trial. Whereupon came a Jury of good and lawful men of Travis county, to wit: J. H. Robinson, Foreman, and eleven others, who were duly tried, elected, empanelled and sworn. And the deft. plead not guilty to the Indictment. Whereupon, said Jury having heard the evidence, argument of counsel, and the charge of the Court, retired, and brought into Court the following verdict, to wit: "We, the Jury, find the defendant not guilty. J. H. Robinson, Foreman." Whereupon it is adjudged by the Court that said defendant go hence without day, fully acquitted and discharged.

111. The State of Texas vs. Andrew Jackson } On motion of the District Attorney, it is ordered by the Court, that this cause, be Continued, for Service.

132. The State of Texas vs. Blake Thompson } On motion of the District attorney, it is ordered by the Court that this cause be continued for service.

Spring Term, Friday, June 25. 1858.

143. The State of Texas vs. M. Abraham — Continued on motion of the District attorney—

142 The State of Texas vs. E. C. Travelstead — Continued on motion of the District attorney—.

146 The State of Texas vs. E. C. Travelstead — Continued on motion of the District attorney—.

152 The State of Texas vs. E. C. Travelstead — Continued on motion of the District attorney—.

153. The State of Texas vs. B H. Thompson — On motion of the District attorney ordered by the Court that this Cause be continued—

393. The State of Texas vs. Ben F. Hill — And now comes the State of Texas, by their District attorney George W. Jones, of the Second Judicial District and dismisses this Cause— It is therefore ordered by the Court that this Cause be dismissed, and that the defendant Ben F. Hill go hence without day—.

394. The State of Texas vs. Ben F. Hill — And now comes the State of Texas, by their District attorney for the 2nd Judicial District to wit. George W Jones, and moves the Court to dismiss this Case— Whereupon it is ordered by the Court that the same be dismissed and that the defendant Ben F. Hill, go hence, without day—.

398 The State of Texas vs. Thomas P. Moore — And now on this day, Come the parties to this suit, and announced themselves ready for trial— Whereupon Came a jury of good and lawful men of Travis County, viz— S. W. Swenson and eleven others, who being duly Tried, elected empannelled and sworn according to law— and thereupon the defendant pleaded ~~not~~ guilty to the charge, Contained in the indictment— And the said jury having heard the plea of guilty, and the

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441. The State of Texas vs. George W. McCoy for service — } On motion of the District attorney, ordered by the Court that this cause be continued

463. The State of Texas vs. Joseph Hodges — service — } On motion of the District attorney, this cause is by the Court continued for

473 The State of Texas vs. William Kelly — } On motion of the District attorney, George W. Jones, it is ordered by the Court that this Cause be dismissed, and that the defendant William Kelly, go hence without day —.

477. The State of Texas vs. J. M. Morris } On motion of the District attorney George W. Jones, it is ordered by the Court that this Cause be continued for service —.

478 The State of Texas vs. William Bonnet } And now come, the State of Texas, by her attorney for the 2nd Judicial District George W Jones and moves, to dismiss this Case. — It is therefore ordered by the Court that this cause be dismissed, and that the defendant go hence, without day —.

490 The State of Texas vs. Joseph Lee } Continued by Consent —.

508. The State of Texas vs. Blunt Clements for service — } On motion of the District attorney, ordered by the Court that this Cause be continued

530 The State of Texas vs. William Foster } And now comes the Plaintiff by her District attorney George W. Jones, and moves to dismiss this Cause — It is therefore ordered by the Court that this Cause be dismissed —.

548 The State of Texas vs. Gray Clements } On motion of the District attorney, this cause is continued by the Court

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and an alias Capias ordered to Bexar County—.

579. The State of Texas vs. Gray Clements } On motion of the District attorney this cause is continued by the Court and an alias Capias ordered to Bexar County—.

576. The State of Texas vs. Truman B. Beck } On motion of the District attorney ordered by the Court that this Cause be continued for services.

571. The State of Texas vs. Ambrose Bradley } And now comes the State of Texas by her District attorney George W. Jones, & moves to dismiss this Cause— It is therefore ordered by the Court that this Cause be dismissed—.

572. The State of Texas vs. J. J. Grumbles } And now comes the State of Texas by her District attorney George W. Jones, & moves the Court to dismiss this Cause, because the defendant is dead— It is ordered by the Court that this cause be dismissed—.

573. The State of Texas vs. Josephus Meeks. } And now comes the Plaintiff by her District attorney George W. Jones & moves the Court to dismiss this Cause— It is therefore ordered by the Court that the Same be dismissed—.

601 The State of Texas vs. Burwell J. Lewis } And now comes the plaintiff by her District attorney for the 2nd Judicial District George W. Jones, and moves the Court to quash the bond heretofore Taken in this cause— Whereupon it is ordered by the Court that said bond be quashed and that alias Capias be issued to McLellan County in the State of Texas—.

613. The State of Texas vs. William Holman } On motion of the District Attorney, ordered by the Court that this Cause be continued for services—.

625 The State of Texas vs. William A Bates } On motion of the District attorney, it is ordered by the Court that this Cause be continued for services—.

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1129. The State of Texas vs. Doct. Hughes — And now come the Plaintiffs by her District attorney for the 2nd Judicial District George W. Jones, & moves the court to dismiss this cause, - Whereupon it is ordered by the court that the same be dismissed -.

1132 The State of Texas vs. William a Bates — On motion of the District attorney ordered by the Court that this cause be continued for Service -.

1135 The State of Texas vs. James Owen & Martin Jones — On motion of the District attorney ordered by the Court that this cause be continued for service -.

1134 The State of Texas vs. Martin Jones & William Jones. — On motion of the District attorney ordered by the Court that this cause be continued for service -.

1137 The State of Texas vs. And Roberts Ed Owen Aaron Burleson & E. O. Warren — On motion of the District attorney ordered by the Court that this cause be continued for service and that alias Capias issue to Travis County -.

1139 The State of Texas vs. John Christian Aaron Burleson & Cook — On motion of the District attorney ordered by the Court that this cause be continued for service -.

1147 The State of Texas vs. Alex Obsegow — On motion of the District attorney ordered by the Court that this cause be continued for Service -.

1147 The State of Texas vs. Daniel Payne & Samuel Duncan — And now comes the State of Texas by her District attorney for the 2nd Judicial District Geo W. Jones & moves the court to dismiss this cause- whereupon it is ordered by the Court that the same be dismissed -.

Spring Term, Friday, June 25. 1858

↓ 654. The State of Texas vs. Thomas Moore and Stod Roberts. — And now comes the State by their District attorney for the 2nd Judicial District Geo W. Jones, and moves the Court to dismiss this cause— Whereupon it is ordered by the Court that the same be dismissed —.

↓ 655. The State of Texas vs. Henry Vines. — And now comes the States attorney for the 2nd Judicial District and moves the Court to dismiss this cause— Whereupon it is ordered by the Court that the same be dismissed —.

↓ 659. The State of Texas vs. James Burdett. — And now comes the States attorney for the 2nd Judicial District George W. Jones, and moves the Court to dismiss this cause— Whereupon it is ordered by the Court that the same be dismissed

↓ 660. The State of Texas vs. C. A. Hopkins. — On motion of the States attorney George W. Jones, ordered by the Court that this cause be Continued—.

↓ 662. The State of Texas vs. Stod Roberts, D C Edmiston & Lepee Parsons. — And now comes the states attorney for the 2nd Judicial District Geo W. Jones, and moves the Court to dismiss this cause— Whereupon it is ordered by the Court that the same be dismissed —.

↓ 663. The State of Texas vs. Bob Turner for Service —. — On motion of the District Attorney ordered by the Court that this cause be Continued.

↓ 669. The State of Texas vs. Henry Vines. — On motion of the District Attorney Geo W. Jones, ordered by the Court that this cause be dismissed —.

↓ 671. The State of Texas vs. Wiley Marshall & Jeff Fortwell — On motion of the District attorney Geo W. Jones, Ordered by the Court that this cause be dismissed —.

Spring Term, Saturday June 26th 1858.

1681.	The State of Texas vs. David Bright	On motion of the District attorney Geo W. Jones, ordered by the Court that this cause be dismissed.
1682.	The State of Texas vs. Thomas Rotts for Service.	On motion of the District attorney, ordered by the Court that this cause be continued
1683.	The State of Texas vs. William Wyatt	On motion of the District attorney, Geo W. Jones, it is ordered by the Court, That this cause be continued for Service.

And Thereupon Court adjourned until To-morrow morning at ½ past eight o'clock.

Saturday Morning, June 26. 1858.

Court convened at ½ past eight o'clock, purmant to adjournment. Present the same as on yesterday. Whereupon the following proceedings were had by said Court, as follows, to wit.

395	The State of Texas vs. Thomas J. Moore	Plaintiff / Defendant	And now on this day came and appeared in open Court James A. Thompson, and acknowledged himself bound upon the amount of the fine and costs in this cause, in accordance with Article 693 of the Code of Criminal Procedure.
399	The State of Texas vs. Thomas J. Moore	Plaintiff / Defendant	And now on this day came the parties to this cause by attorney, and the Defendant submitted his motion for a new trial. Whereupon, It is ordered by the Court that said motion be overruled
685	The State of Texas vs. Arthur Nelson	Plaintiff / Defendant	Continued for Service
695	The State of Texas vs. Dana Knight	Plaintiff / Defendant	And now comes the District Attorney, and on his motion, It is ordered by the Court that this prosecution be dismissed

Spring Term Saturday, June 26th 1858.

696	The State of Texas vs Robt C White	Plaintiff / Defendant	Continued for service, and alias capias to Travis county	
697	The State of Texas vs Peal & Pinell	Plaintiff / Defendant	Continued for Service	
699	The State of Texas vs Dutch Pete	Plaintiff / Defendant	Dismissed on motion of the District Attorney	
700	The State of Texas vs Dutch Pete	Plaintiff / Defendant	Dismissed on motion of the District Attorney	
701	The State of Texas vs Dutch Pete	Plaintiff / Defendant	Dismissed on motion of the District Attorney	
702	The State of Texas vs Dutch Pete	Plaintiff / Defendant	Dismissed on motion of the District Attorney	
705	The State of Texas vs Alfred Bayles	Plaintiff / Defendant	Capias ordered to Travis and Collin counties.	
706	The State of Texas vs David Bright	Plaintiff / Defendant	Dismissed on motion of the District Attorney.	
710	The State of Texas vs George Mew	Plaintiff / Defendant	Dismissed on motion of the District Attorney	
721	The State of Texas vs C A Hopkins	Plaintiff / Defendant	Dismissed on motion of the District Attorney	
721	The State of Texas vs Wilson	Plaintiff / Defendant	Continued	

Spring Term Saturday May 26th 1855

732	The State of Texas vs Wilson & whose name is unknown		Continued for Service —
749.	The State of Texas vs William Wyatt		Continued for Service & alias Capias issued to Davis Co.
762.	The State of Texas vs L. Puckett		Dismissed on motion of the District attorney —
767.	The state of Texas vs J. Huston		Dismissed on motion of the District attorney —
770.	The state of Texas vs Rhineas R. Oliver & W B Fleming		Dismissed on motion of the District attorney —
779	The State of Texas vs Thomas Bowles		Dismissed on motion of the District attorney.
780	The State of Texas vs Robinson & Stone		Continued for Service —.
790	The State of Texas vs Theophilus Anderson		Dismissed on motion of the District attorney.
802	The State of Texas vs Robert Richardson		Dismissed on motion of the District attorney —.
803	The State of Texas vs Sinnett Murfett		Dismissed on motion of the District attorney —
804	The State of Texas vs Sinnett Murfett		Dismissed on motion of the District attorney
804	The State of Texas vs John F. Grumbles		Dismissed on motion of the District attorney —.

Spring Term, Monday, June 28th 1858

807 The State of Texas vs. Simeth Murphy } Dismissed on motion of the District Attorney—

And thereupon Court adjourned until Wednesday Morning, June 28th 1858 at 12 last night o'clock

Monday Morning June 28th 1858.

Court convened at half past eight o'clock pursuant to adjournment. Present the Hon. A. W Terrell, Judge of the 2nd Judicial District; Frank Brown, Clerk, and S. M Blackwell, Sheriff. Whereupon the following proceedings were had by said Court, as follows, to wit.

John Britten—Ex Parte.

And the said John Britten having filed here in open Court his petition praying to be admitted to become a citizen of the United States; and the Court being satisfied by the oaths of R. H. Peck and S. J. Haynie citizens of the United States that the said John Britten was known to them for the last five years as residing within the limits and under the jurisdiction of the United States, and within one year in the State of Texas; that during that time he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States and well disposed to the good order and happiness of the same; and being also satisfied that the said John Britten has made his declaration to become a citizen of the United States in the District Court of the County of Travis, State of Texas two years previous to the filing his said petition according to the Act of Congress in such case made and provided and the said John Britten having in open Court taken the oath prescribed by law to support the Constitution of the United States; and that he doth absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign Prince Potentate, State or Sovereignty whatever and particularly to the Queen of Great Britain, of whom he was heretofore a subject. It is therefore ordered by the Court that the said John Britten be and he is hereby admitted a citizen of the United States, and that the Clerk of this Court issue to him a certificate according ly

923 The State of Texas vs. Josiah Archer } Plaintiff / Defendant } And now on this day appeared the State by the District Attorney and the defendant in proper person and also by attorney. And thereupon came a jury of lawful men of Travis county, to wit: J. H. Robinson, Foreman and eleven others, who were tried, elected, empannelled and sworn according to law whereupon the defendant plead not

Spring Term Monday June 28th 1858

guilty to the Indictment. And the Jury hearing heard the said plea, the evidence, argument of counsel and charge of the Court, retired, and brought into Court the following verdict, to wit: "We, the Jury, find the defendant guilty as charged in the Indictment, and assess a fine of fifty dollars J. H. Robinson, foreman." Whereupon, It is adered by the Court that the State of Texas recover of the defendant Isaiah Archer, said sum of Fifty Dollars, and all costs in this behalf incurred, and that said defendant remain in custody of the Sheriff until said fine and costs are paid, or security given according to Law.

809.	The State of Texas vs. Simeon Mussett	Reff Deft	Dismissed on motion of the	District Attorney —.
840.	The State of Texas vs. James R. Jackson	Reff Deft	Dismissed on motion of the	District Attorney —.
844.	The State of Texas vs. Stilton	Reff Deft	Dismissed on motion of the	District Attorney —
845	The State of Texas vs. Smith	Reff Deft	Continued on motion of the	District Attorney —.
855.	The State of Texas vs. John Matter	Reff Deft	Dismissed on motion of the	District Attorney —.
856.	The State of Texas vs. John Matter	Reff deft	Dismissed on motion of the	District Attorney
858.	The State of Texas vs. G. Bergeman	Reff Deft	Continued on motion of the	District Attorney —.
862.	The State of Texas vs. Samuel Duncan	Reff Deft	Continued on motion of the	District Attorney —
864.	The State of Texas vs. Bilton	Reff Deft	Continued on motion of the District Attorney, & Alias Capias ordered to Gonzales County —	

Spring Term, Monday June 28th 1858

866.	The State of Texas vs. Rafael Martinez & Holeam Lopez	Plff. Defts.	Continued for service on motion of the District Attorney.
877.	The State of Texas vs. John S. Sneed	Plff Deft	And now come the parties Plaintiff by her attorney for the 2nd Judicial District George W. Jones Esq. and the defendant by attorney and in person. And thereupon announced themselves ready for trial. And the defendant moves the Court to quash the indictment in this case. Which is accordingly done after full argument by Counsel Whereupon the Plaintiff by her attorney gave notice of appeal in open Court.
878.	The State of Texas vs. Samuel Duncan	Plff. Deft	Continued for service on motion of the District Attorney.
879.	The State of Texas vs. David Will	Plff Deft	Continued for service on motion of the District Attorney.
884.	The State of Texas vs. Sneed & Todd.	Plff. Deft	And now comes the Plaintiff by her attorney of the 2nd Judicial District George W. Jones, and the defendants in person & by attorney and announced themselves ready for trial. And thereupon the defendants move to quash the indictment in this case. Whereupon after full argument by Counsel it is ordered and adjudged by the Court that said motion be sustained. and that said indictment be quashed. And the Plaintiff by attorney gives notice in open Court of an appeal to the Supreme Court.
892.	The State of Texas v. Bilton		Continued on motion of the District Attorney, and an Alias Capias ordered to Gonzales County.
899.	The State of Texas v. Alfred Evans.	Plff Deft	Continued on motion of the District Attorney.

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1900 | The State of Texas vs. J. C. Evans | Reff. Deft. | Continued on motion of the District attorney.

1901 | The State of Texas vs. Louis Horst | Reff. Deft. | Dismissed on motion of the District attorney.

1909 | The State of Texas vs. W. C. Phillips | Reff. Deft. | Continued on motion of the District attorney.

924 | The State of Texas vs. J. M. Archer | Reff. Deft. | And now on this day, came the parties to this cause, by attorney - the defendant also coming in proper person, and announced themselves ready for trial - Whereupon came a jury of good and lawful men of Travis County - Towit - S. G. Haynie and eleven others, who were duly tried - elected - empannelled & sworn according to law and thereupon said defendant pleads not guilty to the charge of the indictment - and said jury having heard the testimony - argument of Counsel and Charge of the Court - retired, and brought into Court the following verdict - Towit -. We the jury find the defendant Guilty as charged in the indictment & assess the fine at fifty dollars. Thos Freeman foreman June 29. 1858. Whereupon it is ordered adjudged and decreed by the Court that the State of Texas do have and recover of & from the said defendant J. M. Archer said sum of fifty dollars, and all costs of this suit, for which execution may issue - until the same is paid, or security given therefor; and that deft. remain in custody

1004 | The State of Texas vs. Jno A. Green | Reff. Deft. | Dismissed on motion of the District attorney.

1157 | The State of Texas vs. Jas. M. Swisher | Reff. Deft. | And now on this day, came the parties to this cause by Attorney, the defendant also coming in proper person and announced themselves ready for trial, Whereupon came a Jury of good and lawful men of Travis County, Towit - J. H. Robinson foreman & eleven others who were duly tried - elected, empannelled, and sworn according to law, and thereupon the defendant James M. Swisher plead guilty to the Charge in the indictment - and said Jury having heard the Charge of the Court, retired, and brought into Court the following Verdict - to wit - We the jury, find guilty & assess a fine of twenty dollars against the defendant - J. H. Robinson foreman. Whereupon it is ordered, adjudged, and decreed by the Court that the State of Texas, do have, and recover, of, and from

Spring Term, Tuesday, June 29th 1858

The defendant James M. Swisher, the said Sum of Twenty dollars, afsfsed by the jury, and also all costs in this Suit, for which execution may issue &. and that he remain in custody the same be paid

1162. The State of Texas } Reff. } And now came the parties
vs. to this Cause by attorney,
W. L. Hill. } Deft. } and announced themselves ready for trial, and thereupon came a jury of good & lawful men of Travis County to wit:- J. M. Swenson, foreman & and eleven others, who being duly tried - elected - empannelled & Sworn according to law - and thereupon said defendant pleads not guilty to the Charge in the indictment - And said jury having heard the evidence - argument of Counsel and Charge of the Court - retired and brought into Court the following verdict - viz -: "We, the Jury, find the defendant W. L. Hill, not guilty. J. M. Swenson, foreman"
Whereupon it is ordered, adjudged and decreed by the Court that the defendant be wholly discharged hence, without day fully acquitted of the charge Contained in the indictment -.

1173. The State of Texas } Reff. } Dismissed on motion
vs. of the
A. W. Robertson } Deft. } District attorney -.

1178. The State of Texas. } Dismissed on motion of
vs. the
A. J. Hamilton } District attorney -.

And thereupon Court adjourned until to-morrow morning
1165 half past eight o'clock

Wednesday Morning June 29th 1858.
Court convened at half past eight o'clock pursuant to adjournment. Present the same as on yesterday. Whereupon the following proceedings were had by said Court as follows, to wit:

1165 The State of Texas } Plaintiff } And now on this day came the
vs parties to this cause by attorney, the
John Newbrand } Defendant } defendant also coming in proper person, and defts. exceptions to the indictment being submitted, were overruled and defendant announced themselves ready for trial, Whereupon came a Jury of twelve good and lawful men of Travis county, to wit: J. M. Swenson, foreman, and eleven others, who were tried, elected, empannelled and sworn according to law. And the defendant having plead

not guilty to the indictment; and said Jury having heard the testimony, argument of counsel, and the charge of the Court, retired, and brought into Court the following verdict, to wit: "We the Jury, agree that if the law governing this cause exempts the accused from fine, if he played cards only for amusement or recreation, then he is not guilty, independent of whether the amusement or recreation was of any money value or not. But if the law imposes a fine for simply "playing cards in a public place, and the provision does not take away the fine - only allows the party accused to show that he did not play for anything except amusement or recreation, then we fine him Ten dollars. J. M Swenson foreman." And thereupon, It is ordered by the Court that said verdict be and is hereby set aside on account of ambiguity in its terms.

And thereupon Court adjourned until To-morrow morning at half past eight O'clock.

Wednesday Morning, June 30. 1858.

Court convened at half-past eight o'clock pursuant to adjournment. Present the Hon. A. W. Terrell Judge; Frank Brown, clerk and D. M. Blackwell, Sheriff. Whereupon the following proceedings were had by said Court, as follows, to wit:

1165 The State of Texas vs John Newbrand } Plaintiff / Defendant } And now on this day came the defendant, by attorney, and submitted to the Court his motion to be discharged from custody and for Judgment of acquittal on the verdict heretofore rendered in this cause. And thereupon, on a consideration of said motion, It is ordered by the Court, that said motion be overruled.

1271 Wm M. & Geo. L. Walton vs Fielding S. Roy the Auditor, Joseph Lee, Esq. } Plaintiffs / Defendant } By agreement of the parties in this cause, It is ordered by the Court, that the time for the Defendant to make his report, be extended ten days

And thereupon Court adjourned until To-morrow morning 1/2 past eight o'clock

Thursday Morning, July 1st 1858.

Court convened at half past eight o'clock pursuant to adjournment. Present the same as on yesterday. Whereupon the following proceedings were had, as follows to wit:

And thereupon Court adjourned until To-morrow morning 1/2 past 8 o'clock

Spring Term Friday July 2nd 1858.

Friday Morning July 2d 1858

Court convened at half-past eight o'clock pursuant to adjournment. Present the Hon. A. W. Terrell, Judge, Frank Brown, Clerk, and D. M. Blackwell, Sheriff. Whereupon the following proceedings were had by said Court, as follows, To wit:

1134 The State of Texas } Plaintiff } And now on this day
vs came the plaintiff by
John Paney } Defendant } the District Attorney, and
the defendant in proper person and also by attorney, and announced themselves ready for trial. Whereupon came a jury of twelve good and lawful men of Travis county, To wit: James A. Thompson, L. B. Collins, Thomas Freeman, R. M. Johnson, John Stenfox, Thomas A. Finney, A. R. Land, John Redmond, Wm. Oliphant, James Mayo, R. J. Rambeau and A. A. Burditt, who were duly elected, empannelled, sworn and tried, according to law. Whereupon the defendant plead not guilty to the charges contained in the indictment, after being arraigned. And the parties having introduced the evidence in the case, and the jury having heard the same and the argument of counsel, and having received the charge of the Court, retired, and after considering the same, returned into Court the following verdict, To wit: "We, the jury, find the defendant not guilty upon of the charges contained in the indictment, upon the ground of insanity. A. A. Burditt, Foreman." Whereupon, It is ordered adjudged and decreed by the Court, that the said defendant go hence without day, discharged from his bail, and acquitted.

And thereupon Court adjourned until to-morrow morning half-past eight O'clock

Saturday Morning, July 3d 1858.

Court convened at half-past eight o'clock, pursuant to adjournment. Present the same as on yesterday. Whereupon the following proceedings were had by said Court, as follows, to wit.

925 The State of Texas } Plaintiff } Dismissed on motion
vs of the
Isaiah Archer } Defendant } District Attorney

926 The State of Texas } Plaintiff } Dismissed on motion of
vs the
Isaiah Archer } Defendant } District Attorney

Spring Term, Wednesday, July 7th 1858

927 The State of Texas } Plaintiff } Dismissed on motion
of } of the
Isaiah Archer } Defendant } District Attorney.

And thereupon Court adjourned until Tuesday morning July 6th 1858, at half-past eight o'clock.

Tuesday Morning, July 6th 1858.

Court convened at half-past eight o'clock pursuant to adjournment. Present the Hon. A.W. Terrell, Judge, Frank Brown, Clerk, and D.N. Blackwell, Sheriff. Whereupon the following proceedings were had by said Court, as follows, to wit:

And thereupon Court adjourned until To-morrow morning 1/2 past 8 o'clock.

Wednesday Morning, July 7th 1858.

Court convened at half-past eight o'clock pursuant to adjournment. Present the same as on yesterday. Whereupon the following proceedings were had by said Court, as follows, To wit:

928 The State of Texas } Plaintiff } And now on this day came
of } the parties by atty. The Deft.
Geo. E. Robinson } Defendant } also appearing in proper
person, and announced themselves ready for trial. And the Deft. plead not guilty to the Indictment. And a Jury having been duly sworn, tried, elected, and empannelled, heard said plea, the evidence and the charge of the Court, and retired and brought into Court the following verdict, to wit: "We, the Jury, find the defendant "not guilty" Thos. A. Jones, Foreman." Whereupon It is ordered by the Court that said defendant go hence without day, fully discharged, and acquitted.

929 The State of Texas } Plaintiff } And now on this day
of } came the State by the
George Robinson } Defendant } District Attorney, and the
defendant by attorney, and also in proper person, and announced themselves ready for trial. Whereupon came a Jury of Twelve good and lawful men of Travis County, to wit: P.H. Moulin, Foreman, and eleven others, who were tried, elected, empannelled and sworn according to law. And the Jury having heard defendants plea of not guilty, the evidence and the charge of the Court, retired, and brought into Court the following

Spring Term, Thursday July 8th 1858

vuaict, To wit: "We, the Jury, find the defendant guilty as charged, and assess the fine at fifty dollars. P.H. Hoskin, Foreman." Whereupon, It is ordered, adjudged and decreed by the Court that the State of Texas recover off and from the said defendant, George E Robinson, said sum of Fifty dollars and all costs of this prosecution, and that he remain in the custody of the Sheriff until the same is paid or security given therefor according to law.

794 | The State of Texas vs Bowles, Anderson & Lock | Plaintiff / Defendant | And now at this Term came the parties by atty. The deft. And upon the deft. also appearing in proper persons, and announced themselves ready for Trial Whereupon came a Jury of twelve good and lawful men of Davis County, to wit: H. C. Holman, foreman and eleven others, who were duly elected, empannelled and sworn according to law. And said Jury having heard defendants plea of guilty, the charge of the Court, retired, and brought into Court the following verdict, to wit: "We, the Jury, find the defendant guilty as charged, and assess the fine at Zero dollars. H.C. Holman, Foreman." Whereupon It is Ordered by the Court that the said State of Texas recover off and from the defendant Theophilus Anderson, said sum of Two Dollars and all costs of this prosecution, and that he remain in the custody of the Sheriff until the same is paid or security given therefor according to law.

And thereupon Court adjourned until To morrow morning half past eight o'clock.

Thursday Morning, July 8th 1858

Court convened at half past eight o'clock pursuant to adjournment. Present the Hon. A.W. Terrell, Judge; Frank Brown, Clerk, and S. M. Blackwell, Sheriff. Whereupon the following proceedings were had by said Court as follows, To wit:

933 | The State of Texas vs John Horan | Plaintiff / Defendant | And now on this day came the State by the District Atty. and the defendant by atty. and also in proper person; and defendant's exceptions to the insufficiency of the indictment being submitted, were overruled by the Court. And the parties having announced themselves ready for trial, the defendant entered the plea of not guilty.

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And thereupon came a Jury of twelve good and lawful men of Travis County, To wit: R. H. Peck, Foreman, and eleven others, who were Tried, elected, empannelled and sworn according to law. And said Jury having heard said plea, the testimony, argument of counsel and the charge of the Court, retired, and brought into Court the following verdict, To wit: "We, the Jury, find the defendant guilty, and assess the fine of Ten dollars. R. H. Peck, Foreman." Whereupon, It is ordered, adjudged and decreed by the Court, that the State of Texas recover off and from the defendant John Horan, said sum of Ten dollars and all costs of this prosecution and that he remain in the custody of the Sheriff until the same is paid or security given therefor. And thereupon said defendant, by attorney, gave notice, in open Court, of an appeal to the Supreme Court

1811 The State of Texas vs James R. Jackson } Plaintiff / Defendant } And now on this day came the parties by attorney, the defendant also appearing in proper person and announced themselves ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis county, To wit: H. C. Holman, Foreman, and eleven others, who were duly tried, elected, empannelled and sworn. And the defendant pleading guilty, the Jury received the charge of the Court and retired; and thereupon returned into Court the following verdict, to wit "We, the Jury, find the defendant guilty, and assess the fine at thirteen dollars & seventy-five cents $13.75. H.C. Holman, Foreman." Whereupon, It is ordered, adjudged and decreed by the Court, that the State of Texas recover off and from the defendant, James R. Jackson, said sum of ten dollars and all costs of this prosecution. And thereupon appeared in open Court Joseph Lee, and acknowledged himself bound unto the State of Texas for the amount of the fine and costs imposed in this case, in accordance with Art. 693 of the Code of Criminal Procedure

1175 The State of Texas vs L. D. Carrington & Geo. W. Sampson } Plaintiff / Defendants } And now on this day came the plaintiff by the District Atty & the deft. Geo. W. Sampson by attorney, and announced themselves ready for trial. Whereupon came a Jury of Twelve good and lawful men of Travis County, To wit: H. C. Holman, Foreman and Eleven others, who were Tried, elected, empannelled and sworn according to law. And said deft. pleading guilty to the indictment, the Jury received the charge of the Court, and having retired, returned into Court the following verdict, To wit: "We, the Jury, find the defendant guilty, and assess the fine at one dollar. H.C. Holman, Foreman."

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Whereupon It is ordered by the Court that the State of Texas recover off and from said defendant, Geo. W. Sampson, said sum of one dollar and all cost of this prosecution

And Thereupon Court adjourned until To-morrow morning at 1/2 past eight o'clock.

Friday Morning, July 9th 1858.

Court convened at 1/2 past eight o'clock pursuant to adjournment. Present the same as yesterday. Whereupon the following proceedings were had in said Court as follows, to wit:

911. The State of Texas vs. John T. Gillen } Plff / Deft } And now come the parties, Plff & Deft by their attorneys, and the attorney moves the Court to Continue this Cause to the next Term of the Court — under his Statement under the law — And Thereupon after the Statement of the District attorney is heard, it is ordered by the Court that this Cause be Continued on Statements of the District attorney — to which action by the Court, defendant by Counsel excepts and his exception entered of record —.

911. The State of Texas vs. S. H. Duncan } Plff / Deft } Continued for Service on Motion of the District attorney —

912. The State of Texas vs. S. H. Duncan } Plff / Deft. } Continued for Service on motion of the District attorney —.

913. The State of Texas vs. S. H. Duncan } Plff / Deft. } Continued for Service on motion of the District attorney —

914 The State of Texas vs. S. H. Duncan } Plff / Deft. } Continued for Service on motion of the District attorney —.

915. The State of Texas vs. E. O. Warren } Continued for Service on motion of the District attorney, & alias Capias ordered to the Counties of Lampasas & Travis —.

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916.	The State of Texas vs. E. O. Warren	Pffs Deft.	Continued on motion of the District attorney for Service & alias Capias ordered to the Counties of Lampasas & Travis &c.
917.	The State of Texas vs. E. O. Warren	Pffs Deft.	Continued for Service on motion of the District attorney & alias Capias ordered to the Counties of Lampasas & Travis &c.
918	The State of Texas vs. E. O. Warren	Pffs Deft.	Continued on motion for Service & alias Capias ordered to Lampasas County & to Travis &c.
919.	The State of Texas vs. E. O. Warren	Pffs Deft.	Continued for Service on motion of the District attorney & alias Capias ordered to Lampasas County & to Travis &c.
920	The State of Texas vs. E. O. Warren	Pffs Deft.	Continued for Service on motion of the District attorney & alias Capias ordered to Lampasas County, and to Travis &c.
921.	The State of Texas vs. E. O. Warren	Pffs Deft.	Continued ~~for~~ Service on motion of the District attorney & alias Capias ordered to Lampasas County & to Travis &c.
922.	The State of Texas vs. E. O. Warren	Pffs Deft.	Continued for Service on motion of the District attorney & alias Capias ordered to Lampasas County & To Travis &c.
931.	The State of Texas vs. Horace & Robertson	Pffs Defts	And now come the parties by their attorneys and also the defendants in person and announced themselves ready for trial, whereupon the defendants exceptions to the Sufficiency of the indictment in this Case coming on to be heard, - after a full hearing thereof it is ordered adjudged and decreed by the Court that defendants exceptions be sustained and that the indictment in this Case be quashed - and thereupon the Plaintiffs by attorney in open Court gave notice of an appeal to the Supreme Court &c.
980	The State of Texas vs. J. M. Forehand		Continued for Service on motion of the District attorney —.
981.	The State of Texas vs. J. M. Forehand	Pffs deft	Continued for Service on motion of the District attorney —.

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982. The State of Texas vs. M. G. Gay. — Plff. / Deft. — Continued for Service on motion of the District attorney.

983. The State of Texas vs. Gay - Brown & Wamsley — Plff. / Defts. — Continued for Service on motion of the District attorney.

984. The State of Texas vs. M. G. Gay. — Plff. / Deft. — Continued for Service on motion of the District attorney.

985. The State of Texas vs. W. P. de Normandie — Plff. / Deft. — This case is dismissed on motion of the District attorney.

986. The State of Texas vs. J. M. W. Hall — Plff. / Deft. — Dismissed on motion of the District attorney.

987. The State of Texas vs. Casner Warrick & Harrison — Plff. / Defts. — Continued for Service on motion of the District attorney.

988. The State of Texas vs. Theo. Anderson — Plff. / Deft. — Continued on motion of the District attorney.

989. The State of Texas vs. Geo Hancock. — Plff. / Deft. — Continued on motion of the District attorney.

991. The State of Texas vs. Wm M. Watson — Plff. / Deft. — Dismissed on motion of the District attorney.

992. The State of Texas vs. Isaac. Cooke. — Plff. / Deft. — Dismissed on motion of the District attorney.

993. The State of Texas vs. J. W. Robertson — Plff. / Deft. — And now on this day, come the parties by their attorneys, and also the defendant in proper person, and announced themselves ready for trial, and thereupon the exceptions of the defendant to the sufficiency of the indictment

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in this Case, coming on to be heard, and after full & fair hearing of said exceptions, it is ordered by the court that the same be overruled. - To which ruling defendant excepts. - Whereupon Came a jury of good & lawful men of Travis county, who being duly, Tried ~~Selected~~ empaneled and sworn, according to law, ~~after~~ hearing the evidence argument of counsel, and charge of the court, retired for deliberation, and brought into court the following verdict, viz "We the jury find the defendant guilty, as charged and assess the fine at ten dollars - P. W. Fowlkes foreman -. Whereupon it is ordered adjudged, and decreed by the court that the plaintiff the State of Texas, do have, and recover, of & from the defendant J. W. Robertson the said sum of ten dollars, together with all costs, expended in this prosecution, and that the said defendant, J. W. Robertson do remain in the custody of the Sheriff of Travis County, until the same is paid or security given according to law -.

✓ 994.	The State of Texas vs. A. Lanes.	Plff. Defft.	Dismissed on motion of the District attorney —.
✓ 995.	The State of Texas vs. C. W. McAnnelly.	Plff Defft.	Dismissed on motion of the District attorney —.
✓ 996.	The State of Texas vs. S. G. Towell.	Plff. Defft.	Dismissed on motion of the —— District attorney
✓ 997.	The State of Texas vs. Thomas Bowles.	Plff Defft.	Continued for Service, on motion of the District attorney —.
✓ 998.	The State of Texas vs. Wm Bennett.	Plff Defft.	Alias Capias ordered to Bexar Co & Continued on motion of the District attorney -.
✓ 999.	The State of Texas vs. Wm Bennett.	Plff. Defft.	Continued for Service & alias Capias ordered to Bexar County, on motion of the District Attorney —.
✓ 1000.	The State of Texas vs. A. Robertson		Continued for Service, on motion of the District attorney —.

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1002. The State of Texas vs. J. B. Coston — Reff. / Deft. — Dismissed on motion of the District attorney—.

1003. The State of Texas vs. J. W Robertson — Reff. / Deft. — Dismissed on motion of the District attorney—.

1005. The State of Texas vs. John Hampton — Reff. / Deft. — Dismissed on motion of the District attorney —

1007. The State of Texas vs. S. G. Sneed. — Reff / Deft. — ~~Continued~~ Dismissed on motion of the District attorney—.

1009. The State of Texas vs. Thomas Slaughter — Reff / Deft. — Dismissed on motion of the District attorney—.

1012 The State of Texas vs. A. Lanes. — Reff. / Deft. — Dismissed on motion of the District attorney—.

1013. The State of Texas vs. Nelson Merrell. — Reff. / Deft. — And now on this day come the parties by their attorneys, and also the defendant in person, and announced themselves ready for trial, and thereupon the exceptions of defendant to the Sufficiency of the indictment in this case, coming on to be heard— and after full and fair hearing, it is ordered by the court that said exceptions be overruled—. And thereupon came a jury of twelve good and lawful men, to wit, Travis county, to wit, S. M. Swenson foreman and eleven others who being duly elected, empannelled, tried and Sworn according to law, a true verdict to render,- after hearing the evidence, argument of counsel and Charge of the court retired for deliberation, and returned into Court their verdict as follows viz- "We the jury find the defendant guilty, and assess the fine at ten dollars- S. M. Swenson foreman—. It is therefore, ordered, adjudged & decreed by the Court, that the State of Texas, do have and recover of, and from the defendant the said Sum of ten dollars, together with all Cost in this prosecution expended—. and that the said defendant remain & be in custody of the Sheriff of Travis, County, until said fine & costs are paid, or until security be given, according to law—&c—.

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1014.	The State of Texas vs. a Robertson	Plff. Deft.	Continued on motion of the District Attorney, for service on.
1015.	The State of Texas vs. Carr & Finnin	Plff. Deft.	Continued on motion of the District Attorney—.
1016.	The State of Texas vs. John Robinson	Plff. Deft.	Continued for service on motion of the District Attorney—.
1019.	The State of Texas vs. George & John Robertson	Plff. Deft.	And now on this day, come the parties by their attornies, and the defendants, in proper person, and announced themselves, ready for trial, and thereupon the exceptions filed by the defendants, to the sufficiency of the indictment in this case Coming on to be heard by the Court, after full and fair hearing of said exceptions, it is ordered by the Court that the same, be ~~dismissed~~ Sustained, and said indictment quashed— to which ruling the Plaintiff excepts, & has the exception entered of record, and gives notice of appeal in open Court.
1028.	The State of Texas vs. John Horan	Deft. Plff	Dismissed on motion of the District Attorney—.
1029.	The State of Texas vs. John Horan	Plff Deft.	Dismissed on motion of the District attorney—.
1030.	The State of Texas vs. John Horan	Plff Deft.	Dismissed on motion of the District attorney—.
1031.	The State of Texas vs. John Horan	Plff Deft.	Dismissed on motion of the District attorney—.
1032.	The State of Texas vs. John Horan	Plff Deft.	Dismissed on motion of the District Attorney
1033.	The State of Texas vs. John Horan	Plff. Deft.	Dismissed on motion of the District attorney—.

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1034.	The State of Texas vs. Testard & Testard	Reff. Defts.		Continued on motion of the District attorney.
1035.	The State of Texas vs. Testard & Testard	Reff. Defts.		Continued on motion of the District attorney.
1036.	The State of Texas vs. Testard & Testard	Reff. Defts.		Continued on motion of the District attorney.
1037.	The State of Texas vs. Testard & Testard	Reff. Defts.		Continued on motion of the District attorney.
1045.	The State of Texas vs. Thos Randolph.	Reff. Defts.		Dismissed on motion of the District attorney.
1046.	The State of Texas vs. Thos. Randolph.	Reff. Defts.		Dismissed on motion of the District attorney.
1047.	The State of Texas vs. Thos. Randolph.	Reff. Defts.		Dismissed on motion of the District attorney.
1048.	The State of Texas vs. Thos. Randolph.	Reff. Defts.		Dismissed on motion of the District attorney.
1049.	The State of Texas vs. Thos Randolph.	Reff. Defts.		Dismissed on motion of the District attorney.
1050.	The State of Texas vs. Geo Robinson	Reff Defts.		Dismissed on motion of the District attorney
1051.	The State of Texas vs. Geo Robinson	Reff Defts.		Dismissed on motion of the District attorney.

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1052.	The State of Texas	vs.	Geo Robinson	Dismissed on motion of The District attorney.
1053.	The State of Texas	vs.	Geo Robinson	Dismissed on motion of The District attorney.
1054.	The State of Texas	vs.	Geo Robinson	Dismissed on motion of The District attorney.
1115.	The State of Texas	vs.	A. Morrill	Dismissed on motion of The District attorney.
1116.	The State of Texas	vs.	A. Morrill	Dismissed on motion of the District attorney.
1117.	The State of Texas	vs.	A. Morrill	Dismissed on motion of the District attorney.
1118.	The State of Texas	vs.	A. Morrill	Dismissed on motion of the District attorney.
1119.	The State of Texas	vs.	A. Morrill	Dismissed on motion of the District attorney.
1120	The State of Texas	vs.	John F. Purvis	Dismissed on motion of the District attorney.
1121.	The State of Texas	vs.	John F. Purvis	Dismissed on motion of the District attorney.
1145.	The State of Texas	vs.	John F. Purvis	Dismissed on motion of the District attorney.

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No 930 — The State of Texas vs. Horan & Robinson — Plaintiff / Defendants

And now on this day come the State by the District Attorney and the defendant George E Robinson by attorney; and thereupon said defendant submitted his exceptions to the sufficiency of the indictment, and the same being argued by counsel was overruled by the Court, to which said ruling the Defend And thereupon the District Attorney gave notice, in open Court, of an appeal to the Supreme Court

No 930 — The State of Texas vs. John Horan and John Robinson — Plaintiff / Defendants

And now on this day appeared in open Court, the defendant, Horan & Robinson, who as principal and Nelson Merrell and E. B. Smith as securities, and acknowledged themselves jointly and severally, justly to owe and be indebted unto the State of Texas in the penal sum of Two Hundred Dollars, To be levied upon their respective goods and chattels, Lands and Tenements, But to be void upon condition that said defendant Robinson appear before the District Court of Travis county on the ninth Monday after the first Monday in October, 1858, and from term to term thereafter, to answer the criminal accusation against them, in case the Judgment of the District Court should be reversed, in the above entitled and numbered cause, from which said Judgment the State hath appealed.

No 931. — The State of Texas vs. Horan & Robertson — Plff / Defts

And now on this day, appeared in open Court the defendant John Robertson, who as principal and Nelson Merrell & E. B. Smith, as securities, and acknowledged themselves jointly and severally, justly to owe & be indebted unto the State of Texas, in the penal sum of two hundred dollars, to be levied on their respective goods and chattels, lands & tenements, — But to be void upon condition that said defendant John Robertson appear before the District Court of Travis County, on the ninth monday after the first monday in October 1858, and from term to term thereafter to answer the Criminal accusation against him, in case the judgment of the District Court should be reversed in the above entitled and numbered cause, from which said judgment the State hath appealed —.

No 932. — The State of Texas vs. Horan & Robinson — Plff. / Defts.

And now on this day, come the parties to this cause, by their attornies, and also the defendants in person, and announced themselves ready for trial, and thereupon the defendants exceptions to the sufficiency of the indictment in this case coming on to be heard — and after full & fair hearing, it is ordered, adjudged & decreed by the Court, that said exceptions be sustained, and said indictment in this case be quashed — to

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which ruling the plaintiff excepts, and gives notice in open Court, of an appeal to the Supreme Court.

✓ 934. The State of Texas vs. John Horan — Reff / Deft — And now on this day, come the State by the District Attorney, and the defendant by attorney; and thereupon said defendant submitted their exceptions to the Sufficiency of the indictment in this case, and the same, being argued fully by Counsel, the same are sustained by the Court, and said indictment quashed by order of the Court: and thereupon, the plaintiff by her District attorney, gave notice in open Court, of an appeal to the Supreme Court.

936. ✓ The State of Texas vs. John Horan — Reff. / Deft. — And now on this day come the parties by their attornies, and the defendant also in person, & announced themselves ready for trial, and thereupon the defendant submitted his exceptions to the sufficiency of the indictment in this case, and the same being argued by Counsel, and understood by the Court, it is ordered by the Court, that said exceptions be sustained, and that said indictment be quashed: and thereupon, the District attorney, gave notice in open Court, of an appeal to the Supreme Court.

✓ 937. The State of Texas vs. John Horan — Reff. / Deft. — And now on this day come the parties by their attornies, also the defendant in person & announced for trial, and thereupon the defendant submitted his exceptions to the sufficiency of the indictment in this case, and the same being argued by Counsel and well understood by the Court - it is ordered adjudged and decreed by the Court that said exceptions be sustained, and that said indictment be quashed - Whereupon the District attorney gave notice in open Court of an appeal to the Supreme Court.

✓ 938 The State of Texas vs. John Horan — / Deft. — And now on this day come the parties by their attornies and also the defendant in person and thereupon the defendant submitted his exceptions to the sufficiency of the indictment in this case - and the same being argued by Counsel and well understood by the Court - Whereupon it is ordered adjudged and decreed by the Court that said exceptions be sustained, and that said indictment be quashed - and thereupon the District attorney gives notice in open Court of an appeal to the Supreme Court.

✓ 939. The State of Texas vs. John Horan — Reff / Deft. — And now on this day come the parties by their attornies, & also the defendant in person and the defendant submit

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In this exception, to the sufficiency of the indictment in this case — and the same, being fully argued by counsel & well understood by the Court. Whereupon it is ordered, adjudged, and decreed by the Court, that defendants exceptions be sustained, and that said indictment be quashed — and thereupon the District attorney, gives notice in open Court of an appeal to the Supreme Court —.

941. The State of Texas vs. John Horan — Reff. / Deft. — And now on this day, come the parties by their attorneis, also the defendant in person, and the the defendant submits his exceptions to the sufficiency of the indictment in this case, and the same, being fully argued by Counsel, and well understood by the Court: Whereupon it is ordered, adjudged and decreed by the Court that the defendants exceptions be sustained, and that said indictment be quashed — And thereupon the District attorney gives notice in open Court of an appeal to the Supreme Court —.

941. The State of Texas vs. John Horan — Reff. / Deft. — And now on this day come the parties, by their attornies, also the defendant in person, and the defendant submits his exceptions, to the sufficiency of the indictment in this case, and the same being fully argued by Counsel, and well understood by the court — Whereupon it is ordered, adjudged, and decreed by the Court, that the defendants exceptions be sustained, and that said indictment be quashed — and thereupon the District attorney, gives notice of an appeal to the Supreme Court in open Court here —.

942. The State of Texas vs. John Horan — Reff. / Deft. — And now on this day came the parties by their attornies, also the defendant in person, and the defendant submits to the Court his exceptions, to the sufficiency of the indictment in this case, and the same being fully argued by Counsel, and well understood by the Court — whereupon it is ordered, adjudged & decreed by the Court, that the defendants exceptions be sustained, and that said indictment be quashed — and thereupon the District attorney gives notice in open Court of an appeal to the Supreme Court —.

943. The State of Texas vs. Heffington & Wallace — And now come the parties by their attornies, and the defendants submit to the Court their exceptions to the sufficiency of the indictment in this case, and the same being fully argued by Counsel, and well understood by the Court — Whereupon it is ordered adjudged & decreed by the Court that the defendants exceptions be sustained, and that said indictment be quashed — and thereupon the District attorney gives notice in open Court of an appeal to the Supreme Court —.

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944. The State of Texas vs. Heffington & Wallace. } And now on this day come the parties by their attornies and the defendants submits to the Court their exceptions to the sufficiency of the indictment in this case, and the same being fully argued by Counsel and well understood by the Court- Whereupon it is ordered, adjudged and decreed by the Court that defendants exceptions be sustained, and that said indictment be quashed, and thereupon the District attorney gives notice in open Court of an appeal to the Supreme Court—.

945. The State of Texas vs. Heffington & Wallace } And now on this day come the parties by their attornies, and the defendants submit to the Court their exceptions going to the sufficiency of the indictment in this case: and the same being fully argued by Counsel and well understood by the Court: Whereupon it is ordered adjudged & decreed by the Court that defendants exceptions be sustained, and that said indictment be quashed: and thereupon the district attorney, gives in open Court notice of an appeal to the Supreme Court—.

946. The State of Texas vs. Heffington & Wallace } And now on this day come the parties by their attornies and the defendants submit to the Court their exceptions going to the legal sufficiency of the indictment in this case: and the same being fully argued by Counsel and well understood by the Court: Whereupon it is ordered adjudged and decreed by the Court that the defendants exceptions be sustained and that said indictment be quashed- and thereupon the District attorney gives notice in open Court of an appeal to the Supreme Court—.

947. The State of Texas vs. Heffington & Wallace } And now come the parties, on this day, by their attornies, and the defendants submit to the Court their exceptions going to the legal sufficiency of the indictment in this case, and the same being fully argued by Counsel and well understood by the Court: Whereupon it is ordered, adjudged and decreed by the Court that the defendants exceptions be sustained and that said indictment be quashed- and thereupon the District attorney gives notice in open Court of an appeal to the Supreme Court—.

948. The State of Texas vs. Heffington & Wallace } And now on this day come the parties by their attornies and the defendants submit to the Court their exceptions going to the legal sufficiency of the indictment in this case: and the same being fully argued by Counsel and well understood by the Court: Whereupon it is ordered adjudged and decreed by the Court that defendants exceptions be sustained and that said indictment be quashed: and thereupon the District attorney gives notice in open Court of an appeal to the Supreme Court—.

error 949. The State of Texas vs. Heffington & Wallace } And now on this day come the parties by their attornies and the defendants submit to the Court their exceptions going to the legal sufficiency of the indictment in this case

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: And the same being fully argued by counsel, and well understood by the court: whereupon it is ordered adjudged and decreed by the Court, that the Defendants exceptions be sustained and that said indictment be quashed: and thereupon the District attorney gives notice in open court of an appeal to the Supreme Court —.

950. The State of Texas vs. Heffington & Wallace — Reff. / Defts — And now on this day, come the parties to this cause, and the defendant submits to the court his exception, going to the legal sufficiency of the indictment in this case — and the same being fully argued by counsel, and well understood by the court: Whereupon it is ordered adjudged and decreed by the Court that defendants exceptions be sustained, and that said indictment be quashed — Thereupon the District attorney, gives in open court, a notice of an appeal to the Supreme Court —.

957. The State of Texas vs. Heffington & Wallace — Reff. / Defts — And now on this day, comes the Plaintiff by attorney, and the defendant, Wallace — in person, and by attorney, and the defendant submits to the court his exception, going to the legal sufficiency of said indictment and the same being fully argued by Counsel, and fully understood by the Court — Whereupon it is ordered adjudged & decreed by the Court that defendants exceptions be sustained & that said indictment be quashed — and thereupon the district attorney, gives notice, in open court of appeal to the Supreme Court —.

952. The State of Texas vs. Heffington & Wallace — Reff / Defts — And now on this day, comes the State by attorney, and the defendant Wallace in person & by attorney, and submits to the Court the defendants exceptions going to the legal sufficiency of the indictment in this case: and the same being fully argued by counsel and well understood by the court: whereupon it is ordered adjudged and decreed by the Court that the defendants exceptions be sustained, and that said indictment be quashed & thereupon the District attorney, gives notice, in open court of an appeal to the Supreme Court —.

953. The State of Texas vs. Heffington & Wallace — Reff / Defts — And now on this day comes the State by attorney, and the defendant, in person and by attorney, and submits to the Court, the defendants exceptions

going to the legal sufficiency of the indictment in this case. and the same being fully argued by counsel, and well understood by the Court: Whereupon it is ordered, adjudged and decreed by the Court, that defendants exceptions be sustained, and that said indictment be quashed— and thereupon the District attorney gives notice in open Court of appeal to the Supreme Court.

954. The State of Texas vs. Heffington & Wallace. Defts. And now on this day come the State by attorney, and the defendant Wallace in person & by attorney and submit to the Court defendants exceptions going to the legal sufficiency of the indictment in this case: and the same being fully argued by counsel, and well understood by the Court. Whereupon it is ordered adjudged and decreed by the Court that defendants exceptions be sustained and that said indictment be quashed: and thereupon the District attorney in open court gives notice of an appeal to the Supreme Court.

955. The State of Texas vs. Fimin Carr & Barr. Defts. And now on this day come the State by attorney, and the defendants, Fimin & Barr in person and by attorney, and submit to the Court defendants exceptions, going to the legal sufficiency of the indictment in this case: and the same being fully argued by counsel, and well understood by the Court: Whereupon it is ordered, adjudged, and decreed by the Court that defendants exceptions be sustained and that said indictment be quased: and thereupon the District attorney in open court gives notice of an appeal to the Supreme Court.

957. The State of Texas vs. Fimin Carr & Barr. Defts. And now on this day come the State by attorney, and the defendant, Fimin & Barr in person and by attorney, and submit to the Court defendants exceptions going to the legal sufficiency of the indictment in this case: and the same being fully argued by counsel, and well understood by the Court: Whereupon it is ordered, adjudged, and decreed by the Court that defendants exceptions be sustained: and thereupon the District attorney, in open Court gives notice of an appeal to the Supreme Court.

958. The State of Texas vs. Fimin Barr and Carr Defts. And now on this day come the State by attorney, and the defendants, Fimin & Barr in person, and by attorney, and submit to the Court defendants exceptions, going to the legal sufficiency of the indictment

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in this Case; and the same being fully argued by Counsel and well understood by the Court: whereupon it is ordered adjudged and decreed by the Court that defendants exceptions be sustained, and that said indictment be quashed: and thereupon the District attorney in open Court gives notice of appeal to the supreme Court.

959. The State of Texas vs. Frimin, Carr & Barr. Deffs. } Reff. } And now on this day Come the State of Texas, by attorney, and the defendants, Frimin & Barr in person, and by attorney, and submit to the Court defendants exceptions going to the legal sufficiency of the indictment in this case: and the same being fully argued by Counsel & well understood by the Court. Whereupon it is ordered adjudged and decreed by the Court that defendants exceptions be sustained and that said indictment be quashed — and thereupon the District attorney in open Court gives notice of appeal to the Supreme Court.

960. The State of Texas vs. Frimin, Carr & Barr. Deffs. } Reff. } And now on this day Come the State of Texas by attorney, and the defendants Barr and Frimin in person, and by attorney and submit to the Court the defendants exceptions going to the legal sufficiency of the indictment in this case: and the same being fully argued by Counsel, and well understood by the Court. Whereupon it is ordered, adjudged and decreed by the Court that defendants exceptions be sustained, and that said indictment be quashed, & thereupon the District attorney, in open Court gives notice of appeal to the Supreme Court.

961. The State of Texas vs. Wm H. Carr. } Continued for Service.

962. The State of Texas vs. Frimin, Slaughter & Carr. Deffs. } Reff. } And now on this Come, the State of Texas by attorney, and the defendants, Slaughter & Frimin in person, and by attorney, and submit the defendants exceptions going to the legal sufficiency of the indictment in this Case: and the same being fully argued by Counsel, and well understood by the Court: Whereupon it is ordered, adjudged and decreed by the Court that defendants exceptions be sustained and that said indictment be quashed — and thereupon the District attorney, in open Court, gives notice of appeal to the Supreme Court.

963. The State of Texas vs. Carr Slaughter & Finnin } Plff. / Defts. And now on this day came the State of Texas by attorney, and the defendants Slaughter & Finnin in person & by attorney, and submit to the Court defendants exceptions going to the legal sufficiency of the indictment in this case: and the same being fully argued by Counsel, and well understood by the Court: whereupon it is ordered adjudged and decreed by the Court that defendants exceptions be sustained and that said indictment be quashed — and thereupon the district attorney in open Court gives notice of appeal to the Supreme Court.

964. The State of Texas vs. Carr Slaughter & Finnin } Plff. / Defts. And now on this day came the State of Texas by attorney and the defendants Slaughter and Finnin in person and by attorney, and submit to the Court defendants exceptions going to the legal sufficiency of the indictment in this case: and the same being argued by Counsel, and fully understood by the Court: whereupon it is ordered adjudged and decreed by the Court that the defendants exceptions be sustained and that said indictment be quashed & thereupon the district attorney in open Court gives notice of appeal to the Supreme Court —.

965. The State of Texas vs. Carr Slaughter & Finnin } Plff. / Defts. And now on this day came the State of Texas by attorney, and the defendants Slaughter & Finnin in person & by attorney, and submit to the Court defendants exceptions going to the legal sufficiency of the indictment in this case: and the same being fully argued by Counsel & well understood by the Court: whereupon it is ordered adjudged and decreed by by the Court that defendants exceptions be sustained and that said indictment be quashed: and thereupon the District attorney in open Court gives notice of appeal to the Supreme Court —.

966. The State of Texas vs. Carr Slaughter & Finnin } And now on this day came the State of Texas by attorney and the defendants Slaughter & Finnin in person and by attorney, and submit defendants exceptions going to the legal sufficiency of the indictment in this case: and the same being fully argued by Counsel & well understood by the Court: whereupon it is ordered, adjudged, and decreed by the Court that defendants exceptions be sustained & that said indictment be quashed — and thereupon the District attorney in open Court gives notice of appeal to the Supreme Court —.

967. The State of Texas vs. Finnin, Slaughter & Carr. } And now on this day came the State of Texas by attorney & the defendants Finnin & Slaughter in person and by attorney & submit to the Court defendants exceptions going to the legal sufficiency of the indictment in this case: and the same being fully argued by Counsel & well understood by the Court — whereupon it is ordered adjudgid & decreed by the Court that defendants exceptions be sustained & that said indictment be quashed — & thereupon the

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District attorney, gives notice in open Court of appeal to the Supreme Court—.

968. The State of Texas vs. Carr Frimin & Barr. } Deffs. } Deff. And now on this day come the State of Texas by attorney, and the defendants Frimin & Barr, in person & by attorney, and submit to the Court defendants exceptions going to the legal sufficiency of the indictment in this case: and the same being fully argued by Counsel and well understood by the Court: Whereupon it is ordered, adjudged—and decreed by the Court that defendants exceptions be sustained and that said indictment be quashed—and thereupon the District attorney gives notice in open Court of appeal to the Supreme Court—.

969. The State of Texas vs. Carr. Frimin & Barr. } Deffs. } Deff. And now on this day came the State of Texas by attorney, and the defendants Frimin & Barr, in person and by attorney, and submit defendants exceptions going to the legal sufficiency of the indictment in this case: and the same being fully argued by Counsel, and well understood by the Court: Whereupon it is ordered, adjudged and decreed by the Court that defendants exceptions be sustained, and that said indictment be quashed: and thereupon the District attorney in open Court gives notice of appeal to the Supreme Court.

970. The State of Texas vs. Carr Frimin & Barr. } Deffs. } Deff. And now on this day came the State of Texas by attorney, and the defendants Frimin & Barr, in person & by attorney, and submit defendants exceptions going to the legal sufficiency of the indictment in this case to the Court: and the same being fully argued by Counsel, and well understood by the Court.— Whereupon it is ordered, adjudged and decreed by the Court that defendants exceptions be sustained, and that said indictment be quashed — and thereupon the District attorney in open Court gives notice of appeal to the Supreme Court—.

971. The State of Texas vs. Carr. Frimin & Barr. } Deffs. } Deff. And now on this day came the State of Texas by attorney, and the defendants Frimin & Barr, in person & by attorney, and submit to the Court defendants exceptions, going to the legal sufficiency of the indictment in this case: and the same being fully argued by Counsel & well understood by the Court.— Whereupon it is ordered adjudged & decreed by the Court that defendants exceptions be sustained and that said indictment be quashed — and thereupon the District attorney in open Court gives notice of appeal to the supreme Court—.

972. The State of Texas vs. Carr. Frimin & Barr. } Deffs. } Pff. And now on this day came the State of Texas by attorney and the defendants Frimin and Barr in

person and by attorney, and submit to the Court defendants exceptions going to the legal sufficiency of the indictment in this case; and the same being fully argued by counsel, and well understood by the Court: Whereupon it is ordered adjudged and decreed by the Court that defendants exceptions be sustained and that said indictment be quashed – and thereupon the District attorney, in open court, gives notice of appeal to the Supreme Court.

973. The State of Texas Plff.
vs.
Carr Slaughter & Simin Defts And now on this day, came the parties to this suit and the defendants submit to the Court their exceptions going to the legal sufficiency of the indictment in this case; and the same being fully argued by Counsel & well understood by the Court: Whereupon it is ordered adjudged and decreed by the Court that defendants exceptions be sustained and that said indictment be quashed, and thereupon the District attorney in open Court gives notice of appeal to the Supreme Court.

974. The State of Texas Plff.
vs.
Carr Slaughter & Simin Defts And now on this day came the State of Texas by attorney and the defendants Simin & Slaughter in person and by attorney and submit to the Court defendants exceptions going to the legal sufficiency of the indictment in this case; and the same being fully argued by counsel, and well understood by the Court: Whereupon it is ordered, adjudged, and decreed by the Court that defendants exceptions be sustained and that said indictment be quashed and thereupon the District attorney in open Court gives notice of appeal to the Supreme Court.

975. The State of Texas Plff.
vs.
Carr Slaughter Simin Defts And now on this day came the State of Texas by attorney and the defendants Simin & Slaughter in person & by attorney, and submit to the Court the defendants exceptions going to the legal sufficiency of the indictment in this case – and the same being fully argued by Counsel and well understood by the Court: Whereupon it is ordered adjudged & decreed by the Court that defendants exceptions be sustained & that the indictment in this case be quashed – and thereupon the District attorney in open Court gives notice of appeal to the Supreme Court.

976. The State of Texas Plff.
vs.
Carr Slaughter & Simin Defts And now on this day came the State of Texas by attorney & the defendants Simin & Slaughter in person and by attorney & submit to the Court the defendants exceptions going to the legal sufficiency of the indictment in this case; and the same being fully argued by Counsel and well understood by the Court: Whereupon it is ordered adjudged and decreed by the Court that the defendants be sustained and that the indictment in this case be quashed – and thereupon the District attorney in open Court gives notice of appeal to the Supreme Court.

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977. The State of Texas vs. Carr Slaughter & Finnin. Pltff. Defts. And now on this day, Came the State of Texas by attorney and the defendants Finnin and Slaughter in person and by attorney, and Submit to the Court, the defendants exceptions going to the legal Sufficiency of the indictment in this Case: and the Same being fully argued by Counsel and well understood by the Court. Whereupon it is ordered adjudged and decreed by the Court that the defendants exceptions be sustained and that the indictment in this Case, be quashed — Whereupon the District attorney in open Court, gives notice of appeal to the Supreme Court —.

978. The State of Texas vs. Carr Slaughter & Finnin. Pltff. Defts. And now on this day Came the State of Texas by attorney and the defendants, Slaughter & Finnin in person and by attorney, and Submit to the Court, the defendants exceptions going to the legal Sufficiency of the indictment in this Case: and the Same being fully argued by Counsel and well understood by the Court Whereupon it is ordered, adjudged, and decreed by the court that the defendants exceptions, be Sustained and that the indictment in this Case, be quashed — and thereupon the District attorney in open Court, gives notice of appeal to the Supreme Court —.

979. The State of Texas vs. J. M. Forehand. Pltff. Deft. Continued for Service —.

1017. The State of Texas vs. Geo & John Robinson. Pltff. Defts. And now on this day Came, the State of Texas, by attorney, and the defendants in person and by attorney, & Submit the defendants exceptions going to the legal Sufficiency of the indictment in this Case to the court: and the Same being fully considered by the Court It is therefore ordered adjudged and decreed by the Court that said exceptions be sustained and that the indictment in this Case, be quashed — and thereupon the District attorney gives notice in open Court of an appeal to the Supreme Court —.

1017 The State of Texas vs. Geo & John Robinson. Pltff. Defts. And now on this day appeared in open Court the defendants, Geo Robinson & John Robinson who as principals, and Nelson Merrill & E B Smith as Securities & acknowledged themselves jointly & Severally, to owe & be indebted unto the State of Texas in the penal Sum of two hundred dollars: to be levied of their respective goods & Chattels, lands, & tenements: But to be void upon condition that the said defendants Robinson & Robinson appear before the District Court of Travis County, on the 9th Monday after the 1st Monday in October AD 1858, and from term to term thereafter, to answer the

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Criminal accusation against them, in case the judgment of the District Court shall be reversed, in the above entitled and numbered cause, from which said judgment the State hath appealed —.

✓ 1018. The State of Texas vs. Geo & John Robinson — And now on this day come the State of Texas by attorney, and the defendants, in person, and by attorney, and submit to the Court the defendants exceptions, going to the legal sufficiency of the indictment in this case — and the same, being fully considered by the Court: It is therefore ordered adjudged, and decreed by the Court, that said exceptions be sustained, and that the indictment in this case be quashed — and thereupon the District attorney in open Court gives notice of appeal to the Supreme Court —.

✓ 1018. The State of Texas vs. Geo & John Robinson — And now on this day appeared, in open Court, the defendants George Robinson & John Robinson, who as principles, and Nelson Merrill & E B. Smith, as securities, and acknowledged themselves, jointly, and severally, to owe, and be indebted unto the State in the penal sum of two hundred dollars, to be levied of their respective goods and chattles, lands, and tenements — But to be void upon condition, that the defendants, Robinson & Robinson, appear before the District Court of Travis County, on the ninth monday, after the first monday, in october, A. D. 1858 — and from term to term thereafter, to answer the criminal accusation against them, in case the judgment of the District Court, shall be reversed, in the above entitled & numbered cause, from which judgment the State hath appealed —.

And thereupon Court adjourned until to morrow morning at 1/2 past eight o'clock.

Saturday Morning, May 10, 1858.

Court convened at half past eight o'clock pursuant to adjournment. Present the Hon. A. W. Terrell, Judge; Frank Brown, clerk, and J. M. Blackwell, Sheriff. Whereupon the following proceedings were had by said Court, as follows, to wit:

1224 The State of Texas vs. Alfred Pen Eyck } Plaintiff / Defendant } On this day came the parties by attorney, and the defendant submitted his motion to set aside the judgment by default heretofore rendered in this cause. Whereupon, It is ordered that said motion be granted, that said judgment be set aside, but that deft pay the costs of this proceeding, for which execution may issue

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And Thereupon It is ordered by the Court that a Venire ipse commanding the Sheriff to summon twenty-four Jurors, to be in attendance on the Court on Monday morning next, to try causes on the Civil docket.

1649 — John A. Conner vs Jer Hancock, et al } Plaintiff / Defendants } And now on this day came the parties to this cause by their attorneys; and the defendants submitted his motion to dispalve the injunction, and said motion being duly argued by counsel and well understood by the Court, It is, therefore, ordered, adjudged and decreed by the Court that said motion be sustained and the Injunction dispalved

1558 — Rice Dillingham vs M Y Whitaker } Plaintiff / Defendant } And now on this day appeared the parties by attorney; and the defendant submitted his motion to dismiss the levy of attachment heretofore made; and said motion being fully argued by counsel and well understood by the Court, It is therefore ordered, adjudged and decreed by the Court that said motion be sustained, and the levy, by virtue of said attachment be discharged and dismissed.

1643 — L D Carrington & Co vs Wm R Jones } Plaintiffs / Defendant } And now on this day came these plffs by attorney and submitted their motion to subject the property levied on by the attachment in this cause. And the same being considered, It is therefore ordered by the Court that the said property levied on by virtue of the writ of attachment, to wit: a clay bank Horse, be sold in satisfaction of plaintiffs Judgment and costs heretofore rendered at a former day of the present Term

1518 — C F Smith vs Nelson Merrell } Plaintiff / Defendant } And now on this day came the parties by attorney; and the defendant submitted his motion to make William Clark a party to this suit. And the said motion being Argued and well understood by the Court It is therefore ordered by the Court that said motion be overruled. Whereupon said defendant excepts to the said ruling of the Court, and the same entered of record

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1551 A. A. Hopkins vs D. I. Nichols } Plaintiff / Defendant } And now on this day ap. heared the parties to this cause by atty; and the defendant thereupon submitted his motion to dismiss the amendment filed by the plaintiff to his original petition. And said motion being argued by counsel, and the same being well understood by the Court. Whereupon It is ordered by the Court that said motion be sustained. And the said Pltf's counsel thereupon excepted to the said ruling of the Court

1013 The State of Texas vs Nelson Merrell } Plaintiff / Defendant } On this day came the parties to this cause by their Attorneys; and the defendant submitted his motion for a new trial. Whereupon, It is ordered by the Court that said motion be overruled. And thereupon said deft by Attorney gives notice, in open Court, of an appeal to the Supreme Court

1013 The State of Texas vs Nelson Merrell } Plaintiff / Defendant } And now come the parties by Attorney; and the defendant submitted to the Court his motion ~~in arrest~~ of the Judgment heretofore rendered upon the verdict of the Jury in this cause. And Thereupon, It is ordered by the Court that said motion be overruled. Whereupon the deft. gives notice, in open Court of an appeal to the Supreme Court.

1271 Geo L. & H. M. Wharton vs Fielding S. Rox. } Plaintiffs / Defendant } It is ordered by the Court that the Auditor, Joseph Lee, Esq, be allowed ten days further time in which to make his report

1431 A. Espinedle vs Herndon & Swinson } Plaintiff / Defendants } It is ordered by the Court that the demurrer and replication of the defendant filed in this cause be filed as of date June 18th 1858, nunc pro tunc.

179 And thereupon It is ordered by Court that Court do now adjourn until Monday Morning, July 12th 1858, 1/2 past eight o'clock

Monday July 12th 1858.

Court convened at 1/2 past eight o'clock, A. M. pursuant to adjournment. Present the same as on Saturday. Whereupon the following proceedings were had by said Court, as follows, to wit.

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1179	Moore, Sims & Co. vs W.C. Collinsworth	Plaintiffs / Defendant	Continued Generally	
1443	N.D. Ezell vs J.W. Atkinson	Plaintiff / Defendant	It is ordered, adjudged and decreed by the Court that this cause be dismissed from the docket, and that said Plff N.D. Ezell pay all the costs of the same for which execution may issue.	
1448	Meredith Wroton vs J.R. McCall, et al	Plaintiff / Defendant	Continued on motion of the Plaintiff	
1454	S.M. Swenson vs S.G. Reed	Plaintiff / Defendant	Continued by the Plff Swenson	
1478	Henry Sampson & Co vs J. Lockwood & amended petition	Plaintiffs / Defendant	On motion of plaintiff's counsel It is ordered that said Plffs have leave to file	
1487	Elliott & Co vs Samuel Mopon	Plaintiffs / Defendant	Continued Generally	
1492	The State of Texas vs Thomas J. Moore, et als.	Plaintiff / Defendants	On motion of the defts counsel It is ordered by the Court that the Judgment final by default rendered at a former day of the present term in this cause be set aside, and that said defendants, Thomas J. Moore and A.B. Burleson pay all costs of this proceeding for which execution may issue	
1493	The State of Texas vs Thos J. Moore, et als.	Plaintiff / Defendants	On motion of defendants counsel, It is ordered by the Court that the Judgment final by default rendered at a former day of the present term in this cause be set aside, and that said defendants Thomas J. Moore and A.B. Burleson, pay all costs of this proceeding, for which execution may issue.	

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1496 | The State of Texas vs John Chrisham et al | Plaintiff / Defendants | On motion of the District Atty. It is ordered by the Court that this cause be dismissed from the docket.

1516 | J. C. Higgins vs A H Cook | Plaintiff / Defendant | In this cause came the parties plaintiff and defendant by their attorneys, and announced themselves ready for trial, and the respective parties, in open Court, waive a Jury, and submit the matters and things in controversy to the Court for final determination and Judgment And it appearing to the Court that the said plffs cause of action is liquidated, being upon two promissory notes dated Feb 19th 1856 for $1001/100 at interest at the rate of Ten per cent per annum; the other dated Feb 19th 1855, for $1173 4/100 drawing eight per cent per annum, both due one day after date. And it appearing that there is now due on both of said notes the sum of Two Thousand Seven hundred and thirty-three 34/100 dollars ($2734 34/100) It is, therefore, ordered, adjudged and decreed by the Court, that the said plff J. C. Higgins, do have and recover off and from the said defendant, Abner H. Cook, the just and full sum of two Thousand Seven hundred and thirty three dollars and thirty-four cents, together with all costs of this suit, And it is further ordered, adjudged and decreed that twelve hundred and forty-one 51/100 dollars of this Judgment draw interest from this date at the rate of Ten per cent per annum till paid, & the remainder draw interest at the rate of eight per cent per annum - that being according to the tenor and effect of said notes, for all which execution may issue

781 | The State of Texas vs Robinson, Travis, et als. | Plaintiff / Defendants | Dismissed on motion of the District Attorney

794 | The State of Texas vs Bowles, Anderson & Pack | Plaintiff / Defendants | And now on this day appeared in open Court, Henry W. Smoleet, and acknowledged himself bound for the amount of the fine and costs against the defendant Anderson in the above entitled and numbered cause.

949 | The State of Texas vs Keffington Wallace | Plaintiff / Defendants | And now on this day appeared the State by the District Attorney and the defendant Wallace in person and also by attorney and announced themselves ready for trial. And the exceptions of the defendant to the sufficiency of the indictment coming on to be heard, were overruled by the Court. Whereupon came a Jury of twelve good and lawful men of Travis

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county, To wit: Wm D. Patton, foreman and eleven others, who were tried, elected empannelled and sworn according to law. And the Jury having heard the plea of not guilty, the evidence and the charge of the Court, retired for deliberation, and thereupon returned into Court the following verdict, To wit: "We the Jury find the defendant guilty, and assess the fine at Ten dollars Wm D. Patton, Foreman." Whereupon It is ordered, adjudged and decreed by the Court that the State of Texas recover off and from the defendant Wm G. Wallace, said sum of Ten dollars and all costs of this prosecution, and that he remain in custody of the Sheriff until the same is paid or security given therefor according to law.

1006	The State of Texas vs S. G. Sowell	Plaintiff / Defendant	And now on this day appeared in open Court Milton Merrell, and acknowledged himself bound for the amount of the fine and costs in the above entitled and numbered cause.

And thereupon Court adjourned until To-morrow morning 1/2 past eight o'clock.

Tuesday Morning, July 13th 1858.

Court convened at half-past eight o'clock pursuant to adjournment. Present the Hon A. W. Terrell, Judge, Frank Brown, Clerk, and S. M. Blackwell, Shff. Whereupon the following proceedings were had by said Court, as follows, To wit

1465	Geo. W. Hitchings vs Geo. Johnson	Plaintiff / Defendant	Continued Generally.
1472	Birnie & Langhlin vs Josiah Fisk	Plaintiffs / Defendant	And now on this day came the Pffs by their attorneys and announced themselves ready for trial; and the defendant being three times solemnly called, came not; Whereupon came a Jury of good and lawful men of Harris county, To wit. A. C. Horne, foreman and eleven others, who were elected, empannelled and sworn according to law. And said Jury having heard the evidence introduced by the Pffs. and the charge of the Court, after deliberation rendered the following verdict, To wit: "We, the Jury, find for the Pffs. twenty-three dollars and 25 cents A. C. Horne, Foreman." Whereupon It is Ordered, adjudged and decreed by the Court, that the said Birnie and C. A. Langhlin, under their firm name of Birnie & Langhlin, do have and recover off

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and from the defendant, Josiah Fisk, and the securities on his cor-
horary bond, To wit. said sum of Twenty-Three
25/100 dollars, and all costs expended in the Magistrates' Court and the
District Court, for which execution may issue

1191	The State of Texas vs John Carroll, et al.	Plaintiff / Defendants	And now on this day came the parties to this cause by attorney, and said parties agree in open Court that Judgment may be taken for the amount shown to be due, and the order entered reviving the Judgment. And thereupon, It is ordered, adjudged and decreed by the Court, that the said Judgment heretofore rendered in this Court, on the 29th March, 1853, be revived, and that the State of Texas recover of said principal John Carroll, and his securities, S. G. Street, John B. Casta and James G. Forsher, the amount of said Judgment, To wit: Three Hundred and Fifty-Five 47/100 Dollars, with interest thereon from said 29th March, 1853, less the sum of One Hundred and Forty dollars, paid by said Defts. on the 1st May, 1854, and that execution issue therefor.
1531	John H Conner vs A M Lindsay, Sen.	Plaintiff / Defendant	Ordered by the Court that the Plaintiff have leave to file an amended petition.

And thereupon Court adjourned until To-morrow at 1/2 past eight o'clock A M

Wednesday, July 14th, 1858

Court convened at half past eight o'clock pursuant to adjournment. Present the same as on Yesterday, Whereupon the following proceedings were had by said Court, as follows, To wit.

1199	W. C. Sansom vs I. W. Brown, Admr	Plaintiff / Defendant	On motion of Pepp's Atty It is ordered by the Court that the Order heretofore at a former day of the present term entered dismissing this cause, be and the same is hereby vacated and set aside, that said cause be reinstated on the docket and that said Pepp and his security Wm H. Henderson, pay all costs that have accrued to this date, for which execution may issue.
1273	Josephine Gamble, Admx vs A. J. Denson	Plaintiff / Defendant	And now on this day appeared the Plaintiff by attorney, and on motion of

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said Plff It is ordered that she have leave to amend her petition. And thereupon said Plff moves the Court for a Judgment final by default, and because it appears to the Court that said defendant has waived the issue of process and has wholly failed to answer within the time prescribed by law, and said Plff's demand being based upon a note of hand shown to the Court and filed in this cause It is therefore, ordered, adjudged and decreed by the Court, that the said Plff Josephine Gamble, Admx de bonis non of the Estate of George A. Gamble, Decd do have and recover off and from the defts A. J Denson, the sum of Two Hundred and Ninety-three 79/00 dollars, principal debt and interest due on the note sued on to date, with legal interest thereon until paid and all costs of this suit, for which execution may issue.

1448 — Murdock Walton vs John R McCall & W B. Burditt — Plaintiff / Defendants — And now on this day came the Plff by Attorney, and on motion of said Plff It is ordered by the Court that the Judgment by default and order for writ of inquiry heretofore rendered at this term be set aside and vacated. And thereupon said Plaintiff announced himself ready for trial. Whereupon came a Jury of Twelve good and lawful men of Travis County, to wit: James G. Boisher and eleven others, who were duly tried empannelled and sworn according to law. And said Jury having heard the evidence, and the charge of the Court returned and brought into Court the following verdict, to wit: "We the Jury, find for the Plff. Two Hundred and Ten dollars and forty-eight cents. J. G. Boisher, foreman." Whereupon, It is Ordered, adjudged and decreed by the Court, that the said Plff, Murdock Walton, do have and recover off and from the ~~Plff~~ Defendants John R McCall and Wm B. Burditt the sum of Two Hundred and Ten 48/100 Dollars as aforesaid, with twelve per centum per annum interest thereon until paid, and all costs in this behalf expended, for which execution may issue.

1515 — Dennis Neal vs J. W. Robertson — Plaintiff / Defendant — Ordered by the Court that the Plaintiff have leave to amend

1519 — The State of Texas vs Geo. W. Scott, et als — Plaintiff / Defendants — And now on this day came the parties to this cause by their attorneys; and by consent of said parties, It is ordered that the return of the Sheriff endorsed

on the citations issued to Geo Scott, be amended. And thereupon by consent of said parties, Judgment is entered for the amount due and ten per cent. per month interest since the date of the service of said Scott. It is, Therefore, ordered, adjudged and decreed by the Court, that the State of Texas recover off and from the defendant, Geo W. Scott, and his securities, Thomas F Chapman and John B. Banks, the sum of One Hundred and Forty dollars, with five per cent. per month damages thereon from the 5th April, 1858, and all costs in this behalf expended, for all which execution may issue.

1532 John B. Costa, Comm, &c } Plaintiff
&
A. P. Richardson, et als. } Defendants.

And now on this day appeared the pltff by atty. and move the Court that a Jury be empannelled to ascertain the amount due the pltff in this suit. And thereupon came a Jury of good and lawful men of Travis county, to wit: D. G. Swisher, foreman, and eleven others, who were duly elected, empannelled and sworn according to law. And said Jury having heard the evidence, arguments of counsel and the charge of the Court retired and rendered the following verdict, to wit: "We the Jury, find for the plaintiff the sum of four hundred and eighty-nine dollars and eight cents. D. G. Swisher, foreman." Whereupon It is ordered, adjudged and decreed by the Court, that the said pltff John B. Costa, who sues for the use of Daniel Pratt do have and recover off and from the defendants, A. P. Richardson, C. E. Richardson, G. C. Richardson and Wm G. Gibson the sum of Four Hundred and Eighty-Nine 8/100 dollars, found due by the jury aforesaid, with 8 per cent. interest thereon until paid, and all costs of this suit, for which execution may issue.

1534 Amos Morrill } Plaintiff
&
Thomas F Chapman } Defendant

And now on this day came the pltff in person and the defendant by attorney; and the defendant submitted his demurrer to pltff's petition, which was overruled by the Court. And thereupon the parties submitted the cause to the Court, waiving a Jury. Whereupon It is ordered, adjudged and decreed by the Court that the pltff Amos Morrill, do have and recover off and from the defendant, Thomas F. Chapman, the sum of Seven hundred and five 16/100 dollars principal debt and interest due on the note sued on to date, with ten per centum per annum interest thereon until paid, and all costs in this behalf expended, for all which execution may issue.

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1553 W. S. Macklin vs L. Vandereen's Adm'r } Plaintiff / Defendant } It is ordered by the Court that the defendants have leave to amend.

1604 Amos Morrell vs R. S. Thomas, et als } Plaintiff / Defendants } And now on this day came the parties by attorney; and said defendants' attorneys withdrew their answer heretofore filed, and say nothing in bar or preclusion of pffs' demand. And thereupon it is ordered, adjudged and decreed by the Court that the said Plaintiff, Amos Morrell, do have and recover off and from the defendants, R. S. Thomas, R. Shaffer and W. G. Johnson, the sum of Three Hundred Dollars, principal debt, and interest amounting to Seventeen dollars making the sum of Three Hundred and Seventeen dollars, with eight per cent. interest thereon until paid, and all costs of suit, for which execution may issue. Judgment by default for

1618 Louis Horst vs Jefferson Burdett } Plaintiff / Defendant } And now comes the pffs. by atty. and claims a judgment final by default, and it appearing to the Court that the defendant has been legally served with process and has wholly failed to answer within the time prescribed by law; and pffs demand being based upon a note of hand as shown to the Court, It is therefore, ordered, adjudged and decreed by the Court, that the plaintiff, Louis Horst, do have and recover off and from the defendant, Jefferson Burdett, the sum of One Hundred and Eighteen 16/100 dollars, principal debt and interest due on the note sued on to date, with Ten per centum per annum interest thereon until paid, and all costs in this behalf expended, for which execution may issue.

1645 W. T. Norton vs T. W. Brown, adm'r } Plaintiff / Defendant } Continued on affidavit of the defendant.

1655 Charles L. McGehee vs Sarah McGehee } And now on this day came the parties, The said Sarah McGehee appearing by her Guardian W. B. McGehee — And it appearing to the Court that said parties in this cause, and agreed to a partition in this behalf: which partition appearing to be in all things just equal, and to the evident interest of the said Sarah, word of the said W B McGehee, — it is Considered, ordered, and adjudged, by the Court, that said

partition the confirmed, and become the judgment of the court- viz-
1 1. Set apart to said Plaintiff Charles L. McGehee, tract No 1, as described in plaintiffs petition- to wit-. No 1. Exhibit "A." - 1036 acres, the headright of Stephen F. Slaughter, on Onion Creek in Travis County - Beginning on the East boundary line - W Wilders headright league - on the South bank of Slaughters Creek, for the N. W Corner of this tract- from which a whitoak, bears S. 25- W. 5 varas- an elm, bears N 37' E. 5 varas- Thence South, with the east boundary line of Walker Wilsons headright league, 1550 varas - a stone mound for corner - from which a live oak, bears N 61' W 25 varas - Thence East 450 varas, a stone mound, from which a pecan S. 5-3' varas 9- a Post oak, bears N. 17' E. 8 varas - Thence South 840 varas, crossing Onion Creek at 910 varas, a stone mound, from which a live oak, bears. E 13 varas -. Thence East 50 varas, to a stone corner, from which a live oak bears N 33' E 4 varas - Thence S. 440 varas, to a stone mound, on South boundary line of said Slaughter league, for the S. W corner of this Survey from which a live oak bears, N 25-' E. 5 varas - another bears. N. 64' W. 34 varas. Thence East 1145- varas, to a stone mound, for the S. E. Corner of this Survey, from which a live oak, bears S. 87' E. 54 varas - another bears. N. 69' 5-2 varas. - Thence N 60' W 440 varas, a stone mound - Thence N 30 East 470 varas, crossing Onion Creek, 3780 varas. to Slaughters, creek, a Corner, made, for D. J. Nichols - Thence up Slaughters Creek with its meanderings N 12' W 86 varas - N. 27' W 160 varas - N. 49' W 170 varas - S. 47' W 470 varas - S. 77' W 200 varas - N. 60' W 105- varas - N. 35' W. 320 varas - N. 87' W 190 varas - S. 45- W 390 varas - N 50' W 330 varas - N. 85' W 160 varas - S. 59' W 280 varas - S. 25' E. 540 varas - S. 55' W 110 varas - N 70' W 610 varas - S. 72' W 410 varas - W. 170 varas - to the place of beginning - Leg twenty Seven acres thereof, Sold by Charles L McGehee Sr deceased, to John McChristian -. Said tract of land being valued at -. $ 5-045-.00

2 George Butlers headright Certificate for 640 acres - at -. 236. 00

3. Gold watch at 1.50 00

4 Tract No 3, as described in said petition - to wit - 807. 00
to 3. 707. acres - The South West quarter of John $ 1,238 00
G McGehee, headright league, situated on Onion Creek in Travis County, leg 400 acres, Conveyed by Charles L. McGehee Sr deceased, to Wm R. Strick - Said 400 acres being bounded as follows - Viz -. Beginning at the North West Corner of said South West quarter, - on the West line of said league - at a stake, set in a mound of stones, from which a live oak 15 in: dia: marked + blazed, and chopped - bears South - another 18 in: dia: bears N 5' E 25- varas - Thence East 2000 varas, to a Blackjack, from which a post oak, mkd + blazed, and notched, 24 in: dia: bears N 80' W 19 varas - another 12 in: dia: bears South 70 W 11 varas, marked +, blazed + chopped - Thence South

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1138 varas, to a stake, and stone mound, from which a post oak, 12 in: dia: bears S. 9 varas - marked and blazed - another bears S. 60' E 9 varas - 12 in: dia: Chopped & blazed, and marked +. Thence W 2000 varas, to a stake in a stone mound, from which a live oak 12 in: dia: blazed - Chopped - and marked + bears S. 15' E. 13 varas - another 18 in: dia: bears N 50' W 22 varas - mkd + and blazed with three chops -. Thence N 1138 varas. to the beginning -.

-Set apart to said Sarah McGehee

1. Tract No 2 in said petition valued at - $1,40.00
2. Tract No 4. described in petition, valued at 1,40.00
3. Tract No 5. described in said petition valued at 2,176.00
4. Tract No 1, described in said petition valued at 2732.00
5. Silver ware, valued at - 30.00

Total. $1,238.00.

1. Description of Tract No 2. 640 acres, headright of G. W Ricks in Bexar District, No 129, in Sec 9, on the North bank of the Colorado River, about 130 miles north of San Antonio City -. Beginning on the bank of the River, at a mound on the S. E. Corner of Survey No 128, for S. W. Corner, of this Survey, from which an elm, bears South 46' East 15 varas, and another bears N 17 E 30 varas - Thence North with the East boundary line of Survey No 128 - 1250 varas to a stone mound - Thence North 45 East 630 varas. to a stake, and mound - Thence South 45 East 200 varas to a Creek 1344 varas to a stone mound - Thence North 45 East 2688 varas, to a stone mound on the East corner of No 134 - Thence S. 45 E 556 varas, to a stone mound on the N. W boundary line of No 130 - of 26 labors to a stake in the bank of the River, from which a mezquite bears N 25 W 12 varas, mkd 3 + + and elm, bears S. 75 E. 50 varas - and a live oak bears S. 85 E. 6. varas marked 3 E X - Thence up the river with its meanders N 94' W 900 varas, to the mouth of a creek - 1200 varas, to the beginning -.

2. Description of Tract No 4.

No 4. 640 acres headright of Elizabeth McGehee, in Bexar Land District Survey No 23, in Sec 12, on the North East bank of Pecan River, a branch of the Colorado River about 145 miles north of San Antonio -. Beginning at the bank of the River, at a stake, in the west corner of Survey No 229 for the South corner of this Survey - from which an elm bears, N. 68' E. 6. varas another bears. N 4' W 12 varas. - Thence up the River with its meanders - as follows N 12 W 946 varas - N 45 W 156 varas, to a stake the S. Corner of Survey No 224, for the North Corner of this Survey - from which an elm bears S. 83' W 16. varas - & another bears, S. 6 W 6 varas - Thence N 45 E 5720 varas, for the north corner of this Survey - Thence South 45 E 1950 varas, to a stake & mound for E. Corner of this Survey -. Thence S. 45 W 4050 varas to the beginning

3. Description of Tract No 5 -.

No 5. 1088 acres. Being two tracts, situated on Onion Creek

in Travis County, known as the North West and South West corners, of a league of land, granted to S.V.R. Eggleston - said quarters, are known in the division of said league, as Nos Two & four and bounded as follows - to 2. begins, at a stone mound & N.W. of said league from which an elm 12 in dia: mkd # bears N 65° E 18 varas, another 10 in dia: mkd # bears N 16 W 9 varas - thence S. 3125 varas, with the west boundary line of said league, intersecting the N.W. corner of survey, known in the division of said league as No 3, at a stone mound, from which a live oak mkd # bears S. 45° 30 W 12 varas - another 12 in dia mkd # bears N 15° E 11½ varas thence East with North boundary line of said Survey No 3, at 123 varas crop. a branch - containing in all 2000 varas, intersecting the S.W. corner of Survey No 1, as known in the division of said league -, at a stake, from which a post oak 15 in dia: mkd # bears N 8° W 9 varas - another 18 in dia: mkd # bears. S. 68° 30 W 14 varas -. Thence North with the west boundary line of Survey No 1, at 557 varas, crop Spring Branch 3125, intersecting the North boundary line of said league, at the north west corner of said Survey No 1 at a stone mound, from which a Spanish oak 10 in dia: mkd # bears. S. 32° W 5 7½ varas - thence ~~North~~ West with the S. boundary line of said league, 4500 varas to Bear Creek 2000 varas, to the beginning -.

Survey No 4 -. Beginning at a stone mound, and east corner of survey No 1 from which a live oak mkd # 14 in dia: bears N 68° 30 W 131 varas - thence S. 45° to Onion Creek, at 665 leave said Creek 3125 varas, to a stake in the prairie & S.E. corner of said league No 3 -. Thence West with the South boundary line of said league, to a stake from which a live oak 18 in dia mkd # bears N 82° 30' west 461 varas - thence North at 2325 varas, crop Onion Creek, 3125 varas to a stake & South east corner, of same Survey No 1. from which a post oak 15 in dia: mkd # bears N 8° W 9 varas. another 18 in dia mkd # bears S. 68° 30' 14 varas - thence East with the S boundary line of said Survey No 1, 1500 varas, crop Onion Creek, 2000 varas to the beginning - Left the following parcel, sold by Charles L. McGehee Sr deceased - to wit -. To Vicer La Buskin, Aug 6 1852 - 272 acres -. Beginning at the N.W. corner of Division No 1 of said league from which an elm 10 in dia: mkd # bears N 16 W 9 varas - another 12 in dia: mkd # bears N 65° E 18 varas - thence 689½ crossing Bear Creek, to a stone mound, in the S. boundary line of Walker Wilsons league No 2. thence S. 390 varas, to a high bluff on the bank of Bear Creek 10 varas below its intersection with a small drain, 2395 varas, to a stone mound from which a pecan 6 in dia: bears S 10 varas - and a Spanish oak mkd # 11 in dia: bears S. 80 W 2½ varas - thence East 540 varas, a branch 689½ varas to a stone mound, from which a Spanish oak bears S. 45 W 14 varas -. thence N 2395 varas to the beginning -.

To Snoddy & Alexander June 21, 1857 -. 553½ acres - Being the East half of the South East quarter - Beginning at the N.E. Corner of Survey No 4, aforesaid, from which a live oak 14 in dia: bears N 68° 30' W 141½ varas - thence S. with the E. boundary line of

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of the league 3125 varas, to a stone mound, the S. E. Corner of said league, and of this Survey—. Thence W 1000 varas to a stone mound in prarie, for S. W Corner of this Survey— Thence, W 3125 varas to a Stake for the S W Corner of this Survey, from which a live oak bears S. 44' E. 6 varas, a gumelastic bears N 70' W 3 varas — Thence E 500 varas to Onion Creek — 1000 varas to the beginning
So Joseph Robbins — 2.77½ acres, — Being the West half of the West half, of the same South East quarter —

4 Description of Tract No 6 —.
No 6. 683 acres, an undivided interest in a quarter of a league — the headright of James Curtis, situated in the County of Hays, fronting on the San Marcos River, between the San Antonio Road, and San Marcos Springs —.

And it is further ordered, adjudged and decreed by the Court that said Charles L. McGehee, do Take, have and hold, and recover of the said Sarah McGehee, the land and property, hereinbefore set apart to him, in his several right, and to his own use, and behoof, in fee simple forever— And that the said Sarah McGehee do Take — have, hold, and recover, of the said Charles L. McGehee, the land and property, hereinbefore set apart to her, in her several right, and to her separate use, and benefit, in fee simple, forever— And it is further ordered by the Court, that the costs in this behalf, be equally divided by the parties —. for which execution may issue.

1851

A. Imperville
vs
W. P. de Normandie
Isaac M. Kinnon
John M. Swisher
Jno. M. Durham

Plaintiff
Defendants

And now on this day comes the Plaintiff by Attorney; and the defendants de Normandie, Kinnon & Swisher being solemnly called, come not, but made default; and the defendant Durham not having been served with process, the Plff elects to discontinue as to him. And it appearing to the Court, that the Plff's suit is founded on the note executed by the said de Normandie described in Plaintiff's petition; and that there is a balance due upon said note of Eight Hundred and Sixty-Three dollars and Ninety-Nine cents It is, therefore, considered by the Court here, that the plaintiff recover of the defendants ~~William P. de Normandie~~ the said sum of Eight Hundred and Sixty-Three dollars and Ninety-Nine cents, together with interest thereon at the rate of Ten per

($923.76)

centum per annum upon the rendition of this Judgment until paid And it further appearing to the Court by the said note, that the same was given as the second and last payment due on the purchase of said Lots of the Anslem Tract Numbers Thirty-Two, thirty Three thirty eight and thirty-nine (32, 33, 38 & 39) in Division D, and that the said note, as well as the conveyance and mortgage retain the vendors lien upon the said lots. And the said Swenson and Swasher not denying but here confessing that they have purchased from the said de Normandie, with the knowledge of the said lien and mortgage and they making no objection to foreclosure. It is, therefore, ordered, adjudged and decreed, that the equity of redemption in and to said lots be foreclosure and that the Clerk issue an execution to the Sheriff directing him on a lawful day to be by him duly advertised to sell all of said lots hereinbefore described, to the highest and best bidder. And and if said lots bring enough to satisfy said Judgment interest and costs, then the Clerk will issue an execution against the Goods and chattels, lands and tenements of the said Wm P. de Normandie for the balance of said debt and costs. It is further Ordered by the Court that the said recover of the defendants respectively all of his costs in and about this suit expended.

And thereupon Court adjourned until to-morrow morning half past eight o'clock.

Thursday, July 15th 1858.

Court convened at Normal hour. Present the Hon. A. W. Terrell Judge, Frank Brown, clerk and J. M. Blackwell, Sheriff Whereupon the following proceedings were had by said Court, as follows, to wit.

12673 Josephine Gamble, Admx as A. J. Gensan } Plaintiff } Defendant } And now on this day comes the plaintiff by attorney, and moves the Court to foreclose the vendors lien of the said Plff on the property described in her amended petition filed in this cause. And the Court, being fully advised in the premises, and from the evidence adduced, Doth order, adjudge and decree that the vendors lien on the following described property, be foreclosed, to wit: "Lots Numbers Eleven and twelve (11 & 12) on the South west side of Water Street in the Town of Webberville, in the County of Travis, and known as the Sims property," and that the Clerk issue an Order of Sale, commanding the Sheriff of Travis county to sell said property in satisfaction of Plff's. Judgment heretofore rendered at a former day of the present Term, in said cause, and if said property shall not bring a sufficient amount to satisfy said Judgment, that execution issue for the remainder.

Spring Term, Friday, May 16th 1856

And thereupon Court adjourned until To-morrow morning ½ past eight o'clock.

Friday Morning May 16th 1856

Court convened at ½ past eight o'clock pursuant to adjournment. Present the same as on Yesterday whereupon the following proceedings were had by said Court, as follows, to wit:

1841 — Frederick W. Chandler & Giles A. Burdett et al. — Pltff & Defts. — And now on this day comes M. C. Hamilton, by attorney, and by leave of the Court files a petition of intervention in the above entitled cause.

1418 — Geo. Hancock & Mary A. Brady — Pltff & Defts. — And now comes the parties by atty. and agree to dismiss this cause from the docket the deft paying five dollars of the costs and the Pltff the remainder whereupon It is Ordered, adjudged and decreed by the Court, that said cause be dismissed from the docket and that the said Mary A. Brady pay five dollars towards the costs of this suit, and the remainder, if any, be paid by the said Hancock, for all which execution may issue.

1488 — Jacob W. Granbery & J. S. Plumlee — Plaintiff & Defendant — And now comes the Pltff by attorney and moves the Court to dismiss this cause at Pltffs cost. Whereupon It is ordered, adjudged and decreed by the Court that said cause be dismissed from the docket and that said Pltff Granbery, pay all costs of said suit, for which execution may issue.

1561 — Francis Quterich & A. Bernard, et al. — Plaintiff & Defendants — Continued for Service on the defendant C. B. Stephens.

1643 — R. R. Packett & R. M. White, Comr. — Plaintiff & Defendant — Ordered by the Court that the Pltff have leave to amend his petition

And thereupon Court adjourned until To-morrow morning at half past eight o'clock.

Spring Term, Saturday July 17th 1858.

Saturday Morning, July 17th 1858.

Court convened at ½ past eight o'clock pursuant to adjournment. Present the same as on Saturday. Whereupon the following proceedings were had by said Court, as follows, to wit:

1468 Martha Mitchell & William Runkle, et al — Plaintiff / Defendants — In this case appeared the parties Plaintiff and defendants; and by agreement of parties, this cause is tried before William M. Wacton, Esq. as Special Judge and thereupon it is ordered that said parties have leave to amend their pleadings. And the defendants submitted to the Court their demurrer to the plff's. original and amended petition, the same having been fully considered by the Court, It is ordered, adjudged and decreed by the Court, that the demurrer of the defendants be and the same is hereby overruled. And the parties announced themselves ready for trial. Whereupon came a jury of twelve good and lawful men of Bexar county, to wit: James G. Swisher, and eleven others, who being duly (sic) empannelled and sworn according to law, after hearing the evidence introduced by the Plaintiff and defendants, and charge of the Court, retired to consider of their verdict, and returned into Court the following verdict, to wit: "We the Jury, find for the defendants. James G. Swisher, Foreman." It is, therefore, ordered, adjudged and decreed by the Court, that the plff. Martha Mitchell, take nothing by this her suit; that the defendants William Runkle, Josiah Barnett and John Barnett go hence without day. It is further ordered, adjudged and decreed by the Court, that the plaintiff, Martha Mitchell, be, and she is, by virtue of this decree, divested of all right, title, interest or claim in or to the following described tract of land, to wit: "Eight and one third labors of land, a part of League No. Eight (8) South of the San Antonio Road, beginning at the North corner of said league, on the San Antonio road; thence with the meanders of said Road S. 80° W. 260 vrs N. 80 W. 260 vrs S. 76 W. 395 vrs N. 80 W. 485 vrs S. 65 W. 420 vrs W. 75 W. 675 vrs N. 85 W. 600 vrs W. 200 vrs N. 75 W. 420 vrs N. 68 W. 1120 vrs to the Original corner of said league; thence S. 45 E. 4650 vrs with the S. line of said League, thence N. 45 E. 2500 vrs intersecting the N. E. line of said League; thence N. 45 W. 2020 vrs with the N. E. line of said league to the place of beginning

It is further Ordered, adjudged and decreed by the Court, that the title to the above described tract of land be and the same is hereby fully vested in the defendants William Runkle, Josiah Barnett and John Barnett. It is further ordered, adjudged and decreed by the Court, that the defendants, William Runkle, Josiah Barnett, and John Barnett, do have and recover off and from the Plaintiff, Martha Mitchell, all the costs of this suit for which executions may issue

Wm. M. Wacton, Special Judge

Spring Term, Monday July 19th 1858

And thereupon Court adjourned until to-morrow morning ½ past eight o'clock

Monday Morning July 19th 1858.

Court convened at ½ past eight o'clock pursuant to adjournment. Present the Hon. A.W. Terrell, Judge 2d Judicial Dist; Frank Brown, Clerk and J.M. Blackwell, Sheriff Whereupon the following proceedings were had by said Court as follows, to wit:

1483 A.J. Davis vs Edward Clark } Plaintiff / Defendant } This cause being peremptorily called, and the defendant or his counsel not appearing, the same is continued at the suggestion of pltffs counsel, as on defendants affidavit.

1482 Phineas Burchard vs Thos C. Collins } Pltff / Deft } Verdict & Judgment } And now on this day appeared these parties by attorney, and announced themselves ready for trial Whereupon came a jury of good and lawful men of Travis county, to wit: A. O Howe and eleven others, duly elected, empannelled & sworn. And the jury having heard the evidence and the charge of the Court (the parties waiving written instructions) retired, and thereupon returned into Court the following verdict, to wit: "We, the jury, find for the plaintiff the sum of Eighteen Hundred & Seventy one 99/100 dollars, and also find that the mortgage was executed as a lien for the payment of the notes sued on. July 19th 1858. A. O Howe, foreman." And it appearing that the allegations of said pltffs petition are true, It is, therefore, adjudged by the Court, that the said Phineas Burchard do have and recover of and from the defendant, Thomas C. Collins, the sum of Eighteen Hundred and Seventy-One 99/100 dollars, with ten percent interest thereon until paid, and all costs of suit, for which execution may issue. And because it appears to the Court that the mortgage described in plaintiffs petition was given to secure the payment of the notes sued on, It is therefore, ordered by the Court, that the mortgage lien of the said plaintiff on the following described premises, be and the same is hereby foreclosed, and as follows, to wit: "that tract a parcel of land containing two hundred acres situated and described as follows, to wit: Beginning at the original S.W. corner of Decka League & N.W. corner of Wm Cannons League. Thence N. 30° E. 110 vs Williamsons creek 1300 vs to the N.E. Corner of James Trammells 1/3 of a league No 4 — 1502 6/10 vs a mound, from which a live oak 12 in. in diameter mkd X brs N. 15° E. 6 vs. Thence S. 60° E. 757 3/10 vs to a stake in the prairie from which a live oak 30 in. in diameter mkd X brs S. 36° E. 110 vs Thence S. 30 W. 1502 6/10 vs a mound in the north boundary line, from which a post oak 8 in. in diameter mkd X brs N. 56° 30' W. 10 vs another 10 in. in diameter mkd X brs S. 51° E. 9 vs Thence N. 60 W. crosses Williamsons creek 757 3/10 vs to the beginning." And that an order of sale issue to the Sheriff of Travis County commanding him to sell said land and apply the proceeds thereof to the payment of this Judgment and cost — and the overplus if any, he shall pay over to the said Collins. But should said land not bring a sufficient amount to satisfy this judgment and cost, then execution shall issue against said Collins for the remainder that may be due

Spring Term, Tuesday, July 20th 1858.

√1481 Amos Morrill & Goodman & Johnson } Plaintiff & Defendant } And now comes the Pltff. by atty. and the defendant Johnson being solemnly called, came not nor made defence, and on motion of Pltffs said Pltff. recovers judgt. by default as against the said Johnson the same being a liquidated demand. And thereupon came said Goodman by atty. and the parties Pltff and said defdt. last named announced announced themselves ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis county, to wit. J. G. Swisher, foreman, and eleven others, who were tried, elected, empannelled and sworn according to law. And said Jury having heard the testimony, argument of Counsel and the charge of the Court, retired and returned into Court the following verdict, to wit: "We, the jury, find for the plaintiff One Hundred Thirty two 70/100 dollars. J. G. Swisher, Foreman." Whereupon It is ordered, adjudged and decreed by the Court, that the said Pltff Amos Morrill, do have and recover off and from the defendants, Edwin Goodman and James Johnson the sum of One Hundred and Thirty-Two 70/100 dollars, with legal interest thereon until paid and all costs of this suit, for which execution may issue.

√1478 Henry Sampson & C & Sylvester Lockwood } Plaintiffs & Defendant } Continued by consent of parties.

√1443 A. H. Phillips & J. J. Holman } Plaintiff & Defendant } Continued by consent of parties.

And thereupon Court adjourned until to-morrow morning at eight O'clock.

Wednesday Morning, July 21st 1858.

Court convened at eight o'clock pursuant to adjournment. Present the same as on yesterday. Whereupon the following proceedings were had by said Court, as follows, to wit:

And now on this day appeared in open Court A. G. Campbell, Esqr. and presented to the Court the application of Richard S. Hunt, praying to be admitted to practice as an Attorney and Counsellor at Law. And thereupon it appearing to the Court, from the Licence produced, duly authenticated, that the said applicant has been admitted as an Attorney and Counsellor at-Law by the Supreme Court of the State of New York, and the Court being satisfied that said applicant is a man of good moral character and honorable deportment, and having taken the oath prescribed by the Constitution, It is, therefore, ordered, adjudged and decreed by the Court that the said Richard S. Hunt be, and he is hereby admitted to practice

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as an Attorney and Counsella at Law in all the District and inferia Courts of the State of Texas.

1459	Wayne Pace, et.als. vs. C. R Johns, et.als	Plaintiffs / Defendants	}	Continued

1458	James L Pace, Wayne Pace, Robert J Pace, Lama Pace, & Dempsey C. Pace & Elizabeth Pace, for self as Guardian of three latter named Plaintiff vs. Clement R Johns & H. L Upshur as Dist. Surveyor of Travis Land District & A. M. Lindsey	Plffs / Defts	}	This day came the parties by their attorneys, and the cause having been called for a final hearing, and the parties having announced themselves ready for trial- thereupon came a jury of good and lawful men, to wit: James G. Boucher and eleven others, who being duly empannelled and sworn, and having heard the evidence and the charge of the Court returned the following verdict, to wit: "We, the jury, find for the plaintiffs J. G. Boucher, Foreman" It is, therefore ordered, adjudged and decreed that a final and peremptory writ of Mandamus do issue to the said A. M. Lindsey, now District Surveyor of Travis Land District, at his office in office, whose duty it shall be to survey the plaintiffs' location, commanding the said Surveyor that he proceed without default to survey the location made by the Plffs. in manner & form as set forth in their said petition, to wit: One third of a League of Land by virtue of duplicate certificate No. 406/115, issued by the Commissioners of the General Land office, on the 29th of October 1846, to the heirs of Albert Pace Begins at the line of Stuart League No. 7, on the North easterly Corner of an entry made same day Sept. 1st 1853, for James L. Pace, by virtue of his own donation certificate. Thence South 45° West 2475 varas to the corner of said entry in the North-East line of Hemphill League No. 4. Thence South 45° East with the line of said Hemphill League 3407 varas. Thence North 45° East 2475 varas to a stake in the South west corner of Stuart League No. 1. Thence with said line North 45° West 3407 varas to the beginning And it is further adjudged, that the locations set up by the said defendant Johns, in conflict with the said location of plaintiff are null and void. And it is further ordered, and adjudged, that defendant Johns pay all costs of this suit, for which execution may issue.

1460	C. R Johns, et.al. vs. J. R. Pace, et.al	Plffs. / Defts.	}	Continued Generally

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1461 Larissa Millard, Mary Millard, wife of John L. Whitaker, joined by her said Husband, George Millard, Sarah Millard, minor, by her next friend Louisa Millard } Plaintiffs

vs

Fredrick L. Millard, Henry B. Millard, Bryant Townsend, Joshua Bennett & Laura Bennett } Defendants.

This day came the parties by their attorneys, and on motion of defendants counsel, said defts. have leave to amend. and the exceptions of the defts. to the amended petition making Thos. B. Huling a party, being submitted, were overruled by the Court. And thereupon the said Huling comes into Court by attorney, and pleads. And the motion to suppress the deposition of said Huling was overruled by the Court. And the motion to dismiss, as to Huling, was sustained after the closing of pffs' evidence. And the parties having announced themselves ready for trial, thereupon came a Jury of good and lawful men, to wit, who being duly empannelled and sworn, & having heard the evidence and charge of the Court, returned the following verdict, to wit: "We, the jury, find for the defendants for the land in the pleadings mentioned, upon the laches of the plaintiffs. Philander Priestley, Foreman" "We, the Jury, also find that the negroes are the property of the plaintiffs. Philander Priestley, Foreman." It is, thereupon ordered, adjudged and decreed, that the plaintiffs take nothing by their suit, and that they go hence without relief as prayed for. It is further adjudged that said plaintiff pay all costs of this suit for which execution may issue

1479 J. L. Gibbs } Plaintiff
vs } And now comes the Pltff by atty. and the defendant being solemnly
Peter Van Sickle } Defendant } called, came not. And said pltff having announced himself ready for trial, thereupon came a Jury of good and lawful men of Travis County, to wit: A. O. Hone and eleven others, duly elected, tried, empannelled and sworn. And the Jury hearing the evidence, and the charge of the Court, retired, and brought into Court the following verdict, to wit: "We, the jury, find for the plaintiff Six hundred and five 10/100 dollars, and that the note sued on was given for the land as set forth in the petition. July 20th 1858. A. O. Hone, Foreman" And it appearing from the verdict aforesaid, that the allegations of pffs petition are true, It is, therefore ordered, adjudged and decreed by the Court, that the said pff J. L. Gibbs, do have and recover off and from the defendant, Peter Van Sickle, said sum of Six hundred and five 10/100 dollars, with ten per cent. per ann. interest thereon until paid, and all costs, of suit. It is further ordered, by the Court, that the vendors lien on the following described property, be foreclosed, to wit: "Twelve Hundred and forty eight acres of land out of the headright League of Nathan Davis situated in the County of Travis", and that an Order of Sale issue com-

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manding the Sheriff to sell the same in satisfaction of Pleffs. Judgment, and should said land not bring a sufficient amount to satisfy Pleffs. Judgment - that execution issue against said Defendant for the remainder.

1484 The City of Austin vs Richard Pick and Wm. P. DeNormandie } Pleff / Defts } It is ordered that the Pleff have leave to amend. And thereupon the parties announced themselves ready for trial; and the demurrer to Pleffs petition being submitted, and thereupon, the demurrer of Pleff. to Defts. answer being submitted to the Court and being fully understood, was ~~sustained by the Court~~ ~~the Defendant to said answer be~~ waived by Pleffs. attorney, was overruled by the Court. Whereupon came a Jury of good and lawful men of Travis county, to wit: J. G. Fisher, Foreman and eleven others, who were elected, tried, empannelled and sworn according to law. And the Jury having heard the evidence, and the charge of the Court retired - and returned into Court the following verdict, to wit: "We, the Jury, find for the Plaintiff One hundred and fifty-nine dollars 19 July 58. J. G. Fisher, Foreman."
Whereupon It is ordered, adjudged and decreed by the Court that the Corporation of the City of Austin do have and recover off and from the defendants, Richard H. Peck and Wm. P. de Normandie the sum of One Hundred and fifty-nine dollars and all costs of this suit, for which execution may issue.

1485 The City of Austin vs Krohn & O'Connell } Plaintiff / Defendants } And now on this day came the parties to this cause by their respective attorneys and announced themselves ready for trial; and thereupon defendants demurrer to Pleffs. petition was overruled by the Court. And Pleffs. demurrer to defendants answer was sustained; and the affidavit to the answer being waived by Pleff. and a Jury also waived, the parties agreed to submit the cause to the Court. And thereupon It is ordered, adjudged and decreed by the Court that the Corporation of the City of Austin do have and recover off and from the defendants Charles Krohn and W. P. ~~De~~ O'Connell ~~xxxxxxx~~ the sum of One Hundred and fifty-nine Dollars the amount due upon the note sued on, with legal interest thereon until paid, and all costs of suit, for which execution may issue.

1486 The City of Austin vs Frost & Fellman } Plaintiff / Defendants } And now on this day came the Plaintiff and the defendants by atty. and announced themselves ready for trial - and waiving a Jury, submitted the cause to the Court. And the demurrer of the defendant to Pleffs. petition being submitted, was overruled by the Court. And Pleffs. demurrer to defendants answer was sustained by the Court. and thereupon

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the Plaintiff waived the affidavit to defendants answer. And thereupon It is ordered, adjudged and decreed by the Court, that the Corporation of the City of Austin do have and recover off and from the ~~City of Austin~~ defendants, Louis Houst and L. Fellman, the sum of One Hundred and Thirty dollars, that sum being the amount in question, the note sued on to date, with legal interest thereon until paid, and all costs of suit, for which execution may issue.

905 A. S. Smith vs Walker & Fellman } Plaintiff Defendants } In this cause the parties both and defendants appeared by their attorneys, and announced themselves ready for trial. Thereupon came a jury of twelve good and lawful men of Travis county, to wit: A. O. Horne, foreman, and eleven others, who being duly tried, empannelled and sworn according to law, after hearing the evidence introduced by the plaintiffs and defendants, arguments of counsel, and being charged by the Court, retired to consider of their verdict, and returned into Court the following verdict, to wit: "We, the jury, find for the plaintiff one hundred and seventy two dollars and fifty cents. July 20th/55. A. O. Horn, Foreman." It is therefore, ordered, adjudged and decreed by the Court, that the plaintiff, Hiram S. Smith, do have and recover off and from the defendants, W. C. Walker and L. Fellman, the sum of One Hundred and Seventy two dollars and fifty cents, with interest from this date until paid, together with all costs of this suit, for which execution may issue.

1622 Thomas S. Bacon vs The Heirs of Moses Hornsby } Plaintiff Defendants } In this case appeared the parties Plaintiff and Defendants by their attorneys and announced themselves ready for trial. Thereupon came a Jury of twelve good and lawful men of Travis County, to wit, A. O. Horn and eleven others, who being duly tried, empannelled and sworn according to law after hearing the evidence introduced by the Plaintiff and Defendants, retired to consider of their verdict and returned into Court the following verdict to wit, "We the Jury find for the Defendants A. O. Horn foreman" It is therefore ordered, adjudged and decreed by the Court, that the Plaintiff, Thomas S. Bacon take nothing by this his suit - that the Defendants Thomas Hornsby, Alpheus P. Rice, Harrison Smelser, Charles Babock, Fielding Davison, Charles Suttle, James W. S. Williamson, Dude Hornsby, John Watts, and Reuben Hornsby go hence without

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day. It is further ordered, adjudged and decreed by the Court that all the title, deeds, and other evidence of title set up by the Plaintiff to the following described tract of land, be and the same are by virtue of this judgment and decree annulled, set aside and held for nought, which land is bounded as follows, to wit.
In the County of Williamson, on the head of Brushy creek, a branch of San Gabriel, about 14 Miles North of the City of Austin, beginning at the N. W corner of a league mk^d to Dover- Thence S. 19^d E. with the west line of said league one thousand varas to a stake and mound for the S. E. corner. Thence S. 71^d W. 450 varas to a stake on the Dividing ridge of the waters of the Brazos and Colorado Rivers, a post oak bears N. 88^d E. 5 varas, a black jack bears S. 32^d E. 10 varas- Thence N. 53^d W. 5780 varas to a stone mound for the N. W. corner, a live oak bears N. 37^d E. 100 varas, and another bears S. 10^d W. 50 varas, thence N. 71^d E. 400 varas to the S. W. corner of a League mk^d to Cockran, continues 3400 to the N. W. Corner of a League of land mk^d to David Harmon- Thence S. 19^d E. with the west line of said Survey or League 3333 1/3 varas to the place of beginning. It is further adjudged, adjudged and decreed by the Court, that the said defendants do have and recover off and from the plaintiff, Thomas S. Bacon, as principal, and to George W. Paschal and Edward H. Vontress, his securities on his bond for costs in this suit, all the costs of this suit, for which execution may issue.

↓ 1314

E. L. C. Robertson } Plaintiff
&
M. Tongat } Defendant

} And now on this day came the plaintiff Robertson above named, in said cause and announces himself ready for trial; and the said defendant M. Tongat, fails to appear, though legally served with process in said cause, but wholly makes default; and thereupon the plaintiff takes a Judgment by default against the said defendant and asks that a writ of inquiry may be awarded in said cause. And thereupon came a Jury of good and lawful men, to wit: James G. Swisher and eleven others, who being duly and legally empannelled and sworn, and having heard the pleadings, the evidence and the charge of the Court, retired to consider of their verdict- and thereupon returned the following verdict, to wit:
"We, the Jury, find for the plaintiff 122^{50} One Hundred and Twenty-two dollars and fifty cents. We further find the note to be given as part payment for the land described in the petition. J. G. Swisher, Foreman."
Thereupon, It appearing to the Court that the allegations in the

plaintiffs petition are true. It is ordered and decreed by the court that the said E. S. C. Robertson do have and recover off and from the defendant M. Tongat, the sum of One Hundred and Twenty-two dollars and fifty cents ($122.50) It is further ordered, that the lien of the plaintiff on the following tracts of land be foreclosed to wit: One Hundred and Sixty Acres of lands lying in Travis county, in said State, situated on the East bank of the Colorado River about 15½ miles above the City of Austin, patented to D. C. Robertson, his heir or assigns on 27th Sept. 1854, by Patent No. 41, in Vol 7; also One hundred and Sixty acres of land situated in Travis County in said State, on the East bank of the Colorado River, about 15 3/4 miles above the City of Austin, patented on 27th September, 1854, to S. C. Robertson his heirs or assigns, described in patent No 70, in Vol 7, and that the above described tracts of land be sold by the Sheriff, and the proceeds be applied to the payment of the above sum and costs, and in case there be an excess, then the overplus to be paid to the defendant, and in case the proceeds should not be sufficient, then the plaintiff shall have execution against the defendant for the balance. It is further ordered and decreed that the plaintiff do have and recover off and from the said defendant all the costs of this suit, for all which execution may issue. It is further ordered, by permission of the plaintiff, and agreed, that the execution in this cause may be stayed until the first of October, A. D. 1858.

1508 Amos Morrill } Plaintiff } On this day appeared the parties
vs } and announced themselves ready
Owen O Brien } Defendant } for trial, Whereupon the plaintiff
and waiving a jury, submitted the cause to the Court.

excepts to the sufficiency of the answer of defendant, and the same being duly considered, and the defendant declining to make any further answer, because it seems to the Court that the answer presents no defence, and the plaintiffs cause of action being founded upon a note executed by defendant on the 3rd January, 1857, for eight hundred and forty-three 75/100 dollars, and interest upon the same at the rate of ten per cent. from the date thereof, and the plaintiff stating in open Court that the sum of four hundred dollars was paid to him on the 7th March, 1858, by Ed. Fannin, by virtue of a trustee's sale, three hundred and fifteen dollars and twenty-three cents of which was applied to the payment of a note of two hundred and eighty-one 20/100 dollars, and interest at the rate of ten per cent. from the 3d January, 1857, leaving a balance of eighty-four dollars and seventy-seven cents to be applied to the payment in part of the note sued upon. Wherefore, It is considered by the Court

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that the plaintiff have and recover off the defendant the sum of Eight Hundred and Sixty Dollars and Ninety-two cents being the balance of debt and interest due on the said note, together with all costs herein expended, and that this Judgment draw ten per cent. per annum interest until paid- and that execution issue upon the same.

1518 C. P. Smith & Nelson Merrill } Plaintiff / Defendant } In this case appeared the parties plaintiff and defendant, by their attorneys, and announced themselves ready for trial. And defendant's demurrer being submitted and duly considered by the Court, was overruled. Thereupon came a jury of twelve good and lawful men of Texas county, to wit: J. G. Swisher and eleven others, who being duly sworn and tried and empannelled according to law, after hearing the evidence introduced by the plaintiff and the defendant and the charge of the Court, retired to consider of their verdict, and returned into Court the following verdict, to wit: "We, the Jury, find for the plaintiff ~~$511 89/100~~ Five hundred and eleven dollars and eighty-nine cents. J. G. Swisher, Foreman." It is, therefore, adered, adjudged and decreed by the Court, that the plaintiff, C. P. Smith do have and recover off and from the defendant, Nelson Merrill, the sum of Five Hundred and Eleven 89/100 dollars, with interest thereon from this date until paid, together with all the costs of this suit, for which execution may issue.

1525 Sampson & Hennicks } Plaintiffs / Thomas C. Collins } Defendant } And now on this day came the parties by their attys and the issues in this case were submitted to the Court, without the intervention of a jury, who after hearing the evidence, found for the plaintiff two hundred and Seventy-Nine dollars and fifty-eight cents, principle and interest. It is, therefore, considered by the Court here that the plaintiffs, George W. Sampson and Abram Hennicks, under their firm name of Sampson & Hennicks, do have and recover off and from the Defendant, Thomas C. Collins, Two Hundred and Seventy-Nine dollars and Fifty-Eight cents, debt and damages, with interest thereon at ten per centum per annum from the rendition hereof until paid, together with all the costs in and about this suit expended, for which execution may issue. The defendant, thereupon, gives notice of appeal.

1540 Nelson S. Rucker } Plaintiff / Jesse Burditt, A. W. Sublett, G. W. Davis, Thurman Case, J. A. Burditt, Giles M. Burditt, T. F. Chapman, Thos. Cofidy and A. Fore } Defendants } And now at this day

came the parties to the above entitled cause by their attorneys, and announced themselves ready for trial, and thereupon came a jury of good and lawful men, to wit: A. O. Horne and eleven others, who being duly empannelled and sworn, and having heard the pleadings, the evidence, the argument of counsel and the charge of the Court, retired to consider of their verdict- and thereupon returned into Court the following verdict, to wit:
" We, the jury, find for the plaintiff the sum of Seven Hundred & thirty-one 1/100 dollars, and that the note sued upon was given in part payment of the purchase money for the real estate as set forth in the petition. A. O. Horne, foreman." Thereupon, It is considered by the Court, that the plaintiff do have and recover of and from the said defendants above named, the sum of Seven Hundred and thirty-one dollars and ten cents ($731 1/100) It is further ordered by the Court that the lien of the plaintiff on the following premises, be foreclosed, to wit: "In Bastrop county, Texas. Beginning at the North East corner of a league of land granted to Benjamin Bowls at a point from which a black jack bears North 49° West 15 varas distant, another bears East 15 varas distant- Thence South 75° East with the North boundary line of said Bowls Survey three thousand, three hundred and twenty-five varas to a stone mound on the Western boundary of Highsmith Survey for the Southeast corner of this Survey, from which a Blackjack bears North 47° West 10 varas distant- another South 41° East 9 varas distant; Thence North 15° East with Highsmith's line 1215 varas to a stake for the N. E. corner of this Survey, from which a post oak bears North 67° East 3 varas distant. And another bears South 39° East 8 varas distant. Thence North 19° West 2600 varas to a stake on the Southeastern boundary line of the Corporation of Bastrop for the North west corner of this Survey, from which a post oak bears South 80 East 8 varas distant- thence 45° West with the said Caperton line three thousand three hundred varas to the place of beginning, together with the Steam Circular Saw Mill situated on said tract of land
And that the said premises be sold by the Sheriff of Bastrop county & the proceeds of said sale be applied ~~as~~ far as necessary to the satisfaction of this judgment and costs- and in case the proceeds should not be sufficient then execution shall issue against the said defendants for the balance
It is further ordered that the plaintiff do have and recover off the said defendants all the costs of this suit, for which execution may issue.

1553 William P. Mecklin et al vs Frederick W. Chandler, William Vandever and Jonah Brantley as Adm'rs of Logan Vandever, Dec'd — Plaintiff — Defendants — And now on this day came the parties by their attorneys. And thereupon, It is Ordered that the defendants have leave to amend their answer. And the parties announced themselves ready for trial. And the Court, after argument, overruled the defendants general and special demurrer And thereupon came a jury, to wit: J. G. Dorsher and eleven others, lawful good

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and lawful men of Navo county, who being duly sworn well and truly to try the issues, and after hearing the evidence, returned into Court here the following verdict, to wit: "We, the jury, find for the plaintiff Six hundred and ten dollars ($610.) J. G. Sanders, foreman." It is, therefore, considered by the Court, here, that the plaintiffs recover of the defendants, as administrators aforesaid, the said sum of Six Hundred and Ten dollars, and all his costs in and about this suit expended, to be paid in the due course of administration, and that this judgment be certified to the County Court of Burnett county for allowance.

And thereupon Court adjourned until to-morrow morning, at ½ past eight o'clock

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Court convened at ½ past 8 o'clock pursuant to adjournment. Present the Hon. A. W. Terrell, Judge; Frank Brown, Clerk and J. M. Blackwell, Sheriff. Whereupon, the following proceedings were had by said Court as follows, to wit:

1189 — The State of Texas v. A. B. Slaughter — Plaintiff / Defendant — On motion, It is ordered by the Court that the judgment heretofore entered at a former term against the defendant as a defaulting witness be set aside, and that the defendant pay all costs of this suit, for which execution may issue.

1513 — J. B. Davis v. J. C. Callan — Plaintiff / Defendant — And now on this day came the parties to this cause, by their attorneys and announced themselves ready for trial, and waiving a jury, submitted the cause to the Court. And because it appears to the Court that the defendant is indebted is indebted to the plaintiff as alleged in his petition as shown by the note of hand produced in open Court, It is, therefore, ordered, adjudged and decreed by the Court, that the plaintiff, J. B. Davis, do have and recover of and from the defendant, J. C. Callan, the sum of Two Hundred and fifteen 42/100 dollars, principal debt and interest due to date, with interest thereon from date, and all costs of suit, for which execution may issue. And the defendant, thereupon, gives notice of appeal

1514 — William H. Fowler v. A. M. Lindsey — Plaintiff / Defendant — And now on this day came the parties by atty. and announced themselves ready for trial. Whereupon came a jury of twelve good and lawful men of Navo county, to wit: J. G. Sanders and eleven others, who were duly tried, elected, empannelled and sworn. And the jury having heard the testimony, argument of counsel and the charge of the Court, retired to consider of their verdict, and returned into Court the following verdict, to wit: "We, the jury, find for the plaintiff $290.72. Two Hundred and Ninety dollars and seventy-two cents J. G. Sanders, foreman."

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Whereupon It is adered, adjudged and decreed by the Court, that the plaintiff, William A. Fowler, do have and recover off and from the defendant, Andrew M. Lindsey, the sum of Two Hundred and Ninety-~~two~~ 7½/100 dollars, as aforesaid, and all costs of this suit, for which execution may issue

1575 Dennis Neal & J. W. Robertson } Plaintiff / Defendant } And now come there parties by atty. and announced themselves ready for trial, and waiving a jury, submit the cause to the Court. And thereupon, the Defts withdraw his answer heretofore filed, and says nothing in bar of Pffs. demand. And the Court being satisfied, from the evidence, that the Defts. is indebted to the plaintiff as alleged in the petition. It is, therefore, adered by the Court, that the said Dennis Neal do have and recover off and from the said Joseph W. Robertson the sum of One Hundred and forty 6/100 dollars, with ten per cent. interest thereon until final payment, and all costs of this suit, for which execution may issue.

1576 S. M. Swenson v. John M. Thomas } Plaintiff / Defendant } And now on this day came these parties by their attorneys, and announced themselves ready for trial. And thereupon came a jury of good and lawful men of Travis county, to wit: A. D. Kane, foreman, and eleven others, who were duly tried, elected, empannelled and sworn. And the jury having heard the evidence, argument of counsel and the charge of the Court, retired to consider of their verdict. And thereupon said jury returned into Court the following verdict, to wit: "We, the jury, find for the plaintiff One Hundred and Eighty-two 96/100 dollars. July 20th 1858. A. D. Kane, Foreman." It is, therefore, adered, adjudged and decreed by the Court, that the plaintiff, S. M. Swenson, do have and recover off and from the Defendant, John M. Thomas the sum of One Hundred and Eighty-Two 96/100 dollars, ~~and all~~ costs of suit, for which execution may issue.

1577 S. M. Swenson v. H. C. Holman } Plaintiff / Defendant } And now on this day came the parties by their attorneys, and announced themselves ready for trial. And thereupon came a jury of good and lawful men of Travis county, to wit: J. G. Swisher, foreman, and eleven others, who were duly tried, elected, empannelled and sworn. And the jury having heard the evidence, argument of counsel and the charge of the Court, retired to consider of their verdict. And thereupon said jury returned into Court the following verdict, to wit: "We, the jury, find for the Plaintiff $115.11. One hundred & fifteen dollars & one cent. J. G. Swisher, Foreman." It is, therefore, adered, adjudged and decreed by the Court, that the Pff. S. M. Swenson, do have and recover off and from the Defendant, H. C. Holman the sum of One hundred and fifteen 11/100 dollars, and costs of suit, for which execution may issue.

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No 2249 — The State of Texas vs T. B. Beck et als — And now on this day came the parties to this cause by their attorneys and announced themselves ready for trial. And the demurrer of the defendants being submitted to the Court and argued by counsel, was overruled. And thereupon came a jury of twelve good and lawful men of Travis county, to wit: James G. Swisher, Foreman, and eleven others, who being duly tried, elected, empannelled and sworn, heard the evidence, argument of counsel and the charge of the Court, and retired to consider of their verdict. And said jury having retired for deliberation, returned into Court the following verdict, to wit: "We, the jury, find for plaintiff for amt. of Judgment, with 8 per cent. interest from its date to this time - the two payments to A. H. Chalmers to be deducted, with interest at 8 per cent. J. G. Swisher, Foreman." It is, therefore, ordered, adjudged and decreed by the Court that the judgment rendered at a former Term of this Court, on the on the first day of October, A. D. 1853, in favor of D. K. Bell, Governor, for the use of the State of Texas, and against the defendants, T. B. Beck, A. G. Cook, Abner Matthews and Col. Cuthand, for the sum of Twenty-Eight hundred, Eighty and 83/100 dollars, be and the same is hereby revived, and that the said State of Texas, recover upon the same of said defendants said sum of money, less the following credits, to wit: the sum of Six hundred and fifty dollars, paid Dec. 27th 1855, and the sum of Five hundred and fifty dollars paid March 1st 1856, both of said payments having been paid to A. H. Chalmers, then acting District Attorney of the 2d Judicial District, and that execution issue according to law.

No 1522 — Rhs. W. & Susan L. Ward vs Rabie & Mary Martin — Plaintiffs & Defendants — It is ordered that this cause be continued to perfect service, the same having been brought to this term by publication.

No 1527 — C. J. Killingsworth vs Cowling and Freeman — Plaintiffs & Defendants — And now on this day came the pltff and the deft. Freeman by attorney. And said Defendant W. D. Cowling having failed to answer within the time prescribed by law - though legally cited - It is ordered by the Court that the injunction heretofore granted in this case be perpetuated as to the defendant Freeman Cowling, and in default of an answer - and that the pltff. recover his costs off of said Cowling for which execution may issue. And the defendant Freeman having submitted his motion to dissolve the injunction in this case, and the same being duly considered, It is, therefore, ordered, adjudged and decreed by the Court, that the said injunction be dissolved, as to Freeman and the case dismissed, and that the said Freeman recover of said Killingsworth and his securities, to wit: W. B. Burdett and I. N. Thompson, all his costs, for which execution may issue

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✓ 1528	S. S. Thompson vs Joseph Dyches, et.als.	Plaintiff / Defendants	Some of the defendants in this case having been summoned by publication, it is therefore ordered that the same be continued. In service	
✓ 1529	George C. Watkins vs W. S. Oldham	Plaintiff / Defendant	Continued by agreement.	
✓ 1535	Caleb Cape & Co vs A. J. Hamilton & John D. Pitts	Plaintiffs / Defendants	And now on this day came the parties by attorney - and announced themselves ready for trial and waiving a Jury, submit the cause to the Court. And thereupon, upon a hearing of the evidence, it is ordered, adjudged and decreed by the Court, that the plaintiffs, Caleb Cape, William B Johnson, Henry C Howell, Isaac Kendrick and Samuel H. Smith, under their firm name of Caleb Cape & Co. do recover off the defts. A. J. Hamilton and John D. Pitts the sum of Two hundred and ~~Thirty~~ Eight 88/100 dollars, principal debt and interest to date, with legal interest thereon until paid, and all costs of suit, for which execution may issue	
✓ 1536	David W. Crews vs W. P. de Normandie, et. al.	Plaintiff / Defendants	Continued as an affidavit of the Defendants.	
✓ 1537	R. T. Geage vs Philip D Black	Plaintiff / Defendants	This cause being regularly reached on the docket, and the plaintiff not appearing, in person or by attorney, to prosecute the same, It is, therefore, ordered, adjudged and decreed by the Court, that said cause be dismissed for want of prosecution, and that said Plff R. T. Geage, pay all costs of this suit, for which execution may issue.	
✓ 1538	A. M. Dandson vs Henry Thomas	Plaintiff / Defendant	Continued generally.	
✓ 1539	R. Williamson, et. al. vs S. W. Blount, et al.	Plaintiffs / Defendants	It is ordered by the Court that this cause be ~~discontinued~~ to perfect service	
✓ 560	Larkin F. Price vs Michael Short	Plff / Deft.	Continued as an affidavit of the Plff - subject to defendants motion to strike the cause from the docket. And thereupon Defendants	

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motion to exclude the depositions of Lawson and wife coming on to be heard after argument of counsel, was sustained by the Court

1541	J. M. Stevens ... & Conner & deMormandie plaintiff being absent	}	Pltff. Deft.	} It is ordered that this cause be continued, at the instance of defts. counsel, the said

1544	R. H. Peck v. Chambers & Casta	}	Plaintiff Defendants	} And now comes the plaintiff by attorney and dismisses this suit as to the defendant Casta. Whereupon,

It is ordered by the Court that said defendant Casta go hence without day. Ordered, further, that this cause be continued

1545	Rust, Holland et al & Coates Grooms	}	Plaintiffs Defendant	} And now come these parties by attorney, and move the Court that this cause be dismissed at the

cost of pltffs. Whereupon, It is ordered by the Court that said cause be dismissed from the docket, and that the defendant Grooms recover off and from the pltffs Wm Rust, Bird Holland, B. F. Carter, L. O. Carter, Elvira Rust, Margaret Grooms, G. K. Freeman and Mary F. Freeman, all the cost of this suit, for which execution may issue

1548	Benjamin Chate & Elam & Wright	}	Plaintiff Defendants	} And now comes the pltff. and the Defts. Elam by attorney and announced themselves

ready for trial. And thereupon said Defts has leave to amend. And the demurrer of defendant to plaintiffs petition coming on to be heard, the same was overruled. And thereupon the parties having announced themselves ready for trial, came a jury of good and lawful men of Ham county, to wit: A. O Keane, foreman and eleven others, who were duly elected, empannelled, sworn according to law. And the jury having heard the evidence, and being charged by the Court, retired, and returned into Court the following verdict, to wit "We, the jury, find for the plaintiff the sum of One Hundred and twenty-five 20/100 dollars A. O Keane, foreman" It is, therefore, ordered, adjudged and decreed by the Court, that the plaintiff Benjamin Chate do have and recover off and from the Defendants, Thomas Elam and Samuel M. Wright, the sum of One hundred and twenty-five 20/100 dollars and all costs of suit, for which execution may issue. And thereupon the pltff. remits two dollars and fifty cents of said Judgment.

1551	John H. Conner v. A. M. Lindsey, Sam.	}	Plaintiff Defendant	} Continued by plaintiff

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1551 A. N. Hopkins } Plaintiff } And now come the parties by atty. and the motion to dissolve the
vs } injunction heretofore granted in this
Zaella J. Nichols. } Defendant } cause coming on to be heard, after argument of counsel, was sustained.
Wherefore, It is Ordered by the Court that the said ~~injunction~~ attachment be dissolved and the cause dismissed from the Docket, and that said plaintiff A. N. Hopkins, pay all costs of this suit, for which execution may issue.

1552 John Hendrickson } Plaintiff } This cause is continued, on motion of
vs } defendant, the plaintiff being
Zona J. Nichols } Defendant } absent. Ordered, further, that the cost of the continuance be charged to the plaintiff

1566 John W. Phillips } Plaintiff } And now on this day comes the
vs } plaintiff by attorney, and an-
Chas. A. Crosby, et. als. } Defendants } nounced himself ready for trial.
And the defendants being called, came not, having been duly served with proc[illegible] And thereupon came a jury of good and lawful men of Travis county, to wit: J. G. Swisher, foreman and eleven others, who were tried, empannelled and sworn according to law. And the jury having heard the evidence introduced by the plaintiff and the charge of the Court, retired to consider of their verdict. And thereupon said jury returned into Court the following verdict, to wit: "We, the jury, find for the plaintiff, ($ 313.34) three hundred & thirteen dollars & thirty-four cents. J. G. Swisher, foreman." Whereupon It is ordered, adjudged and decreed by the Court, that the plaintiff, John W. Phillips, do have and recover off and from the defendants, Charles A. Crosby, Thomas C. Collins and Zaella J. Nichols, the sum of Three Hundred and Thirteen 34/100 dollars, ~~as aforesaid~~, and all costs of this suit, for which execution may issue. And thereupon comes the pefft. and remits 59 cents of said Judgment.

1569 H. T. Chapman } Plaintiff } And now on this day came the pefft.
vs } by attorney, and announced himself
H. C. Holman } Defendant } ready for trial, the defendant not appearing to defend. And thereupon came a jury of good and lawful men of Travis county, to wit: A. O. Horne, foreman and eleven others, who were duly sworn, empannelled and tried, according to law. And the jury having heard the evidence, and the charge of the Court, retired for deliberation, and returned into Court the following verdict, to wit: "We, the jury, find for the Plaintiff the sum of One hundred and twenty-five 50/100 dollars. July 21st/58. A. O. Horne, foreman." Whereupon It is ordered by the Court, that the said H. T. Chapman do have and recover off and from the Defendant, H. C. Holman said sum of One Hundred and Twenty-five 50/100 dollars, and all costs of this suit, for which execution may issue.

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1570 Wm G Lane & Co. } Plaintiffs
v.
Thomas C. Callin } Defendant.

And now on this day came the parties to this cause by their attorneys, and announced themselves ready for trial and said parties waived a jury, and agreed to submit the cause to the Court. And the Court having heard the testimony, Doctrine of, & Judge and decree, that said plaintiffs, William G. Lane, Edward H Lane and Kirk Bryce and Jesse C. Lane, under the firm name of William G Lane & Co, do have and recover off and from the defendant Thomas C. Callin, the sum of Five Hundred and Ninety-One $^{34}/_{100}$ dollars, principal debt and interest due on the note sued on to date, with ten per centum per annum interest thereon until paid, and all costs of this suit, for which execution may issue

1572 Curtis Spalding } Plaintiff
&
Heffington & Randolph } Defendants

And now comes the Pltff by atty. and dismisses this suit as to the Deft. Randolph. Whereupon, It is ordered by the Court that the said Randolph go hence without day. And thereupon the said Heffington having been duly cited, and having failed to appear and plead within the time prescribed by law, It is adjudged that the Pltff recover judgment by default, as against the said Heffington. And the Pltff having announced himself ready for trial, thereupon came a jury of good and lawful men of said County, to wit. J. G. Fairchild, Foreman, and eleven others, who were tried, empannelled and sworn according to law. And the jury having heard the evidence, and the charge of the Court, retired for deliberation, and returned into Court the following verdict, to wit: "We, the jury, find for the Plaintiff $147.70 One Hundred & forty-seven dollars & seventy cents. J. G. Fairchild, Foreman" Whereupon It is ordered, adjudged and decreed by the Court, that the plaintiff, Curtis Spalding, do have and recover off and from the defendant, Hand C Heffington the sum of One Hundred and Forty-Seven $^{70}/_{100}$ dollars as aforesaid, and all costs of suit, for which execution may issue

1574 James & Mary Doyle, Guardians } Plaintiffs
v.
George T. Bowers, et. al. } Defendants

And now on this day came these parties, by attorney, and announced themselves ready for trial. Whereupon came a jury of good and lawful men of Travis County, to wit. A. D. Horne, Foreman, and eleven others, who were duly empannelled, sworn and tried according to law. And the jury having heard the evidence and the charge of the Court, retired for deliberation, and returned into Court the following verdict, to wit: "We, the jury, find for the plaintiffs Seven hundred and ten dollars July 2nd/58. A. D. Horne, Foreman." Whereupon, It is ordered adjudged and decreed by the Court that said plaintiffs do have and recover off and from the defendants, George T. Bowers, G. W. Powell and E. P. Hill, the sum of Seven Hundred and Ten dollars, and all costs in this behalf expended, for all which execution may issue.

Spring Term Wednesday, July 21. 1858

581 John T. Allan } Plaintiff
F. S. Roy } Defendant
} And now comes the Plaintiff, and asks the Court to revive the judgment heretofore rendred in this cause. And because it appears to the Court that the defendant has been duly served with Scire facias, and has wholly failed to appear and show cause why said Judgment should not be made final, It is therefore, ordered, adjudged and decreed by the Court, that the ~~Plaintiff~~ judgment rendred in this case on the 3d Nov 1854, in favor of the Plaintiff and against the Defendant, for the sum of Two Hundred and Eighty-One 25/100 dollars, be revived, and that said Pleff recover of the Defendant Roy said sum, with interest thereon from the 3d Nov. 1854 until paid, and all costs, for which execution may issue

1575 Mary Hoxton } Plaintiff
vs } Continued for revive.
Andrew Hoxton } Defendant

1576 S. M. Swenson } Plaintiff
vs } And now on this day came these parties by attorney, and announced themselves ready for trial, And the defendant, on motion, has leave to amend his answer. And Plaintiffs demurrer coming on to be heard by the Court, the same was overruled. And thereupon came a jury of good and lawful men of Travis county, to wit: J. G. Swisher, foreman, and eleven others, who were duly tried, elected, empannelled and sworn. And the jury having heard the evidence, argument of counsel and the charge of the Court, retired for deliberation. And said jury returned into Court the following verdict, to wit: "We, the jury, find for the Plaintiff $399.24 Three Hundred and Ninety-Nine dollars and twenty-four cents. J. G. Swisher, foreman." Whereupon, It is ordered, adjudged and decreed by the Court, that the Plaintiff, S. M. Swenson, do have and recover off and from the Defendant, Charles Payne, the sum of Three Hundred and Ninety-Nine dollars and twenty-four cents, and all costs of this suit, for which execution may issue

1577 John A. Green } Plaintiff
v. } It is ordered by the Court that the plaintiff have leave to amend.
A. B. McGill } Defendant

1579 John W. Brown, Admr. } Plaintiff
v. } And now comes the Pleff by atty. and ~~the Defts~~ by atty. and on motion, It is ordered by the Court, that this cause
Wm. Fowler, et. al. } Defendant
be dismissed from the docket, and that the Pleff. recover off and from the Defendants William A. Fowler and J. W. Meador all costs of suit, for which execution may issue.

Spring Term, Wednesday, July 21st 1858.

1580 F. M. Jackson } Plaintiff
vs
R. J. Downes } Defendant

It is ordered by the Court that the plaintiff have leave to amend his petition. And thereupon the said parties appeared and announced themselves ready for trial. Whereupon came a jury of good and lawful men of Travis county, to wit: A. O. Hane, foreman, and eleven others, who were duly elected, empannelled and sworn according to law. And the jury having heard the evidence and the charge of the Court, retired to consider of their verdict. And said jury returned into Court the following verdict, to wit: "We, the jury, find for the plaintiff the sum of twenty-five hundred and eleven 33/100 dollars. July 21/58 A. O. Hane, foreman." Whereupon, It is ordered, adjudged and decreed by the Court, that the plaintiff, F. M. Jackson, do have and recover off and from the defendant, R. J. Downes, said sum of twenty-five hundred and eleven 33/100 dollars, with ten per centum per annum interest thereon until paid, and all costs of suit, for which execution may issue.

1581 Albert Brown } Plaintiff
vs
John G. Matthews, et al } Defendants

And now on this day came the pltff. by attorney and dismisses this suit as to the defendant E. S. Matthews. Whereupon, It is ordered that said defendant go hence without day. And thereupon came the other defendants by attorney, and the parties agree that the Court may render judgment for the sum of $632.96- with stay of execution until Dec. 1st 1859. Whereupon, It is ordered, adjudged and decreed by the Court, that the said Albert Brown do have and recover off and from the defendants, John G. Matthews and James A. Thompson said sum of Six hundred and thirty-two 96/100 dollars, with ten per cent. interest thereon until paid, and all costs of suit, for which execution may issue, and that execution be stayed until Dec. 1. 1859.

Rec'd of A. Brown Six Hundred and Fifty-six 96/100 Dollars in full of the foregoing Judgment & Stay of Execution Aug. 31st 1858

1583 Nancy Bray, et al. } Plaintiffs
v.
L. L. Syker } Defendant

Continued for Service

1584 John W. Brown, Admr of the Estate of Wm O. Davis } Plaintiff
v.
John R. Davis, Elizabeth W. Davis, Julius J. Davis & Ben. L. Davis, James A. Collinsworth and Mary A. Collinsworth, his wife } Defendants

On this day came the plaintiff in the above entitled cause by his attorney, and the infant defendants by B. F. Carter, Esq. their guardian ad litem; And it appearing to the Court that the allegations contained in

the petition filed by the Plaintiff in the said cause are true, It is therefore ordered, adjudged and decreed, that the negroes belonging to the Estate of the late William A. Davis, Senior, of the State of Arkansas, viz: Jim, Lotty, Joe and John, be divided among the parties plaintiff and defendant in accordance with the agreement filed in the said cause and made a part of the said petition, and in the following manner, viz: that the said John W. Brown, as administrator of the estate of the first mentioned Wm. A. Davis, deceased, being entitled to three shares in the said negroes, take for the same the said negro Jim, that the said minors Julius J. Davis and Ben. L. Davis take each one share in the said negroes; that the said Elizabeth W. Davis take one share in the said negroes, and that the said John R. Davis and the said Mary A. Collinsworth take each one share in the said negroes. It is further ordered, adjudged and decreed that the cost of this proceeding be distributed among the said parties in proportion to their respective shares in the said negroes, and that the sum of twenty-five dollars be allowed to the said B. F. Carter, Esq. Guardian ad litem in said cause, for which execution may issue.

√ 1585 — J. C. Guild vs. Susan H. Piper — Plaintiff / Defendant — And now on this day appeared the Pltff and defendant, by attorney, and announced themselves ready for trial. Whereupon came a jury, who were tried, elected, empannelled and sworn according to law; and the jury having heard the evidence, and the charge of the Court, retired for deliberation, and returned into Court the following verdict, to wit: "We, the jury, find for the plaintiff the sum of ($238 2/100) two hundred and thirty-eight dollars and twenty-one cent. J. J. Saisher, Foreman." Whereupon, It is ordered, adjudged and decreed by the Court, that the plaintiff, J. C. Guild, do have and recover of and from the defendant, Susan H. Piper, the sum of Two Hundred and Thirty-Eight 21/100 dollars, as aforesaid, and all costs of suit, for which execution may issue.

√ 1586 — N. T. Chapman vs. D. L. Cox — Plaintiff / Defendant — And now on this day came the said Pltff by attorney, and on motion of said Pltff. It is ordered by the Court that this cause be dismissed from the docket, and that the Pltff. N. T. Chapman, pay all costs of this suit, for which execution may issue.

√ 1588 — John M. Saisher et. al. vs. Nichals & Coak — Plaintiffs / Defendants — Continued at the instance of the defendants, because of Pltffs counsel being absent.

√ 1590 — John T. Miller vs. Geage S. Deak — Plaintiff / Defendant — Ordered by the Court that this cause be continued, because of the absence of plaintiffs counsel.

Spring Term, Wednesday, July 21st 1858.

1591	James Phillips vs. J. M. Bennett	Plaintiff / Defendant	Continued	
1593	H. Grooms v. P. Priestley, et al	Plaintiff / Defendants	Continued on affidavit of the defendant. Ordered, further, that the parties to this suit have leave to amend their pleadings.	
1595	W. B. S. Gilmer v. K. L. Haralson	Plaintiff / Defendant	It is ordered by the Court that the defendant have leave to amend. And thereupon the parties agree, in open Court, that Judgment may be rendered for the plaintiff for the sum of $3254.44, and an order foreclosing plff's. mortgage lien on the negroes described in the mortgage. Whereupon, It is ordered, adjudged and decreed by the Court, that the plaintiff, W. B. S. Gilmer, do have and recover off and from the defendant, K. L. Haralson, said sum of three thousand two hundred and fifty-four 44/100 dollars, and all costs in this behalf expended. And it is further ordered by the Court that the mortgage lien of the said plaintiff on the following described property, be foreclosed, to wit: "Simon, a man slave about forty-four years old; Tom, a young man slave, about eighteen years old; Julia, a young woman, about nineteen years old, and Matilda, a woman about forty-three years old;" and that an order of sale issue commanding the Sheriff to sell the above described property - and apply the proceeds thereof to the satisfaction of the above judgment; and the surplus if any, he shall pay to the defendant. But if said property should not bring a sufficient amount to satisfy said judgment, then execution shall issue against the defendant for the balance.	
1598	W. S. Oldham v. W. P. de Namanda	Plaintiff / Defendant	It is ordered by the Court that this cause be continued, because of plaintiff's absence	
1601	Edward P. Norwood v. Thomas Adams	Plaintiff / Defendant	And now on this day came the parties to this cause by their attorneys and announced themselves ready for trial. And the defendant's counsel submitted to the Court his Demurrer to plff's petition, which was overruled. Whereupon came a jury of good and lawful men of Travis County, to wit: A. O. Hamer, foreman, and eleven others, who were elected, empannelled and sworn according to law. And the jury having heard the evidence and the charge of the Court, retired for deliberation, and thereupon returned into Court the following verdict, to wit: "We, the jury, find for the plaintiff the sum of One hundred and twenty-five 36/100 dollars. July 21st 58.	

Spring Term, Wednesday July 21st 1858

A. O. Nance, Foreman." Whereupon, It is adjudged by the Court, that the plaintiff, Edward P. Norwood, do have and recover off and from the Defendant, Thomas Adams, the sum of One Hundred and twenty-five 36/100 dollars July 21st/58 A. O. Nance Foreman." Whereupon, It is adjudged with ten per centum per annum interest thereon until paid, and all costs in this behalf expended, for which execution may issue. And thereupon the defendant gives notice, in open Court, of an appeal to the Supreme Court of the State of Texas.

✓ 1640 — F. J. S. Thompson vs. L. E. Weir and R. T. Brownrigg — Plaintiff / Defendants

On this day appeared the parties by attorney; and, on motion, It is ordered by the Court that this cause be dismissed from the Docket, and that the plaintiff pay all costs of this suit, for which execution may issue

✓ 1642 — J. W. Brown, Admr. vs. Wm. Fowler et. als. — Plaintiff / Defendant

And now comes the Pltff. by dpt. atty. and moves the Court, to dismiss this cause at Defendants cost. Whereupon, It is adjudged, adjudged and decreed by the Court, that said cause be dismissed from the Docket and that the Defendants, William Fowler & James W. Meador, pay all the costs of this suit, for which execution may issue

✓ Charles Leedwig Nitschkie - Ex Parte

And the said Nitschkie having filed here, in open Court, his petition praying to be admitted to become a citizen of the United States - and the Court being satisfied by the oaths of I. G. Reed and R. T. Brownrigg citizens of the United States, that the said Nitschkie was known to them for the last five years, as residing within the limits and under the jurisdiction of the United States, and within one year in the State of Texas, that during that time he has behaved as a man of good moral character attached to the principles of the Constitution of the United States, and well-disposed to the good order and happiness of the same - and being satisfied also, that the said Nitschkie has made his declaration to become a citizen of the United States in the District Court of the County of Sumter, Ala. in the year 1853, according to the Act of Congress in such case made and provided. And said applicant having, in open Court, taken the oath prescribed by law to support the Constitution of the United States - and that he doth absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatever, and particularly to the Duke of Saxony, of whom he was heretofore a subject. It is, therefore, ordered by the Court, that the said Charles Leedwig Nitschkie be and is hereby admitted a citizen of the United States, and that the Clerk of this Court issue to him a certificate accordingly.

Spring Term, Thursday July 22d 1858

And Thereupon Court adjourned until to-morrow morning 1/2 past eight o'clock.

Thursday, July 22. 1858

Court convened at the usual hour. Present the same as yesterday. Whereupon the following proceedings were had by said Court, as follows: to wit:

961 The State of Texas } Plaintiff
v. } And now comes Geage W. Ims, Esq. Dist Atty. and
Wm H. Carr } Defendant } on motion. It is ordered by the Court that the criminal docket, be set for hearing on the first Tuesday in August, 1858, and that the Clerk issue a Special Venire Facias, returnable on said day, commanding the Sheriff to summon thirty-six men to act as Jurors in the above cause, and other causes that may come up for trial on the criminal docket.

1020. The State of Texas } Deft. } And now on this day came
v. } the parties by their attornies
Geo & John Robinson } Defts } and also the defendants in person- and the defendants submitted their exceptions going to the legal Sufficiency of the indictment in this case to the Court- and the same being fully argued by counsel, and well understood by the Court- Whereupon it is ordered, adjudged, and decreed by the Court- That the defendants exceptions be sustained, and that said indictment be quashed- And thereupon the District Attorney in open Court, gives notice of appeal to the Supreme Court-

1020 The State of Texas } Deft. } And now on this day, appeared
v. } in open Court, the defendants
Geo & John Robinson } Defts } Geo Robinson & John Robinson who as principals, and Nelson Merrell, and E B. Smith, as Securities, and acknowledge themselves, jointly and severally, to owe and be indebted, unto the State of Texas, in the penal sum of Two Hundred dollars, to be levied of their respective, goods & chattels Lands and Tenements- But to be void upon condition that the said defendants, Geo Robinson and John Robinson appear before the District Court of Travis County on the 4th monday, after the 1st monday in October in the year of our Lord, one thousand Eight hundred & fifty Eight- and from Term to Term thereafter, to answer the Criminal accusation against them in Case the judgment of the District Court, should be reversed in the above entitled and numbered case- from which judgment the State hath appealed ——.

Spring Term Thursday July 22d 1858

✓ 1021 The State of Texas Reff. And now on this day came the parties
v. by their attorneys, and also the defendants in person
Geo & John Robinson Defts And Submitted to the court defendants exceptions
going to the legal sufficiency of the indictment in this case - and the same being
fully understood by the court - It is therefore ordered adjudged & decreed by
the Court that said exceptions be sustained - and that the indictment in this
case be quashed - whereupon the District attorney in open court,
gives notice of appeal to the Supreme Court -

(1021. The State of Texas Reff. And now on this day appeared in open
v. Court the defendants, Geo Robinson and John
Geo & John Robinson Defts Robinson who as principals, and Nelson
Merrell, and E. B. Smith, as securities, and acknowledge themselves jointly
and severally to owe, and be indebted unto the State of Texas, in the penal
Sum of Two hundred dollars, to be levied of their respective goods & Chattels,
- Lands, and tenements, - But to be void upon condition that the said defendants
Geo Robinson & John Robinson appear before the District court of Travis County,
on the 9th monday, after the 1st monday in October A.D. 1858, and from
term to term thereafter, to answer the Criminal accusation against them
in Case the judgment of the District Court shall be reversed, in the
above entitled and numbered Case, from which judgment the State hath
appealed -

✓ 1022. The State of Texas Reff. And now on this day, came the parties by
v. their attorneys, and also the defendants in person -
Geo & John Robinson Defts And submit to the court defendants exceptions
going to the legal sufficiency of the indictment in this case - and the
same being fully considered by the court. It is therefore ordered adjudged
and decreed by the court that said exceptions be sustained, and that the
indictment in this case be quashed -. Whereupon the District attorney
in open court, gives notice of an appeal to the Supreme Court -.

✓ 1022. The State of Texas Reff
v.
Geo & John Robinson Defts - And now on this day, appeared in
open court the defendants Geo Robinson
and John Robinson also as principals, and Treon Merrell, and E. B.
Smith as securities, and acknowledge themselves jointly, and
severally to owe, and be indebted unto the State of Texas, in the
penal sum of Two hundred dollars, to be levied of their respective
goods, and Chattels, Lands & tenements - But to be void upon condition
that the said defendants, Geo Robinson and John Robinson, appear before
the District Court of Travis County, on the 9th monday, after the
1st monday, in October A.D. 1858, and from term to term thereafter
to answer the Criminal accusation against them, in Case the judgment
of the District Court shall be reversed, in the above entitled & numbered
Cause - from which judgment the State hath appealed ——.

Spring Term Thursday July 22d 1858

√ 1023. The State of Texas } Reff. } And now on this day came the parties by their
v. Attornies, and also the defendants in person and submit
Geo & John Robinson } Defts } to the Court. The defendants exceptions going to the
legal sufficiency of the indictment in this Case— and the same being fully
understood by the Court— It is thereupon ordered, adjudged and decreed
by the Court, that said exceptions be sustained and that the indictment
in this Case be quashed —. Whereupon the District attorney in open
Court, gives notice of appeal to the Supreme Court —.

√ 1023. The State of Texas } Reff. } And now on this day, appears in open
v. Court the defendants Geo Robinson and John
Geo & John Robinson } Defts } Robinson, who as principals, and Nelson Merrell, and E B Smith as Securities,
and acknowledge themselves, jointly, and severally, to owe and be indebted unto
the State of Texas, in the penal sum of two hundred dollars, to be levied of
their respective goods and Chattels, Lands, and Tenements. But to be void upon
Condition that the said defendants Geo Robinson and John Robinson appear
before the District Court for Travis County, on the 9th monday after the 1st Monday
in October AD 1858, and from Term to Term thereafter to answer the
Criminal accusation against them, in the event the judgment of the
District court shall be versed, in the above entitled and numbered
Cause, from which judgment the State hath appealed —.

√ 1024. The State of Texas } Reff. } And now on this day Came the parties by
v. their attornies, and the defendants in person
Geo & John Robinson } Defts } and submit to the Court. the defendants
exceptions, going to the legal sufficiency of the indictment in this Case—
and the same being being fully understood by the Court are sustained—
And thereupon it is ordered adjudged and decreed by the Court, that
the indictment in this case be quashed —. Whereupon the
District attorney, gives notice of appeal to the Supreme Court.

√ 1024. The State of Texas } Reff. } And now on this day, appear in open
v. Court the defendants, Geo Robinson &
Geo & John Robinson } Defts } John Robinson, who as principals, and
Nelson Merrell & E B Smith, as Securities, and acknowledge themselves,
jointly, and severally to owe, and be indebted unto the State of Texas, ~~to~~
~~owe, and~~ in the penal Sums of two hundred dollars, to be levied to their
respective goods & Chattels, lands and tenements— But to be void on Condition
that said defendants Geo Robinson & John Robinson, appear before the District
Court of Travis County, on the 9th Monday, after the 1st Monday in October
AD 1858, and from Term to Term thereafter to answer the Criminal
accusation against them in case the judgment of the District
Court shall be reversed in the above entitled and numbered
Cause, from which judgment the State hath appealed —.

Spring Term Thursday July 22d 1858

✓ 1025 The State of Texas } Reff. } And now on this day Came the parties by their
v. attonies, and also the defendants in person, and
Geo & John Robinson } deftt. } Submit to the Court defendants exceptions going to the legal sufficiency of the indictment in this case – and the same being fully understood by the Court, are sustained –. It is therefore ordered adjudged and decreed by the Court that the indictment in this be case be quashed – Whereupon the District attorney in open court gives notice of appeal to the Supreme Court –.

✓ 1025 The State of Texas } Reff. }
vs.
Geo & John Robinson } deftt. } And now on this day appears in open Court the defendants, Geo Robinson, and John Robinson, as principals, and Nelson Merrell, and E.B. Smith, as securities, and acknowledge themselves, jointly and severally, to owe, and be indebted unto the State of Texas in the penal sum of two hundred dollars, to be levied of their respective goods and chattels, lands and tenements, But to be void on condition That the said defendants Geo Robinson and John Robinson appear before the district court, for Travis County, on the 9th monday after the 1st monday in october A.D. 1858, and from term to term thereafter – to answer the criminal accusation against them; in the event the judgment of the District Court in the above entitled and numbered case, shall be reversed – from which judgment the State hath appealed –.

✓ 1026. The State of Texas } Reff. } And now on this day came the parties by their
v. attonies, and also the defendants in person
Geo & John Robinson } deftt. } and submit to the court defendants exceptions going to the legal sufficiency of the indictment in this case – and the same being fully understood by the Court, are sustained – And thereupon it is ordered adjudged and decreed by the Court that the indictment in this case be quashed – Whereupon the District attorney in open Court gives notice of appeal to the Supreme Court –.

✓ 1026. The State of Texas } Reff. } And now on this day appears in open
v. Court the defendants Geo Robinson & John
Geo & John Robinson } Deftts } Robinson, as principals, and Nelson Merrell & E B Smith as securities, and acknowledge themselves jointly and severally to owe and be indebted unto the State of Texas in the penal sum of two hundred dollars, To be levied of their respective goods and chattels, lands and tenements, – But to be void on condition that said defendants Robinson & Robinson appear before the District Court of Travis County on the 9th monday after the 1st monday in October A.D. 1858. and from term to term thereafter – to answer the criminal accusation against them, in the event the judgment of the District Court in the above entitled and numbered case shall be reversed from which judgment the State hath appealed ——

Spring Term Thursday July 22. 1858.

The State of Texas } Reff. } And now on this day appears the
v. } parties by their attornies, and also
1027. Geo & John Robinson } Defts } the defendants, in person, & submit
to the Court, defendants exceptions going to the legal sufficiency of
the indictment in this case - and the same being fully understood
by the Court are sustained -. It is therefore ordered, adjudged and
decreed by the Court, that the indictment in this case be quashed -
And thereupon the District attorney in open court gives notice
of appeal to the Supreme Court -.

The State of Texas } Reff. } And now on this day appear the
vs. } defendants Geo Robinson and John
1027. Geo & John Robinson } Defts } Robinson in open court as principal,
and Silas Merrell and E B Smith as securities, & acknowledge
themselves jointly and severally to owe, and be indebted unto the
State of Texas, in the penal sum of two hundred dollars, to be
levied of their respective goods and chattels, lands, and
tenements - But to be void on condition that the said Robinson
and Robinson, appear before the District Court of Travis
County on the 9th monday after the 1st monday in October
AD 1858, and from Term to Term thereafter, to answer the
Criminal accusation against them, in the event the
judgment of the District Court, in the above entitled and
numbered case, shall be reversed: from which judgment
the State hath appealed —.

F Dietrich } Plaintiff } And now on this day came the
v. } said plaintiff and T. J. Randolph
1602 D. C. Heffington & } } by attorneys, and the said Hef-
Thos J. Randolph } Defendants } fington though duly cited, to ap-
pear has failed to answer and wholly made default. And the said plain-
tiff and defendant Randolph announced themselves ready for trial. And
thereupon came a jury of good and lawful men, to wit: A. O. Horne,
foreman, and eleven others, who being legally and duly sworn and having
heard the pleadings, the evidence, and the charge of the Court, retired to
consider of their verdict - and thereupon returned into Court the following
verdict, to wit: "We, the jury, find for the plaintiff the sum of two hundred and
seventy-seven 72/100 dollars $277.72. July 23d 1858. A. O. Horne, foreman"
Whereupon, It is ordered, and decreed by the Court, that the plaintiff
Francis Dietrich, do have and recover off and from the said Defendants
David C. Heffington and Thomas J. Randolph the sum of Two Hundred
and Seventy-Seven 72/100 dollars, and all costs of this suit, for which one ac-
tion may issue.

Spring Term Thursday July 22d 1858.

1592 Charlott Huling vs Marcus Huling } Plaintiff / Defendant } Be it remembered, that on this day the above entitled Cause came on for trial and the Defendant failing to appear, either by himself or Counsel, after having been duly called, the Plaintiff announced herself ready for trial, Whereupon came a Jury of good and lawful men, to wit, A. O. Horne as foreman, and eleven others who, after being duly sworn, and after hearing the pleadings read, the testimony, argument of Counsel, and Charge of the Court, retired to consider of their verdict, and returned into Court the following verdict to wit, "We the Jury find the Defendant guilty of the excesses, outrages and cruel treatment alleged in the petition, and we further find, that their living together would be insupportable, We also find that the parties were in possession of, and owned as common property, the personal property, and the Two hundred acres (homestead) as set forth in the petition. A. O. Horne Foreman"

It is therefore ordered adjudged and decreed by the Court that the said Charlott Huling be dissolved from the bonds of Matrimony with said Marcus Huling, and that the Custody, Control, guardianship and education of the Children of said Marcus and Charlott, to wit, Amanda, John, Marcella, Celestia, Melissa and Alice be given to said Charlott Huling, and that all the household and Kitchen furniture described in the petition of said Charlott, to wit, two beds, three bedsteads, two tables, one Chest, one desk, seven chairs, one Cooking-Stove, one Clock and one washing pot be decreed to the said Charlott Huling and that one hundred and fifty acres, including and embracing all improvements upon the said Homestead, out of the said two hundred acres be decreed to the said Charlott Huling and that the remainder of said two hundred acres, to wit, fifty acres be decreed to said Marcus Huling, and that E. D. Townes, Silas Parons, James Manbox and J. M. Blackwell, Sheriff of Travis County, are hereby appointed to act as Commissioners to partition the said Homestead in accordance with this Decree, between the said Carlott and Marcus Huling and the said Commissioners are hereby required to enter upon the tract of land heretofore owned by said Marcus Huling and Charlott Huling, viz. a part of the A. C. Caldwell League situated upon Wilbarger's Creek, Travis

Spring Term Friday, July 23d 1858.

County Texas, and set apart therefrom by established metes and bounds two hundred acres of land as the Homestead of said Marcus and Charlott Hewling and Partition the said homestead between the said Marcus and Charlott Hewling in conformity to this decree, and that said Commissioners shall have power to call in a Surveyor in order to make an accurate report, and for greater certainty the Clerk of this Court is directed to deliver to said Commissioners the Papers in this cause.

It is further ordered that said Commissioners be required to make their report in or before the first day of the next Term of this Court. And it is further ordered, adjudged and decreed, that the Plaintiff have and recover of Defendants all costs of this suit for which execution may issue.

And thereupon Court adjourned until to-morrow morning 1/2 past 8 O'clock.

Friday, July 23d 1858.

Court Convened at the usual hour. Present the same as on yesterday. Whereupon the following proceedings were had by said Court, as follows to wit.

1658 Susan Taylor vs. S. A. A. Carter & wife } Plaintiff / Defendants } Continuance

It is ordered by the Court that this cause be Continued on affidavit of Defendants S. A. A. Carter until the next Term of this Court.

Geo. W. Flournoy Special Judge

1605 Daniel C. Osborne vs John S. Spence, M. M. Grant & P. W. England

And now on this day Came the plaintiff to this Cause and announced themselves upon the writ of inquiry awarded in this case. Ready for trial, — and thereupon Came a jury of good and lawful men, viz — I G. Swisher, foreman and eleven others, who being duly elected tried - empannelled and sworn according to law - and said jury having heard the evidence, argument of Counsel, and Charge of the Court, retired to consider of their verdict - and after their deliberation brought into Court, their verdict as follows - viz -. "We the jury find for the plaintiff and assess the damages at two hundred and forty four 97/100 Dollars, and further find that the land described in the plaintiffs

petition was the land mortgaged to secure the payment of the note - J. G. Deuscher foreman -. Whereupon it is ordered adjudged, and decreed by the Court that the plff. Daniel C. Osborne, do have, and recover of and from the defendants, John S. Spence, M. M Grant, and J. W. England, the sum of two hundred forty four & 97/100 dollars - It is further ordered by the court that the plaintiffs lien and mortgage on the following described land be foreclosed - "to wit -." Twelve hundred and Eighty acres of land in Victoria County granted " to Chichester Chaplin, assignee of Samuel Grant as per Patent No 1,110 Vol " 2. transferred to Daniel C. Osborne - and by him to J. Brichta being the same " 1280 acres which the said Spence purchased at administrators sale the 7th day " of October 1856 " - and that said described land be sold in satisfaction of this judgment - and that if there be an excess after the payment of this judgment and costs of suit the same be paid over to the defendants. & shows the proceeds fall short of satisfying this judgment & costs that said plff. have execution for the balance -. It is further ordered by the Court that the Plff recover of the defendants all the cost in this behalf expended - for which execution may issue -.

✓ 1806. Daniel C. Osborne
vs.
A. G. Compton
J. Johnson Sr
Thomas Freeman
} Continued for Service -.

✓ 1807. John M. Finney & Co } Plff.
vs.
George & John Hancock. } Defts.
} Dismissed for the want of Prosecution, and execution to issue for costs against the Plffs. named in the petition.

✓ 1815. Wm T. Patterson } Plff.
vs.
Joseph W. Robertson } Deft.
} And now on this day came the parties, by their attornies, and announced themselves ready for trial, and thereupon the defendant by attorney withdrew his answer, and says, nothing further why judgment should not be given against him - and it appearing to the Court that the plaintiffs action is founded on a liquidated claim and the same being inspected by the Court - It is therefore ordered adjudged and decreed by the Court that the Plaintiff Wm T. Patterson do have and recover of the deft the said Joseph W Robertson the sum of Three hundred thirty & 50/100 Dollars as also all cost of suit in this behalf expended, for which execution may issue -

And thereupon Court adjourned till tomorrow morning 1/2 past 8 o'clock

Spring Term Saturday July 24th 1858

Saturday July 24th 1858

Court met pursuant to adjournment — Present the Same as on Yesterday — The following proceedings had —.

1172. H. Murdoff. Plff. vs. Dempsey Bonner & John Aldridge Defts

And now on this day the Plff by attorney to execute the writ of inquiry awarded at a former day of this term of the Court — And thereupon came a jury of good and lawful men of Travis County viz — James G. Swisher and eleven others who being duly elected tried empannelled and sworn according to law — and said jury having heard the evidence argument of Counsel and Charge of the Court retired to Consider of their verdict and brought into Court their verdict as follows —." We, the Jury, find for the Plaintiff $126.65. One Hundred & twenty six Dollars. J. G. Swisher, Foreman

It is therefore ordered adjudged and decreed by the Court that the plaintiff H. Murdoff do have and recover of and from the defendant John Aldridge, the sum of One hundred and twenty six 65/100 Dollars with interest thereon till paid as also all costs in this suit expended — for which execution may issue —.

1124 James M. Russell vs. Jesse F. Burdett et al

Continues for Service on Burdett —.

1127. P. M. Pyatt Plff. vs. Thos. C. Collins & Jas. M. Swisher Defts

And now comes the parties by their attorneys and announced themselves ready for trial & Submitted to the Court defendants demurrer to the Court — and the same being fully understood is overruled by the Court — and thereupon Came a jury of good and lawful men of Travis County viz — J. G. Swisher, foreman and eleven others, who being duly elected — tried empannelled and sworn according to law — and after hearing the evidence and Charge of the Court retired to Consider of their verdict and returned into Court their verdict as follows —. We, the Jury, find for the plaintiff $ 331.11 Three hundred & thirty-one Dollars & eleven cents. J. G. Swisher, Foreman" It is therefore ordered adjudged and decreed by the Court that the plaintiff P. M. Pyatt do have and recover of and from the defendants the sum of three hundred and thirty one & 11/100 Dollars, with interest thereon till paid as also all Costs, in this behalf expended — for which execution may issue —.

And thereupon Court adjourned till Monday morning the The 26 July 1858 —.

Spring Term, Monday, July 26th 1858.

Monday July 26. 1858- Court met pursuant to adjournment- Present the same, as on Saturday & the following proceedings had —.

√11,28. Miles Byrne } Plff. vs. S. G. Sneed } Deft. — And now on this day came the parties by their attornies and announced themselves ready for trial — and thereupon the defendant withdrew his plea, and submit the matters at issue, to the judgment of the Court — And thereupon, the Court, being satisfied that Plaintiffs claim is liquidated, in the shape of a promissory note, and having inspected said note — It is therefore ordered adjudged & decreed by the Court, that the plaintiff Miles Byrne, do have and recover of and from the defendant S. G. Sneed, the sum of Eight hundred, and three & 20/100 Dollars, with interest thereon, till paid — as also cost in this behalf expended, for which execution may issue —.

√11,29. Wm M. Sheffard } Plff. vs. James H Raymond Sheriff &c } Deft. — Continued generally —.

√11,34. Ph: Rommell } Plff. vs. L. Matetzky } Deft. — And now come the parties by their attornies and announce themselves ready for trial, and thereupon the defendant by atty withdraws his plea, in this behalf, and Consents that judgment be rendered against him — And thereupon the Court inspects defendants Cause of action, and being satisfied it is liquidated — It is therefore ordered, adjudged, and decreed by the Court, That the plaintiff Ph: Rommell do have and recover of and from the defendant L. Matetzky, the sum of One Hundred and thirty Eight & 84/100 Dollars, and interest thereon, till paid, and also cost in this behalf expended — for which execution may issue —.

√11,41. The city of Austin } Plff. vs. S. M. Swenson } Deft. — Plaintiff has leave to amend —.

√11,50. Antonio Superville } vs. W. P. Dashormandie et al } — And now come the parties by their attornies, and the defendant, moves the Court, to set aside the judgment rendered in this case, at a former day, of the term of the Court — And the grounds, of said motion being understood by the Court, It is ordered by the Court, that said judgment be set aside —

And thereupon Court, adjourned till to morrow morning —.

Spring Term Tuesday July 27th 1858

Tuesday July 27th 1858—. Court met pursuant to adjournment. Present as on yesterday—. And there proceedings had—.

√ 1652. P. C. Kerby. Plff. vs. Carroll Kendrick Defts. And now on this day come the parties by their attorneys, and the defendant by his attorney in fact and the defendant confesses judgment for the sum of twelve hundred and twenty seven and 00/100 Dollars—and also for all costs of suit—. It is therefore ordered adjudged & decreed by the Court, that the plaintiff P. C. Kerby do have, and recover of and from the defendant Carroll Kendrick the sum of twelve hundred twenty seven and 00/100. The amount confessed with interest thereon until paid—, on judgment, and also all costs in this suit expended—for which execution may issue—.

√ 1591. James. Phillips Plff. vs. P. M. Bennett Deft. Continuance set aside and cause dismissed at cost of this defendant—for which execution may issue—

√ 1546. James E. Boulden Plff. vs. Wm K. Brown Deft. And now come the parties by their attornies, and by agreement this cause, is tried before John Hancock Esq. special Judge—and having announced themselves ready for trial thereupon came a jury of good and lawful men of Travis County—to wit A O Horne & eleven others, who being duly elected, tried empannelled and sworn according to law, after hearing the evidence argument of counsel, and charge of the court, retired to consider of their verdict—and returned into Court their verdict as follows "We the jury find for the plaintiff, one hundred and seventy seven dollars and fourteen cents, July 23d 1858— A O Horne foreman— It is therefore ordered, adjudged and decreed by the Court that the plaintiff James E. Boulden do have and recover of and from the defendant Wm K Brown the sum of one hundred, Seventy seven 14/100 dollars, with interest thereon till paid, and also all cost of suit in this behalf expended—for which execution may issue—

And thereupon Court adjourned till tomorrow morning—.

Wednesday July 28th 1858—. Court met pursuant to adjournment— Present as on yesterday— and the following Proceedings had—.

Spring Term Wednesday Jan 28th 1858

1547 David W. Bouldin } Plff } And now come the parties by their
vs. } attornies, and by agreement this cause
Wm K Brown } Deft. } is tried before John Hancock Esq. Special
Judge, and announce themselves ready for trial, Thereupon Came
a jury of good and lawful men of Travis County - to wit, J. G. Swisher
and eleven others who being duly elected, tried empannelled and Sworn
according to law, after hearing the evidence and Charge of the Court,
retired to Consider of their verdict - and returned into court their
verdict as follows - "We the jury find for the plaintiff (205. 52) Two
hundred and five dollars & fifty two cents - J. G. Swisher foreman -
It is therefore ordered, adjudged and decreed by the Court that
the plaintiff David W. Bouldin do have and recover of and from
the defendant Wm K Brown the sum of Two hundred and five
dollars, and fifty two cents, with interest thereon till
paid, and also all costs in this behalf expended, for
which execution may issue —.

1611. Wm G. Lane & Co } Plff } And now on this day came the parties
vs. } by their attornies, and announce themselves
W P. Detromandie } Defft } ready, Whereupon Came a jury of good and lawful men of Travis County - viz:
A O Horne and eleven others, who being duly elected
empannelled, and Sworn according to law, after hearing
the evidence and charge of the Court - retired to
Consider of their verdict - and brought into Court
their verdict as follows - "We the jury find for the
plaintiff the Sum of three hundred and seventy four
45/100 Dollars - July 23d 1858 - A O Horne foreman -
It is therefore ordered, adjudged and decreed by the Court that
the plff Wm G Lane & Co do have and recover of and from the
defendant W P Detromandie the sum of three hundred Seventy
four & 45/100 Dollars, with interest thereon till paid
and also all cost of suit, for which execution may issue.

1357. M. W. Townsend
vs.
Charles Payne } Defts. } Continued
D. C. Beedle
Pat Benton } Garnishees
James C. Wilson

And thereupon
Court adjourned until 10
morrow morning at 1/2 past
8 o'clock —

Thursday, Spring Term, July 29th 1858.

Thursday July 29th 1858.

Court Convened at the usual hour, Present the same as on yesterday, Whereupon the following proceedings were had by said Court to wit.

The State of Texas } To the Honorable, the Dis-
County of Travis } trict Court of the County of
Travis in said State of Texas.

The Petition of Elias Nopon, a native of Prussia, showeth that on the day of Sept. A.D. 1849 he filed his declaration in the District Court of the County of New York in the State of stating on oath, that he was born in the year of our Lord One Thousand Eight and Twenty Six in the County of in the Kingdom of Prussia, whence he emigrated in the year 1845, to the United States of America, and has selected the State of Texas as the place of his intended settlement and he further declares, that it is bona fide his intention to become a citizen of the United States of the said State of Texas, and renounce forever all allegiance and fidelity to every Price Potentate State or Sovereignty whatsoever, and particularly to the King of Prussia, of whom he was a late subject.

That more than two years have elapsed since the making and filing of the above declaration, that your Petitioner hath never borne any hereditary title or been of any of the orders of Nobility, and if any such should by any means belong to him, he doth hereby also abjure and entirely renounce the same. That he hath never heretofore been proscribed by any State that he is now ready and desirous of taking the necessary oaths required.

And thereupon Court adjourned till to morrow morning ½ past eight o'clock.

Friday, July 30th 1858.

Court met pursuant to adjournment, Present the Honorable George M. Flournoy Special Judge, &c. Whereupon the following proceedings were had by said Court to wit.-

Spring Term, Friday, July 30th 1858.

Elias Mopson, Ex parte

And the said Elias Mopson having filed here in open Court his petition praying to be admitted to become a Citizen of the United States and the Court being satisfied by the oaths of A. Mopson and D. Sutor Citizens of the United States, that the said Elias Mopson was known to them for the last five years as residing within the limits and under the jurisdiction of the United States, and within one year in the State of Texas, that during that time he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same, and being also satisfied that the said Elias Mopson has made his declaration to become a Citizen of the United States in the District Court of the County of New York in the State of New York two years previous to the filing his said petition, according to the Act of Congress in such case made made and provided. and the said Elias Mopson, having in open Court taken the oath prescribed by Law, to support the Constitution of the United States, and that he doth absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the King Prussia, whereof he was before a subject - It is therefore ordered by the Court, that the said Elias Mopson, be and is hereby admitted a Citizen of the United States, and that the Clerk of this Court issue to a Certificate accordingly.

And thereupon Court adjourned until to morrow morning 9 o'clock 8 o'clock.

Saturday July 31st 1858.

Court met pursuant to adjournment, Present the same as on yesterday, whereupon the following proceedings were had by said Court, as follows to wit,

1876.

Asa Harvey } Plaintiff
vs
James Smith } Defendant } For Land

And now at this term come the Parties by their Attorneys and announce themselves ready for trial, Whereupon came a Jury

Spring Term, Saturday, July 31st 1858.

of twelve good and lawful men of Travis County to wit, James G. Swisher, and eleven others who being duly sworn according to law, after hearing the allegations and proof and Charge of the Court returned into Court the following verdict to wit, "We the jury find for the defendant. J. G. Swisher foreman"

It is therefore Considered, ordered and adjudged by the Court, that the Plaintiff take nothing by his said suit and that the said Defendant, James Smith, go hence without day. It is further Considered, ordered and adjudged by the Court, that the said Defendant James Smith, have and recover of and from the said Plaintiff Asa Hoxey, all his costs and Charges about this suit laid and expended for which Execution may issue.

And thereupon Court adjourned until tomorrow morning 1/2 past 8 O'clock. Geo. Thornton Special Judge

Tuesday, August 3rd 1858.

Court convened at half past eight o'clock pursuant to adjournment. Present the Hon A. W. Terrell Judge, Frank Brown, clerk, and J M Blackwell Sheriff. Whereupon the following proceedings were had by said Court, as follows to wit:

1188	Lowery & Cole v. Peter D. Lowe	} Plaintiffs } Defendants	}	Continued as per agreement of counsel filed.
1173	John D. McChristian v. J. M. W. Turner	} Plaintiff } Defendant	}	And now on this day appeared their parties by attorneys; and by agreement John Hancock Esq. sits as special Judge in this cause. And the said parties agree that the cause may be dismissed from the docket at Plff's cost. Whereupon It is ordered, adjudged and decreed by the Court, that said cause be dismissed from the docket and that said Plaintiff, John McCaughan pay all costs of this suit, for which execution may issue.

And thereupon Court adjourned until to morrow morning 1/2 past 8 o'clock.

Spring Term Wednesday August 4th 1858.

Wednesday. August 4th 1858.

Court convened at 1/2 past eight o'clock pursuant to adjournment. Present the same as on yesterday. Whereupon the following proceedings were had, as follows, to wit:

1277 Owen O'Brien } Plaintiff
v.
W.C. Walker } Defendant

} And now comes the plaintiff by attorney; and on motion, the continuance ordered at the present term is set aside. And thereupon said plaintiff announces himself ready for trial. And the defendant having been cited according to law wholly made default. Whereupon came a jury of good and lawful men of Travis county, To wit: S. G. Swisher, and eleven others, who were empannelled, sworn and tried according to law. And the jury having heard the evidence introduced by the plaintiff, and the charge of the Court, retired for deliberation, and thereupon returned into Court the following verdict, To wit "We, the jury, find for the plaintiff 281.00 Two Hundred & Eighty-One dollars. S. G. Swisher, Foreman." Whereupon It is ordered by the Court, that the plaintiff, Owen O'Brien, do have and recover off and from the defendant, Willard C. Walker, the said sum of Two Hundred and Eighty-One dollars and all costs of this suit, for which execution may issue

1631 George D. Hyde } Plaintiff
v.
T. M. Nicholson } Defendant

} And now on this day appeared the parties by attorney and announced themselves ready for trial. and waived a Jury and submitted the cause to the Court. And thereupon the counsel having argued the matters of law arising upon the questions presented, and the same being well understood by the Court, It is, Therefore, ordered, adjudged and decreed by the Court that the plaintiff's prayer for mandamus be refused; that the defendant go hence without day and recover off and from the plaintiff George D. Hyde, all costs of this suit, for which execution may issue

1641 The City of Austin } Plaintiff
C. M. Swenson } Defendant

} Defendant has leave to amend ans.

954 Ernst Raven } Plaintiff
v.
John Killick } Defendant

} On this day came these parties by atty. and by agreement of said parties the Order heretofore entered changing the venue is set aside, the cause reinstated on the docket - jury waived and cause submitted to the Court. And the parties further agree that judgment may go for the sum of One Hundred and Five 70/100 dollars. Whereupon, It is ordered, adjudged and decreed by the Court

Spring Term, Friday, August 5th 1859.

that the plaintiff, Ernst Raven, do have and recover off and from the defendant John Kellner the said sum of One Hundred and Two 75/100 dollars and all costs in this behalf expended for which execution may issue

And thereupon Court adjourned until to-morrow morning 1/2 past eight o'clock.

Thursday Morning, August 5. 1858
Court met at 1/2 past eight o'clock and adjourned until to-morrow morning at 1/2 past eight o'clock

Friday Morning, August 5th 1858
Court convened at 1/2 past eight o'clock pursuant to adjournment. Present the Hon. A. W. Terrell, Judge, Frank Brown, Clerk and S. M. Blackwell, Sheriff. Whereupon the following proceedings were had, to wit:

1175 The State of Texas vs Carrington & Dawson } Plaintiff / Defendants } all the term appeared the Plff. and the Defts. Carrington by attorney, and announced themselves ready for trial. Whereupon came jury of good and lawful men of Travis county, to wit: S. Swenson, foreman and eleven others, who were elected, empanelled, tried and sworn according to law. And the jury having heard the evidence of the quality, the evidence and the charge of the Court, retired for deliberation, and thereupon returned into Court the following verdict, to wit: "We, the jury find the defendant guilty as charged, and assess the fine at one dollar. S. M. Swenson Foreman." Whereupon It is ordered, adjudged and decreed by the Court, that the State of Texas do have and recover off and from the defts. L. D. Carrington, said sum of one dollar and all costs in this behalf expended, for which execution may issue.

1076. Ira Howie vs James Smith } Plff / Deft. } And now on this day appeared the parties, by their attorneys, and submit to George M. Flournoy the Special Judge sitting in the trial of this cause the motion of the plaintiff for a new trial in this cause — And said motion being fully by the Court it is ordered, adjudged and decreed by the Court that a new trial be granted in this case ——.

George Flournoy Special Judge

Spring Term, Friday, August 5th 1858

1079. Asa Hoxie vs. Joseph Rhubarth — Reff. / Deft. — It is ordered by the Court that the defendant have leave to amend his answer — and suggest good faith —. Order by special Judge Geo M. Flournoy —.

1080. Asa Hoxie vs. Joseph Dyches — Reff. / Deft. — It is ordered by the court in this case, that the defendant have leave To amend his answer — and suggest good faith —. Order by special Judge Geo M. Flournoy —.

1081. Asa Hoxie vs. Elisha Allen — Reff. / Deft. — It is ordered by the Court in this case, that the defendant have leave To amend his answer, and suggest good faith —. Order by special Judge Geo M Flournoy

1082. Asa Hoxie vs. Charles Campbell — Reff. / Deft.

1078. Asa Hoxie vs. David Waller — Reff. / Deft. — Before George M Flournoy Special Judge —.

In this case appeared the parties plaintiff and defendant and announced themselves ready for trial — thereupon came a jury of twelve good & lawful men of Travis County, viz A Lanes and eleven others who being duly tried, empannelled and sworn according to law, after hearing the evidence introduced by the parties, plaintiff and defendant — the argument of Counsel, and being charged by the Court — Returned into Court the following verdict to wit — "We the jury find for the plaintiff and assess the rent at ten dollars — Aug: 5th 1858 A Lanes — foreman ——— It is therefore ordered adjudged and decreed by the Court that the plaintiff Asa Hoxie do have and recover of and from the defendant David Waller the land described in the plaintiffs petition which is situated partly in the County of Williamson and partly in Milam County, and included the land that the defendant lived upon when this suit was brought — and the land that he now lives upon: which is bounded as follows — "Situated on the San Gabriel and embracing the point where "the Stream called "Williamson's creek" enters the San Gabriel "on the left side of the same: and having lines, limits — and

Spring Term Friday, August 5th 1858.

"Land marks, as follows - Towit - Beginning at a stake, erected
"for the South, or South East corner of a tract of eleven leagues
"Surveyed for Miguel Davilla, and which is situated on the
"right bank of the River San Andrews - From which Stake, S.
"20° W. at 382 varas - there is a Mesquite 8 inches in diameter -
"From this point is run a line S. 20° W. Ten thousand, nine hundred
"and nine varas - To a stake planted, for the second corner - Crossing
"the said San Gabriel, and the small creek called "Pecan Creek.
"From said Stake, another line runs N 20 W. Thirteen thousand
"Seven hundred and fifty varas, To a stake, erected for the third
"Corner -. From this point, a line runs N 20° E Ten thousand
"nine hundred, and nine varas, to the North, or North West Corner
"of the said tract -. Thence in a line S. 70 E, and following the
"boundary line of said tract, Thirteen thousand, Seven hundred
"and fifty varas, to the place of beginning -."

It is further ordered, adjudged, and decreed by the Court, that a Writ of possession issue, directed to the Sheriff of Williamson County Commanding him to dispossess the said David Waller, and all those claiming under him, and put the plaintiffs Asa Hoxie in possession of the same -.

It is further ordered, adjudged, and decreed by the Court, that the plaintiff Asa Hoxie, do have, and recover, of and from the defendant David Waller, the sum of ten dollars, for his rents, together with all the costs of this suit, for which execution may issue -.

George Fisherman
Special Judge

1503.

L. C. Higgins } Reff. }
vs.
L. D. Hill } Deft. }

And now on this day came the parties by their attornies, and submit to the Court, the motion of the defendant to quash the Service in this case - and the same, being fully understood by Court, is overruled - and the defendant having failed and neglected to file an answer in this cause, and it appearing to the Court that the defendant L. D. Hill, has been duly, and legally cited and that he has wholly failed to answer - and plaintiffs Cause of action, being liquidated, as shown by the defendants note of hand, produced by plff. and inspected by the Court - It is therefore ordered adjudged and decreed by the Court that the plaintiff ~~L. Hill~~ L. C. Higgins do have and recover of, and from the defendant L. D. Hill, the sum of four hundred Sixteen & 50/100 Dollars, with ten per cent interest thereon till paid & also all costs in this behalf expended, for which execution may issue -

Spring Term, Monday August 8th 1858.

And Thereupon Court adjourned until To-morrow morning half past eight o'clock

Court met on Saturday Morning August 6th 1858, at the usual hour, and adjourned until Monday Morning August 8th 1858, at usual hour.

Monday August 8th 1858.

Court convened at the usual hour pursuant to adjournment. Present the Hon. A. W. Terrell, Judge, Frank Brown, Clerk and J M Blackwell, Sheriff. Whereupon the following proceedings were had, To wit:

1271 Geo. L. & W. M. Walton & Filding S. Roy } Plaintiffs & Defendant } And now come the parties by their attorneys and announce themselves ready for trial and waive a jury, and submit the matters at issue to the Judgment of the Court. And Thereupon the defendant agrees and consents to the rendition of a Judgment against him in the favor of the plaintiffs for the sum of Nine Hundred dollars. Whereupon, It is ordered adjudged and decreed by the Court, that the plaintiffs, George L. Walton and William M. Walton, do have and recover off and from the defendant F. S. Roy, the sum of Nine Hundred dollars, with interest thereon at 10 per centum per annum until paid as also all cost in this behalf expended for which execution may issue.

1357 M. W. Townsend v. Charles Payne & S. C. Bledsoe, Trals } Plaintiff & Defendant & Garnishee } Continued

1520 The State of Texas & George W. Scott, Trals } Plaintiff & Defendant } By consent of the parties to this suit, the return of the Sheriff on the defendant Scott is amended. And Thereupon, on motion, Truman B. Beck is allowed to file a petition of intervention in the above cause.

1635 Benjamin Gonzales & Frank Pedart } Plaintiff & Defendant } And now at this day came the parties, and the plaintiffs demurrer to the defendants plea in abatement coming on to be heard, the same is by the Court overruled; And the parties came then by their attorneys and announced themselves ready for trial on the plea. And Thereupon came a Jury of twelve good and lawful men, to wit: Thomas Adams and eleven others, who being duly empannelled and sworn according

Spring Term, Monday August 8th 1858

to Law to try the issue on the plea of abatement, and having heard the pleadings, the evidence, the argument of counsel and the charge of the Court, retired to consider of their verdict, and thereupon returned into the Court the following verdict, to wit: "We, the jury find for the defendant, that plaintiff was not a resident of Travis County at date of this suit. Thomas Adams foreman." Whereupon, It appearing to the Court, that the plaintiff was not a resident of Travis County at the time of the bringing of said suit, It is ordered that he have leave to amend and plead over at once, and unless the same be done, that his said suit be dismissed. And thereupon, the said plaintiff having amended his petition, and pleaded over, and the defendant demurring to the plaintiff's amended petition, and the said demurrer coming on to be heard, It is ordered by the Court that the same be overruled. And thereupon came the parties and announced themselves ready for trial on the merits. And thereupon came a jury of good and lawful men to wit: A. D. Horne and eleven others, who being duly and legally sworn in accordance with Law, and having heard the pleadings, the evidence, the argument of counsel and the charge of the Court, retired to consider of their verdict, and returned into the Court the following verdict to wit:

"We the jury, find for the plaintiff the sum of four hundred and twenty five 99/100 dollars, and do further find that the amount found and the purchase money for Lot No. 1 in Block No. 40, in the City of Austin, and do further find that the Vendor's note was taken in and called in the Lones last purchase. A. D. Horne, Foreman." Whereupon, It appearing to the Court that the allegations contained in the plaintiff's petition and amended petition are true. It is, thereupon, ordered, adjudged and decreed by the Court, that the said plaintiff do have and recover of and from the defendant, Frank Gildart, the sum of three hundred and ninety one dollars and fifty cents ($391.50) the said plaintiff having here in open Court remitted all excess in said verdict above that sum, together with all his costs in this behalf expended. And it further appearing that the said amount is due as the purchase money for Lot No. 1 in Block No. 40, in the said City of Austin in said County of Travis. It is therefore ordered that the lien of the plaintiff for said sum be and is hereby foreclosed; and it is ordered that the Sheriff of said County do proceed in accordance with law to sell said above described premises, and apply the proceeds arising from the same to the satisfaction of the above sum, to wit, and all costs, and in case the same should not be sufficient, then execution is awarded against the said defendant for the balance, and costs still due.

And it further appearing to the Court that the said Bremond note set out in defendants answer, to wit. a note dated January 1st 1857, for forty seven dollars and sixty-eight cents ($47.68) payable to John Bremond, with ten per cent from interest for value received and signed by the plaintiff, the said note being transfered by the said Bremond to the said defendant and that the said note was taken, held, claimed and owned heretofore in the homestead purchase by this plaintiff. It is ordered, adjudged and decreed, that the said note be and the same is hereby cancelled and held for naught, and the defendant is hereby required to surrender the same up to the said plaintiff or his agents and attorneys. And it is further ordered, that the said defendant be forever enjoined from loaning or transferring, in any manner, said note, or asserting any right by virtue of the same.

1148½ The State of Texas } Plaintiff
vs } Dismissed on motion of Distrct Attorney.
James Alexander } Defendant

1161 The State of Texas } Plaintiff
vs } And now on this day appeared the
George A. Gray } Defendant } State by her attorney, George W. Jones, Esq. and the defendant by attorney, and announced themselves ready for trial. And thereupon came a jury of good and lawful men of Travis County, to wit: P.W. Rowlin, foreman, and eleven others, who were elected, empannelled and sworn according to law. And the jury having heard defendants plea of not guilty, the evidence, and the charge of the Court, retired for deliberation. And thereupon said jury returned into Court the following verdict, to wit: "We, the jury, find the defendant guilty as charged, and assess the fine at ten dollars P.W. Rowlin, foreman." Whereupon, It is ordered, adjudged and decreed by the Court, that the State of Texas recover of and from the defendant George A. Gray, the sum of ten dollars aforesaid, and all costs of this prosecution, &c.

1158 The State of Texas } Plaintiff
vs } Dismissed on motion of the District Attorney.
Joseph Lee } Defendant

1156 The State of Texas } Plaintiff
vs } And now on this day appeared the
William Jones } Defendant } State by her attorney, George W. Jones, Esq. and the defendant in proper person and also by attorney, and announced themselves ready for trial. Whereupon came a jury of good and lawful men of Travis county,

Spring Term, Monday, August 8th 1853.

to wit: Thomas A Jones, foreman and eleven others, who were tried, elected, empannelled and sworn according to law. And the jury having heard the evidence, the plea of not guilty, and the charge of the Court, retired for deliberation, and returned into Court the following verdict, to wit: "We the jury find the defendant guilty as charged, and assess the fine at ten dollars Th^s A. Jones foreman." Whereupon, It is ordered, adjudged and decreed by the Court, that the State of Texas recover off and from the defendant, William Jones, said sum of ten dollars and all costs of this prosecution, and that he remain in the custody of the Sheriff until the same is paid.

1124 The State of Texas vs A. G. Weir } Plaintiff, Defendant } And now on this day appeared these parties by attorney and announced themselves ready for trial. And thereupon came a jury of good and lawful men of Travis county, to wit: A. T. Horne, foreman and eleven others, who were tried, elected, empannelled and sworn according to law. and the jury having heard the evidence, the plea of not guilty and the charge of the Court, retired; and thereupon returned into Court the following verdict, to wit: "We, the jury, find the defendant guilty and assess the fine at one cent. A. T. Horne, foreman." Whereupon, It is ordered, adjudged and decreed by the Court that the State of Texas recover off and from the defendant, A. G. Weir, said fine of one cent, and all cost of this prosecution.

1122 The State of Texas vs Thomas P. Ochiltree } Plaintiff, Defendant } Continued, and capias ordered to Nacogdoches county.

1123 The State of Texas vs Thomas P. Ochiltree } Plaintiff, Defendant } Continued, and capias ordered to Nacogdoches county.

1100 The State of Texas vs C. W. McAnelly } Plaintiff, Defendant } Dismissed on motion of the District Attorney.

1101 The State of Texas vs C. W. McAnelly } Plaintiff, Defendant } Dismissed on motion of the District attorney.

1102 The State of Texas vs C. W. McAnelly } Plaintiff, Defendant } Dismissed on motion of the District Attorney.

Spring Term, Monday, August 8th 1859

1103	The State of Texas vs O.W. McAnelly	Plaintiff / Defendant	Dismissed on mohon of the Distrct Attorney	
1104	The State of Texas vs O.W. McAnelly	Plaintiff / Defendant	Dismissed on mohon of the Distrct Attorney	
1089	The State of Texas v. W.P. de Kormandie	Plaintiff / Defendant	Dismissed on mohon of the Distrct Attorney	
1090	The State of Texas v. W.P. de Kormandie	Plaintiff / Defendant	Dismissed on mohon of the Distrct Attorney	
1091	The State of Texas v. W.P. de Kormandie	Plaintiff / Defendant	Dismissed on mohon of the Distrct Attorney	
1092	The State of Texas v. W.P. de Kormandie	Plaintiff / Defendant	Dismissed on mohon of the Distrct Attorney.	
1093	The State of Texas v. W.P. de Kormandie	Plaintiff / Defendant	Dismissed on motion of the Distrct Attorney.	
1067	The State of Texas v. W.C. Dalrymple	Plaintiff / Defendant	Dismissed on mohon of the Distrct Attorney	
1066	The State of Texas v. W.C. Dalrymple	Plaintiff / Defendant	Dismissed on motion of the Distrct Attorney.	
1065	The State of Texas v. W.C. Dalrymple	Plaintiff / Defendant	Dismissed on motion of the Distrct Attorney	
1064	The State of Texas v. W.C. Dalrymple	Plaintiff / Defendant	Dismissed on motion of the Distrct Attorney.	

Spring Term Monday August 8th 1858.

1062 The State of Texas } Plaintiff
vs.
W. C. Dalrymple } Defendant
} And now on this day appeared these parties by attorney and announced themselves ready for trial. And thereupon came a jury of good and lawful men of Travis County, to wit: S. M. Cain and eleven others, who were tried, elected, empannelled and sworn according to law. And the jury having heard defendants plea of guilty, and being charged by the Court, as to the law, retired for deliberation, and returned into Court the following verdict, to wit: "We, the jury, find on the defendant guilty and assess the fine at ten dollars. S. M. Cain, foreman." Whereupon, It is ordered, adjudged and decreed by the Court that the State of Texas do have and recover of and from the defendant, W. C. Dalrymple, said fine of ten dollars and all costs of this prosecution.

1063 The State of Texas } Plaintiff
vs.
W. C. Dalrymple } Defendant
} And now on this day appeared these parties by attorney, and announced themselves ready for trial. And thereupon came a jury of good and lawful men of Travis County, to wit: S. M. Cain and eleven others, who were tried, elected, empannelled and sworn according to law. And the jury having heard the defendants plea of guilty, and being charged by the Court as to the law, retired for deliberation, and returned into Court the following verdict, to wit: "We the jury, find the defendant guilty and assess the fine at ten dollars. S. M. Cain foreman." Whereupon, It is ordered, adjudged and decreed by the Court that the State of Texas recover of and from said defendant, W. C. Dalrymple, said sum of ten dollars, and all costs of this prosecution.

990 The State of Texas } Plaintiff
vs.
Nichols & Capurlin } Defendants
} Dismissed

854 The State of Texas } Plaintiff
vs.
J. L. W. Cook } Defendant
} In this cause this day came the District Attorney, George Mc Cone, who prosecutes for the State in this behalf, and the said defendant J. L. W. Cook being three times solemnly called, came not, but made default; and it appearing to the Court that the said defendant, J. L. W. Cook, as principal, and Louis Horet, as his security, had entered into recognizance in open Court, in the sum of One hundred dollars, on the 18th day of December 1857, conditioned that the said defendant J. L. W. Cook, make his personal appearance at the District Court of said County of Travis then in session, and from term to term thereafter, to answer the indictment preferred against him by the Grand Jurors of Travis county at the Fall Term, A. D. 1857, of said District Court, for an Assault and Battery in and upon the body of one J. D. Frazier and there remain from day to day and from term to term

of said Court, and that he do not depart thence without leave of said Court; and the said defendant, J. L. W. Cook, being three times solemnly called, and required to answer said charge, came not, but wholly made default, and the said securities also being again three times solemnly called, and required to bring with them in Court the body of the said defendant J. L. W. Cook, to answer said charge, which they wholly failed to do. It is therefore considered, ordered, adjudged and decreed by the Court, that the said recognizance of the said defendant, J. L. W. Cook and the said Louis Host, be and the same is hereby forfeited, and that the State of Texas do have and recover of and from them jointly and severally, the sum of One Hundred dollars, the amount of said Recognizance, and that Scire Facias do issue to each of them severally, returnable to the next term of this Court, commanding them then and there to shew cause if any they can, why this Judgment should not be made final against them as aforesaid.

1156 The State of Texas } Plaintiff
v.
William Sowers } Defendant

} And now comes the defendant, by attorney and submits his motion for a new trial in the above entitled cause which motion is overruled by the Court. And the defendant gives notice of appeal.

1156 The State of Texas } Plaintiff
v.
William Sowers } Defendant

} And now comes the defendant, by attorney, and submits to the Court his motion for in arrest of judgment in said cause, and the Court doth order that said motion be overruled. Whereupon said defendant gives Notice in open Court, of an appeal to the Supreme Court

1156 The State of Texas } Plaintiff
vs
William Sowers } Defendant

} And now on this day appeared in open Court William Sowers, as principal, and A. W. Long, as security and acknowledged themselves jointly and severally justly to owe and be indebted unto the State of Texas in the sum of Sixty dollars, to be levied upon their respective goods and chattels, lands and tenements, But to be void upon condition that the said William Sowers appear before the District Court of Travis County on the 9th Monday after the first Monday in October, 1858, and from term to term thereafter, to answer the criminal accusation against him in the event the Judgment of the District Court in the above entitled and numbered cause shall be reversed, from which Judgment, said defendant hath appealed to the Supreme Court

666 The State of Texas } Plaintiff
James V. Roff } Defendant

} Continued

Spring Term, Tuesday, August 9th 1858.

And thereupon Court adjourned until to-morrow morning - 9 o'clock

Tuesday Morning, August 9th 1858.

Court convened at 1/2 past eight o'clock pursuant to adjournment. Present the Hon. A. W. Terrell, Judge; Frank Brown, Clerk and J. M. Blackwell, Sheriff. Whereupon the following proceedings were had by said Court as follows, to wit:

Joseph Kraus - Ex Parte

And the said Kraus having here in open Court, prayed on his petition praying to become a citizen of the United States in which he states, under oath, that he is a native of the kingdom of Prussia; that on the 8th day of August, 1856, he filed his declaration in the District Court of the County of Travis in the State of Texas; that he was born in the year 1833; that he emigrated to the United States in the year 1853 and has selected the State of Texas as the place of his intended settlement; and the said Kraus having taken in open Court, the oath of allegiance prescribed by law. It is, therefore, ordered, adjudged and decreed by the Court, that the said Joseph Kraus be, and he is hereby admitted a citizen of the United States of America, and that the Clerk of this Court give to him a certificate accordingly.

1638 Francis Dieterich & Bohles & Piller } Plaintiff / Defendants } And now on this day appeared the said plaintiff by attorney, and announced himself ready for trial. Whereupon came a jury of twelve good and lawful men of Travis county, to wit: A. O. Horne, foreman and eleven others, who were tried, empannelled and sworn according to law. And the jury having heard the evidence introduced by the plaintiff and the charge of the Court, retired for deliberation; and thereupon returned into Court the following verdict to wit: "We, the jury, find for the plaintiff the sum of Two Hundred and Twenty-three dollars and 30 cents. A. O. Horne, Foreman." Whereupon it is ordered, adjudged and decreed by the Court that the Pltff F. Dieterich do have and recover of and from the defendants D. Bohles and Michael Piller said sum of Two Hundred and Twenty-Three dollars and thirty cents, found due by the jury aforesaid, and all costs in this behalf laid out and expended, for which execution may issue.

1639 William S. Starney } Plaintiff / Ernst Raven & Defendant } And now comes the plaintiff, by attorney, and moves the Court, that the writ of inquiry awarded at a former day of the present term, be executed. Whereupon came a jury of twelve good and lawful men of Travis county, to wit: J. G. Fischer, foreman and eleven others, who were empannelled, tried and sworn according to law. And the jury having heard the evidence introduced by the plaintiff and the charge of the

Court retired for deliberation. And thereupon said jury returned into Court the following verdict to wit: "We the jury find for the plaintiff the sum of Six Hundred and Fifty-Five 10/100 dollars and we further find the mortgage described in plaintiffs petition was to secure the payment of said note. J. G. Swisher Foreman." Whereupon it appearing to the Court that the allegations of said plaintiffs petition are true, It is therefore ordered adjudged and decreed by the Court, that the said William S. Harney do have and recover of and from said defendant Ernst Raven said sum of Six Hundred and fifty-five 10/100 dollars and all costs of suit, for which execution may issue. And because it appears to the Court that the mortgage described in plaintiffs petition was given to secure the payment of the note sued on, It is, therefore, ordered, adjudged and decreed by the Court that said plaintiffs mortgage lien as aforesaid, on the following described premises, be and the same is hereby foreclosed, to wit: "that certain piece or parcel of ground consisting of two Lots, containing five acres each making in all ten acres, situated and described as follows, viz: Lots No (61) Sixty-One and (62) Sixty-Two in Division No (II) of the Government Tract adjoining the City of Austin, as will fully appear by reference to the plan of said Tract now in the General land office, together with all and singular the priviledges and appurtenances thereunto belonging" and that the clerk of this Court issue an order of sale to the Sheriff of Travis county, commanding him to sell said lots or parcels of ground in accordance with law, and apply the proceeds thereof to the satisfaction of this judgment and costs, and the overplus, if any, said Sheriff shall pay over to said defendant. But if the proceeds of said sale shall not be sufficient to satisfy this judgment, then execution shall issue against the deft for the remainder that may be due.

This fi fa issued 1st August 1859 for $ Cents, ret. satisfied in full

1641 The City of Austin vs S. M. Swenson } Plaintiff / Defendant } And now on this day came these parties by their attorneys. And thereupon, on motion, It is ordered that the plaintiff have leave to amend. And the parties announced themselves ready for trial. And the special exceptions of the defendant, on motion of the plaintiff, were thereupon stricken out. And defendants general demurrer coming on to be heard, and the same being argued by counsel, and being well understood by the Court, was overruled. And thereupon, came a jury of twelve good and lawful men of Travis county, to wit: J. G. Swisher and eleven others, who were elected, empannelled, tried and sworn according to law. And the jury having heard the evidence introduced by the parties, and the argument of counsel, and being charged by the Court, retired for deliberation. And thereupon said jury returned into Court the following verdict, to wit: "We, the jury, find for the defendant in the sum of Thirty

Spring Term, Tuesday Augst 9th 1858

dollars and fifty four cents. Aug. 10. 1858. J. G. Loisher, foreman thereupon. It is ordered that the said L. M. Swenson do have and recover off and from the Corporation of the City of Moline, said sum of Thirty 54/100 dollars, for which execution may issue. It is further ordered by the Court that the costs of this suit be adjudged against the defendant L. M. Swenson, for which execution may issue.

1646 L. D. Carrington & Co. } Plaintiffs. } Continued on affidavit
vs } } of the
Jane M. George } Defendant } defendant.

1660 L. Host } Plaintiff } And now on this day ap-
vs } } peared the plaintiff by atty.
Ed. Harrington } Defendant } and moved the Court to render
judgment in accordance with the agreement filed as by consent of parties. And thereupon it appearing to the Court that the amount of the demands of said plaintiff is $867.11. It is ordered that the said plaintiff L. Host, do have and recover off and from the defendant, Jane M. George Ed. Harrington as by consent of parties, the sum of three Hundred and Sixty-Seven 11/100 dollars principal and interest due on the note sued on to date, with and all costs of suit, for which execution may issue.

And thereupon Court adjourned until to-morrow morning usual hour
Court opened on Wednesday Morning pursuant to adjournment. and adjourned until Thursday Morning usual hour

Thursday Morning, August 12th 1858.

Court convened at 1/2 past eight o'clock pursuant to adjournment. Present the same as on Tuesday Morning and thereafter. Whereupon the following proceedings were had, to wit

1659 Sampson & Henricks } Plaintiffs } And now on this day appeared
vs } } the Plffs. and the defendant by
W. P. de Normandie } Defendant } Attorney and announced themselves
ready for trial, and by agreement a jury is waived, and the cause submitted to the Court. And thereupon, by consent of parties, Judgment is entered for the amount of the principal and interest due on the notes sued on. Whereupon, It is ordered, adjudged and decreed by the Court, that said Plaintiffs George M. Sampson and Abram Henricks, under their firm name of Sampson & Henricks, do have and recover off and from the defendant, William P. de Normandie, the sum of Six Hundred and Fifteen 30/100 dollars, principal and interest due on the notes sued on, to date, with ten per centum per annum interest thereon until paid, and all costs of suit, for which execution may issue

Spring Term, Saturday, August 14th 1858

1657 J. W. Arnold, et. als } Plaintiffs
vs } Continued
J. W. Brown, et. als } Defendants

1935 The State of Texas } Plaintiff
vs } And now on this day appeared in
John Horan } Defendant } open Court John Horan as princi-
pal, and John C. Hampton as his
security, and acknowledged themselves jointly and severally, justly to owe
and be indebted unto The State of Texas in the sum of One Hundred dollars
To be levied upon their respective goods and chattels, Lands and Tenements,
But to be void upon condition that the said John Horan appear before the
District Court of Travis county at its next term, on the 4th Monday after the first
Monday in October, 1858, and from term to term thereafter, to answer the criminal
accusation against him, in case the judgment of the District Court should be
reversed in the above entitled and numbered cause, in which the defendant hath
appealed to the Supreme Court.

And Court adjourned until to-morrow morning, and each hour
Court met on Friday morning, Aug. 13, 1858, and adjourned until
to-morrow morning.

Saturday Morning, August 14th, 1858.

Court convened at 1/2 past eight present the Hon. A. W. Terrell,
Judge; Frank Brown, Clerk and J. M. Blackwell, Sheriff
Whereupon the following proceedings were had, to wit:

1286 A. J. Compton } Plaintiff } And now come the parties by
vs } attorney; and defendants
The Western Stage Co } Defendants } counsel submits his motion to
set aside the Order rendered in this case on the 9th June, and entered on
page 304 of the Minutes of this Term; and after argument of counsel
It is Ordered that said motion be granted

1503 J. C. Higgins } Plaintiff } The defendants motion to quash the
vs } service in the citation in this case
L. D. Hill } Defendant } is overruled, as of date August 7th
1858.

1858 Sarah T. Holman - Ex Parte.

Be it remembered that this cause came on to be heard this the Spring
Term, 1858, before the Hon. A. W. Terrell Judge, of the Second Judicial
District in the State of Texas, sitting at Austin, upon the petition and ex-
hibits, from which it appeared to the Court that the interest of the petitioner
in the estate of her father, John P. McConnell, deceased late of Lincoln
County, Tennessee had heretofore, by a decree of the Chancery Court of
said Lincoln county, vested in Robert Farquharson, as Trustee for
the sole and separate use of the petitioner, Sarah T. Holman, wife of

Spring Term, Saturday, August 14th 1858

H. C. Holman, and her children, then citizens of said Lincoln county, and now citizens of Travis county, Texas. That a part of said interested ones, by virtue of a decree of said Court, invested by said trustee in two slaves: Jane, a woman aged about twenty-three years, of dark complexion, and Marion, a boy of a mulatto complexion and described in the petition, who are now in the possession of the petitioner. It further appeared to the Court, that for reasons stated in the petition, that it is fit, prudent and advisable for the interest of said petitioner, and her children, that said slave Jane should be sold, and the money arising from said sale, or so much as may be necessary invested in the purchase of another negro woman, for the use of said petitioner and her children. It also appeared to the Court that said trustee, Robert Farquharson, is a citizen of Tennessee; that it is inconvenient for him to act as trustee, and that he desires to be relieved of said trust, and that the petitioner desires the appointment of Geo. W. White, of said Travis county, trustee in the place of said Farquharson; and the Court being of opinion that said White is a suitable person to manage said property and discharge the duties of said Trust. It is, therefore, ordered, adjudged and decreed by the Court, that the said George W. White be appointed and substituted as Trustee for the said Sarah F. Holman and her children, in the place of the said Robert Farquharson and that he have and exercise all the power and authority over said trust fund and property; which the said Farquharson could exercise under said decree of said Chancery Court. It is further ordered and decreed by the Court, that the said White have full power and authority to sell and convey said slave Jane, at such time, in such mode and at such price as to him may seem for the best interest of the said Sarah F. Holman and her children, and re-invest the proceeds in another negro woman, and take the title to himself as trustee, &c. for the sole and separate use of the said Sarah F. Holman and her children. It is further ordered, that said White pay the cost of this proceeding out of said trust fund

1862 Joseph Harrell vs Clifton & Clifton } Plaintiff & Defendants } The motion in this case to set aside the Order of Survey granted at a former day of the present Term of the Court, coming on to be heard, was overruled by the Court

Spring Term, Saturday, August 16th 1856.

1044	Thomas C. Collins vs John A. Green, et als.	Plaintiff Defendants	The motion to dissolve the Injunction granted in this case being submitted to the Court, is refused.
795.	The State of Texas vs George Robinson	Plaintiff Defendant	It is ordered by the Court that defendants motion for a new trial in this case be overruled. Whereupon the said defendant, gives notice, in open Court, of an appeal to the Supreme Court
1021	The State of Texas vs Thomas J. Randolph	Plaintiff Defendant	It is ordered by the Court that defendants motion for a new trial be sustained and cause continued for trial at the next term.
924	The State of Texas vs Isaiah Archer	Plaintiff Defendant	It is ordered by the Court that defendants motion for a new trial in this case be overruled
938	W. C. Reagan Admr vs Geo. L. Wooton, et als.	Plaintiff Defendants	And now comes the Pltff. by attorney, and intimates to the Court his motion to permit the clerk to sign his name to the execution issued in this case and returned to the present term. and the Court being satisfied of the propriety thereof, doth order that said motion be sustained, and that the clerk amend said execution in accordance with said motion
1172	H. Mardoff v. Bonner and Aldrege	Plaintiff Defendants	The defendants motion to set aside the judgment by default heretofore rendered was submitted to the Court and overruled. And plaintiffs counsel acknowledges, in open Court, notice of appeal on behalf of defendants
929	The State of Texas v. Geage Robinson	Plaintiff Defendant	The defendants motion for a new trial in this case being submitted to the Court, is overruled. and said defendant, thereupon, gives notice, in open Court, of an appeal to the Supreme Court
929	The State of Texas v. George Robinson	Plaintiff Defendant	The defendants motion in arrest of judgment in this case being submitted to the Court, and the Court being well advised in the premises,

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doth order that said motion be sustained.

935 — The State of Texas v. John Horan — Plaintiff / Defendant — And now comes the defendant by attorney and submits his motion for a new trial in this case. And thereupon, the Court doth order that said motion be overruled. whereupon said defendant gives notice, in open Court, of an appeal to the Supreme Court

935 — The State of Texas as John Horan — Plaintiff / Defendant — And now comes the defendant, by attorney, and submits his motion, in arrest of judgment for a new trial in this case, whereupon, It is ordered by the Court that said motion be overruled.

949 — The State of Texas v. Heffington & Wallace — Plaintiff / Defendants — And now comes defendants counsel and submits to the Court his motions for a new trial and in arrest of the judgment in this case. Whereupon, It is ordered by the Court that said motions be sustained

1011 — The State of Texas v. The Anderson — Plaintiff / Defendant — And now comes the defendant by attorney, and submits his motions for a new trial and in arrest of the judgment in this case. And the Court thereupon overrules said motions. And the defendant gives notice, in open Court, of an appeal to the Supreme Court.

993 — The State of Texas v. J. W. Robertson — Plaintiff / Defendant — And now comes the defendant, by attorney, and submits to the Court his motions for a new trial and in arrest of the judgment in this case, which said motions are overruled. and said defendant gives notice, in open Court, of an appeal to the Supreme Court

1458 — Wayne Pace, et.als. vs C. R. Johns et. als. — Plaintiffs / Defendants — And now come the defendants by attorney, and submit their motion for a new trial in this case. And the Court, thereupon, overrules said motion whereupon, said defendants give notice, in open Court, of an appeal to the Supreme Court

1650 — A. Superville v. W. P. deMormandie, et.als. — Plaintiff / Defendants — The defendants' motion to set aside the judgment in this case, heretofore rendered, is

overruled by the Court.

1461 Millard, et als. } Plaintiffs } Before William M Walton,
vs. Special Judge
Millard, et als. } Defendants } And now come the defendants counsel & on leave & the motion for a new trial in this case. Whereupon, It is ordered by the Court that said motion be overruled and thereupon said defendants give notice, in open Court, of an appeal to the Supreme Court.

1482 Phineas Burchard } Plaintiff } And now comes the plaintiff by attorney, and submits to the Court his motion to correct the computation of the interest and for a new trial in this case, which motion is awarded
vs.
Thomas C. Collins } Defendant }

1450 S. M. Swenson } Plaintiff. } And now comes plaintiffs counsel and submits to the Court his motion to set aside the continuance ordered in this case at the present term, and thereupon It is ordered that said motion be refused.
vs.
S. G. Sneed } Defendant }

950 H. L. Smith } Plaintiff } It is ordered by the Court that defendants motion in this case for a new trial be overruled. and thereupon defts. give notice of appeal in open Court
v.
Fellman & Walker } Defendants }

1518 A. P. Smith } Plaintiff } And now on this day appeared the defendant, by attorney, and submitted to the Court his motion for a new trial in this case. And thereupon, It is ordered by the Court that said motion be overruled. Whereupon said defendant gives notice, in open Court, of an appeal to the Supreme Court of the State of Texas.
vs.
N. Merrell } Defendant }

560 Larkin & Price } Plaintiff } The defendant appeared, by attorney, and submitted his motion to strike this case from the docket. And thereupon the Court refused said motion, to which ruling said Pffs. counsel excepts, in open Court.
v.
Michael Short } Defendant }

1484 The City of Austin } Plaintiff } And now come the defendants by attorney, and submits their motion for a new trial in this case. Whereupon, It is ordered by the Court that said motion be overruled. And thereupon said defendants give notice, in open Court, of an appeal to the Supreme Court
vs.
Peeks & de Normandie } Defendants }

Spring Term, Sitter Day, August 24th 1858.

1574 — Wm A. Fowler vs A. M. Lindsey — Plaintiff & Defendant — It is ordered by the Court that defendants motion for a new trial in this case be overruled. Whereupon said defendant gives notice in open Court, of an appeal to the Supreme Court

1583 — Wm Mecklin vs L. Vandeveers Admr — Plaintiff & Defendants — And now comes the defendant and submits to the Court his motion heretofore filed for a new trial. And the Court, thereupon, overules said motion. And said defendants give notice in open Court, of an appeal to the Supreme Court

1648 — John A. Conner vs Frazier & Blackwell — Plaintiff & Defendants — And now at this day appeared these parties by attorney and said defendants submit to the Court their motion to dissolve the injunction in this case. And said motion being duly considered It is therefore Ordered by the Court that said motion be sustained and the injunction dissolved

1537 — R. T. George vs Phillips & Black — Plaintiff & Defendants — And now comes the pltff by atty. and submits to the Court his motion to reinstate the above cause on the docket. Whereupon It is Ordered by the Court that said motion be and is hereby granted. And it is further ordered that said plaintiff pay the costs of this motion for which execution may issue.

1470 & 1471 — Robert Rose vs The State of Texas et al — pltff & deft — It is ordered by the Court that the motion of the Plaintiff in the two foregoing causes, to change the style of said causes be granted — and that the judgments, ordes and proceedings had in said causes be amended so as be styled "Robert Rose, as the Governor of the State of Texas"

1635 — Benjamin Grambles vs Frank Gildart — Plaintiff & Defendant — It is ordered by the Court that the motion of the defendant in this case for a new trial be overruled

Spring Term, Saturday, August 14th 1858

1123 Frederick Hold } Plaintiff } On motion of the counsel for
vs } } the defendant, It is ordered
A. Grooms } Defendant } by the Court that the venue of
this cause be changed to Williamson county according to law.

1469 Dewitt } Plaintiff } The motion to change the
v. } } venue in this cause coming
Herron } Defendant } on to be heard, and the same
being duly considered, It is ordered by the Court that
said motion be granted, and that the clerk transmit the
papers in the case and a certified copy of the entries to the
District Court of Williamson county according to law.

1076 Asa Hoxey } Plaintiff } On motion of plff. It is Ordered by the
v. } } Court that an order of survey issue to
James Smith } Defendant } the County Surveyor of Travis County
commanding him to survey the Six Leagues of Land claimed by plff
as granted to one Pedro Zarza so as to fix and determine the locality
thereof - and said survey being dependent upon the eleven leagues
granted to Mesnil Darella, and connecting also with the ten leagues
granted to Rafael de Aguirre - and that from the field notes, and the
actual lines, corners and bearing trees, and other evidences, nat-
ural and artificial, he ascertain and fix the actual locality and
connection of the said several tracts of land, as also the locality
and position of the several Leagues granted to Pedro del Toro, Fran-
cisco delos Santos, James Day and Samuel S Allen, with reference
to the said Pedro Zarza tract showing the conflict, if any, therewith;
and that he be further required, with a view to the certainty of the
Mesnil Darella grant, to ascertain the adjoining surveys thereto
on the western and Eastern boundaries thereof, and whether there
be any conflict between the former and the latter - and that he
make out a complete plat or map of said work, together with
such field notes and explanatory remarks as will give a full
and correct understanding of the work - and that he make
return of said work by the next Term of this Court.

1076 Asa Hoxey } Plaintiff } On motion of defendant, It is
v. } } ordered by the Court that an
James Smith } Defendant } order of Survey issue to the
County Surveyor of Williamson County, commanding him to
survey the six leagues of land claimed by the Deft. Hoxey, as
originally granted to one Pedro Zarza, so as to find the exact
locality of said six leagues, as described by the actual lines
and land marks of the same, natural and artificial -

Spring Term, Saturday, August 14th 1858.

the said six leagues having for bases the survey of eleven leagues of land to Miguel Darilla - that he make a map of these surveys, showing on said map the situation of the water courses and conflicting surveys crossed by said lines &c. and that he make return by the next term of this Court

1076	Asa Hoxey v. James Smith	Plaintiff & Defendant	Continued on the affidavit of the plaintiff	
1080	Asa Hoxey v. Joseph Dyches	Plaintiff & Defendant	It is ordered by the Court that Order of Survey issue in this case in accordance with the Order of Survey entered in Case No 1076, on page 488	
1085	Asa Hoxey v. Joseph Dyches	Plaintiff & Defendant	Continued on the affidavit of the plaintiff	
1079	Asa Hoxey v. Joseph Rutarth	Plaintiff & Defendant	It is ordered by the Court that Order of Survey issue in this case in accordance with the Order of Survey entered in Case No 1076, on page 488	
1079	Asa Hoxey v. Joseph Rutarth	Plaintiff & Defendant	Continued on the affidavit of the plaintiff	
1081	Asa Hoxey v. Elisha Allen	Plaintiff & Defendant	It is ordered by the Court that Order of Survey issue in this case in accordance with the Order of Survey entered in Case No 1076, on page 488.	
1081	Asa Hoxey v. Elisha Allen	Plaintiff & Defendant	Continued on the affidavit of the plaintiff	
1082	Asa Hoxey v. Chas Campbell	Plaintiff & Defendant	It is ordered by the Court that Order of Survey issue in this case in accordance with the Order of Survey entered in Case No 1076 on page 488. and case cont. on affidavit of plff.	

Spring Term. Monday August 16th 1858

And Court adjourned until Monday morning Aug 16/58

Monday Aug. 16, 1858.

Court convened at 1/2 past 9 o'clock The following proceedings were had, to wit.

1178 — Anthony v Waller — It is ordered by the Court that the motion for a new trial in this case be overruled. And the defendant, thereupon, gives notice, in Open Court, of an appeal to the Sup. Ct.

1589 — John C Perry & Keenan & Shaw — Plaintiff & Defendants — And now at this day come the parties, To wit the said John C. Perry and the said Charles A Keenan & James H Shawhenny duly served and failing to appear and the said parties having announced themselves ready for trial and waived a jury, and submitted all the matters, both of law and fact to the Court - and thereupon, the Court having heard the pleadings, the evidence and the argument of counsel; and it appearing to the Court that the matters in the Plaintiff's petition are sufficient in law and true in fact. It is therefore, ordered, adjudged and decreed by the Court that the said Jeff Perry be restored to the said office of Superintendent of the Lunatic Asylum, and that a writ of Mandamus do issue, ousting the said Keenan from the said office, and restoring the same together with the books, papers, plans, sketches, bonds and memoranda pertaining to said office, to the said Perry. And it is further ordered that a writ of Mandamus do issue compelling the said Shaw, as the said Comptroller, to draw and deliver to the said Perry a warrant on the Treasurer of the State for the salary of the said Perry as said Superintendent from the 26th of July A.D. 1858, up to the 12th day of May A.D. 1858. It is further ordered and adjudged, that the said Perry do have and recover of and from the said Keenan all the costs of this suit, for which execution may issue. And thereupon the said Keenan in open Court gave notice of an appeal to the Supreme Court.

Motion to amend execution and Sheriff's Return.

933 — Wm C Reager, Admr, &c v Wm M. Walton, Jr. &c. — Plaintiffs & Defendants — Come the parties plaintiff and defendants by attorneys, and submit the motion to amend, to the Court, when upon the inspection of the Records, the hearing of the testimony further, and the arguments of counsel, the Court is satisfied of the propriety of allowing the amendments to be made as prayed for. And it also appearing that M. C. Hamilton

Spring Term Friday August 8th 1858

has been duly notified of the filing of said motion, and he not appearing or objecting to the same, It is therefore ordered that the Clerk of this Court amend the execution issued in the above entitled cause on the 19th July 1858, by dating and signing the same Nunc pro tunc, where the respective endorsements have been made, and that the Sheriff of Travis county amend his return so as to show more fully his proceedings under said execution, and that the proceeds of the sale made by virtue of said execution be applied Towards its satisfaction

And thereupon Court adjourned until Friday morning 1/2 past 8 o'clock. August 20th 1858.

Friday August 20th 1858

Court convened at the usual hour. Whereupon the following proceedings were had, to wit:

961 The State of Texas } Plaintiff
vs
William H. Carr } Defendant

And now on this day appeared in open Court this defendant, William H. Carr as principal, and Abner H. Cook and Williamson S. Oldham as securities, and acknowledged themselves jointly and severally, justly to owe and be indebted unto The State of Texas in the penal sum of One Thousand Dollars, to be levied upon their respective Goods and Chattels, Lands and Tenements, But to be void upon condition that the said William H. Carr appear before the District Court of Travis county at the next term, to be held at the Court House thereof in the City of Austin on the 1st Monday after the first Monday in October, A.D. 1858, and from day to day and from term to term thereafter, to answer the Indictment preferred against him, the said Carr, by the Grand Jury of Travis county, at this Spring Term thereof A.D. 1858 for an assault with intent to kill and murder one Jerry Harrington, and that he do not depart the Court without leave.

993 The State of Texas } Plaintiff
vs
J.W. Roberson } Defendant

And now on this day appeared in open Court Joseph W. Roberson, this defendant, as principal, and Amos Morrill, as security, and acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the penal sum of Sixty dollars

to be levied upon their respective goods and chattels, lands and tenements, But to be void upon condition that the Joseph W. Robertson appear before the District Court of Travis county, to be held at the Courthouse thereof, in the City of Austin, on the 9th Monday after the first Monday in ~~April~~ October, 1858, and from term to term thereafter, to ~~answer the criminal accusation against him~~ abide the judgment ~~in case the decision~~ of the ~~District~~ Supreme Court ~~shall be affirmed~~ in the above entitled cause, in which said defendant hath appealed

1011 The State of Texas / The Anderson | Plaintiff / Defendant | And now on this day came the parties by attorney and announced themselves ready for trial. And thereupon came a jury of twelve good and lawful men of Travis county to wit: and sworn according to law And the jury having heard the plea of not guilty, the evidence and the charge of the Court retired, and thereupon returned into Court the following verdict to wit: "We the jury find the defendant guilty as charged and assess the fine at ten dollars foreman" Whereupon it is ordered by the Court that the State of Texas recover of and The Anderson said sum often dollars and all costs of suit for which execution may issue

1011 The State of Texas / The Anderson | Plaintiff / Defendant | And now come into open Court The Anderson as principal, and Henry W. Tablett, as security, and acknowledged themselves jointly and severally, justly to owe and be indebted unto The State of Texas in the penal sum of One Hundred dollars, to be levied upon their respective Goods and Chattels, Lands and Tenements, But to be void upon condition that the said The Anderson appear before the District Court of Travis County to be held at the Courthouse thereof in the City of Austin on the Ninth Monday after the first Monday in October A. D. 1858, and from day to day and from Term to term thereafter, to abide the judgment of the Supreme Court in the above entitled cause, in which the defendant hath appealed.

1192 John D. Kenfoe et al / Henry Pfleger et al | Plaintiffs / Defendants | Ordered that the Defendants have leave to amend their answer

Spring Term, Friday, August 21st 1858.

1382 Geo. J. Glasgock } Plaintiff } It is ordered by the Court that
vs } the verdict rendered in this
Wm B. Burdett } Defendant } cause at the present term
be set aside, and the cause continued

1563 Samuels & Mopson } Plffs } And now at this day come the
vs } parties, to wit. Samuels & Mopson
Joseph Warren, et al } Defts } the plaintiffs and Joseph Warren
the defts both by attorneys, and N. G. Shelley having been
agreed on as Special Judge and a Jury waived and docu-
ment of the parties being filed - the pleadings and agree-
ment being inspected. It is ordered, adjudged and decreed
by the Court that the said plaintiffs do recover, as per agreement filed
the said Warren the following track of land, as described in
the plaintiffs petition, to wit: " Beginning at the S. W. corner
of Survey No. 7 made for G. W. Spear a stake on the bank of
the Colorado River from which a hackberry marked X bears N.
73° 6 varas, and a mud hole in the mountain cliff on the
opposite side of the River sixty feet perpendicular above the
River, bears S. 67° West. Thence North 38° East with the
line of the G. W. Spear Survey seven Hundred and
twenty-three varas, to a stone corner from which a Post oak
marked X bears S. 40° E. 10 varas and a live oak marked X bears
N. 38 W. 5 varas. Thence North 60° West 1299 varas to a musquite
stake from which a Live Oak marked X bears South 30° West 13
varas and another marked X bears North 22° West 12 varas. Thence
South 30° West 3923 varas along the foot of the mountains to the
South west corner of said survey on the River a Cypress 30 inches
in diameter marked X standing in the center of a large Spring
Thence South 7° West 2600 varas with the meanders of said
River to the place of beginning

This decree is amended nunc pro tunc as of 4th Sept. Term

N. G. Shelley
Special Judge per agreement

1590 John T. Miller, } Plaintiff } And now comes Pffs Coun-
vs } sel, and moves the Court to
Geo. S. Deats. } Defendant } dismiss this cause from the
docket. Whereupon it is Ordered by the Court that said cause
be dismissed and that the defendant recover off and from
said Pff George S. Deats, all costs of this suit, for which
execution may issue

1641 The City of Austin } Pff } It is Ordered by the Court that the
vs } Judgment in this case rendered at
S. M. Swenson } Deft } a former day of the present term, be
with regard to the costs be amended, so as to read as follows

Spring Term, Friday, August 22nd. 1856

It is ordered by the Court that the defendant, S. M. Swenson, do recover off of the Corporation of the City of Austin, all costs in and about this suit expended, for which execution may issue

1643 ✓ R. R. Pickett } Plaintiff
vs
J. M. White, Asst } Defendant

And now at this day came the parties by attorney and announced themselves ready for trial, and waiving a jury submitted the cause to the Court. And upon a hearing of the facts and the argument of the counsel, and the Court being well advised in the premises, doth order and adjudge that the Mandamus prayed for in Plaintiffs petition be refused, and that said R. R. Pickett pay all costs of this suit for which execution may issue. And thereupon said plaintiff gives notice, in open Court, of an appeal to the Supreme Court and ingrafts demurrer to original and amended petitions herein overruled

✓ 1326 O. W. Humphreys et al
vs
Sherman Case, et als } Plaintiffs / Defendants

It is ordered by the Court that Plaintiffs motion for a new trial in this case be overruled. And thereupon said plaintiffs give notice, in open Court, of an appeal to the Supreme Court

✓ 950 A. L. Smith
vs
Sullivan & Walker } Plaintiff / Defendants

And now on this day comes the defendants and give notice, in open Court of an appeal to the Supreme Court from the Judgment rendered in this case at the present Term

✓ 1548 B. Chase
v.
Elam & Wright } Plaintiff / Defendants

It is ordered by the Court that the defendant Elam's motion for a new trial in this cause be overruled. And thereupon said defendant gives notice in open Court of an appeal to the Supreme Court

✓ 1641 City of Austin
vs
S. M. Swenson } Plaintiff / Defendant

It is ordered by the Court that the motion of the defendant for a new trial in this case be overruled

✓ 1636 M. A. Taylor
v.
O. M. Smith et als } Plaintiff / Defendants

It is ordered by the Court that the venue of this cause be changed to Williamson county, and that the Clerk certify the papers and entries to said County according to law

Spring Term, Friday, August 29th 1858.

827 — C. Karen vs J. Killeen — Plaintiff / Defendant — On motion It is ordered that the venue of this cause be changed to Williamson county, and that the clerk certify the papers and entries to said county according to law

962 — The State of Texas vs J. Deutschtal et al — Plaintiff / Defendants — On motion It is ordered that the venue of this cause be changed to Williamson county and that the clerk certify the papers and entries to said county according to law

It is ordered by the Court, That I. M. Blackwell, Sheriff of Travis county be allowed to amend his return on the following executions according to the truth of the matter

No. 1320 John C. Hamon v. Buck Walton. Issd July 22. 1858
1344 Jane B. Houston v. Walton & Walton " " " "
1104 Wm A. Hamilton v. Geo L. Walton " " " "
1442 Campbell & Co v. Wm M. Walton " " 25 "
997 J. G. Reed v. Walton et al " " 10 "

1461 — Millard et al vs Millard et al — Plffs / Defts — And now at this day came the parties by their attorneys and the Plffs. motion for a new trial coming on to be heard, It is ordered by the Court that the same be granted and thereupon It is ordered by the Court that in so far as the Plff is concerned that the verdict and Judgment be set aside and no further and that the cause stand continued until the next term.

1650 — Antonio Imperello v. W. P. deMorandie, et al — And now come the Plff. and the Defts. deMorandie and file the following agreement in said cause, to wit: "Antonio Imperello v. William P. deMorandie, John M. Fusher and James Durham and now on this day comes the said "Plaintiff by Attorney and deMorandie in his own proper "person, and the parties agree that the order ruling "aside the judgment rendered on the 14th July 1858. be annulled, and that said decree stand as to the said deMorandie, and be corrected as to said Peveto & Fusher, "by erasing their names from the money decree. And "the Plaintiff further agrees to stay execution for three "months J. A. & Geo W. Paschal for Plff. W. P. deMorandie, Augt 21st 1858.

It is therefore, ordered by the Court that the decree

Spring Term Monday August 23. 1858

entered in this cases as aforesaid be and remain in full force, by erasing the names of Brewer and Booker from the money judgment and that execution be stayed three months.

And Court thereupon adjourned until Monday next

Monday August 23rd 1858

Court convened at usual hour. When the following proceedings were had, to wit.

920	The State of Texas v. J. M. Archer	} Plaintiff } Defendant	}
1013	The State of Texas v. Nelson Mowell	} Plaintiff } Defendant	}
1063	The State of Texas v. W C Dalrymple	} Plaintiff } Defendant	}
1062	The State of Texas v. W C Dalrymple	} Plaintiff } Defendant	}
1150	The State of Texas v. James Wilcox	} Plaintiff } Defendant	}
1161	The State of Texas v. Geo. H. Gray	} Plaintiff } Defendant	}
1175	The State of Texas v. Geo W Sampson	} Plaintiff } Defendant	}

It is ordered by the Court that the clerk issue a capias in the above last seven cases for the collection of the fine and costs in said causes in accordance with Article No. Six Hundred and Ninety-Two of the Code of Criminal Procedure

Spring Term, Tuesday, August 24th 1858.

1265 Geo. W. Hitchings } Plaintiff
v.
W. G. Johnson } Defendant

And now comes the defendant by attorney, and submits to the Court this motion to substitute a new bond for the original Replevin bond filed in this case, and thereupon, It is ordered by the Court that said motion be granted, said Pltf. offering no resistance thereto.

And Court thereupon Adjourned until to-morrow.

Tuesday Morning, Aug. 24. 1858

Court convened at the usual hour. Present A. W. Terrell Judge; Frank Brown, Clk. and J. M. Blackwell, Shff. Whereupon the following proceedings were had by said Court, as follows To wit:

1563 Samuels & Mason } Plaintiffs
v.
Joseph Warren, Deft. } Deft
J. W. Robertson } Intervenor

It is ordered by the Court that the order and decree entered in this case on page 492 of this Record Book be continued and amended as follows to wit: "That the said Deft. recover off of said Warren the lands and premises described on said page 492 and that a writ of possession do issue against him on the 1st of November, 1858, and not before, and that the plaintiffs, by agreement, have and recover off and from the Intervenor, Joseph W. Robertson, all the costs of this case, so far as Warren is concerned, for which execution may issue and it is further ordered that the cause stand over for trial as between the plaintiffs and intervenor Robertson."

Refer to page 492

A. G. Shelley
Special Judge

1301 A. L. Harper } Plaintiff
v.
Samuels & Mason } Defendants

1641 The City of Austin } Plaintiff
v.
L. M. Swenson } Defendant

It is ordered by the Court that these two causes be respectively nonsuited for want of the payment of the jury fee required by law to be paid therein, and that they be dismissed from the Docket ordered further, that said Corporation of the City of Austin pay the costs in case No 1641, for which execution may issue, And that M. Samuels and A. Mason pay the costs of suit No. 1301, for which execution may issue

Spring Term Friday August 24th 1858

		Report of Mary Dennis. No. of Days	Amt.
1	Mr. W. Atwood	5	$ 7 50
2	Thomas Adams	8	12 00
3	Miles Baynes	19	28 50
4	William R. Baker	4	6 00
5	G. H. Banks	4	6 00
6	Jefe D. Burdett	14	21 00
7	J. B. Benson	11	16 50
8	Josiah Bishop	12	18 00
9	J. A. Burdett	14	21 00
10	John Bremond	4	6 00
11	A. M. Burdett	4	6 00
12	J. L. Bass	7	10 50
13	H. C. Benquer	1	1 50
14	A. Barnes	1	1 50
15	Thomas Brochard	10	15 00
16	S. B. Bails	4	6 00
17	S. B. Bush	14	21 00
18	J. L. Brown	6	9 00
19	William Bozeth	5	7 50
20	Leander Brown	12	18 00
21	Thomas M. Borden	7	10 50
22	E. M. Charles	21	31 50
23	A. H. Cook	6	9 00
24	William Custard	7	10 50
25	T. F. Chapman	4	6 00
26	L. H. Conner	1	1 50
27	L. B. Collins	32	48 00
28	L. Y. Compton	12	18 00
29	William Cowan	6	9 00
30	Ed. Christian	3	4 50
31	R. D. Cart	1	1 50
32	L. K. Clefton	1	1 50
33	Thomas Cater	6	9 00
34	C. A. Stopkins	4	6 00
35	P. H. Humphreys	13	19 50
36	A. D. Houston	5	7 50
37	L. H. Harris	5	9 50
38	John Hamilton	5	7 50
39	Wm Hamilton	5	7 50
40	H. C. Holman	11	16 50
41	E. M. Hurst	6	9 00
42	A. J. Horne	26	39 00
43	J. B. Hendrick	3	4 50
44	Ed. Hill	4	6 00
45	M. A. Houston	4	6 00

Term of Term, Tuesday, August 24th 1858.

		No of Days	Amount
46	Lewis Horse	11	16 50
47	I. M. Hopkins	9	13 50
48	O. H. Hedgcock	8	12 00
49	Thomas H. Jones	11	16 50
50	A. C. Jones	8	12 00
51	J. R. Jackson	3	4 50
52	R. M. Johnson	4	6 00
53	W. W. Jones	4	6 00
54	P. P. Job	15	22 50
55	D. Kinney	3	4 50
56	C. J. Killingsworth	9	13 50
57	R. H. Land	11	16 50
58	S. Loomis	6	9 00
59	DeWitt Lovelace	7	10 50
60	Hugh McClure	4	6 00
61	Joseph Mabb	5	7 50
62	J. H. Mathews	13	19 50
63	Hugh McBride	11	16 50
64	M. E. McLaurin	15	22 50
65	M. M. McLaurin	11	16 50
66	Ed. Martin	11	16 50
67	O. H. Mellican	7	10 50
68	L. B. Moore	11	16 50
69	John T. Miller	11	16 50
70	John G. Mathews	17	25 50
71	J. M. Mansfield	3	4 50
72	O. H. Marshall	10	15 00
73	James Mayo	4	6 00
74	John McChristian	4	6 00
75	B. W. McAnelly	15	22 50
76	Wm Martin	11	16 50
77	L. K. Miller	5	7 50
78	A. B. McGee	3	4 50
79	John Newsand	11	16 50
80	Thomas W. Nolen	2	3 00
81	W. T. Norton	3	4 50
82	W. W. Nowlin	12	18 00
83	L. G. Norvill	1	1 50
84	W. G. O'Brien	28	42 00
85	Wm Oliphant	4	6 00
86	J. S. Perry	6	9 00
87	J. R. Pace	7	10 50
88	J. H. Pope	5	7 50
89	R. H. Peck	10	15 00
90	James Pierce	15	22 50

Spring Term Tuesday August 24th 1858

91	Wm Perry	8		12	00
92	James Phelps	3		4	50
93	S. Palm	3		4	50
94	R. Platt	9		13	50
95	J. Pickens	5		7	50
96	S. Patterson	1		1	50
97	W. D. Patton	4		6	00
98	E. Priestley	13		17	50
99	E. M. Powell	4		6	00
100	J. T. Plumley	4		6	00
101	D. T. Randolph	8		12	00
102	John Robb	4		6	00
103	John A Robinson	11		16	50
104	R. J. Rambeau	4		6	00
105	John Raph	10		15	00
106	James V. Rob	4		6	00
107	Jm Robertson	4		6	00
108	J. N. Robinson	2		3	00
109	Edward Sedins	6		9	00
110	A. Schwartz	16		24	00
111	J. No. W. Scurlock	5		7	50
112	S. M. Swenson	10		15	00
113	Thomas C. Stanley	13		19	50
114	J. A. Shaw	6		9	00
115	L. L. Sykes	6		9	00
116	Geo. W. Simpson	1		1	50
117	John Stuart	4		6	00
118	C. B. Smith	1		1	50
119	A. J. Slaughter	1		1	50
120	Chas Stile	4		6	00
121	James G. Scurlock	27		40	50
122	C. Shandling	7		11	50
123	J. D. Schooley	4		6	00
124	John A Stanley	5		7	50
125	Wm A Sharp	4		6	00
126	Thos H. Turney	4		6	00
127	James A. Thompson	4		6	00
128	J. M. Tibaut	1		1	50
129	James M Turley	6		9	00
130	A. J. Thurman	1		1	50
131	J. B. Thexton	11		16	50
132	D. Trabue	7		10	50
133	J. J. Tunnehill	7		10	50
134	Think Tunnehill	4		6	00
135	Wm A Tomlin	4		6	00

Spring Term, Tuesday August 24th 1858.

136	Thomas Vann	5		7	50
137	J. R. Vance	5		7	50
138	W. A. Wood	5		7	50
139	J. C. Wilson	11		16	50
140	Joseph Wacker	11		16	50
141	M Walton	12		18	00
142	Sam. J. Wood	6		9	00
143	Wm G. Wallace	6		9	00
144	Celia Woodard	4		6	00
145	Sam M Wright	7		11	50
146	D. F Waddell	4		6	00
147	Jerome Wacker	9		13	50
148	John A Wacker	5		7	50
149	L. J. Nichols	1		1	50
150	Wiley B. Nichols	1		1	50
151	J C. Moorhead	1		1	50
152	Goldman Martin	1		1	50
153	Leo Hesser	2		3	00
154	C M Eames	1		1	50
155	Wm Edgar	1		1	50
156	John Edgar	5		7	50
157	D. C Edmiston	1		1	50
158	D. Epperly	11		16	50
159	J. Epperly	8		12	00
160	Alex Eaves	19		28	50
161	Thomas Evans	7½		11	50
163	R C. Flannikin	11		11	50
163	J D. Fuck	11		16	50
164	Wm M Fowler	15		22	50
165	Thos. Freeman	4		6	00
166	A. A. Fuck	4		6	00
167	James George	8		12	00
168	C M Green	23		34	50
169	G J Glapcock	5		7	50
170	G W Glapcock	5		7	50
171	B. F. Galuet	7		11	50
172	Wm M Granades	10		15	00
173	M M Grant	8		12	00
174	A. W. Goodrich	8		12	00
175	H. Green	6		9	00
176	Wm Gorm	2		3	00
177	Sam. Cooper	7		11	50
178	R. Creubaur	7		10	50
179	J. M. Cain	4		6	00
180	O W Dixon	7		10	50

Spring Term Tuesday August 24th 1858

181	Mc D. Deuce		5	7	50
182	A M Davidson		10	15	00
183	J W. Darlington		11	16	50
184	Ephraim H. Darter		11	16	50
185	Bree Dillingham		2	3	00
186	Jenkins Davis		7	11	50
187	W. D. Dodd		4	6	00
188	George Holman		14	21	00
189	Mc C. Hamilton		5	7	50
191	D. G. Hagins		7	11	50
191	Reuben Runner		5	7	50
		Grand Jury			
1	James A Berry		8	12	00
2	Wm R Burdett		8	12	00
3	G H Burdett		8	12	00
4	A G Compton		8	12	00
5	Ben. Choate		8	12	00
6	James Carter		8	12	00
7	Joseph Hamell		8	12	00
8	Wm A Hamilton		8	12	00
9	John J. Jolly		8	12	00
10	Hall Medlin		8	12	00
11	C S Mathews		8	12	00
12	W. L. McCutchan		8	12	00
13	James Rogers		8	12	00
14	Asher Smith		8	12	00
15	Wm M. Wilson		8	12	00

Total No of days served by Grand Jury 120 @ $1.50 per day $ 180.00

No of days served by Petit Jury 1389 @ $1.50 per day 2083.50

Total $ 2263.50

The Report approved August 24. 1858. A W Terrell, Judge 2d Dist.

Ordered by the Court that J. M. Hopkins, Bailiff, be allowed forty-three 50/00 dollars, for services as such at present Term.

Ordered by the Court that Albert Weir, Bailiff, be allowed Ninety-Six dollars for services as such at present Term

Ordered by the Court that R. R. Robertson be allowed fifty-five 50/00 dollars for services as such at present term

Ordered by the Court that D. C. B. Copeland be allowed Eighteen dollars for services as Special Bailiff to Grand Jury at present term

Spring Term Tuesday August 24th 1858.

74 Thomas F. Chapman } Plaintiff
vs
Edward R. Alver } Defendant

In District Court Spring Term 1858.
The Report of Ralph Lee, Receiver in the above entitled cause

Said Receiver states that on the 7th day of May 1857, he proceeded under and by virtue of the deed of trust set out in his Report heretofore rendered in July 24th 1856 to sell at public sale in accordance with the terms of said deed of trust, and in compliance with the conditions thereof, said deed of trust being herewith filed and made a part of this Report, the real estate therein described, and that William P. de Normandie became the purchaser thereof for the sum of twenty six hundred and ten dollars; that on the 8th day of May, 1857, upon the receipt of the purchase money he executed to said de Normandie, deed of the premises described in a former decree in this case and more particularly described in said deed of trust, a copy of which deed is herewith filed: out of the proceeds of said purchase money, amounting to twenty-six hundred and ten dollars, he paid to James H. Mathews, in compliance with an interlocutory order of this Court, the sum of seventy-five dollars, and the costs of sale amounting to twenty-five dollars, as will appear by voucher herewith filed, and paid over to said plff Chapman the sum of twenty-five hundred and ten dollars which makes the sum stated in this and the report heretofore rendered (four thousand four hundred and forty-five) $4445 dollars to be credited on the judgment in accordance with the decree rendered in the above entitled cause. And the Receiver prays as heretofore that he be allowed the sum of One hundred and seventy-five dollars Statement.

Received from sale of land		5.220.00
By cash pd costs of suit as per voucher	55.	
" " " Chapman	1935.	
" " " Mathews	75.	
" Cr. of sale under deed of trust	25.	
" Cash paid Chapman	2510.	
" Balance.	120.	
	5.220	$5.220.00

Leaving in the hands of the Receiver the sum of one hundred and twenty dollars, which take from the sum of one hundred and seventy-five dollars allowed him, leaves the sum of fifty-five dollars still due him. Receiver therefore asks that this Report be received as a final Report and that he be discharged as said Receiver

Ralph Lee, Receiver

Spring Term, Tuesday, August 24th 1858

(179 Moore, Sims & Co. } Plffs. } It is ordered that the continuance in this
W. C. Collins & ors } Defts } cause be set aside and on motion of the
pltffs. counsel, It is ordered by the Court
that, in consequence of the defendant being called to appear, and
failing to show cause, that the judgment rendered in this cause the
4th Sept. 1852 for $210 33¢ be and the same is revived, and that said pltff
recover of said defendant said sum of Two Hundred and Ten 33/100
dollars, with interest thereon since 4th Sept. 1852 and all cost of suit
for which execution may issue.

1150 The State of Texas } Plaintiff } And now on this day came
vs } and appeared in open Court
James Wilie } Defendant } Joseph Lee, and acknowledged
himself bound for the amount of the fine and costs imposed in the above
entitled and numbered cause, at this term of the Court

1469 De Witt } Pltff } By agreement of parties the order
vs } changing the venue of this cause to
Herron } Defts. } Williamson county is set aside and
~~set aside~~

1290 George Hancock } Plaintiff } Before H. G. Shelley Esqr
vs } Special Judge
Zailla J. Nichols } Defendant } And now on this day came
the parties to the above entitled cause by their respective attorneys,
and by agreement of parties, and on motion, It is ordered by
the Court that the above entitled and numbered cause be dis-
missed from the docket, and that the said Hancock recover
of and from the defendant, Zailla J. Nichols, all costs in
and about this suit expended, for which execution may issue.
H. G. Shelley Special Judge

1240 The State of Texas } Plaintiff } On motion, It is ordered by
vs } the Court, that the forfeiture
Thomas Robb et. als. } Defendants } in this case be set aside,
the costs of this proceeding having been paid.

1548 Benj. Choate } Pltff } It is ordered by the Court that the motion of
vs } Eborn for a substitution of another charge for
Eborn & Wright } Defts } the one last in this case be overruled, because the
Court as well as the counsel in the cause are unable to recollect the charge
given, & appearing that there was no error under the facts in evidence
in the verdict of the jury or Judgment rendered thereon

Spring Term, Monday August 24th 1857.

A List of Cases in which Judgments were rendered at the Spring Term, 1857, of the
No. of Cases Travis District Court, and on which no Money fee is due and recoverable

No.	No. of Case	Names of Parties	Amount
1	956	Ernst Rauch	vs John Killick	3.00
2	1059	Jno Beck & Co	vs L. A. Burdett et als	3 00
3	1078	Asa Hoxey	vs Waller	3 00
4	1103	D. H. Nowlin	vs H C Walker et als	3 00
5	1143	F. W Chandler	vs J. K. Anderson et als	3 00
6	1190	Peter Lacey	vs Jno M. Alexander et als	3 00
7	1200	James E. Brady	vs C. M. Johnson	3 00
8	1205	Samuel Cooper	vs James Phelps	3 00
9	1271	Geo. L. & H. M. Wharton	vs P. L. Loy	3 00
10	1273	S. Gamble, Admr	vs A. J. Donson	3 00
11	1277	Owen O Brien	vs W S Walker	3 00
12	1301	A. S. Harper	vs Samuels & Mopon	3 00
13	1314	C. S. C. Robertson	vs M. Tongate	3 00
14	1316	A. Houston	vs C. Holman et als	3 00
15	1326	D. H. Humphreys et al	vs Herman Case et al	3 00
16	1355	Moore & Owings	vs James M. Alexander et al	3 00
17	1383	Welton	vs Clopton	3 00
18	1387	Lee Sanders	vs C. C. Holman et al	3 00
19	1391	Mary L. Root	vs John T. Coleman	3 00
20	1395	Armstrong	vs Claiborne Reed	3 00
21	1405	J. W. Brown & Co	vs J. M. Ellsworth	3 00
22	1411	F. W. Chandler	vs L. A. Burdett	3 00
23	1409	D. H. Nowlin	vs G. L. & H. M. Wharton	3 00
24	1413	Jesse Day	vs C. M. Davidson	3 00
25	1414	J. P. Alexander	vs L. B. Moore et als	3 00
26	1415	L. P. Alexander	vs M. Perry et als	3 00
27	1426	Simpson & Henricks	vs Josiah Fisk	3 00
28	1440	L. D. Carrington & Co	vs John M. White	3 00
29	1448	M. Wharton	vs L. R. M. Call et als	3 00
30	1459	Wayne Pace et als	vs C. R. Johns et als	3 00
31	1650	A. Saperville	vs H. De Normandie et als	3 00
32	1468	M. Mitchell	vs Runkle	3 00
33	1472	Bruce & Langhlin	vs Josiah Fisk	3 00
34	1476	A. D. Dodd	vs M. Brown	3 00
35	1479	L. L. Gibbs	vs Peter Gaspickle	3 00
36	1481	C. Morrill	vs W. B. Goodwin et al	3 00
37	1484	The City of Austin	vs R. H. Peck et als	3 00
38	1485	" " " "	vs Krohn & O'Connell	3 00
39	1486	" " " "	vs Hord & Bellman	3 00
40	1488	R. A. Keller	vs J. M. H. Hall	3 00
41	1501	J. Wahrenberger adm	vs J. Hennigar	3 00
42	1503	J. C. Hedges	vs L. D. Bell	3 00

Spring Term, Friday August 24th 1855

43	1505	John Yancke	vs A. Pellman	8 00
44	1506	D A Higgins	vs A. H Cook	3 00
45	1507	G G Steele	vs P. A. Monroe	3 00
46	1508	Amos Morrill	vs O. O'Brien	3 00
47	1512	Cunningham & Cole	vs Wm H. Atwood	3 00
48	1513	Davis	vs Collins	3 00
49	1514	Wm H. Fowler	vs A M Lindsay	3 00
50	1515	Dennis Neal	vs J N Robertson	3 00
51	1516	J. M. Swenson	vs John M. Thomas	3 00
52	1517	" "	vs H. C. Holman	3 00
53	1518	C. P. Smith	vs Nelson Merrell	3 00
54	1524	C. L. C Robertson	vs Geo H. Gray	3 00
55	1525	Sampson & Hennicks	vs T. C. Collins	3 00
56	1526	" "	vs A. H. Cook	3 00
57	1527	C. J. Killingworth	vs Thos Freeman et al	2 00
58	1530	Lewis	vs Rowe & Conner	3 00
59	1532	J. B. Costa, Jr	vs O. P. Richardson et al	3 00
61	1534	Amos Morrill	vs Thos H Chapman	3 00
61	1535	Copp & Co	vs Pitts & Hamilton	3 00
62	1541	N J Rector	vs G. N. Burditt et al	3 00
63	1543	Carrington & Co	vs Shanghai Ines	3 00
64	1546	Bonedin	vs W. L. Brown	3 00
65	1547	Bonedin	vs W. L. Brown	3 00
66	1548	B Choate	vs Ebon & Uncle	3 00
67	1549	Swenson & Forker	vs W D Miller et al	3 00
68	1551	A N Hopkins	vs L J Nichols	3 00
69	1553	Mecklin	vs Vandevers Adams	3 00
70	1559	Miles Byrne	vs Clement & Horan	3 00
71	1560	Geo Hancock	vs D. C. Heffinglin et al	3 00
72	1565	W. P. Mann	vs A B McGee	3 00
73	1566	John W. Phillips	vs O. D. Crosby et al	3 00
74	1567	J. C. Crigler	vs A N Hopkins	3 00
75	1569	H. C. Chapman	vs Holman	3 00
76	1570	Lane & Co	vs J. C. Collins	3 00
77	1571	Thos Freeman	vs R. D. Rutherford	3 00
78	1572	C. Shedine	vs Heffington & Randolph	3 00
79	1574	James Doyle	vs Geo. T. Brownell et al	3 00
80	1576	J. M. Swenson	vs Charles Payne	3 00
81	1580	T. M. Jackson	vs R J Travers	3 00
82	1581	A Brown	vs J. C. Mathews et al	3 00
83	1584	J. W. Brown, Admr	vs Davis et al	3 00
84	1585	J. C. Gwin	vs Isaac N. Piker	3 00
85	1587	C Yale Jr & Co	vs L. Pellman	3 00
86	1589	J. C. Perry	vs C G Keenan	3 00
87	1592	C Halsey	vs M Halsey	3 00

Sprin Term Recd in Court Oct. 24. 1858.

88	1595	N. B. S. Gilmer	vs	K. L. Harrison	3 00
89	1597	L. Hord	vs	Burdett & Burleson	3 00
90	1600	Geo Hancock	vs	P. N. Nolen	3 00
91	1601	Norwood	vs	Adams	3 00
92	1602	F. Duerich	vs	Hoffman & Rudolph	3 00
93	1603	J. W. Lawrence	vs	Smith & Davis	3 00
94	1604	Amos Morrill	vs	Thomas et al	3 00
95	1605	R. C. Oborn	vs	D. S. Spence et al	3 00
96	1608	L. Hord	vs	Burdett	3 00
97	1610	Sweet & Co	vs	de Normandie	3 00
98	1612	N. S. Slaten	vs	de Cordova et al	3 00
99	1614	J. McKinsey	vs	R. H. Peck et al	3 00
100	1615	W. T. Patterson	vs	J. W. Robertson	3 00
101	1172	H. Murdoff	vs	Aldrege	3 00
102	1617	City of Austin	vs	W. M. Fowler	3 00
103	1620	L. D. Carrington & Co	vs	Sherman Case	3 00
104	1621	Hanna	vs	Millard	3 00
105	1622	Bacon	vs	Hancock	3 00
106	1627	Yett	vs	Collins & Parker	3 00
107	1628	Miles Bryan	vs	S. G. Reed	3 00
108	1633	F. Duerich	vs	J. W. Robertson	3 00
109	1634	A. Connell	vs	L. Malitsky	3 00
110	1635	B. Grumbles	vs	W. Gildard	3 00
111	1638	F. Duerich	vs	Zilker & Boles	3 00
112	1639	W. S. Starkey	vs	G. Raven	3 00
113	1641	City of Austin	vs	J. M. Swenson	3 00
114	1647	Thos. O Collins	vs	Wm Green et al	3 00
115	1652	Kirby	vs	Kendrick	3 00
116	1653	McKee	vs	McGehee	3 00
117	1660	Ford	vs	Harrington	3 00
118	1659	Simpson & Hancock	vs	W. P. de Normandie	3 00
					$354.00

The Clerk Reports To the Court The following cases in which the jury fee is not paid:

1201	A. L. Harper	vs	Samuels & Mapes	$3.00
1592	D. Hubbard	vs	W. Hubbard	3 00
1641	City of Austin	vs	J. M. Swenson	3.00 6.00
			Balance collected	$348.00
			Deduct 2½ per ct. Com. to Clerk	7.73
			Balance to Jury fund	$340.27

The Grand Jury and Petit Jurors served 1564 days making $2263.50
The Pro Rata pay will be 22½ per day making $340.27
The amount of balance on Jury tickets, to be drawn
and paid by the County

$81.92½ $2263.50

The foregoing account is approved this the 24 of Oct 1858 A. W. Terrell, Judge D Dist

Frank Bowles Clerk D.C.C.

Spring Term, Wednesday August 25th 1858

↓ 1461

Lanpa Millard etals } Plaintiffs } It is ordered by
vs } the Court that the order
P. Millard etals } Defendants } entered in this case on
page 494 be and is hereby set aside, and ordered, further
that the judgment and verdict heretofore rendered in page
433 be set aside, and a new trial awarded, and case cont.

And Court adjourned until to-morrow morning

Wednesday Morning, Aug. 25. 1858.

Court convened at usual hour. Present Hon. A. W. Terrell, Judge, Frank Brown, Clerk and J. M. Blackwell, Sheriff whereupon the following proceedings were had, to-wit:

↓ 1577

John A. Green } Plaintiff } And now at this day come
vs } the parties to these two causes,
A. B. McGill } Defendant } to-wit 1577, and 1647, and, by
consent, the same are consolidated, and the parties having announced themselves ready for trial, and having waived a jury, and by agreement submitted the matters both of law and fact to the Court. And the demurrer of the defendants

↓ 1647

Thomas C. Collins } Plaintiff
vs
A. B. McGill
John A. Green
George Hancock &
Nelson Merrell, and
Martha Mitchell } Defendants
Intervenor

Hancock and Merrell to the petition of the said Collins being considered by the Court, It is ordered that the same be overruled and the demurrer of the plff. Collins to the petition of the intervenor Martha Mitchell coming on to be heard, It is ordered by the Court that the same be overruled, and the cause coming on then to be heard on its merits, it is ordered that the injunction be perpetuated in favor of Collins as against the defendant McGill, and the said McGill is hereby enjoined from transferring, disposing of in any way assigning or binding the note for $3000 on N. Dale Normandie in the plffs. petition described - and the said McGill is also enjoined from in any manner disposing of the balance of two other notes payable in land at one dollar per acre described in plaintiffs petition until the extinguishment of the debt of the said McGill, for the purchase money of the said Barton land. It is farther ordered that so far as the said Green and the other parties to said suit are concerned, except McGill, that the said injunction be dissolved. And it appearing to the Court that the said McGill did, at the dates stated in the said petition of the said Green to wit on the 30th of

Spring Term Wednesday August 25. 1858.

April A. D. 1855, purchase the following described premises known as the Barton Labor: Beginning at an Elm at the mouth of the creek. Thence N. 60 W. 3400 vs, thence N 73 W. 2000 vs a stake from which is a hackberry bearing N. 53 E. 3 vs & one N. 12 W. 2 vs thence S. 67 W 2100 vs to a stake from which a bearing N. 65 E. 2 vs & one S. 24 W. 3 vs, thence S. 67 E at 100 vs a act weather creek 40 vs in width at 280 vs a cedar from which are two others one bearing S. 65 E. 5 vs the other N. 15 E. 9 vs Thence N. 55 E. 1660 vs where it intersects Dickens line a Spanish oak from which is a Live oak bearing N. 35 W. 11 vs & a cedar S. 22 W. 100 vs, thence N. 50 E. with said Dickens line 558 vs to the corner in Spring creek— Thence N. 67 E. 500 vs to the beginning containing 100 acres of arable land the rest pasture land — Variation 10° East — — — — — — — and that at the date of said purchase, that he executed his two notes for the purchase money for the same as in the pleadings described; and it further appearing that the said Hancock and Merell were securities for the said McGill on his said two notes, and that at the same time the said McGill executed a mortgage to the said Green on the said premises above described to secure the payment of said notes and it further appearing to the court, that a judgment was rendered in favor of said Green on the first note of McGill described in plff. Green's petition, and against the said McGill as principal and the said Hancock & Merell as securities on the 9th of August A. D. 1856, without a prayer for the foreclosure of said mortgage for the sum of $2578.29 besides costs of suit and it further appearing to the court that another judgment without foreclosure of said mortgage was rendered in favor of the said Green and against the said McGill as principal and the said Hancock and Merell as securities upon the record of said notes of McGill as described in petition of said Green, on the 27th of November, A. D. 1857, for the sum of $2638.27 besides costs of suit and it further appearing to the Court that the said McGill, on the first of the aforenamed judgments, had on the 6th of October, A. D. 1856 the sum of $1100- and that the balance of said first judgment gives the credit for the said payment was affirmed by our Supreme Court at Austin, A. D. 1857, with Ten per cent. damages on said balance, besides costs, and it appearing to the Court that on the 15th of June, A. D. 1858, the said McGill made a further payment on the balance of said first judgment of $500- and it appearing that the balance of said judgment and costs are unsatisfied, and that the whole of the last named judgment is still unpaid, It is therefore considered by the court that the said mortgage be foreclosed on the premises above described, as follows: It is ordered that the Sheriff of said county do first proceed to sell all that portion of the

said Barton Labor situated North of Spring Creek and between said Creek and the Colorado River, and apply the proceeds of said sale to the payment of said judgments, and if the same should not be sufficient to pay said judgments, then it is ordered that the Sheriff do proceed to sell the balance of said Barton Labor for the payment of said judgments. It is further ordered that the Defendants, except Green, in the Original case of Collins vs. Green, to wit: (Nelson Merrell George Hancock and A. B. McGill) do pay all the costs accrued in that case for which execution may issue And it is further ordered that the Original Defendants in the case of Green vs McGill No 1377, pay all the costs in that case, for which execution may issue. And thereupon the said Collins and McGill give notice of appeal to our Supreme Court

The State of Texas vs F. I. Mayfield } Plaintiff / Defendant } On this day appeared the prisoner, John Sanchez, and George H. Gray, appointed by the Court to represent the State, the said Sanchez also appearing by counsel; and upon a hearing of the application for a writ of Habeas Corpus, and because it appears that the said Sanchez is illegally detained in custody. It is ordered that F. I. Mayfield, Jailer of Travis County, who detains the said prisoner, release said prisoner, and that he go hence without day.

The foregoing minute of the Spring Term of the District Court of Travis County having been read & approved it is ordered that said Court do now stand adjourned until the Fall Term thereof

A. W. Terrell
Judge 2nd Dist

5

Certificate issued by James D. Gillett Adjutant General to Barney Cannon on the 3rd day of January 1853. for (240) Two hundred and Forty acres No. 1188. County Land Certificate issued by James D. Gillett, Adjutant General

240

Amelia Brichta
Augustus Brichta and
Frank V. Brichta
vs
Robert H. Brichta and
Cecilia Brichta

Plaintiffs
Defendants

Partition of Lands and Land Certificates

Come the Plaintiffs by attorneys and Defendants by Joseph Bledsoe Esq and W.W.D Carrington Esq. their Guardians ad litem also come A.G. Compton, Nathaniel Townsend and D.W. Glapcoat, Commissioners appointed at the present term of this Court to Partition certain Lands and Land Certificates among the Parties to this suit and make report of their proceedings in the premises in writing, sworn to and subscribed by them which report is in the words and figures following, to wit:

Report of Commissioners

To the Honorable Alex W. Terrell Judge of the Second Judicial District of the State of Texas

The undersigned Commissioners appointed by your Honor at the present term of the District Court of Travis County to Partition certain Lands and Land Certificates belonging to the Heirs of Francis Brichta, deceased, described in a certain petition in a cause now pending before said Court No. 444 wherein, Amelia Brichta Augustus Brichta, and Frank V. Brichta are Plaintiffs and Robert H. Brichta and Cecilia Brichta are Defendants Beg leave to report their proceedings in the premises, which are as follows, to wit; The whole amount of Lands and Land Certificates the Commissioners appraised and valued at the sum of Nine thousand two hundred and Sixty eight Dollars. Proceeded with the said oath of appointment and Writ of Partition, we proceeded to Partition said property, and set apart to Amelia Brichta one half of the same as follows, to wit: * Donation Land Certificate issued by Robt M. Elgin act.g Commissioner of the General Land Office on the 28th of July 1857. to

Fall Term 1857, Friday January 15th 1858

to the best of our ability. We therefore ask to be discharged, all of which is respectfully submitted to the Court.

We do Solemnly Swear the above and foregoing is a fair and just Partition and distribution to the best of our Knowledge & belief.

A. G. Compton
Nathl Townsend, Commissioners
G. W. Glapesock

Sworn and Subscribed to before me this 15th of January A.D. 1858.
John J. Graves J.P.

And no exceptions having been taken to said Report, and the Court having duly examined and considered the same, and it appearing that said Partition and distribution has been fairly made, and in accordance with Law- It is therefore Ordered and decreed by the Court, that said Report so made as aforesaid be and the same is hereby approved.

It is Further Ordered and decreed by the Court that the Decree of Partition heretofore made in this case, said Report and this Decree stand as a monument of title to each Distributee of his and her respective share as set forth in said Report. It is Further Ordered and decreed by the Court, that all the right, title and interest of each of said Distributees in and to said Lands and Land Certificates set apart to their Co.distributees be and is hereby divested out of them, and the same is vested fully in each Distributee to the extent of his or her respective share as set forth in said Report.

It is Further Ordered and decreed by the Court, That Amelia Brichta pay One Half of the Costs in and about this case expended and that each of the remaining Distributees pay one fourth of the remainder of said Costs, and further that Robert H. Brichta and Cecilia Brichta pay, each the sum of Twelve 50/100 dollars as Fee of Guardians ad litem, for all which execution may issue.

And thereupon Court adjourned until to morrow morning 9 o'clock A.M.

Saturday Morning January 16th 1858.

Court convened at 9 o'clock A.M. Pursuant to adjournment and the same as on yesterday. Whereupon the following proceedings were had by said Court as follows to wit:

Thomas J Moore } Plaintiff } Def't

A. E. Raymonds wife vs. H. H. Cook and Thomas H. [illegible]
heard the same are hereby consolidated, to which order
the said Lucinda and Nathaniel Raymond by their
Counsel excepted.

12010 James P. Cope } Plaintiff
vs.
W. H. Lowry } Defendant
And now on this day came the parties to this cause by their attorneys, and by agreement filed and on motion of said parties. It is Ordered by the Court that this cause be dismissed from the docket, and that said plaintiff and defendant each pay the costs by him incurred, for which execution may issue.

12083 W. H. Lowry } Plaintiff
vs.
James P. Cope } Defendant
And now on this day came the parties to this cause by their attorneys, and by agreement filed. and on motion of said parties, It is ordered by the Court that this cause be dismissed from the docket, and that said plaintiff and defendant each pay the costs by him incurred, for which execution may issue.

12099 F. Dietrich, Admr } Plaintiff
vs.
Glascock & Mobley } Defendants
It is Ordered by the Court that the defendants in this cause have leave to amend.

1407 Joseph A. Sprague } Plaintiff
vs.
P. Lambert } Defendant
It is Ordered by the Court that the plaintiff in this cause have leave to amend.

12444 Amelia Brichta, Angustus V. Brichta & Frank W. Brichta } Plaintiffs
vs.
Robert H. Brichta & Cecilia Brichta } Defendants
Suit for partition of Lands and Certificates.
154
Now come Amelia Brichta, Augustus Brichta and Frank W. Brichta, plaintiffs in the above entitled cause by their attorneys, and Robert H. Brichta & Cecilia Brichta defendants herein by their Guardian ad litem W. H. D. Carrington Esq. and Joseph A. Bledsoe Esq. and submit this cause to the Court upon the petition and answers filed herein. And it appearing to the Court that the said defendants have been personally served with citation in this cause, and that their guardian ad litem has filed an answer

Tallassee, Wednesday, December 2 3d, 1857.

herein to the petition, and that the Real Estate and Lands Certificates in said petition mentioned and described are the property and belong to the heirs of Francis Brichta, deceased; And it further appearing to the satisfaction of the court, that the Estate of said deceased has been administered upon and finally closed; and that this Suit is for the partition of Community property, which has now become vested in the heirs of said deceased. And it further appearing to the satisfaction of the Court from evidence that the said Amelia Brichta is the widow of said Francis Brichta deceased, and that Augustus, Frank V, Robert H. and Cecelia Brichta are the Children of the said deceased and said Amelia And the court being satisfied that the parties to this suit are the only persons by law entitled to the partition and distribution of said Lands & Land Certificates in said petition mentioned, and that each are entitled to a share of the same as hereinafter decreed, The premises duly considered It is therefore ordered adjudged and decreed by the court, that the said Lands and Land Certificates be partitioned and that the said Amelia Brichta is entitled to one half interest in the same absolute according to quantity, quality and value and that Augustus, Frank V, Robert H and Cecelia Brichta are each entitled to one fourth interest in the residue of said land and land certificates according to quantity, quality and value It is further Ordered and decreed by the Court, that A. G. Compton, Nathaniel Townsend and George W. Glasscock be and they are hereby appointed Commissioners to make partition and distribution of said lands and land certificates. They are hereby required to set aside to each of said distributees their respective shares according to quantity, quality and value, to be ascertained by them. It is further ordered and decreed by the Court that the Clerk issue a writ of Partition to said Commissioners Commanding them to proceed forthwith to make said partition and distribution in accordance with the above decree a certified copy of which to accompany said writ; and also Commanding them to make due return of said writ with their proceedings thereon at the present Term of this Court, sworn to and subscribed by them as the Law directs.

Robert Miles vs } Plaintiff | And now on this day came the parties to this cause by th

Fall Term 1857. Friday January 15th 1858

Philip Stroh for (199) One hundred and Ninety Nine acres No. 1180. An unlocated balance of Colony Certificate issued by the Commissioner of the Gen. Land Office to Johan A. Hocking on the 12th December 1835 for (32½) thirty two and one Half acres No. 4314. An unlocated balance of Headright Certificate issued by the Commissioner of the Genl Ld Office to Johan Hochkirch on the first September 1854 for (203) two hundred and three acres No. 3614 / 3719. Bounty Land Certificate issued by James S. Gillett, Adjutant General to Joseph Kenah on the 31st December 1852 for (241) two hundred and forty acres No. 1189. Bounty Land Certificate issued by James S. Gillett, Adjutant General to Adolphus Lefeber on the 3rd day of January 1853, for (240) Two Hundred and forty acres. No. 1189. Bounty Land Certificate issued by James S. Gillett Adjutant General to Barney Cannon on the 3rd day of January 1853 for (240) Two Hundred and forty acres No. 1188. Bounty Land Certificate issued by James S. Gillett, Adjutant General, to George Leonard by Anthony O'Donell, Asignee, on the 21st day of Feby 1852 for (1280) Twelve hundred and eighty acres of Land No. 1853. All of the said Certificates said Commissioners appraised in the aggregate at the sum of (133) Six Hundred and thirty three Dollars.

The following described Lands said Commissioners also set apart to Amelia Brichta, viz- Three hundred and twenty Acres of Land in Bexar County on the Waters of the Colorado river about 18 miles N. 47° W. from the mouth of Braags Creek known as Survey No. 793. The field Notes of which are now particularly described in Patent issued to the Heirs of Francis Brichta, deceased, Asignees of Frederick Hirsch on the twenty second day of October, Eighteen Hundred and fifty five No. 375. Vol. 12. Appraised at one hundred and Sixty Dollars. Three Hundred and twenty acres of Land in Bexar County on the Waters of the Colorado River about 18½ miles N. 46° W. from the mouth of Braags Creek known as Survey No. 796. For field Notes reference is made to Patent issued to heirs of Francis Brichta, deceased, Asignees of Frederick Hirsch on the twenty second day of October 1853 - Eighteen Hundred and fifty four, No. 376. Vol. 12. Appraised at One Hundred and Sixty Dollars. Six Hundred and forty acres

Sumbes near Tea River, about 27 miles N. 67° W. from
Gainsville known as Survey No. 10 being the Half of said
Survey, which contains Nine Hundred and Eighty Four acres and
was Patented to the Heirs of F. Bricka deceased, Apignees of
Ed. C. Conner on the Fifth day of October Eighteen Hundred
and Fifty Seven, No. 969 Vol. 3. Appraised at Four Hundred and
Ninety two Dollars. Three Hundred and twenty acres of Land
1/3 in Llano and 2/3 in Bexar County on the Waters of the
San Saba, about 13 1/2 miles N. 33° E. of Fort Mason the field
Notes of which are Contained in Patent issued to the Heirs of
F. Bricka deceased, Apignees of Joseph Kruse on the twentieth
day of February, Eighteen Hundred and Fifty Six, No. 836. Vol. 12,
Appraised at one hundred and Sixty dollars. Three hundred
and twenty acres of Land 1/3 in Llano and 2/3 in Bexar
County on the Waters of the San Saba River, about 14 miles
N. 33° E. of Fort Mason, the field Notes of which are
Contained in Patent issued to the Heirs of F. Bricka, deceased,
Apignees of Joseph Kruse, on the Twenty first day,
of February Eighteen Hundred and Fifty Six No. 837. Vol. 12,
Appraised at One Hundred and Sixty Dollars. One
hundred and Seventy Acres of Land in Refugio County
about 10 miles North of the Town of Refugio, the field
Notes for which are contained in a Patent issued to Frederick
Jacobs on the Ninth day of May Eighteen hundred and
fifty Seven, No. 237, Vol. 8. Appraised at One hundred
Twenty Dollars. Four Hundred and thirty Seven acres in
San Saba County on the South bank of the Colorado
River about 28 1/2 miles above the mouth of the San Saba
river known as Survey No. 233. in Harvey's District No. 2
The field Notes to which are in the Land Office - and Survey
made by virtue of Certificate No. 234 in the name of Johan
Hockirch. Appraised at One Hundred and Seventy Six dollars.
Three Town Lots in the Town of Matagorda Nos. (1)
One, (2) two, and (3) three in Block No. (12) twelve in
Tier No. 4, Appraised at Fifty Dollars. The aggregate
value of the above described property set apart to
Cecilia Bricka, is Eleven Hundred and Fifty eight dollars.

Having thus Partitioned and set apart to each
Distributee this and their respective Share of the Lands
and Land Certificates in said Decree mentioned, quantity,
quality & value having been ascertained by us in accordance
with said Decree and Order of Court under the Circumstances


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